



# Fort Ord Reuse Authority

100 12th Street, Building 2880, Marina, CA 93933

Phone: (408) 883-3672 - Fax: (408) 883-3675

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## FORA BOARD AGENDA

**AGENDA FOR THE FORT ORD REUSE AUTHORITY BOARD MEETING ON  
FRIDAY, JANUARY 8, 1999 AT 4:00PM\* AT THE FORA CONFERENCE ROOM,  
12TH STREET GATE, FORT ORD.**

1. **ROLL CALL/ACKNOWLEDGMENT – 4:00pm**  
Resolution of Appreciation to Fred Harris
2. **CLOSED SESSION – 4:00pm**
  - a. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR**  
Property: Former Fort Ord  
Negotiating Parties: United States Army, FORA  
Under Negotiation: Price and Terms of Payments
3. **ROLL CALL/ FRED HARRIS PRESENTATION – 4:30pm – Open Session Begins**
4. **CONSENT AGENDA** APPROVE
  - a. December 11, 1998 Minutes
  - b. One Year Extension of Preston Park Interim Lease
  - c. Certification of the Final Environmental Assessment/Initial Study for the EDA Funded North-South Road/State Highway 218 Capital Improvement Project
5. **PUBLIC COMMENT PERIOD**

Members of the audience wishing to address the Board on matters within the jurisdiction of the Authority and not on the Agenda may do so during the public comment period. Individuals may comment on specific agenda items at the time the matter is being considered by the Authority.
6. **OLD BUSINESS**
  - a. Continuation from the December 11, 1998 Board Meeting - Adoption of FORA Development Fee Schedule (Second Vote) ACTION
  - b. Second Vote on the FORA FY '97-'98 Audit Report ACTION
  - c. **FINANCIAL AUTHORIZATION** ACTION
    - (1) Authorization for the Executive Officer to Accept an Offer of Grant Award from the Economic Development Administration (EDA) ACTION
    - (2) Authorization for Staff to Establish a Line of Credit for Economic Development Technical Assistance Grant Matching Requirements And Habitat Conservation Plan Consulting Services ACTION

**\* OPEN SESSION BEGINS @ 4:30PM**

**7. NEW BUSINESS**

a. ORGANIZATIONAL ISSUES:

- (1) Election of FORA Officers for 1999
- (2) FORA Board Procedures
- (3) FORA Special Committees

ACTION  
INFORMATION/ACTION  
INFORMATION/ACTION

**8. EXECUTIVE OFFICER REPORT - None**

**9. ANNOUNCEMENTS AND CORRESPONDENCE**

Packard Grant Letter

**10. CLOSED SESSION**

a. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation

Name of Case: FORA v. CSU

**11. NEXT MEETING**

Establish February 19, 1999 @ 4:00pm as the date and time of the Authority's next regular meeting.

**12. ADJOURNMENT** Information on the items contained in this agenda are available at the FORA offices located at 100 12th Street at Fort Ord.

**ACTION MINUTES**  
Fort Ord Reuse Authority (FORA)  
January 8, 1999  
4:00 PM  
12th Street Gate  
Marina, CA

**APPROVED**

The meeting of the Fort Ord Reuse Authority was called to order by First Vice Chair Johnsen on Friday, January 8, 1999 at 4:00 PM in the FORA Conference Room, at the 12th Street Gate, Marina, CA.

**1. ATTENDANCE**

Voting Members in attendance were: Mayor White, CARMEL, Mayor Barlich, DEL REY OAKS; Mayor Perrine, Councilmember Nishi, MARINA; Mayor Albert, MONTEREY; 1st Vice Chair Supervisor Johnsen, Supervisor Potter, Supervisor Calcagno, MONTEREY COUNTY; Mayor Koffman, PACIFIC GROVE; Mayor Caballero, SALINAS; Mayor Pendergrass, SAND CITY; Mayor Smith, Councilmember Mancini, SEASIDE.

Ex-Officio Members in attendance were: Ms. Blitzer, 17<sup>th</sup> CONGRESSIONAL DISTRICT; Ms. Horning, 15<sup>th</sup> STATE SENATE DISTRICT; Mr. Shallcross, 27<sup>th</sup> ASSEMBLY DISTRICT; Mr. Montori, MONTEREY PENINSULA COLLEGE; Mr. Salazar, CALIFORNIA STATE UNIVERSITY; Mr. Pina, MONTEREY PENINSULA UNIFIED SCHOOL DISTRICT; Mr. Bilse, TRANSPORTATION AGENCY OF MONTEREY COUNTY; Ms. Martin, UNIVERSITY OF CALIFORNIA; Mr. Nakayama, US ARMY.

**1. ROLL CALL/ACKNOWLEDGMENT**

Mayor White moved approval of a Resolution of Appreciation to Mr. Fred Harris, Boardmember Mancini seconded, it passed unanimously.

**2. CLOSED SESSION**

The Board reconvened after closed session, no action was taken.

**3. ROLL CALL/FRED HARRIS PRESENTATION**

First Vice Chair Johnsen presented Fred Harris the Resolution of Appreciation from the FORA Board. Mr. Harris thanked the Board for their support in his role of Community Contract Specialist.

**4. CONSENT AGENDA**

Mayor Barlich moved approval of the consent agenda, Mayor Perrine seconded, it passed (two abstentions).

**5. PUBLIC COMMENT PERIOD**

Mr. Rudy Rosales distributed correspondence concerning the Esselen Nation (attached).

**6. OLD BUSINESS**

ITEM 6A – CONTINUATION FROM THE DECEMBER 11, 1998 BOARD MEETING – ADOPTION OF FORA DEVELOPMENT FEE SCHEDULE (SECOND VOTE)

Executive Officer Houlemard introduced this item. There was some Board discussion.

**Boardmember Mancini moved approval of the item with the change of date from February 10, 1999 to March 10, 1999, Mayor Smith seconded; it passed unanimously.**

PUBLIC COMMENT

Mr. Melville from the Homeless Coalition spoke on this subject. Ms. Mickelson spoke on this subject.

ITEM 6B – SECOND VOTE ON THE FORA FY '97-'98 AUDIT REPORT

Executive Officer Houlemard made some comments on this item. There was no Board discussion.

**Mayor Barlich moved approval of the item, Boardmember Mancini seconded; the motion passed.**

ITEM 6C – FINANCIAL AUTHORIZATION

(1) AUTHORIZATION FOR THE EXECUTIVE OFFICER TO ACCEPT AN OFFER OF GRANT AWARD FROM THE ECONOMIC DEVELOPMENT ADMINISTRATION (EDA)

(2) AUTHORIZATION FOR STAFF TO ESTABLISH A LINE OF CREDIT FOR ECONOMIC DEVELOPMENT TECHNICAL ASSISTANCE GRANT MATCHING REQUIREMENTS AND HABITAT CONSERVATION PLAN CONSULTING SERVICES

Executive Officer Houlemard introduced these two items. There was no Board discussion.

**Mayor White moved approval of the two items, Mayor White seconded; it passed unanimously.**

7. NEW BUSINESS

ITEM 7A – ORGANIZATIONAL ISSUES

(1) ELECTION OF FORA OFFICERS FOR 1999

(2) FORA BOARD PROCEDURES

(3) FORA SPECIAL COMMITTEES

First Vice Chair Johnsen introduced these reports and explained the voting procedures are conducted under Roberts Rules of Order. There was some Board discussion on all the items.

Mayor Caballero made a motion to have a five member Executive Committee, Mayor Koffman Seconded, it passed unanimously.

PUBLIC COMMENT

Mr. Choate spoke on this item.

ITEM 7A (1) ELECTION OF FORA OFFICERS FOR 1999

Mayor Barlich nominated First Vice Chair Johnsen to be elected FORA Chair. No further nominations were made. By unanimous consent First Vice Chair Johnsen was elected Chair.

Mayor Barlich nominated Mayor Perrine to be elected First Vice Chair, it was unanimous.

Boardmember Mancini nominated Mayor Smith as Second Vice Chair and Mayor Perrine nominated Mayor Barlich as Second Vice Chair. The two candidates spoke to the Board on their nominations. There was a ballot by the Board. Mayor Smith was elected Second Vice Chair.

Mayor Koffman moved to elect Mayor Barlich and Mayor Albert as additional members of the Executive Committee, First Vice Chair Perrine seconded; it passed unanimously.

ITEM 7A (2) BOARD PROCEDURES

Executive Officer Houlemard introduced this information item which clarified Board procedures as per the FORA Authority Act.

ITEM 7A(3) FORA SPECIAL COMMITTEES

Executive Officer Houlemard introduced this item. There was some discussion on the charges of the committees and the number on the committees.

**Mayor Albert moved approval of the Legislative and Financial committees with minor changes in the charges, Mayor White seconded.**

PUBLIC COMMENT

Mr. Choate spoke on this item.

**Mayor Albert moved an amendment to the motion that the maximum membership of each committee would be 3 voting and 3 ex-officio members/ Mayor White agreed to this amendment, it passed unanimously.**

**The Board then voted on the main motion, it passed unanimously.**

ITEM 7A (2) FORA BOARD PROCEDURES

There was some Board discussion and direction given to the Executive Committee.

**Boardmember Potter moved approval of the 1999 Board Meeting Date Calendar, First Vice Chair Perrine seconded, it passed unanimously.**

**8. NEXT MEETING**

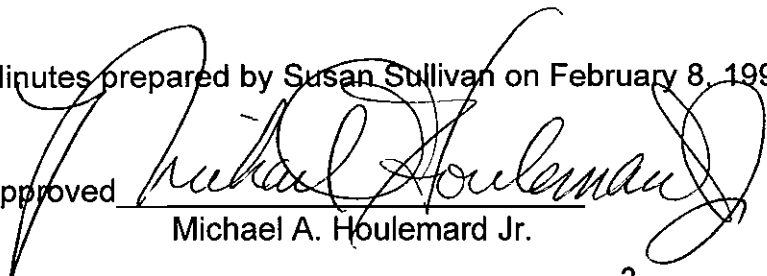
The next meeting will be Friday, February 19, 1999 @ 3:00pm.

**10. ADJOURNMENT**

The meeting adjourned at 5:50pm.

Minutes prepared by Susan Sullivan on February 8, 1999

Approved

  
Michael A. Houlemard Jr.

## East Garrison

My name is Caroline Page. I am a member of the Board of Trustees of Monterey Peninsula College. I am vice President of the Board.

