

AMENDED IN ASSEMBLY JUNE 17, 2019

AMENDED IN SENATE MAY 17, 2019

AMENDED IN SENATE APRIL 11, 2019

AMENDED IN SENATE APRIL 1, 2019

SENATE BILL

No. 189

Introduced by Senator Monning

(Coauthors: Assembly Members Robert Rivas and Mark Stone)

January 30, 2019

An act to amend Section 67675 of, to amend and repeal Sections 67661, 67662, 67673, 67675.2, 67675.3, 67675.4, 67675.5, 67675.6, 67675.7, 67675.8, 67675.9, and 67690 of, to amend, repeal, and add Sections 67652, 67655, 67660, 67661, 67679, and 67700 of, and to add Section 67701 to, the Government Code, and to add Section 33492.79 to the Health and Safety Code, relating to military base reuse.

LEGISLATIVE COUNSEL'S DIGEST

SB 189, as amended, Monning. Fort Ord Reuse Authority: member agencies: land use and zoning: dissolution.

(1) Existing law, the Fort Ord Reuse Authority Act, establishes the Fort Ord Reuse Authority (the authority) to prepare, adopt, finance, and implement a plan for the use and development of the territory previously occupied by the Fort Ord military base in the County of Monterey. The act provides that the authority is governed by a board comprised of 13 members representing the County of Monterey and specified cities within the county, which the act designates as "member agencies." The act provides that any local agency that does not adopt a resolution favoring establishment of the authority is not required to appoint a voting member to the board.

This bill would reduce the size of the board from 13 members to 5 members and eliminate representation for certain cities. The bill would delete the provision regarding a local agency not being required to appoint a voting member to the board. The bill would require the vote of a majority of the total membership of the board to pass or act upon any matter properly before the board. The bill would make these provisions operative on July 1, 2020.

(2) Existing law requires the board to prepare, adopt, review, revise, and maintain a plan for the future use and development of the territory occupied by Fort Ord. Existing law requires the plan to include certain elements, including, among others, a 5-year capital improvement program, as provided.

This bill, on and after July 1, 2020, would prohibit any additions to the plan, including the capital improvement program.

(3) Existing law authorizes representatives of certain entities to serve as ex officio, nonvoting members of the board and board.

This bill, on July 1, 2020, would reduce the number of representatives authorized to serve as ex officio, nonvoting members, as provided, and would additionally authorize a representative designated by the Marina Coast Water District to serve as an ex officio, nonvoting member.

(4) Existing law authorizes the board to appoint or remove additional ex officio members at its pleasure. Existing law authorizes the board to appoint advisory committees to provide it with options, critique, analysis, and other information as it finds useful.

After adoption of a reuse plan by the board, existing law requires each county or city with territory occupied by Fort Ord to submit its general plan or amended general plan that meets certain requirements, or subsequent amendments to a certified plan, to the board and requires the board, after a noticed public hearing, to certify or refuse to certify the portion of the general plan that applies the territory of Fort Ord, as provided. Existing law similarly provides for the submission and review by the board of the county's or city's zoning ordinances, zoning district maps, and, where necessary, other implementing actions applicable to the territory of Fort Ord. Existing law provides that development review authority, with certain exceptions, is exercised by the applicable county or city, but prohibits a local agency from permitting, approving, or otherwise allowing a development or other change of use within the area of Fort Ord that is not consistent with the reuse plan adopted by the board. Existing law authorizes the board to review actions of each member agency regarding planning, zoning, and the issuance or denial

of building permits within the area of Fort Ord, subject to specified limitations.

Existing law provides specific procedures regarding the preparation of an environmental impact report on the Fort Ord Reuse Plan that apply in the event that an environmental impact statement on the closure and reuse of Fort Ord has been filed pursuant to the federal National Environmental Policy Act of 1969.

Existing law authorizes the board to receive contributions from member agencies represented on the board. Existing law requires each member agency and each public agency represented by an ex officio member to contribute specified amounts to the authority.

This bill would repeal all of these provisions on July 1, 2020.

(4)

(5) Existing law authorizes the board to identify basewide public capital facilities described in the Fort Ord Reuse Plan, as provided, and requires the board to plan for and arrange for the provision of those facilities. Existing law requires the board to also identify significant local public capital facilities, but requires these facilities to be the responsibility of the city or county or redevelopment agency, as provided.

Existing law prohibits the board from constructing or otherwise acting to improve a local public capital facility without the consent of the city or county with land use authority over the area where the facility is or will be located. Existing law also prohibits, if all or any portion of the Fritzsche Army Air Field is transferred to the City of Marina, or if all or any portion of the 2 Army golf courses within the territory of Seaside are transferred to the City of Seaside, the board from considering those portions of the air field that continue to be used as an airport or those portions of the golf courses that continue in use as a golf course, from being basewide capital facilities. Existing law authorizes the board, among other things, to issue bonds to finance basewide public facilities.

This bill, on July 1, 2020, would delete the prohibitions described above, and would eliminate the board's authority to issue bonds to finance basewide public facilities.

(5)

(6) Under existing law, the Fort Ord Reuse Authority Act becomes inoperative when the board makes a specified determination regarding the development or reuse of the territory of Fort Ord or on June 30, 2020, whichever occurs first. Existing law repeals the act on January 1, 2021. Existing law requires the Monterey County Local Agency

Formation Commission to provide for the orderly dissolution of the authority, as provided.

This bill would, instead, make the Fort Ord Reuse Authority Act inoperative on June 30, 2022, and repeal the act on January 1, 2023. The bill would require the authority to negotiate and secure successor agencies for all obligations under the transition plan no later than June 30, 2022. The bill would require the Monterey County Local Agency Formation Commission to provide for the orderly dissolution of the authority once an agreement with a successor agency has been finalized. The bill would require the transfer of specified revenues of the authority to the County of Monterey for disbursement to each underlying land use jurisdiction on a pro rata basis. The bill would specify that any financial obligation of the authority to which the County of Monterey succeeds as a result of the disbursement of remaining revenues or the retirement of debt does not constitute a debt or liability of the county, or any other member agency. The bill would make these provisions operative on July 1, 2020.

This bill would authorize the authority to take specified actions regarding its dissolution, including implementing the transition plan and collecting and disbursing specified revenues. The bill would authorize an underlying land use jurisdiction to adopt a substitute funding mechanism in lieu of the community facilities district established for the Fort Ord area if the jurisdiction commits to continue funding specified regional needs. The bill would also deem the transition plan to be within the scope of a specified categorical exemption from the California Environmental Quality Act. The bill would make these provisions operative on July 1, 2020.

(6)

(7) Existing law establishes procedures for the establishment and operation of all redevelopment project areas created within the area previously known as Fort Ord. Existing law, upon dissolution of the authority, requires that amounts allocated under a redevelopment plan that contains a provision for the division of taxes, if any levied upon taxable property within a redevelopment project, continue to be paid to the accounts of the authority insofar as needed to pay principal and interest or other amounts of debt incurred by the authority.

~~This bill would make these provisions governing the establishment and operation of redevelopment project areas created within Fort Ord inoperative as of the date of the dissolution of the Fort Ord Reuse Authority or the retirement of the authority's debt, whichever occurs~~

later. The bill, upon dissolution of the authority or retirement of its debt, whichever occurs later, would require that any remaining property tax revenues allocated to the authority be transferred to the auditor-controller of the County of Monterey for appropriate distribution.

(7)

(8) This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Monterey.

(8)

(9) By adding to the duties of various local agencies with respect to the dissolution of the Fort Ord Reuse Authority, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 67652 of the Government Code is
2 amended to read:

3 67652. The Legislature finds and declares as follows:

4 (a) The policy set forth in Section 67651 is most likely to be
5 achieved if an effective governmental structure exists to plan for,
6 finance, and carry out the transfer and reuse of the base in a
7 cooperative, coordinated, balanced, and decisive manner.

8 (b) The County of Monterey and the Cities of Monterey, Salinas,
9 Carmel, and Pacific Grove have requested the Legislature to
10 establish a governmental structure for Fort Ord.

11 (c) This section shall remain in effect only until July 1, 2020,
12 and as of that date is repealed.

13 SEC. 2. Section 67652 is added to the Government Code, to
14 read:

15 67652. (a) The Legislature finds and declares as follows:

16 (1) The policy set forth in Section 67651 is most likely to be
17 achieved if an effective governmental structure exists to plan for,

1 finance, and carry out the transfer and reuse of the base in a
2 cooperative, coordinated, balanced, and decisive manner.

3 (2) The transition plan, adopted by the Fort Ord Reuse
4 Authority, will assure *ensure* that ongoing, mandated requirements
5 continue to be funded and addressed within the region covered by
6 the authority, which will collect and distribute revenue for the
7 limited environmental and infrastructure mission.

8 (b) This section shall become operative on July 1, 2020.

9 SEC. 3. Section 67655 of the Government Code is amended
10 to read:

11 67655. Unless the context otherwise requires, the definitions
12 contained in this chapter govern the construction of this title.

13 (a) "Authority" means the Fort Ord Reuse Authority.

14 (b) "Base-wide facility" means a public capital facility which,
15 in the judgment of the board, is important to the overall reuse of
16 Fort Ord, and has significance beyond any single city or the
17 unincorporated area of the county.

18 (c) "Board" means the governing board of the authority, as
19 specified in Section 67660.

20 (d) "Fort Ord Reuse Plan" means the plan for the future use of
21 Fort Ord adopted pursuant to Section 67675.

22 (e) "Legislative body" means the city council of a city or the
23 board of supervisors of a county, or the legislative body or
24 governing board of any other public agency.

25 (f) "Local facility" means a public capital facility which, in the
26 judgment of the board, is important primarily within a single city
27 or the unincorporated area of the county.

28 (g) "Member agency" means the County of Monterey and the
29 City of Carmel, the City of Del Rey Oaks, the City of Marina, the
30 City of Sand City, the City of Monterey, the City of Pacific Grove,
31 the City of Salinas, or the City of Seaside.

32 (h) "Fort Ord," including references to the territory or area of
33 Fort Ord, means the geographical area described in the document
34 entitled "Description of the Fort Ord Military Reservation Including
35 Portion of the Monterey City Lands Tract No. 1, the Saucito,
36 Laguna Seca, El Chamisal, El Toro and Noche Buena Ranchos,
37 the James Bardin Partition of 1880 and Townships 14 South,
38 Ranges 1 and 2 East and Townships 15 South, Ranges 2 and 3
39 East, M.D.B. and M. Monterey County, California," prepared by

1 Bestor Engineers, Inc., and delivered to the Sacramento District
2 Corps of Engineers on April 11, 1994.

3 (i) "Public capital facilities" means all public capital facilities
4 described in the Fort Ord Reuse Plan, including, but not limited
5 to, roads, freeways, ramps, air transportation facilities and freight
6 hauling and handling facilities, sewage and water conveyance and
7 treatment facilities, school, library, and other educational facilities,
8 and recreational facilities, that could most efficiently and
9 conveniently be planned, negotiated, financed, or constructed by
10 the authority to further the integrated future use of Fort Ord.