I want to make a few comments and a suggestion about the East Garrison issue!

My husband and I have been strong supporters of and participants in the arts in our community, We both have strong environmental records with financial support as well as active involvement in environmental organizations.

First let me say that I am very nervous as I always am when speaking in public. So please bear with me!

You know that, based on a report of the Fort Ord Community Task Force Education Advisory Group and the approval of an application by MPC for the East Garrison property by both the Department of Education and the Department of the Army, MPC made plans and commitments and expended significant staff time and funds to implement the approved program for a Regional Peace Officer Training Facility at East Garrison.

After FORA was activated other groups asked for the property with uses which are clearly incompatible with the Training Facility, uses which have serious doubts about their financial feasibility.

This issue will be one of the most important decisions this board will make.

What you decide could significantly impact the program at MPC and its financial circumstances and tie up this property in a financial, legal and developmental morass for years !

There are many other sites under your control and jurisdiction which would satisfy the needs of those who want alternative uses at East Garrison. This is not true with respect to the Peace Officer Training facility.

You know and everyone knows that this decision has become involved in politics.

Local Government is supposed to be open and transparent. This issue is not being handled in an open and transparent way. I can tell you that a member of this Board said today that the handling of this issue was the worse political process this person had ever seen.

I urge you to recommend that the Army transfer the property to MPC promptly.

If you are unwilling to do this, I urge you to appoint a distinguished panel of local citizens as a fact finding board, to get the facts, separate the politics and the back door lobbying and pressure, look into the impact on MPC if FORA does not honor the commitment, previously made, look into alternative sites for the Arts groups, equestrians, the Native Americans and other competing applicants, Look at the infrastructure

problems facing the competing applicants and realistically analyze the economic feasibility of their projects.

In short do an open honest objective analysis and report in public so that the public can be informed, participate and the public interest can be served.

This is the way our government should operate, openly and in the public interest. Please do this. It should insure a fair decision with due process!

Thank You very much.



## FORA BOARD REPORT

<b>Subject:</b> One Year Extension of Preston Park Interim Lease	
<b>Meeting Date:</b> January 8, 1999	<b>APPROVE</b>
<b>Agenda Number:</b> 4b	

### RECOMMENDATION:

That the Board approve the amendment and Extension of the Preston Park Interim Lease.

### DISCUSSION:

The FORA Board previously approved a lease document detailing the City of Marina's arrangement with a non-profit housing provider, Mid-Peninsula Coalition Housing Corporation (Mid Peninsula), for the rehabilitation, lease-out and management of the housing stock in the Preston Park neighborhood. This arrangement has been successful, with rehabilitation of units accomplished and full lease-out of the units. A dedication ceremony was held recently at the site, attended by FORA Board, community and legislative representatives.

Due to terms within the document, certain time lines delineated in the current lease document are expiring. The City of Marina has requested a time extension and an adjustment to incorporate Lightfighter Lodge to meet military needs. Staff concurs in the request, and asks that the Board consider extension of the existing arrangement and minor modifications relative to the addition of the small number of units included in Lightfighter Lodge. Mid-Peninsula has agreed to perform similar rehabilitation and management duties for this small facility, which will provide affordable housing for military and other eligible personnel.

Attached is correspondence from the City of Marina on this issue and their adopted Resolution requesting this item be added to this agenda.

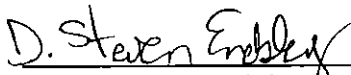
### FISCAL IMPACT:

The lease contract and terms provide for all costs associated with the rehabilitation and management of the housing. FORA and staff time in processing these agreements is minimal, but is not reimbursed under the lease terms.

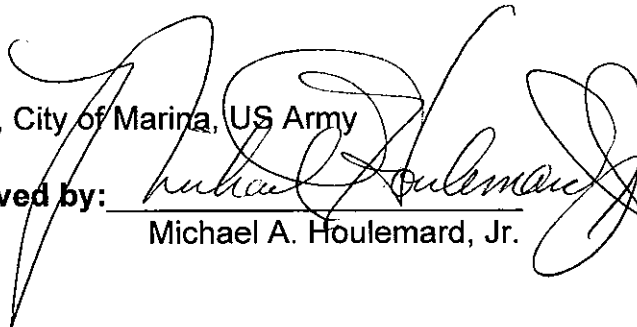
### COORDINATION:

Administrative Committee, Mid Peninsula Housing, City of Marina, US Army

Prepared by:

  
D. Steven Endsley

Approved by:

  
Michael A. Houlemard, Jr.

# City of Marina

211 HILLCREST AVENUE  
MARINA, CA 93933  
TELEPHONE (831) 384-3715  
FAX (831) 384-0425



December 16, 1998

Mr. Adrian Nakayama  
Director of BRAC  
DLI-FLC/POM  
Presidio of Monterey, Ca.  
93944-5006

Re: Extension of Preston Park Interim Lease.

Dear Mr. Nakayama ,

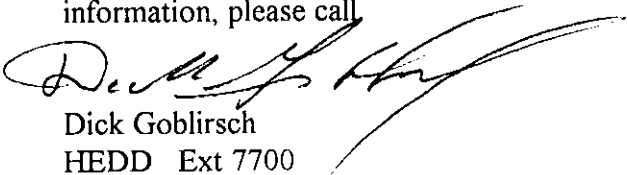
Please be advised that the City (acting as FORA's agent) has written the Fort Ord Re-use Authority to request the Army to extend the Preston Park Interim Lease for one more additional year, as authorized under Section 2.a of the lease agreement, dated June 17, 1997.

This matter was heard and the request to extend was approved by resolution (copy attached) of the Marina City Council on December 15, 1998 and will be acted on by FORA at their January meeting.

Subject to any unforeseen difficulties, please consider this letter a request to extend the lease for one year.

Attached is a letter we sent to Mr. Ken Fox, District Engineer, U. S. Corps of Engineers, whose office just informed us that the request should go through your office.

Thank you for your cooperation in this matter. If you have any questions or wish additional information, please call

  
Dick Goblirsch  
HEDD Ext 7700

cc: FORA  
J.Barr  
City Mgr  
File

# City of Marina

211 HILLCREST AVENUE  
MARINA, CA 93933  
TELEPHONE (831) 384-3715  
FAX (831) 384-0425



Mr. Ken Fox  
District Engineer  
Ms. Karen Fisbeck  
Realty Specialist  
U. S. Army Corps of Engineers  
Sacramento District  
1325 J Street  
Sacramento, Ca. 95814-2922

Re: Extension of Preston Park Interim Lease.

Dear Ms. Fisbeck,

Please be advised that the City has requested the Fort Ord Re-use Authority to ask the Secretary of the Army for a one year extension of the Preston Park Interim Lease, as authorized under Section 2.a of the lease agreement, dated June 17, 1997.

This matter will be heard by the City Council on December 15, 1998 and by FORA at their January meeting (or sooner).

Subject to any unforeseen difficulties, please consider this letter a request to extend the lease for one year.

In case this letter should be addressed to another person, or office, please call and provide us with the proper contact person.

Thank you for your cooperation in this matter.

A handwritten signature in black ink, appearing to read "Dick Goblirsch".

Dick Goblirsch  
HEDD Ext 7700

cc: FORA  
J.Barr  
City Mgr  
File

## REPORT TO THE CITY COUNCIL

AGENDA ITEM	<u>H9</u>
PREPARED BY	<u>[Signature]</u> Housing & Econ. Dev. Dir.
REVIEWED BY	<u>[Signature]</u> City Mgr

**DATE:** December 15, 1998

**SUBJECT:** Preston Park Lease Extension

### BACKGROUND

In June of 1997, FORA and the Department of Defense entered into an interim 5 year (2 years, plus three one year extensions) lease for the purpose of refurbishing and renting 354 single family housing units located on former Fort Ord in the Preston Park housing area. In the same month, the City entered into a sub lease and management agreement with FORA and Mid-Peninsula Housing Coalition for the purpose of providing oversight management to Mid-Peninsula. (FORA did not wish to provide the service) and to assure compliance with the interim lease conditions.

Mid-Peninsula has performed in a timely and professional manner and borrowed \$1,332,462 to renovate and repair the units, they still have some \$704,000 left to repay and also intend to borrow \$350,000 from Preston housing income to re-furbish the units at Light Fighter Lodge (in accordance with City Council direction). Mid-Peninsula wishes to continue to manage the units for the full term of the interim lease (unless the property is conveyed sooner to the City, then the Council will decide Preston Park future), and requests the City and FORA to apply for the extension.

The interim lease requires a six months notice be provided to the DOD in the event the parties wish to exercise the one year extension. Staff requests the City Council support the one year extension.

### RECOMMENDATION

Adopt the Resolution

RESOLUTION NO. 98 -

RESOLUTION REQUESTING FORA  
AND THE  
DEPARTMENT OF DEFENSE TO EXTEND  
THE PRESTON PARK HOUSING LEASE

WHEREAS On June 16, 1997, the Fort Ord Reuse Authority (FORA) entered into an interim lease agreement with the Department of the Army under the Base Realignment and Closure (BRAC) authority, and

WHEREAS, On June 12, 1997, the City of Marina (City) entered into a management and sublease agreement with FORA and Mid-Peninsula Housing Coalition to manage and operate 354 units of Preston Park housing, and

WHEREAS, the City is obligated as FORA's agent to administer the terms and conditions of the interim lease. and

WHEREAS, the interim lease will expire in June of 1999, and

WHEREAS, the conditions of the two year interim lease allow the interested parties to apply for three one year extension, providing the parties give six month notice to the Secretary of the Army, and

WHEREAS, Mid Peninsula Housing Coalition wish to continue to operate the program in order to complete the rental program and pay off certain debts, specifically the refurbishing of Light Fighter Lodge (estimated to cost \$350,000), and

WHEREAS, the project has supplied housing for persons needing decent, safe, and sanitary family housing and the program has brought credit and recognition to the City.

NOW THEREFORE, BE IT RESOLVED that the City Council authorize:

1. The Mayor to formally request that FORA apply for a one year extension to the Preston Park Interim Lease.
2. Authorize the Mayor and City Manager to amend the Management Agreement and Sub-Lease for Preston Park housing as needed to reflect the one year extension.