11 (j) "Redevelopment authority," for purposes of the transfer of
12 property at military bases pursuant to Title XXIX of the National
13 Defense Authorization Act for the 1994 fiscal year, means the Fort
14 Ord Reuse Authority, except that, with respect to property within
15 the territory of Fort Ord that is transferred or to be transferred to
16 the California State University or to the University of California,
17 "redevelopment authority" solely for purposes of the transfer of
18 property at military bases pursuant to Title XXIX of the National
19 Defense Authorization Act for the 1994 fiscal year means the
20 California State University or the University of California, and
21 does not mean the Fort Ord Reuse Authority.

22 (k) This section shall remain in effect only until July 1, 2020,
23 and as of that date is repealed.

24 SEC. 4. Section 67655 is added to the Government Code, to
25 read:

26 67655. Unless the context otherwise requires, the definitions
27 contained in this chapter govern the construction of this title.

28 (a) "Authority" means the Fort Ord Reuse Authority.

29 (b) "Base-wide facility" means a public capital facility which,
30 in the judgment of the board, is important to the overall reuse of
31 Fort Ord, and has significance beyond any single city or the
32 unincorporated area of the county.

33 (c) "Board" means the governing board of the authority, as
34 specified in Section 67660.

35 (d) "Community facilities district revenues" means the revenues
36 collected by the authority pursuant to the Mello-Roos Community
37 Facilities Act of 1982 (Chapter 2.5 (commencing with Section
38 53311) of Part 1 of Division 2 of Title 5).

39 (e) "Fort Ord Reuse Plan" means the plan for the future use of
40 Fort Ord adopted pursuant to Section 67675.

- 1 (f) "Legislative body" means the city council of a city or the
2 board of supervisors of a county, or the legislative body or
3 governing board of any other public agency.
- 4 (g) "Local facility" means a public capital facility which, in the
5 judgment of the board, is important primarily within a single city
6 or the unincorporated area of the county.
- 7 (h) "Member agency" means the County of Monterey, the City
8 of Del Rey Oaks, the City of Marina, the City of Monterey, or the
9 City of Seaside.
- 10 (i) "Fort Ord," including references to the territory or area of
11 Fort Ord, means the geographical area described in the document
12 entitled "Description of the Fort Ord Military Reservation Including
13 Portion of the Monterey City Lands Tract No. 1, the Saucito,
14 Laguna Seca, El Chamisal, El Toro and Noche Buena Ranchos,
15 the James Bardin Partition of 1880 and Townships 14 South,
16 Ranges 1 and 2 East and Townships 15 South, Ranges 2 and 3
17 East, M.D.B. and M. Monterey County, California," prepared by
18 Bestor Engineers, Inc., and delivered to the Sacramento District
19 Corps of Engineers on April 11, 1994.
- 20 (j) "Property tax revenues" means the amount of property tax
21 revenues allocated to the authority pursuant to Section 33492.71
22 of the Health and Safety Code.
- 23 (k) "Public capital facilities" means all public capital facilities
24 described in the Fort Ord Reuse Plan, including, but not limited
25 to, roads, freeways, ramps, air transportation facilities and freight
26 hauling and handling facilities, sewage and water conveyance and
27 treatment facilities, school, library, and other educational facilities,
28 and recreational facilities, that could most efficiently and
29 conveniently be planned, negotiated, financed, or constructed by
30 the authority to further the integrated future use of Fort Ord.
- 31 (l) "Redevelopment authority," for purposes of the transfer of
32 property at military bases pursuant to Title XXIX of the National
33 Defense Authorization Act for the 1994 fiscal year, means the Fort
34 Ord Reuse Authority, except that, with respect to property within
35 the territory of Fort Ord that is transferred or to be transferred to
36 the California State University or to the University of California,
37 "redevelopment authority" solely for purposes of the transfer of
38 property at military bases pursuant to Title XXIX of the National
39 Defense Authorization Act for the 1994 fiscal year means the

1 California State University or the University of California, and
2 does not mean the Fort Ord Reuse Authority.

3 (m) “Transition plan” means the plan for the dissolution of the
4 authority adopted by the board, as required by subdivision (c) of
5 Section 67700.

6 (n) “Underlying land use jurisdiction” means, singularly or in
7 the plural, the City of Monterey, the City of Del Rey Oaks, the
8 City of Seaside, the City of Marina, or the County of Monterey.

9 (o) This section shall become operative on July 1, 2020.

10 SEC. 5. Section 67660 of the Government Code is amended
11 to read:

12 67660. (a) The authority shall be governed by a board of 13
13 members composed of the following:

- 14 (1) One member appointed by the City of Carmel.
- 15 (2) One member appointed by the City of Del Rey Oaks.
- 16 (3) Two members appointed by the City of Marina.
- 17 (4) One member appointed by Sand City.
- 18 (5) One member appointed by the City of Monterey.
- 19 (6) One member appointed by the City of Pacific Grove.
- 20 (7) One member appointed by the City of Salinas.
- 21 (8) Two members appointed by the City of Seaside.
- 22 (9) Three members appointed by Monterey County.

23 (b) Notwithstanding subdivision (a), any local agency that does
24 not adopt a resolution favoring establishment of the Fort Ord Reuse
25 Authority pursuant to Section 67656 shall not be required to
26 appoint a voting member to the board. The failure of a local agency
27 to appoint a voting member to the board pursuant to this
28 subdivision shall not alter or reduce the powers and duties of the
29 authority or the board in any manner.