PASSED, APPROVED AND ADOPTED by the Marina City Council at its regular meeting held on December 15, 1998 by the following vote:

AYES: Council Members

NOES: Council Members

ABSENT: Council Members

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James E. Perrine, Mayor

ATTEST:

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Joy Junsay, City Clerk

## FORA BOARD REPORT

**Subject:**

Certification of the Final Environmental Assessment/Initial Study for the EDA-funded North-South Road/State Highway 218 Capital Improvement Project

**Meeting Date:** January 8, 1999**APPROVE****Agenda Number:** 4c**RECOMMENDATION:**

Certify the Final Environmental Assessment/Initial Study (EA/IS) for the EDA-funded North-South Road/State Highway 218 Capital Improvement Project.

**DISCUSSION:**

The Final EA/IS for the above-noted project has been completed. FORA staff is requesting the Board to certify the document so that we may continue to process the encroachment permit with the State of California Department of Transportation (Caltrans), the Right of Access (ROA) documents with the Federal Government (Army), and the permit from the Regional Water Quality Control Board (RWQCB). Caltrans and the Army require the certified document in order to issue rights to FORA to access the lands under State and Federal ownership. The RWQCB requires the certified EA/IS to issue the permit allowing access to the Canyon Del Rey streambeds, which traverses the project site.

At the February Board meeting, staff will be requesting the Board to consider authorization of the construction contract for this project, following the close, in late January 1999, of the current advertisement for competitive bids.

The February authorization to award a contract with the responsible low bidder will allow construction activities to begin in March 1999, with a construction completion anticipated in September 1999.

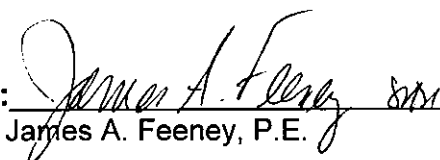
**FISCAL IMPACT:**

None on this action of certification by the Board. Please note that this construction project is the last of five projects to be completed under the 1995 EDA grant to FORA, which was the only EDA grant that did not require local matching funds.

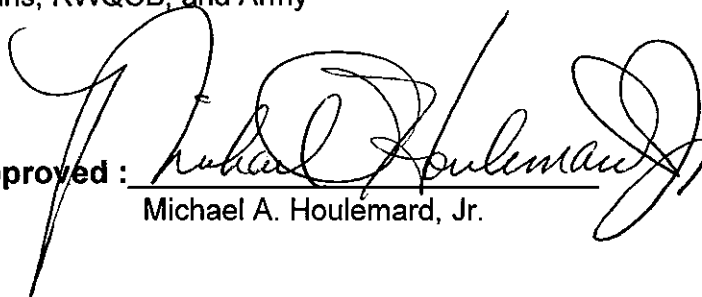
**COORDINATION:**

Administrative Committee, Executive Committee, Caltrans, RWQCB, and Army

**Prepared by:**

  
James A. Feeney, P.E.

**Approved:**

  
Michael A. Houlemard, Jr.

## FORA BOARD REPORT

<b>Subject:</b> Adopt FORA Development Fee Schedule (Second Vote)	
<b>Meeting Date:</b> January 8, 1999	<b>ACTION</b>
<b>Agenda Number:</b> 6a	

### RECOMMENDATION:

That the Fort Ord Reuse Authority ("FORA") Board adopt the development fee schedule as attached to the November 13, 1998 staff report, to be charged against development projects on the Fort Ord footprint, acknowledging that the educationally-related or research-oriented uses are exempt and that non-research funded costs of the University of California ("UC"), associated with UC habitat management, will be applied as a credit against fees to be collected from or paid by UC Monterey Bay Education Science Technology Center projects.

### BACKGROUND

As noted in the two attached staff reports, the Board has been requested to approve a generic development fee overlay for the Fort Ord lands encompassed by the Fort Ord Reuse Plan. On first reading, the Board voted in the majority by an 11-1 vote, but requested additional information regarding the assessment of golf course facilities. This information was provided and duly reported to the Board at the December 11, 1998 meeting. At this meeting, additional information was requested from staff regarding logistical matters, how the fee will be collected, and which uses might be exempt. Although some of these issues are legal matters subject to legal interpretation by Authority Counsel in the appropriate forum, certain overarching points can be made to put the matter in perspective.

First, the Board Action requested is generic in nature and does not preclude further Board action at a future date that is more specific regarding the form of fee, uses that can legally be exempted, and method of collection. Second, the action is requested at this time because it is imperative that the development community and others have the full picture of factors affecting the underlying value of the properties. Third, Authority Counsel will provide more detail, the action requested has received the legally appropriate amount of scrutiny regarding impact analysis and related requirements. As noted above, the Board is free to supercede this action at a later date with a specific enabling measure, or even approve another financing mechanism that does not require impact analysis at all, such as a Capital or Community Facilities District.

With this in mind, it is still important to respond specifically to the major question posed by the Board. In particular, the issue of the Golf Courses raised the issue of what the basis for their exemption might be. It was agreed that exempting Golf courses solely because they are "public recreational" uses, as legitimate an exemption as this might be, raised additional questions. Note that legal counsel has stressed that such an exemption is based on use, and not the type of ownership (public or private) held over the property. Thus, given that the actual open space of the golf course itself and other public recreational uses have minimal impacts, and given that those impacts (for example driving to and from the Club House, Pro Shop, or other recreational facility) have been mitigated by payments assessed to adjacent uses, hotel, retail, commercial, an exemption may appropriately be given. Again, please note that if an alternative assessment mechanism is chosen such as a Capital or Community Facilities District or other form of assessment district, the Board has full discretion to exempt uses as it sees fit.

Finally, there were some questions posed regarding various projects already in operation on the Fort Ord footprint. One of the reasons the Board is under some urgency to enact the developer fee overlay at this time is that there is no mechanism, nor legal authority to collect fees from uses that are already in operation. In this sense, certain uses such as the Roller Rink operation, or existing businesses at the Marina Municipal Airport, are de facto exempt, unless they undertake an assessable activity, for example, a major expansion of their plant. Given issues of timing, this was inevitable and anticipated from the beginning. The mitigations included in the Reuse Plan and generic fee schedule have accounted for this and Staff has



analyzed the overall effect of these exemptions and concluded that the existing operations are minimal impact, covered by other mitigations, and so small as to not affect the overall financing plan.

**DISCUSSION:**

These development fees, once collected, will be used to mitigate transportation, habitat management, and other impacts caused by development. These mitigations are referenced in the Environmental Impact Report that accompanied the Fort Ord Reuse Authority Base Reuse Plan, adopted by the Authority Board on June 13, 1997, and to facilitate public facilities improvements necessary to reuse of the base. Please see the November 13 and December 11, 1998 Board Reports for further information.

To reiterate, conclusions are as follows:

1. Public recreational facilities are exempt from development fees;
2. The recreational open space acreage, associated with golf courses, may not be precisely included in the fee schedule. However, golf course developments are included in the fee structure. Under the assumptions of the proposed fee schedule, the assessment of golf courses will be through the payment of fees associated with the housing, hotel, and/or commercial facilities that are developed in conjunction with the overall project;
3. Adoption of this fee schedule is appropriate at this time to ensure equitable application of fees to all developments, including those that may predate the formation of an assessment district.

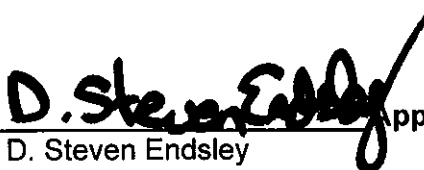
**FISCAL IMPACT:**

Positive. Revenue raised from assessment of these fees is estimated to be \$175 million. This sum is a portion of the funding that will be necessary for the Authority to meet its obligations for both reuse and to mitigate the impact of reuse.

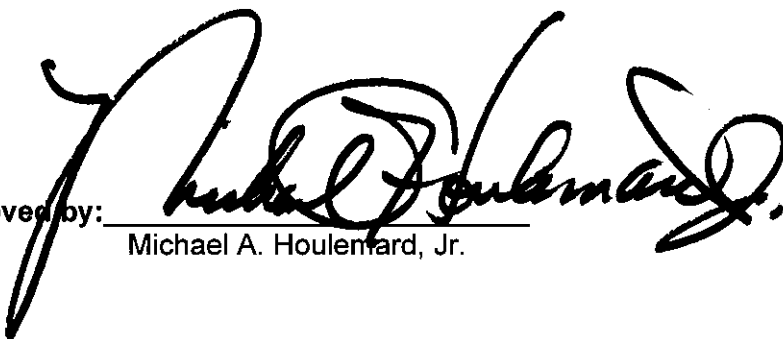
**COORDINATION:**

Administrative Committee, Authority Counsel.

Prepared by:

  
D. Steven Endsley

Approved by:

  
Michael A. Houlihan, Jr.

FORA BOARD REPORT

<b>Subject:</b> Adopt FORA Development Fee Schedule (Second Vote)		
<b>Meeting Date:</b> December 11, 1998		<b>ACTION</b>
<b>Agenda Number:</b> 4b		

**RECOMMENDATION:**

That the Fort Ord Reuse Authority (FORA) Board adopt the development fee schedule as attached to the November 13, 1998 staff report, to be charged against development projects brought forward on the Fort Ord footprint, with the acknowledgement that the educationally related research oriented uses would be exempt and that the non research funded costs associated with the habitat management could be used as a credit against fees for the University of California.

**DISCUSSION:**

These development fees are to be used to mitigate transportation, habitat management, and other impacts caused by development. These mitigations are referenced in the Environmental Impact Report that accompanied the Reuse Plan, adopted by this Board on June 13, 1997, and to facilitate public facilities improvements necessary to reuse of the base.

See the November 13, 1998 staff report for further information. We have attached material received by the board at the November 20, 1998 with staff responses. 11 Board members voted in favor at the November 20<sup>th</sup> meeting, 1 against resulting in this second vote. Staff was asked to clarify that the Reuse Authority will not require the individual cities to do the actual collection of the fee if they prefer to pass that function on to FORA. A response letter to questions raised regarding golf course fee assessment will be provided under separate cover and forwarded to the Board prior to the 12/11/98 meeting. Staff was also asked to clarify that construction of improvements on FORA's infrastructure project list, by the Cities and County will serve as offsets to these fees. In addition, non research funded habitat management work by the University, that is not eligible for cost deduction by the US Army, would be given a similar dollar for dollar offset against the fees.

**FISCAL IMPACT:**

Revenue to be raised is estimated to be \$175 million to be used for the specified purposes.

**COORDINATION:**

Administrative committee.

Prepared by: D. Steven Endsley Approved by: Michael A. Houlemard, Jr.  
D. Steven Endsley Michael A. Houlemard, Jr.

## Basewide Developer Based Exactions<sup>1</sup>

New Residential	\$29,600 per unit
Existing Housing	\$8,900 per unit
New Retail	\$80,000 per acre
New Industrial/Business Office	\$3,880 per acre
Hotel/Motel	\$6,600 per room

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<sup>1</sup> As may be determined or modified by FORA Board policy and/or individual project agreements. Fees may be assessed through a community facilities district, a development fee, or project mitigation fee as determined by FORA policy.

## BASEWIDE COSTS

Basewide Transportation	\$134.00 Million
Habitat Management Capital Cost	\$2.00 Million
FORA Public Capital Cost	\$1.10 Million
Net Jurisdiction Fiscal Shortfalls	\$4.33 Million
Caretaker Costs	\$47.79 Million
Demolition (Excluding Removal of Friable Asbestos)	\$68.81 Million

## FORA BOARD REPORT

<b>Subject:</b>	Adoption of FORA Development Fee Schedule	
<b>Meeting Date:</b>	November 13, 1998	<b>Action</b>
<b>Agenda Number:</b>	6b	

### RECOMMENDATION:

It is recommended that the Board adopt the attached development fee schedule, to be charged against development projects brought forward on the Fort Ord footprint, subject to the FORA Reuse Plan. These development fees are to be used to mitigate transportation, habitat management, and other impacts caused by development, as referenced in the Environmental Impact Report that accompanied the Reuse Plan, adopted by this board on June 13, 1997, and to facilitate public facilities improvements necessary to reuse of the base.

### DISCUSSION:

As the Board discussed at the time that the Reuse Plan was approved and accompanying EIR certified, California planning law (CEQA) requires that adverse impacts caused by development and other projects, be mitigated. One common mitigation measure entails a commitment by the developer to pay a fair share of the cost necessary to mitigate impacts. The most common impacts have to do with improving transportation conditions, impacts to wildlife and vegetation, provision of adequate infrastructure, and so on. The proposed development fee schedule is estimated to generate \$176 million. The estimated costs of mitigation included in the EIR and basewide obligations is \$275.7 million, with the balance funded from other revenue sources including redevelopment increment.

Out of the estimated \$275.7 million in total costs, those uses that are appropriate to apply to a basewide development fee would be the following:

Basewide Transportation	\$134.00 Million
Habitat Management Capital Cost	\$2.00 Million
FORA Public Capital Cost	\$1.10 Million
Net Jurisdiction Fiscal Shortfalls	\$4.33 Million
Caretaker Costs	\$47.79 Million
Demolition (Excluding Removal of Friable Asbestos)	\$68.81 Million

The fee schedule brought before the FORA Board for approval will raise just such mitigation funds to alleviate projected impacts as well as basewide and other public facilities improvements necessary to the reuse. A determination has been made that it is reasonable to assume that development will not take place without the completion of these infrastructure and related projects. The fee schedule was originally suggested by FORA consultants Sedway Kotin Mouchly who prepared the original draft of the Business Plan, and has been reviewed by several tiers of FORA financial consultants, including Charles Long and Keyser Marsten. Member agency staffs have also provided feedback during the past two years. It is our best estimate that these fees are appropriate under the law, and sufficient to raise the revenue needed without retarding projected development plans. Such matters are, of course, a delicate balancing act. The attached resolution prepared by the Authority Counsel provides additional information regarding the technical aspects of adopting said fees.

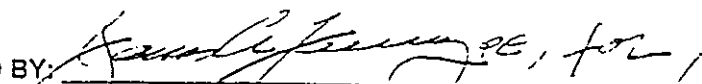
### COORDINATION:

Administrative Committee

PREPARED BY:

  
D. Steven Endsley

APPROVED BY:

  
Michael A. Houliard, Jr.

Resolution 99-1

Resolution of the Authority Board )  
establishing a Base-wide Development Fee )  
Schedule relating to certain types of )  
Development. )

THIS RESOLUTION is adopted with reference to the following facts and circumstances:

- A. Government Code section 67679(e) authorizes the Authority Board to levy development fees on a development project within the area of the base in compliance with Government Code section 66000, *et seq.*
- B. Section 6.01.010 of the Master Resolution provides that all fees, penalties, refunds, reimbursements and charges of any kind by the Authority may be adopted by resolution and amended by the Authority Board from time to time.
- C. The base-wide facilities, including, but not limited to, the base-wide transportation system, within the jurisdiction of the Fort Ord Reuse Authority are dilapidated, out of current code compliance and virtually unusable when faced with the projected development outlined in the Base Reuse Plan;
- D. Unless certain base facilities are rehabilitated through construction and/or reconstruction, they will be unusable which will render the base unusable for the type of future development activities outlined in the Base Reuse Plan;
- E. Construction of additional facilities or measures necessary to mitigate the impacts of development on the base will be necessary based in part upon the findings and mitigations outlined in the Final Program Environmental Report and the Base Reuse Plan;
- F. The Fort Ord Reuse Authority lacks sufficient funds to pay for these base-wide facilities and mitigation measures without the imposition of a development fee or some other financing mechanism, including, but not limited to, a Mello Roos special assessment, written and signed Implementation Agreement or Development Agreement;
- G. The estimated cost of constructing the base-wide facilities and implementing the mitigation measures is more than the revenues estimated to be raised by developer fees;
- H. New commercial and industrial development will impact the area within the jurisdiction of the Authority by increasing the burden on the existing facilities by increasing traffic, and creating additional jobs which in turn will cause more people to relocate to the area, increasing the need for residential housing and further straining the existing base-wide facilities and creating the conditions which give rise to the

mitigation measures called for under the Base Reuse Plan Environmental Impact Report;

- I. Adoption of these development fees is intended to defray all or a portion of the costs associated with the development of the Fort Ord territory, including, the base-wide public facilities identified in the Base Reuse Plan and the Public Facilities Improvement Plan and annually approved by the Board as part of the Board's adopted Capital Improvement Plan, and the transportation, habitat management and other impacts caused by development as identified in the Final Environmental Impact Report, adopted by this Board on June 13, 1997.
- J. Any fee so adopted shall be effective no sooner than 60 days following the final action on the adoption.

NOW THEREFORE the Board hereby resolves as follows:

1. That the Fort Ord Reuse Authority shall levy a development fee in the amounts listed for each type of development in the attached fee schedule until such time as:  
(1) a replacement financing mechanism is in place; or (2) a written agreement has been reached with either a jurisdiction or developer regarding property development on the base; or (3) the schedule is amended by this board.
2. These fees shall become effective on March 9, 1999.
3. Such funds shall be deposited and maintained in appropriate trust accounts and managed according to the Board's adopted Capital Improvement budget.

Upon motion of BARBARA MANCINI, seconded by BOAEDMEMBER SMITH, the foregoing resolution was passed on this 8<sup>th</sup> day of January, 1999, by the following vote:

AYES: 12  
NOES: 0  
ABSENT: 1

I, EDITH JOHNSEN, Chair of the Board of Directors of the Fort Ord Reuse Authority of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of the said Board of Directors duly made and entered in the minutes thereof at section 6a, page 2 of Minute Book January, on Feb. 19, 1999.

DATED: January 11, 1999

By: Edith Johnson  
EDITH JOHNSEN  
Chair, Board of Directors  
Fort Ord Reuse Authority

BASE-WIDE DEVELOPMENT FEE ASSESSMENTS

<b>TYPE OF DEVELOPMENT</b>	<b>AMOUNT OF DEVELOPMENT FEE</b>
New residential	\$29,600 per unit
Existing housing	\$ 8,900 per unit
New Retail	\$80,000 per acre
New Industrial/Business offices	\$ 3,880 per acre
Hotel/Motel	\$ 6,600 per room



## FORA BOARD REPORT

<b>Subject:</b> FY '97-98 Audit Report	
<b>Meeting Date:</b> January 8, 1999	<b>ACTION</b>
<b>Agenda Number:</b> 6 b.	

### RECOMMENDATION:

This is the second vote on the item 5b (attached) from the December 12, 1998 Board meeting to accept the Olsen Accountancy Corporation's Audit of the Fort Ord Reuse Authority (FORA).

### DISCUSSION:

During the December 11, 1998 Board meeting, some of the FORA Board members expressed a concern as to the clarity and format of the audit report and suggested that FORA should select a new auditor for the current fiscal year.

FORA hired the Olsen Accountancy Corporation in 1996. The firm has extensive experience in auditing public and governmental agencies and is the auditor for the Cities of Seaside, Marina, MCWD and other local governmental agencies. During the first audit presentation before the Board in 1996, FORA staff informed the Board that it will change its auditor every 3 years.

FORA staff anticipates commencing a selection process for a new auditor in late Spring of 1999. A set of guidelines for the process and selection criteria will be prepared by staff and presented to the Board for approval at the March 12, 1999 meeting, subject to any Board decisions related to item 7a.(3).

### COORDINATION:

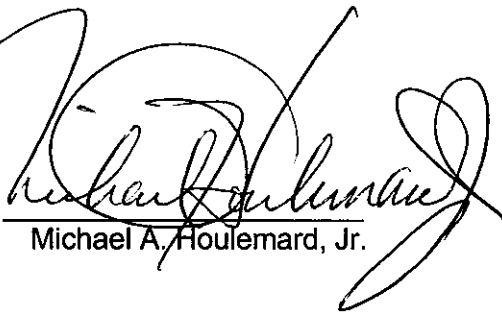
Administrative Committee

Prepared by:



Ivana Bednarik

Approved by:



Michael A. Houlemard, Jr.

## FORA BOARD REPORT

<b>Subject:</b> FY '97-98 Audit Report		
<b>Meeting Date:</b>	December 11, 1998	<b>ACTION</b>
<b>Agenda Number:</b>	5 b	

### RECOMMENDATION:

Accept the findings of Olsen Accountancy Corporation's Audit of the Fort Ord Reuse Authority.

### DISCUSSION:

During the months of September and October 1998, the Olsen Accountancy executed the financial audit for the Fort Ord Reuse Authority (FORA) for the fiscal year ending June 30, 1998. The firm was selected to be FORA's auditor in March of 1996, when five local audit firms were contacted and interviewed. The Olsen Accountancy Corporation has extensive experience in auditing public and governmental agencies and is the auditor for the Cities of Seaside and Marina.