30 (c) Each member agency may appoint one alternate for each of
31 its positions on the board, and each alternate shall have all the
32 rights and authority of a board member when serving in that board
33 member’s place.

34 (d) Each board member and each alternate shall be a member
35 of the legislative body making the appointment, except that
36 alternates appointed by the Monterey County Board of Supervisors
37 shall be members of the board of supervisors or county staff. Board
38 members and alternates shall serve at the pleasure of the member
39 agency making the appointment.

1 (e) This section shall remain in effect only until July 1, 2020,
2 and as of that date is repealed.

3 SEC. 6. Section 67660 is added to the Government Code, to
4 read:

5 67660. (a) The authority shall be governed by a board of five
6 members composed of the following:

7 (1) One member appointed by the City of Del Rey Oaks.

8 (2) One member appointed by the City of Marina.

9 (3) One member appointed by the City of Monterey.

10 (4) One member appointed by the City of Seaside.

11 (5) One member appointed by Monterey County.

12 (b) Each member agency may appoint one alternate for each of
13 its positions on the board, and each alternate shall have all the
14 rights and authority of a board member when serving in that board
15 member's place.

16 (c) Each board member and each alternate shall be a member
17 of the legislative body making the appointment, except that the
18 alternate appointed by the Monterey County Board of Supervisors
19 shall be a member of the board of supervisors or county staff.
20 Board members and alternates shall serve at the pleasure of the
21 member agency making the appointment.

22 (d) The vote of a majority of the total membership of the board
23 shall be required to pass or act upon any matter properly before
24 the board, and each member of the board shall have one vote.

25 (e) This section shall become operative on July 1, 2020.

26 SEC. 7. Section 67661 of the Government Code is amended
27 to read:

28 67661. (a) The following may serve as ex officio nonvoting
29 members of the board:

30 (1) A representative appointed by the Monterey Peninsula
31 Community College District.

32 (2) A representative appointed by the Monterey Peninsula
33 Unified School District.

34 (3) A representative designated by the Member of Congress
35 that has the majority portion of Ford Ord in their Congressional
36 District.

37 (4) A representative designated by the Senator that has the
38 majority portion of Ford Ord in their Senate District.

39 (5) A representative designated by the Assembly Member that
40 has the majority portion of Ford Ord in their Assembly District.

1 (6) A representative designated by the United States Army.

2 (7) A representative designated by the Chancellor of the
3 California State University.

4 (8) A representative designated by the President of the
5 University of California.

6 (9) A representative designated by the Monterey County Water
7 Resources Agency.

8 (10) A representative designated by the Transportation Agency
9 of Monterey County.

10 (b) This section shall remain in effect only until July 1, 2020,
11 and as of that date is repealed.

12 *SEC. 8. Section 67661 is added to the Government Code, to*
13 *read:*

14 *67661. (a) The following may serve as ex officio nonvoting*
15 *members of the board:*

16 *(1) A representative designated by the United States Army.*

17 *(2) A representative designated by the Chancellor of the*
18 *California State University.*

19 *(3) A representative designated by the Marina Coast Water*
20 *District.*

21 *(b) This section shall become operative on July 1, 2020.*

22 ~~SEC. 8.~~

23 *SEC. 9. Section 67662 of the Government Code is amended*
24 *to read:*

25 *67662. (a) The board may appoint or remove additional ex*
26 *officio nonvoting members at its pleasure.*

27 *(b) This section shall remain in effect only until July 1, 2020,*
28 *and as of that date is repealed.*

29 ~~SEC. 9.~~

30 *SEC. 10. Section 67673 of the Government Code is amended*
31 *to read:*

32 *67673. (a) The board may, at its pleasure, appoint an additional*
33 *advisory committee or committees to provide the board with*
34 *options, critique, analysis, and other information as it finds useful,*
35 *and may provide mechanisms through which a committee may*
36 *report to the board.*

37 *(b) This section shall remain in effect only until July 1, 2020,*
38 *and as of that date is repealed.*

1 ~~SEC. 10.~~

2 *SEC. 11.* Section 67675 of the Government Code is amended
3 to read:

4 67675. (a) The board shall prepare, adopt, review, revise from
5 time to time, and maintain a plan for the future use and
6 development of the territory occupied by Fort Ord as of January
7 1, 1993. The adopted plan shall be the official local plan for the
8 reuse of the base for all public purposes, including all discussions
9 with the Army and other federal agencies, and for purposes of
10 planning, design, and funding by all state agencies.

11 (b) Notwithstanding any other provision of this section, the
12 board may adopt the "Final Base Reuse Plan" prepared by the Fort
13 Ord Reuse Group as the Fort Ord Reuse Plan for purposes of this
14 title. The plan adopted pursuant to this subdivision may serve as
15 the Fort Ord Reuse Plan until July 1, 1996. The board may prepare
16 elements described in subdivision (c) that are generally consistent
17 with the adopted plan. After July 1, 1996, only a plan containing
18 the required elements and fully satisfying the requirements of this
19 title shall serve as the Fort Ord Reuse Plan.

20 (c) The Fort Ord Reuse Plan shall include all of the following
21 elements:

22 (1) A land use plan for the integrated arrangement and general
23 location and extent of, and the criteria and standards for, the uses
24 of land, water, air, space, and other natural resources within the
25 area of the base. The land use plan shall designate areas of the base
26 for residential, commercial, industrial, and other uses, and may
27 specify maximum development intensities and other standards and
28 criteria. The land use plan shall provide for public safety.

29 (2) A transportation plan for the integrated development of a
30 system of roadways, transit facilities, air transportation facilities,
31 and appurtenant terminals and other facilities for the movement
32 of people and goods to, from, and within the area of the base.

33 (3) A conservation plan for the preservation, development, use,
34 and management of natural resources within the area of the base,
35 including, but not limited to, soils, shoreline, scenic corridors along
36 transportation routes, open spaces, wetlands, recreational facilities,
37 historical facilities, and habitat of, or for, exceptional flora and
38 fauna.

39 (4) A recreation plan for the development, use, and management
40 of the recreational resources within the area of the base.

1 (5) A five-year capital improvement program that complies with
2 the requirements of Section 65403. The program shall include an
3 allocation of the available water supply, sewage treatment capacity,
4 solid waste disposal capability, and other limited public service
5 capabilities among the potential developments within the area of
6 the base. The program shall also identify both of the following:

7 (A) Base-wide facilities identified pursuant to Section 67679.

8 (B) Local facilities that are in the county or a city with territory
9 occupied by Fort Ord and that primarily serve residents of the
10 county or that city.

11 (d) In addition to the plan elements required pursuant to
12 subdivision (c), the plan may also include any element or subject
13 specified in Section 65302.

14 (e) The Fort Ord Reuse Plan may provide for development to
15 occur in phases, with criteria concerning public facility
16 development and other factors that must be satisfied within each
17 time phase.

18 (f) In preparing, adopting, reviewing, and revising the reuse
19 plan, the board shall be consistent with approved coastal plans, air
20 quality plans, water quality plans, spheres of influence, and other
21 county-wide or regional plans required by federal or state law,
22 other than local general plans, including any amendments
23 subsequent to the enactment of this title, and shall consider all of
24 the following:

25 (1) Monterey Bay regional plans.

26 (2) County and city plans and proposed projects covering the
27 territory occupied by Fort Ord or otherwise likely to be affected
28 by the future uses of the base.

29 (3) Other public and nongovernmental entity plans and proposed
30 projects affecting the planning and development of the territory
31 occupied by Fort Ord.

32 (g) On and after July 1, 2020, there shall be no additions to the
33 plan required pursuant to this section, including the capital
34 improvement program required pursuant to paragraph (5) of
35 subdivision (c).

36 ~~SEC. 11.~~

37 *SEC. 12.* Section 67675.2 of the Government Code is amended
38 to read:

39 67675.2. (a) After the board has adopted a reuse plan, each
40 county or city with territory occupied by Fort Ord shall submit its

1 general plan or amended general plan to the board, which satisfies
2 both of the following:

3 (1) The plan is submitted pursuant to a resolution adopted by
4 the county or city, after a noticed public hearing, that certified that
5 the portion of the general plan or amended general plan applicable
6 to the territory of Fort Ord is intended to be carried out in a manner
7 fully in conformity with this title.

8 (2) It contains, in accordance with guidelines established by the
9 board, materials sufficient for a thorough and complete review.

10 (b) This section shall remain in effect only until July 1, 2020,
11 and as of that date is repealed.

12 ~~SEC. 12.~~

13 *SEC. 13.* Section 67675.3 of the Government Code is amended
14 to read:

15 67675.3. (a) The board shall, within 90 days after the submittal,
16 after a noticed public hearing, either certify or refuse to certify, in
17 whole or in part, the portion of the general plan or amended general
18 plan applicable to the territory of Fort Ord.

19 (b) Where a general plan or amended general plan is refused
20 certification, in whole or in part, the board shall provide a written
21 explanation and may suggest modifications, which, if adopted and
22 transmitted to the board by the county or a city, will allow the
23 amended general plan to be deemed certified upon confirmation
24 of the executive officer of the board. The county or a city may
25 elect to meet the board's refusal of certification in a manner other
26 than as suggested by the board and may then resubmit its revised
27 general plan to the board. If the county or a city requests that the
28 board not recommend or suggest modifications which if made will
29 result in certification, the board shall refuse certification with the
30 required findings.

31 (c) The board shall approve and certify the portions of a general
32 plan or amended general plan applicable to the territory of Fort
33 Ord, or any amendments thereto, if the board finds that the portions
34 of the general plan or amended general plan applicable to the
35 territory of Fort Ord meets the requirements of this title, and is
36 consistent with the Fort Ord Reuse Plan.

37 (d) This section shall remain in effect only until July 1, 2020,
38 and as of that date is repealed.

1 ~~SEC. 13.~~

2 ~~SEC. 14.~~ Section 67675.4 of the Government Code is amended
3 to read:

4 67675.4. (a) Within 30 days after the certification of a general
5 plan or amended general plan, or any portion thereof, the board
6 shall, after consultation with the county or a city, establish a date
7 for that county or city to submit the zoning ordinances, zoning
8 district maps, and, where necessary, other implementing actions
9 applicable to the territory of Fort Ord.

10 (b) If the county or a city fails to meet the schedule established
11 pursuant to subdivision (a), the board may waive the deadlines for
12 board action on submitted zoning ordinances, zoning district maps,
13 and, where necessary, other implementing actions, as set forth in
14 Section 67675.5.

15 (c) This section shall remain in effect only until ~~July 1,~~ *July 1,*
16 2020, and as of that date is repealed.

17 ~~SEC. 14.~~

18 ~~SEC. 15.~~ Section 67675.5 of the Government Code is amended
19 to read:

20 67675.5. (a) The county and cities shall submit to the board
21 the zoning ordinances, zoning district maps, and, where necessary,
22 other implementing actions applicable to the territory of Fort Ord
23 that are required pursuant to this title.