The auditors conducted the audit in accordance with generally accepted auditing standards and Government Auditing Standards, issued by the Comptroller of the United States and the provisions of the Office of Management and Budget (OBM) Circular A-128, Audits of State and Local Governments.

The firm expressed an opinion that the financial statements present fairly, in all material respects, the financial position of the Fort Ord Reuse Authority as of June 30, 1998, and the results of its operations for the year then ended in conformity with generally accepted accounting principles. The complete audit report and the management letter are included with this report. The auditor found that FORA had complied with the appropriate governing circulars and determined that there were no material weaknesses in the internal control.

In addition to the audit report, the auditor furnished FORA and the Board with a schedule of findings concerning FORA's internal control structure. The findings from the previous fiscal year concerning establishing a formal policy for inventory and control of fixed assets and a single year filing procedure have been implemented in the '97-98 fiscal year.

The new findings are:

1. Use of account numbers on invoice codification

The auditor suggests that an account number rather than an account description should be placed on invoice/voucher codification.

This condition has been corrected.

**FISCAL IMPACT:** Cost for the Audit services and the required staff time and related resources was included in the FY '99 FORA Budget.

**COORDINATION:** Administrative Committee

Prepared by:

  
Ivana Bednarik

Approved by:

  
Michael A. Houlemard, Jr.

FORA BOARD REPORT

<b>Subject: FINANCIAL AUTHORIZATION</b>	
<b>Meeting Date:</b> January 8, 1999	<b>ACTION</b>
<b>Agenda Number:</b> 6c.	

**RECOMMENDATION:**

That the Board authorize the Executive Officer to:

1. Accept the offer of a Technical Assistance Grant Award (No. 07-49-03853) from the EDA, in the amount of \$1 million, to provide for the design and environmental assessment of the herein-named transportation corridors.
2. Establish a line of credit and secure a loan against said line of credit in an amount not to exceed \$300,000, to provide for the local matching share for the EDA Grant Program and to pay for costs associated with completing the Habitat Conservation Plan elements, to be paid off with collected development fees, Defense Adjustment Matching Grants, or other revenues intended to support the infrastructure projects.

Each of these actions are defined in following items, but are presented here for summary purposes.

**DISCUSSION:**

The EDA Grant Program now requires local matching funds in the amount of 25% of individual grant awards. These grants are desirable since they provide needed capital in advance of the conveyance of the parcels, and before the realization of cash flows from various sources. To date the program has provided over 13 million dollars to the infrastructure needs of Fort Ord Base Reuse, with reasonable potential to supply additional funds over the next two years.

There are no other revenues currently available to meet early term needs of the infrastructure program that mitigates the impact of reuse. Therefore, we believe that in order to meet transitional financial needs, associated with the implementation of the Fort Ord Base Reuse Plan, staff requests Board Authorization as noted above. The Technical Assistance Grant Award (No. 07-49-03853) from the EDA, in the amount of \$1 million, if accepted, will provide for the design and environmental assessment of the following transportation corridors, and is described in more detail in items 6c(1).

The City of Marina requested that FORA re-engage the consultant working on the Habitat Conservation Plan (HCP), suspended in order to meet cash flow shortfalls resulting from the denial of funding from the California Trade and Commerce Agency.

**FISCAL IMPACT:**

Positive to negative. This \$1 million Grant will provide needed funds to continue the implementation of the Capital Improvement Program priority projects. The costs of the consultant regarding the HCP are unknown, since the nature of the work requires a continuum of single text multi-layered edits and negotiations with more than one agency. In addition, there will be costs associated with accessing a line of credit in the amount of \$50,000. See item 6c (1) & (2) and for additional comments on fiscal impact.

**COORDINATION:**

EDA staff, County of Monterey Board of Supervisors and staff, City of Marina City Council and staff, City of Seaside staff, CSUMB staff, Administrative Committee and Executive Committee.

**Prepared by:** James A. Feeny (SA)  
James A. Feeny, P.E.

**Approved:** Michael A. Houlemard, Jr.  
Michael A. Houlemard, Jr.

## FORA BOARD REPORT

<b>Subject:</b> Authorization for the Executive Officer to accept an Offer of Grant Award from the Economic Development Administration (EDA)	
<b>Meeting Date:</b> January 8, 1999	<b>ACTION</b>
<b>Agenda Number:</b> 6c(1)	

### RECOMMENDATION:

That the Board authorize the Executive Officer to accept the offer of a Technical Assistance Grant Award (No. 07-49-03853) from the EDA, in the amount of \$1 million, to provide for the design and environmental assessment of the herein-named transportation corridors.

### DISCUSSION:

The Technical Assistance Grant Award (No. 07-49-03853) from the EDA, in the amount of \$1 million, if accepted, will provide for the design and environmental assessment of the following transportation corridors:

#### **County of Monterey**

1. Blanco Road (from Reservation Road northerly for approximately 3850 ft. to the approach of the Salinas River Bridge.)
2. Reservation Road (from the intersection of Blanco Road westerly for approximately 300 ft. to the City of Marina City limit line.)
3. Imjin Road (from Old County Road southerly for approximately 8000 ft. to 12<sup>th</sup> Street.)

#### **City of Marina**

4. Blanco Road (from the easterly City of Marina City limit line westerly for approximately 7050 ft. to Salinas Avenue.)
5. Imjin Road (from Old County Road northerly for approximately 3600 ft. to Neeson Road.)
6. Imjin Road (from 12<sup>th</sup> Street southerly for approximately 2000 ft. to 8<sup>th</sup> Street.)
7. Second Avenue (from 12<sup>th</sup> Street southerly for approximately 4900 ft. to 4<sup>th</sup> Street.)
8. 12<sup>th</sup> Street (from First Avenue easterly for approximately 7000 ft. to Imjin Road.)

#### **City of Seaside**

9. North-South Road (from the PX Service Station approximately 1100 ft. to Lightfighter Drive.)

#### **CSUMB/Seaside**

10. North-South Road (from Lightfighter Drive northerly for approximately 2500 ft. to 4<sup>th</sup> Street at Second Avenue.)
11. Lightfighter Drive (realignment section at existing Lightfighter Drive, approximately 700 ft.)

### BACKGROUND:

At the July 1998 FORA Board Meeting, the Board acted to endorse the Administrative Committee and staff recommendation for a reprioritization of the transportation system projects of the Capital Improvement Program. That reprioritization, in conjunction with the prioritized transportation elements of the Capital Improvement Program, resulted in the above-enumerated list of projects that are early reuse priorities.

Subsequently in August, the EDA invited staff to submit an application for a Technical Assistance (TA) Grant to effect the design of priority projects. Staff responded (to the two-week deadline of submittal imposed by EDA), by forwarding an application inclusive of the above-listed projects.

We have now received confirmation (see Attachment A) that the requested funds (in the amount of \$1 million) have been reserved by EDA. This amount requires a local match of funds of \$333,334.

FORA staff will, upon authorization of the Board to accept the Grant Offer, negotiate with Creegan and DiAngelo Engineers, Inc. (C&D) and Bestor Engineers, Inc. (Bestor) to provide the requisite services. These consulting teams have been pre-qualified by a RFP process approved by the Board last year.

If the negotiations prove fruitful, staff will be before the Authority Board early in 1999 to request approval of professional service contracts with C&D and Bestor to perform the necessary work.

Therefore, staff recommends:

That the FORA Board authorize the Executive Officer to accept the offer of a Technical Assistance Grant Award (No. 07-49-03853) from the EDA, in the amount of \$1million, to provide for the design and environmental assessment of the herein-named transportation corridors.

**FISCAL IMPACT:**

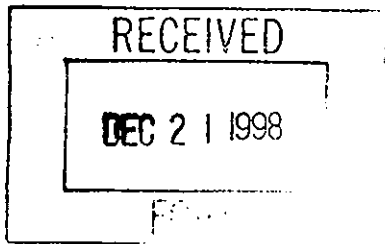
Positive. This \$1 million Grant will provide needed funds to continue the implementation of the Capital Improvement Program priority projects. See item 6c(2) for additional comments on fiscal impact.

**COORDINATION:**

EDA staff, County of Monterey Board of Supervisors and staff, City of Marina City Council and staff, City of Seaside staff, CSUMB staff, Administrative Committee and Executive Committee.

Prepared by:  James A. Feeney, P.E.

Approved:  Michael A. Houlemard, Jr.



U.S. DEPARTMENT OF COMMERCE  
Economic Development Administration  
Jackson Federal Building, Room 1856  
915 Second Avenue  
Seattle, Washington 98174  
Fax: (206) 220-7669  
(206) 220-7660

DEC 15 1998

In reply refer to:  
Award No. 07-49-03853

Michael A. Houlemard  
Fort Ord Reuse Authority  
100 12th Street, Building 2880  
Marina, California 93933

Dear Mr. Houlemard:

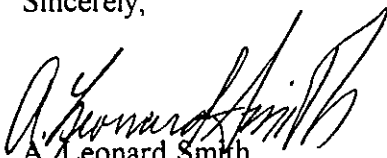
We are pleased to inform you that the Economic Development Administration (EDA) has approved a Financial Assistance Award in an amount not to exceed \$1,000,000 in response to your application for federal assistance for master planning and design of Fort Ord Roadway Improvements.

The total project cost is \$1,333,334 which is based on the line item estimates contained in attached terms and conditions for this grant award.

Enclosed are three signed copies of the Financial Assistance Award. Your agreement to the terms and conditions of the award should be indicated by the signature of your principal official on all of the signed copies of the Financial Assistance Award. Two of the executed copies should be returned to the Director, Seattle Regional Office, Economic Development Administration, Jackson Federal Building, Room 1856, 915 Second Avenue, Seattle, WA. 98174.

You are cautioned not to make any commitments in reliance on this award, nor to enter into negotiations relative hereto, until you have carefully reviewed the terms and conditions and have determined that you are in compliance or that you can comply therewith. Any commitments or undertakings entered into prior to obtaining the approval of the Government in accordance with its regulations and requirements will be at your own risk.