24 (b) The board may only reject zoning ordinances, zoning district
25 maps, or other implementing actions on the grounds that they do
26 not conform with, or are inadequate to carry out, the provisions of
27 the certified general plan applicable to the territory of Fort Ord. If
28 the board rejects the zoning ordinances, zoning district maps, or
29 other implementing actions applicable to the territory of Fort Ord,
30 it shall give written notice of the rejection specifying the provisions
31 of the general plan with which the rejected zoning ordinances do
32 not conform or which it finds will not be adequately carried out,
33 together with its reasons for the action taken.

34 (c) The board may suggest modifications in the rejected zoning
35 ordinances, zoning district maps, or other implementing actions,
36 which, if adopted by the county or cities and transmitted to the
37 board, shall be deemed approved upon confirmation by the
38 executive officer of the board.

39 (d) The county or cities may elect to meet the board's rejection
40 in a manner other than as suggested by the board and may then

1 resubmit its revised zoning ordinances, zoning district maps, and
2 other implementing actions to the board.

3 (e) This section shall remain in effect only until July 1, 2020,
4 and as of that date is repealed.

5 ~~SEC. 15.~~

6 *SEC. 16.* Section 67675.6 of the Government Code is amended
7 to read:

8 67675.6. (a) Except for appeals to the board, as provided in
9 Section 67675.8, after the portion of a general plan applicable to
10 Fort Ord has been certified and all implementing actions within
11 the area affected have become effective, the development review
12 authority shall be exercised by the respective county or city over
13 any development proposed within the area to which the general
14 plan applies.

15 (b) Subdivision (a) shall not apply to any development proposed
16 or undertaken on any tidelands, submerged lands, or on public
17 trust lands, whether filled or unfilled, lying within the coastal zone.

18 (c) This section shall remain in effect only until July 1, 2020,
19 and as of that date is repealed.

20 ~~SEC. 16.~~

21 *SEC. 17.* Section 67675.7 of the Government Code is amended
22 to read:

23 67675.7. (a) After the board has certified a general plan or an
24 amended general plan, any amendments to that certified plan that
25 are applicable to the territory of Fort Ord shall take effect only
26 upon certification in the same manner as for the initially certified
27 plan, as provided in this title.

28 (b) This section shall remain in effect only until July 1, 2020,
29 and as of that date is repealed.

30 ~~SEC. 17.~~

31 *SEC. 18.* Section 67675.8 of the Government Code is amended
32 to read:

33 67675.8. (a) After the board has adopted a reuse plan pursuant
34 to this title, any revision or other change to that plan which only
35 affects territory lying within the jurisdiction of one member agency
36 may only be adopted by the board if one of the following conditions
37 is satisfied:

38 (1) The revision or other change was initiated by resolution
39 adopted by the legislative body of the affected member agency
40 and approved by at least a majority affirmative vote of the board.

1 (2) The revision or other change was initiated by the board or
2 any entity other than the affected member agency and approved
3 by at least a two-thirds affirmative vote of the board.

4 (b) (1) Notwithstanding any provision of law allowing any city
5 or county to approve development projects, no local agency shall
6 permit, approve, or otherwise allow any development or other
7 change of use within the area of the base that is not consistent with
8 the plan as adopted or revised pursuant to this title. Except as
9 required by state or federal law, other than state law authorizing
10 cities and counties to approve development projects, the board
11 shall be the final judge of this consistency with the requirements
12 of this title. The board may adopt regulations to ensure compliance
13 with the provisions of this title. No local agency shall permit,
14 approve, or otherwise allow any development or other change of
15 use within the area of the base that is outside the jurisdiction of
16 that local agency.

17 (2) Subject to the consistency determinations required pursuant
18 to this title, each member agency with jurisdiction lying within
19 the area of Fort Ord may plan for, zone, and issue or deny building
20 permits and other development approvals within that area. Actions
21 of the member agency pursuant to this paragraph may be reviewed
22 by the board on its own initiative, or may be appealed to the board.
23 Under no circumstances shall development approvals of the
24 following categories be held to be inconsistent with the Fort Ord
25 Reuse Plan:

26 (i) The construction of one single family house or one multiple
27 family house not exceeding four units on a vacant lot within an
28 area appropriately designated in the plan.

29 (ii) Improvements to existing single family residences or to
30 existing multiple family residences not exceeding four units,
31 including remodels or room additions.

32 (iii) Remodels of the interior of any existing building or
33 structure.

34 (iv) Repair and maintenance activities that do not result in an
35 addition to, or enlargement or expansion of, any building or
36 structure.

37 (v) Installation, testing, and placement in service or the
38 replacement of any necessary utility connection between an existing
39 service facility and development approved pursuant to this chapter.

1 (vi) Replacement of any building or structure destroyed by a
2 natural disaster.

3 (c) The board may require any public or private entity seeking
4 to initiate a revision or other change to a plan adopted pursuant to
5 this section to pay a charge or charges sufficient to cover the
6 reasonable costs of reviewing, evaluating, preparing, adopting,
7 and publishing the proposed revision or change.

8 (d) This section shall remain in effect only until July 1, 2020,
9 and as of that date is repealed.