Sincerely,

  
A. Leonard Smith  
Regional Director

Enclosures

## FORA BOARD REPORT

<b>Subject:</b> Authorization for Executive Officer to Establish a Line of Credit for Economic Development Administration (EDA) Grant Program Requirements and Habitat Conservation Plan Services.		
<b>Meeting Date:</b>	January 8, 1999	<b>ACTION</b>
<b>Agenda Number:</b>	6c(2)	

### RECOMMENDATION:

That the Board authorize the Executive Officer to establish a line of credit and secure a loan against said line of credit in an amount not exceed \$300,000, to provide for the local matching share of the Technical Assistance Grant Award (No. 07-49-03853) from the EDA, and to pay for costs associated with completing the Habitat Conservation Plan elements, to be paid off/replaced with collected development fees, Defense Adjustment Matching Grants, or other revenues intended to support the infrastructure projects.

### DISCUSSION:

1. Staff received approval (see attached letter from Phil Singerman) that the requested funds for \$1 million from EDA have been reserved. This funding requires a local match of funds for \$333,334, which has partially been obligated by loans from participating Agencies (see item 6c(1)).

In order to meet the matching funding obligation, FORA will need to borrow the remaining funding by extending our line of credit. Upon receiving the Board's Authorization, staff will establish a line of credit to secure a loan not to exceed \$300,000, the principal and interest to be paid off/replaced with collected development fees, Defense Adjustment Matching Grants, or other revenues intended to support the infrastructure projects. In order to mitigate the exacerbating effect on FORA operations and funding of the interest rate cost of such financing, staff recommends that repayment of the loan against the line of credit shall be the highest priority application of collected fees.

Attachment 1 herein includes correspondence from (and to) FORA from the participating Agencies, confirming the local matching funds obligation.

2. The City of Marina has requested that FORA re-engage the consultant working on the Habitat Conservation Plan (HCP) in order to finalize those documents necessary to secure approval. Staff had suspended work of most consultants in order to meet cash flow shortfalls resulting from the denial of funding from the California Trade and Commerce Agency.

Therefore, staff recommends:

That the Board authorize the Executive Officer to establish a line of credit and secure a loan against said line of credit in an amount not exceed \$300,000, to provide for the unmet local matching share of the EDA Grant Program, to be paid back/replaced as the highest priority of collected development fees, Defense Adjustment Matching Grants, or other revenues intended to support the infrastructure projects.

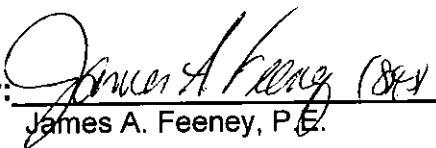
### FISCAL IMPACT:

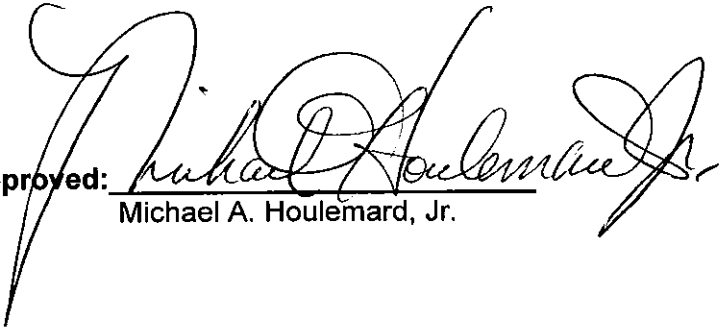
Positive to potentially negative. The EDA Grant Program provides the opportunity to secure funds essential to implement Capital Improvement Program priority projects, and it is difficult to turn away low cost funding that will significantly help to move the infrastructure program forward. However, the matching requirements of 25% are a hardship on both local jurisdictions and FORA in these

transitional times. It is also important to advance the completion of the Habitat Conservation Plan to establish a framework for future development as it pertains to its affect on sensitive habitats or species. In addition, the schedule for securing revenues to repay is subject to variables such as external grants, market conditions, transfer of property, and adoption of financing mechanisms. However, it is staff's opinion that the benefits of completing the HCP and securing EDA grants outweigh the processing and interest payment cost of such a loan. If we were to access the full amount and not be able to repay for two years, the cost would be in the range of \$50,000.

**COORDINATION:**

EDA staff, County of Monterey Board of Supervisors and staff, City of Marina City Council and staff, City of Seaside staff, CSUMB staff, Administrative Committee, Executive Committee.

Prepared by:   
James A. Feeney, P.E.

Approved:   
Michael A. Houlemard, Jr.



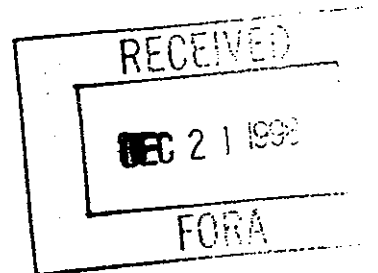


UNITED STATES DEPARTMENT OF COMMERCE  
The Assistant Secretary for Economic Development  
Washington, D.C. 20230

DEC 15 1998

In reply refer to:  
Award No.: 07-49-03853

Mr. Michael Houlemard  
Executive Director  
Fort Ord Reuse Authority  
100 12th Street, Building 2880  
Marina, California 93933



Dear Mr. Houlemard:

Congratulations on the approval of your application for Defense Economic Conversion Program Grant. I want to offer my sincere good wishes for the success of your project.

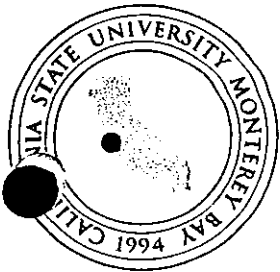
The grant supports the efforts of your organization to conduct the master planning and design of the Fort Ord roadway improvement projects.

EDA shares your expectations regarding the impact of this project. When successfully completed, we are confident that your project will be an integral part of your community's plans for local economic development and will assist in achieving lasting improvement for your community.

Sincerely,

*Phillip Singerman*

Phillip A. Singerman  
Assistant Secretary  
for Economic Development



# California State University Monterey Bay

100 Campus Center • Seaside, CA 93955-8001



RECEIVED  
SEP 29 1998

September 23, 1998

Mr. James A. Feeney, P.E.  
Assistant Executive Director  
Fort Ord Reuse Authority  
100 12<sup>th</sup> Street, Bldg. 2880  
Marina, Ca 93933

Subject: EDA Local Matching Funds

Dear Mr. Feeney:

As we discussed, California State University, Monterey Bay (CSUMB) will be able to contribute \$32,334 for our portion of the required EDA local match for the realignment of North-South Road project, as defined in your letter of September 17, 1998. CSUMB will commit these funds in FY 1999/2000. Please contact me at 582-3332 if you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "R.E. Hendrickson" with a small "map" written below it.

R.E. "Hank" Hendrickson  
Vice President for Administration

c: Michael Houlemard  
Jim Arnold  
Maria Pantoja  
David Salazar  
Trisha Lord  
Jim Roberts

1

*Before the Board of Supervisors in and for the  
County of Monterey, State of California*

Upon motion of Supervisor Johnsen, seconded by Supervisor Perkins, and carried by those members present, the Board does hereby:

1. Approve loan of \$186,007 from the Contingency Fund to the Fort Ord Reuse Authority (FORA) as the County's Local Match for an Economic Development Administration Grant for Transportation Improvements at Reservation Road and the East Garrison Gate of Fort Ord.
2. Approve loan of \$98,767 from the Contingency Fund to FORA as the County's Local Match for an Economic Development Administration Technical Assistance Grant.
3. Directs the Auditor Controller to take the following actions:
  - a. Transfer \$284,774 from 001-990-7501 (General Fund Contingencies) to 001-850-6990 (Operating Transfers Out).
  - b. Transfer \$284,774 from 001-850-6990 (Operating Transfers Out) to 001-183-5931 (Operating Transfers In).
  - c. Increase Estimated Revenues by \$284,774 in Fund 001, Budget Unit 183, Account 5931 (Operating Transfers In).
  - d. Increase Appropriations by \$284,774 in Fund 001, Budget Unit 183, Account 6680 (Contributions to Other Agencies).
4. Directs staff to return to the Board by January 26, 1999 with an outline of the repayment provisions that apply with FORA and/or would become a part of the development disposition agreements with developers in the unincorporated Fort Ord area lands.

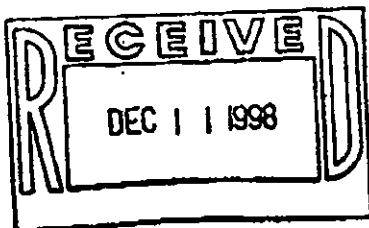
PASSED AND ADOPTED this 8th day of December, 1998, upon motion of Supervisor Johnsen, seconded by Supervisor Perkins, by the following vote, to wit:

AYES: Supervisors Salinas, Pennycook, Perkins, Johnsen, Potter  
NOES: None  
ABSENT: None

I, SALLY R. REED, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of a original order of said Board of Supervisors duly made and entered in the minutes thereof at page --- of Minute Book 69, on 12/8/98  
Dated: 12/8/98

SALLY R. REED, Clerk of the Board  
of Supervisors, County of Monterey,  
State of California.

By *Sally R. Reed*  
Deputy



Before the Board of Supervisors in and for the  
County of Monterey, State of California

Upon motion of Supervisor Johnsen, seconded by Supervisor Perkins  
and carried by those members present, the Board does hereby:

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  - d. Increase Appropriations by \$284,774 in Fund 001, Budget Unit 183, Account 6680 (Contributions to Other Agencies).
4. Directs staff to return to the Board by January 26, 1999 with an outline of the repayment provisions that apply with FORA and/or would become a part of the development disposition agreements with developers in the unincorporated Fort Ord area lands.

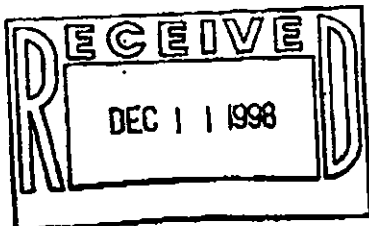
PASSED AND ADOPTED this 8th day of December, 1998, upon motion of Supervisor Johnsen, seconded by Supervisor Perkins, by the following vote, to wit:

AYES: Supervisors Salinas, Pennycook, Perkins, Johnsen, Potter  
NOES: None  
ABSENT: None

I, SALLY R. REED, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of a original order of said Board of Supervisors duly made and entered in the minutes thereof at page --- of Minute Book 69, on 12/8/98  
Dated: 12/8/98

SALLY R. REED, Clerk of the Board  
of Supervisors, County of Monterey,  
State of California.

By *Sally R. Reed*  
Deputy

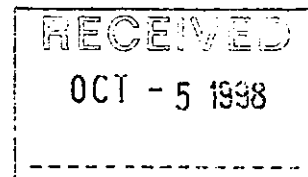




# City of Marina

211 HILLCREST AVENUE  
MARINA, CA 93933  
TELEPHONE (831) 384-2721  
FAX (831) 384-0425

## DEPARTMENT OF PUBLIC WORKS



October 1, 1998

James A. Feeney, P.E.  
Assistant Executive Director  
Fort Ord Reuse Authority  
100 12<sup>th</sup> Street, Building 2880  
Marina, CA 93933

### EDA GRANT PROGRAM, CITY OF MARINA SHARE OF LOCAL MATCH

- Ref: 1) Your letter to Mr. John Longley, City Manager, dated September 16, 1998 (copy attached)
- 2) Mr. G.H. (Nick) Nichols, P.E., letter to you (cc: Charles Johnson), dated September 28, 1998 (copy attached)

At the request of our City Manager, Mr. John Longley, I am hereby responding to your above referenced letter to him.

Your attention is invited to the above referenced letter #2. The City of Marina acknowledges and concurs with the county staff relative to the need for further study of alternative methods of generating the "local match" funds for these worthy EDA grant funded projects. To that end, we too would like to participate in discussing various alternatives with the FORA staff with the goal of developing a more regional multi-agency approach to generating these funds. Unless this is done, particularly for the proposed EDA Technical Assistance (FY 1999) Grant applications, we are currently unsure of the City's ability to assume the proposed \$165,666 obligation toward meeting the portion of Technical Assistance Grant Local Match suggested in your letter.

Other sources of funding of the local matches to be considered should include CMAQ (Congested Mitigation and Air Quality Program) or RSTP (Regional State Transit Program) funds as administered by TAMC (Transportation Agency for Monterey County).

Relative to the local match for the EDA Round 3 (FY 1999) Grant application and the minimal increase from \$316,682 to \$321,286, we feel that the California Avenue extension will be a measurably significant benefit to not only the CSUMB campus, but also other non-City of Marina sponsored development with the City of Marina. This fact should be further considered as part of the above requested meeting. However, we are

pleased to confirm the fact that the City's MOU with the developers of the Cypress Knolls Retirement Village (Patton Park) project is in place and that the City's local match obligation is expected to be forthcoming in a timely manner, provided the project is permitted to proceed as planned.

In addition to discussing how local match funds should be developed, there needs to be further consideration given to how participating cities and agencies will retain a higher degree of control in how consultants are selected, consultive service contract negotiations and review of major change orders that inherently arise during the course of construction. There also needs to be some project budgeting that will cover administrative overhead expended by the participating cities and agencies.

Please advise as to when you are able to schedule a meeting to discuss this matter. With your assistance, we will endeavor to prepare a staff report for our City Council to consider at their October 20, 1998 regular meeting.

City of Marina

  
A. Charles E. Johnson  
Director of Public Works/City Engineer

Enclosures 2

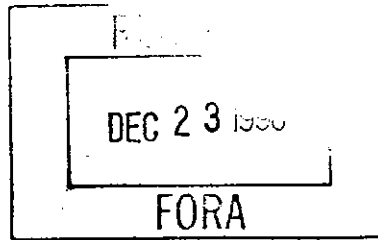
cc: Mayor  
City Council  
John Longley, City Manager  
Dick Goblirsch, HEDD  
Jim Colangelo, Monterey County Intergovernmental Affairs  
Graham Bice, UCSC MBEST



OFFICE OF THE CITY MANAGER  
440 Harcourt Avenue  
Seaside, CA 93955-0810

Telephone (408) 899-6200  
FAX (408) 899-6227  
TDD (408) 899-6207

December 21, 1998



James A. Feeney, P.E.  
Assistant Executive Officer  
Fort Ord Reuse Authority  
100 12th Street, Building 2880  
Marina, CA 93933

**RE: FORA EDA Local Matching Funds**

Dear Mr. Feeney:

City staff has reviewed the Fort Ord Reuse Authority Economic Development Administration (EDA) grant application. It is our understanding that our City's local match contribution is in the amount of \$8,933 for street improvements on North/South Road (between Lightfighter Drive to 4th Street @ Second Avenue).

Staff will recommend to the City Council that the above amount will be committed in the FY 1999-2000 Capital Improvement budget.

Please call me if you have any questions regarding the above.

Sincerely,

A handwritten signature in cursive script that reads "Rich Guillen".

Rich Guillen  
Acting City Manager

RG:bc

c: Mayor and City Council  
Linda Downing, Director of Administrative Services  
Diana Ingersoll, Director of Public Works

## FORA BOARD REPORT

<b>Subject:</b> Election of FORA Officers for 1999
<b>Meeting Date:</b> January 8, 1999 <span style="float: right;"><b>ACTION</b></span>
<b>Agenda Number:</b> 7a (1)

### RECOMMENDATION:

- 1) Add the position of Executive Committee Representative(s) for the 1999 term.
- 2) Elect the following FORA Officers for a term of one year (Jan. 1999 - Dec. 1999).
  - Chair
  - First Vice Chair
  - Second Vice Chair
  - Others as may be required

### DISCUSSION:

The adopted FORA Rules and Regulations dictate that the Authority's Officers shall be elected from the Board at the first regular meeting in January of each year (see attached Rules & Regulations as excerpted from the FORA Master Resolution – Attachment A).

The following is a brief description of each Officer's duties:

#### CHAIR:

- The Chair shall preside at all meetings of the Board of Directors and Executive Committee of the Authority.
- The Chair may govern the amount of time allocated persons to address the Authority.
- The Chair will sign all contracts, deeds and other instruments made by the Authority.
- The Chair will perform such other duties as may be prescribed by the Board.

#### FIRST VICE CHAIR:

- The First Vice Chair shall perform the duties of the Chair in the absence or incapacity of the Chair.
- The First Vice Chair shall be a member of the FORA Executive Committee.

#### SECOND VICE CHAIR:

- The second Vice-Chair shall perform the duties of the Chair or First Vice-Chair in the absence or incapacity of such officers.
- The second Vice-Chair shall be a member of the FORA Executive Committee.

All elected Officers may be required to perform other duties by resolution of the Authority.

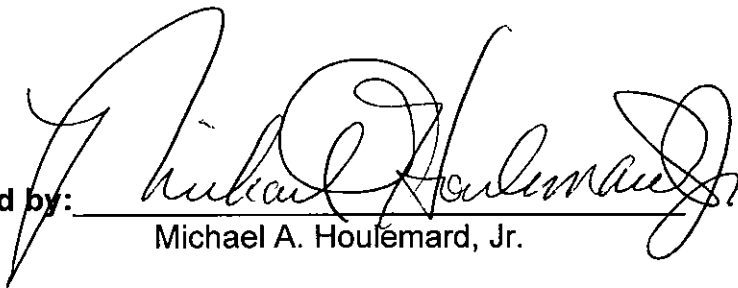
The Executive Committee typically includes the immediate past Chair (See Attachment B). This was initially intended to ensure continuity and to broaden representation on the Executive Committee. However, due to election outcomes, the immediate past Chair is



no longer in office. Therefore, the Board may want to add an elected appointee(s) to join the Chair, First Vice Chair and Second Vice Chair in order to meet the goal of the breadth of representation at the Executive Committee meetings.

It is recommended that the Board consider adding a Board Executive Committee Representative(s) to join the Executive Committee. If this is approved, then staff would add this position(s) for consideration of nominees for the election of officers.

Prepared by:

A handwritten signature in cursive script, appearing to read "Michael A. Houlemard, Jr.", written over a horizontal line.

Michael A. Houlemard, Jr.

A

**2.01.040. SELECTION OF OFFICERS.**

(a) The Authority's officers shall be elected from the Board and shall serve a term of one year and may be reelected for no more than one consecutive additional term in the same office. Election of officers shall take place at the close of the Authority's first regular January meeting.

(b) The officers of the Authority shall be a Chair, a First Vice-Chair, and a Second Vice-Chair. It is the policy of the Board that the officers of the Authority shall rotate on a regular basis among the members of the Board with the First Vice-Chair succeeding the Chair and the Second Vice-Chair succeeding the First Vice-Chair as vacancies occur. Such other officers as may be deemed necessary may be appointed by the Authority Board.

**2.01.050. AUTHORITY OF CHAIR AND VICE-CHAIRS.**

The Chair shall preside at all meetings of the Authority Board and may make or second any motion and present and discuss any matter as a member of the Board. If the Chair is absent or unable to act, the First Vice-Chair shall serve until the Chair returns or is able to act and shall have all of the powers and duties of the Chair. If both the Chair and First Vice-Chair are absent or unable to act, the Second Vice-Chair shall serve until the Chair or First Vice-Chair returns or is able to act and shall have all of the powers and duties of the Chair. If the Chair, First Vice-Chair, and Second Vice-Chair are absent or unable to act, Board shall choose one of its number as the presiding officer.

**2.01.060. ADDITIONAL DUTIES.**

The officers of the Authority shall perform such other duties as may be required by resolution or other action of the Authority.

**Article 2.02. MEETINGS OF THE AUTHORITY BOARD**

**2.02.010. MEETINGS - TIME AND PLACE.**

(a) The regular meetings of the Authority Board shall be held on the second Friday of each and every month at the Authority Offices, commencing at the hour of 4:00, except as otherwise provided in this section.

(b) If any regular meeting day falls upon a holiday, the regular meeting of the Board shall be held at the same place on the next Friday, which is not a holiday commencing at the same hour, in which event all hearings, applications, petitioners, and other matters before the Board shall be deemed to be and are automatically continued to the same hour on such Friday which is not a holiday.

(c) All meetings of the Authority Board shall be held in places accessible to persons, including persons with physical handicaps or disabilities.

**2.02.020. MEETINGS - PROCEDURES.**

B

appropriate to provide the Board with options, critique, analysis, and other information as the Board may request from time to time.

**2.03.020. EXECUTIVE COMMITTEE.**

The Chair, First Vice-Chair, Second Vice-Chair, and the immediate past Chair shall serve as an Executive Committee and provide such duties as the Board may provide. The Executive Officer shall attend all meetings of the Executive Committee.

**2.03.030. ADMINISTRATIVE COMMITTEE.**

The chief administrative officer, county administrative officer, or city manager of each member agency, or designee, may serve of an administrative subcommittee to the Board to provide advice, analysis and recommendations to the Board as the Board may request from time to time.