10 ~~SEC. 18.~~

11 *SEC. 19.* Section 67675.9 of the Government Code is amended
12 to read:

13 67675.9. (a) If an environmental impact statement on the
14 closure and reuse of Fort Ord has been prepared and filed pursuant
15 to the National Environmental Policy Act of 1969 (42 U.S.C. Sec.
16 4321 et seq.), the board may proceed in the following manner:

17 (1) A notice of the preparation of an environmental impact report
18 on the Fort Ord Reuse Plan shall be prepared pursuant to either
19 Section 21080.4 or Section 21080.6 of the Public Resources Code,
20 and shall include a description of the reuse plan and a copy of the
21 environmental impact statement. The notice shall indicate that the
22 board intends to utilize the environmental impact statement as a
23 draft environmental impact report and requests comments on
24 whether, and to what extent, the environmental impact statement
25 provides adequate information to serve as a draft environmental
26 impact report, and what specific additional information, if any, is
27 necessary to comply with the California Environmental Quality
28 Act (Division 13 (commencing with Section 21000) of the Public
29 Resources Code). The notice shall also indicate the address to
30 which written comments may be sent and the deadline for
31 submitting comments.

32 (2) Upon the close of the comment period on the notice of
33 preparation, the board may proceed with preparation of the
34 environmental impact report on the reuse plan. The board shall,
35 to the greatest extent feasible, avoid duplication and utilize
36 information in the environmental impact statement consistent with
37 this division. The draft environmental impact report shall consist
38 of all or part of the environmental impact statement and any
39 additional information that is necessary to prepare a draft

1 environmental impact report in compliance with the California
2 Environmental Quality Act.

3 (3) In all other respects, the environmental impact report for the
4 reuse plan shall be completed in compliance with the California
5 Environmental Quality Act.

6 (b) This section shall remain in effect only until July 1, 2020,
7 and as of that date is repealed.

8 ~~SEC. 19.~~

9 *SEC. 20.* Section 67679 of the Government Code is amended
10 to read:

11 67679. (a) (1) The board shall identify those basewide public
12 capital facilities described in the Fort Ord Reuse Plan, including,
13 but not limited to, roads, freeway ramps, air transportation
14 facilities, and freight hauling and handling facilities; sewage and
15 water conveyance and treatment facilities; school, library, and
16 other educational facilities; and recreational facilities, that serve
17 residents or will serve future residents of the base territory and
18 could most efficiently or conveniently be planned, negotiated,
19 financed, constructed, or repaired, remodeled, or replaced by the
20 board to further the integrated future use of the base. The board
21 shall undertake to plan for and arrange the provision of those
22 facilities, including arranging for their financing and construction
23 or repair, remodeling, or replacement. The board may plan, design,
24 construct, repair, remodel, or replace and finance these public
25 capital facilities, or delegate any of those powers to one or more
26 member agencies. Notwithstanding any other provision of law, no
27 permit or permission of any kind from any city or county shall be
28 required for any project undertaken by the board pursuant to this
29 section.

30 (2) The board shall identify significant local public capital
31 facilities, as distinguished from the basewide public capital
32 facilities identified in the paragraph (1) which are described in the
33 Fort Ord Reuse Plan. Local public capital facilities shall be the
34 responsibility of the city or county with land use jurisdiction or
35 the redevelopment agency if the facilities are located within an
36 established project area and the board of the redevelopment agency
37 determines that it will assume responsibility.

38 (3) The board may construct or otherwise act to improve a local
39 public capital facility only with the consent of the city or county
40 with land use authority over the area where the facility is or will

1 be located. A city or county or a local redevelopment agency may
2 construct or otherwise act to improve a basewide public capital
3 facility only with the consent of the board.

4 (b) If all or any portion of the Fritzsche Army Air Field is
5 transferred to the City of Marina, the board shall not consider those
6 portions of the air field that continue to be used as an airport to be
7 basewide capital facilities, except with the consent of the legislative
8 body of the city. If all or any portion of the two Army golf courses
9 within the territory of Seaside are transferred to the City of Seaside,
10 the board shall not consider those portions of the golf courses that
11 continue in use as golf courses to be basewide capital facilities,
12 except with the consent of the legislative body of the city.

13 (c) The board may seek state and federal grants and loans or
14 other assistance to help fund public facilities.

15 (d) The board may, in any year, levy assessments, reassessments,
16 or special taxes and issue bonds to finance these basewide public
17 facilities in accordance with, and pursuant to, any of the following:

18 (1) The Improvement Act of 1911 (Division 7 (commencing
19 with Section 5000) of the Streets and Highways Code).

20 (2) The Improvement Bond Act of 1915 (Division 10
21 (commencing with Section 8500) of the Streets and Highways
22 Code).

23 (3) The Municipal Improvement Act of 1913 (Division 12
24 (commencing with Section 10000) of the Streets and Highways
25 Code).

26 (4) The Benefit Assessment Act of 1982 (Chapter 6.4
27 (commencing with Section 54703)).

28 (5) The Landscape and Lighting Act of 1972 (Part 2
29 (commencing with Section 22500) of Division 15 of the Streets
30 and Highways Code).

31 (6) The Integrated Financing District Act (Chapter 1.5
32 (commencing with Section 53175) of Division 2 of Title 5).

33 (7) The Mello-Roos Community Facilities Act of 1982 (Chapter
34 2.5 (commencing with Section 53311) of Part 1 of Division 2 of
35 Title 5).

36 (8) The Infrastructure Financing District Act (Chapter 2.8
37 (commencing with Section 53395) of Division 2 of Title 5).

38 (9) The Marks-Roos Local Bond Pooling Act of 1985 (Article
39 4 (commencing with Section 6584) of Chapter 5 of Division 7 of
40 Title 1).