**Article 2.04. EXECUTIVE OFFICER**

**2.04.010. OFFICE CREATED.**

The office of the Executive Officer is created and established, as provided in the Authority Act. The Executive Officer shall be appointed by the Authority Board wholly on the basis of his or her administrative and executive ability and qualifications and shall hold office for and during the pleasure of the Agency Board.

**2.04.020. BOND.**

The Executive Officer shall furnish a corporate surety bond to be approved by the Authority Board in such sum as may be determined by the Authority Board, and shall be conditioned upon the faithful performance of the duties imposed upon the Executive Officer and as prescribed in this Article. Any premium for such bond shall be a proper charge against the Authority.

**2.04.030. COMPENSATION.**

The Executive Officer shall receive such compensation as the Board shall from time to time determine. In addition, the Executive Officer shall be reimbursed for all actual and necessary expenses incurred by him in the performance of his official duties.

**2.04.040. POWERS AND DUTIES OF THE EXECUTIVE OFFICER.**

(a) The Executive Officer shall be the administrative head of the Authority under the direction and control of the Authority Board except as otherwise provided in this Master Resolution. The Executive Officer shall be responsible for the efficient administration of all the affairs of the Authority which are under the control of the Executive Officer. In addition to general powers of the Executive Officer as administrative head, and not as a limitation thereon, it shall be the duty of the Executive Officer and the Executive Officer shall have the powers set forth in the Authority Act and in the following sections.

(b) The Executive Officer shall have the following powers and duties:

## FORA BOARD REPORT

<b>Subject:</b> Fort Ord Reuse Authority Procedures/1999 Meeting Schedule	
<b>Meeting Date:</b> January 11, 1999	INFORMATION/ACTION
<b>Agenda Number:</b> 7a(2)	

### **RECOMMENDATION:**

1. Engage in discourse regarding procedures and meetings of the Fort Ord Reuse Authority (FORA).
2. Adopt the 1999 FORA Board Meeting Schedule.

### **BACKGROUND/DISCUSSION**

Members of the Board have requested discussion regarding some elements of Board procedures and meetings. As preparation for such a discussion, staff suggests that the members review the sections of the Fort Ord Reuse Authority Master Resolution that pertain to Board procedures and meetings (Attachment A). To aid in the review, we are highlighting pertinent and important components below:

#### **Board Procedures**

The Fort Ord Reuse Authority Board meetings are to be conducted under Robert's Rules of Order, as revised.

The Chair conducts the meetings of the Board, and rules regarding meeting participation and general decorum.

#### **Board Meetings**

Except where there may be a conflict with scheduled holidays, Board meetings are to be held on the second Friday of each month at 4:00 p.m. A proposed schedule of meetings for the 1999 year follows this report as Attachment B.

In the event of the desire/need to hold additional meetings, the Chair or a majority of the Board may call for a special meeting. A minimum 24 hour notice is required whenever such meetings are called. In the event an action is required at a special meeting, a minimum 72 hour notice is required. While not specified in the Master Resolution, it has been the practice of the Authority to hold Special Meetings of the Authority on the fourth Thursday of the month.

Special meetings have been called in the past for the purpose of conducting a second vote on selected issues where time was of the essence in taking an action. Special meetings have also been called where evening public hearings were in order, when the Board sought additional briefing in workshop format on key issues, or when the level of business activity required a second meeting to meet Authority obligations.

**Voting**

Excepting certain ministerial or procedural votes, as ruled by Authority Counsel, all actions by the FORA Board are by unanimous action. In the event of failure to achieve unanimous action, the item for decision must return to the Board for a second vote where a simple majority is required to act.

**RECOMMENDATION**

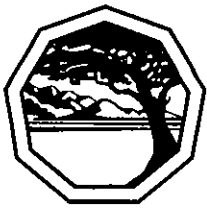
Staff recommends that the Board engage in a discussion about special meetings, voting procedures, and the 1999 Meeting Calendar. If the 1999 meeting schedule is deemed acceptable, staff requests adoption of the meeting schedule as proposed.

**COORDINATION:**

Executive Committee

Prepared/Approved by:

  
Michael A. Houlemard, Jr.



## FORT ORD REUSE AUTHORITY

100 12TH STREET, BUILDING 2880, MARINA, CALIFORNIA 93933

PHONE: (831) 883-3672 - FAX: (831) 883-3675

WEBSITE: [www.fora.org](http://www.fora.org)

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# FORA BOARD MEETINGS 1999 DATES

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<b>JANUARY</b>	<b>8</b>	<b>JULY</b>	<b>9</b>
<b>FEBRUARY</b>	<b>19</b>	<b>AUGUST</b>	<b>6</b>
<b>MARCH</b>	<b>12</b>	<b>SEPTEMBER</b>	<b>17</b>
<b>APRIL</b>	<b>16</b>	<b>OCTOBER</b>	<b>8</b>
<b>MAY</b>	<b>14</b>	<b>NOVEMBER</b>	<b>19</b>
<b>JUNE</b>	<b>11</b>	<b>DECEMBER</b>	<b>10</b>

All meetings begin at 4:00 p.m. in the FORA Conference Room, 12<sup>th</sup>  
Street Gate, Marina

Dates and times are subject to change.

## FORA BOARD REPORT

<b>Subject:</b>	<b>Fort Ord Reuse Authority Special Committees</b>	
<b>Meeting Date:</b>	January 8, 1999	INFORMATION/ACTION
<b>Agenda Number:</b>	7a(3)	

### RECOMMENDATION:

1. Engage in discourse regarding the formation of special committees of the Fort Ord Reuse Authority (FORA).
2. Adopt/Appoint Special Committees as deemed appropriate and adopt Committee Charge where appropriate.

### BACKGROUND

1. At the December 11, 1998 FORA Board meeting, the Board discussed the formation of a finance committee to review the selection of the Auditor (and other assignments as deemed appropriate). To follow up on this recommendation, staff has prepared a draft Committee Charge for a Finance Advisory Committee for your consideration (Attachment A).
2. In past years, the FORA Board had an active Legislative Advisory Committee that reviewed proposed Federal and State legislation with respect to the impact on Base Reuse. There has been comment at the FORA Board level that it may be appropriate to revive the Legislative Advisory Committee in light of several funding and property transfer processing issues. In addition, some Board members have expressed a desire to schedule a session with State and Federal Representatives with either the Board or such a Legislative Advisory Committee if formed. To provide more specific responsibilities of the proposed Legislative Advisory Committee, staff has prepared a draft Committee Charge for a Legislative Advisory Committee for your consideration (Attachment B).

### RECOMMENDATION

Staff recommends that the Board engage in a discussion about Committees to determine the need to establish a Finance Advisory Committee, Legislative Advisory Committee, or other Committee(s). If the Board appoints one or more Committee, staff requests adoption of an appropriate Committee Charge.

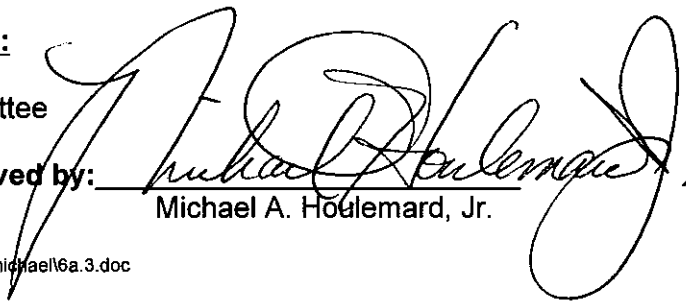
### FISCAL IMPACT

Current staffing levels will need to absorb the additional workload. Minimal additional funding will be required for the added administrative costs, but is not identified at this time.

### COORDINATION:

Executive Committee

Prepared/Approved by: \_\_\_\_\_

  
Michael A. Houlemard, Jr.

**FORT ORD REUSE AUTHORITY**  
**FINANCE ADVISORY COMMITTEE**

Fort Ord Reuse Authority (hereinafter "Authority") Finance Advisory Committee (hereinafter "Committee") is a three-member body, appointed by the Chair of the Authority.

**CHARGE**

1. Review and evaluate the annual budget of the Authority as presented by the Accounting/Finance Officer.
2. Consult with the Authority Administrative Committee, the Executive Officer, and the Director of Planning and Redevelopment, advise and inform the Authority Board on proposed financing mechanisms to fund the obligations of the Authority. The Committee will develop recommendations to the Authority Board for actions associated with its advice and information responsibilities.
3. Review and evaluate the scope of services for the selection of the Authority auditor as prepared by the Accounting/Finance Officer. Comment, as appropriate on modifications to the scope of services. Serve as an advisory selection committee to the Authority Board on the selection of the auditor. Review and evaluate the annual audit of the Authority budget as presented by the selected auditor.

**MEETINGS**

Meetings will be held at the Authority Offices on the third Monday of each month at 1:30 p.m., as necessary. The Chair of the Authority or the Chair of the Committee may call special meetings of the Committee when circumstances or timing necessitates such a meeting.

**STAFFING**

Executive Officer and Accounting/Finance Officer of the Authority.



**FORT ORD REUSE AUTHORITY**

**LEGISLATIVE ADVISORY COMMITTEE**

Fort Ord Reuse Authority (hereinafter "Authority") Legislative Advisory Committee (hereinafter "Committee") is a five-member body, appointed by the Chair of the Authority.

**CHARGE**

1. Review and evaluate the impact of proposed federal or state legislation with respect to the Authority's obligations under state law to implement reuse activities on the former Fort Ord.
2. Advise and inform the Authority Board, when requested or on its own initiative, regarding pending legislation and noting its potential impact on the activities of the Authority. The Committee will develop support/oppose recommendations to the Authority Board for actions associated with its advice and information responsibilities.
3. Plan, schedule, and conduct an annual Legislative Update Session with the sitting representatives of the 27<sup>th</sup> Assembly District, the 15<sup>th</sup> Senatorial District, and the 17<sup>th</sup> Congressional District (individually or collectively as schedules permit).

**MEETINGS**

Meetings will be held at the Authority Offices on the third Monday of each month at 3:30 p.m. The Chair of the Authority or the Chair of the Committee may call special meetings of the Committee when circumstances or timing necessitates such a meeting.

**STAFFING**

Executive Officer of the Authority.

**FORA BOARD MEETING – ITEM 7A (3):**

**FINANCE COMMITTEE**

**REPRESENTATIVE**

**ALTERNATE**

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**LEGISLATIVE COMMITTEE**

**REPRESENTATIVE**

**ALTERNATE**

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