1 (10) The Revenue Bond Act of 1941 (Chapter 6 (commencing
2 with Section 54300) of Division 2 of Title 5).

3 (11) Fire suppression assessments levied pursuant to Article 3.6
4 (commencing with Section 50078) of Chapter 1 of Part 1 of
5 Division 1 of Title 5.

6 (12) The Habitat Maintenance Funding Act (Chapter 11
7 (commencing with Section 2900) of Division 3 of the Fish and
8 Game Code).

9 Notwithstanding any other provision of law, the board may create
10 any of these financing districts within the area of Fort Ord to
11 finance basewide public facilities without the consent of any city
12 or county. In addition, until January 1, 2000, the board may, but
13 is not obligated to create, within the area of Fort Ord, any of these
14 financing districts which authorize financing for public services
15 and may levy authorized assessments or special taxes in order to
16 pass through funding for these services to the local agencies.
17 Notwithstanding any other provision of law, no city or county with
18 jurisdiction over any area of the base, whether now or in the future,
19 shall create any land-based financing district or levy any
20 assessment or tax secured by a lien on real property within the area
21 of the base without the consent of the board, except that the city
22 or county may create these financing districts for the purposes and
23 subject to any financing limitations that may be specified in the
24 capital improvement program prepared pursuant to Section 67675.

25 (e) The board may levy development fees on development
26 projects within the area of the base. Any development fees shall
27 comply with the requirements of Chapter 5 (commencing with
28 Section 66000) of Division 1 of Title 5. No local agency shall issue
29 any building permit for any development within the area of Fort
30 Ord until the board has certified that all development fees that it
31 has levied with respect to the development project have been paid
32 or otherwise satisfied.

33 (f) This section shall remain in effect only until July 1, 2020,
34 and as of that date is repealed.

35 ~~SEC. 20.~~

36 *SEC. 21.* Section 67679 is added to the Government Code, to
37 read:

38 67679. (a) (1) The board shall identify those basewide public
39 capital facilities described in the Fort Ord Reuse Plan, including,
40 but not limited to, roads, freeway ramps, air transportation

1 facilities, and freight hauling and handling facilities; sewage and
2 water conveyance and treatment facilities; school, library, and
3 other educational facilities; and recreational facilities, that serve
4 residents or will serve future residents of the base territory and
5 could most efficiently or conveniently be planned, negotiated,
6 financed, constructed, or repaired, remodeled, or replaced by the
7 board to further the integrated future use of the base. The board
8 shall undertake to plan for and arrange the provision of those
9 facilities, including arranging for their financing and construction
10 or repair, remodeling, or replacement. The board may plan, design,
11 construct, repair, remodel, or replace and finance these public
12 capital facilities, or delegate any of those powers to one or more
13 member agencies. Notwithstanding any other provision of law, no
14 permit or permission of any kind from any city or county shall be
15 required for any project undertaken by the board pursuant to this
16 section.

17 (2) The board shall identify significant local public capital
18 facilities, as distinguished from the basewide public capital
19 facilities identified in the paragraph (1) which are described in the
20 Fort Ord Reuse Plan. Local public capital facilities shall be the
21 responsibility of the city or county with land use jurisdiction or
22 the redevelopment agency if the facilities are located within an
23 established project area and the board of the redevelopment agency
24 determines that it will assume responsibility.

25 (b) The board may seek state and federal grants and loans or
26 other assistance to help fund public facilities.

27 (c) (1) The board may, in any year, levy assessments,
28 reassessments, or special taxes to finance these basewide public
29 facilities in accordance with, and pursuant to, any of the following:

30 (A) The Improvement Act of 1911 (Division 7 (commencing
31 with Section 5000) of the Streets and Highways Code).

32 (B) The Improvement Bond Act of 1915 (Division 10
33 (commencing with Section 8500) of the Streets and Highway
34 *Highways* Code).

35 (C) The Municipal Improvement Act of 1913 (Division 12
36 (commencing with Section 10000) of the Streets and Highways
37 Code).

38 (D) The Benefit Assessment Act of 1982 (Chapter 6.4
39 (commencing with Section 54703)).

1 (E) The Landscape and Lighting Act of 1972 (Part 2
2 (commencing with Section 22500) of Division 15 of the Streets
3 and Highways Code).

4 (F) The Integrated Financing District Act (Chapter 1.5
5 (commencing with Section 53175) of Division 2 of Title 5).

6 (G) The Mello-Roos Community Facilities Act of 1982 (Chapter
7 2.5 (commencing with Section 53311) of Part 1 of Division 2 of
8 Title 5).

9 (H) The Infrastructure Financing District Act (Chapter 2.8
10 (commencing with Section 53395) of Division 2 of Title 5).

11 (I) The Marks-Roos Local Bond Pooling Act of 1985 (Article
12 4 (commencing with Section 6584) of Chapter 5 of Division 7 of
13 Title 1).

14 (J) The Revenue Bond Law of 1941 (Chapter 6 (commencing
15 with Section 54300) of Division 2 of Title 5).

16 (K) Fire suppression assessments levied pursuant to Article 3.6
17 (commencing with Section 50078) of Chapter 1 of Part 1 of
18 Division 1 of Title 5.

19 (L) The Habitat Maintenance Funding Act (Chapter 11
20 (commencing with Section 2900) of Division 3 of the Fish and
21 Game Code).

22 (2) Notwithstanding any other provision of law, the board may
23 create any of these financing districts within the area of Fort Ord
24 to finance basewide public facilities without the consent of any
25 city or county. In addition, until January 1, 2000, the board may,
26 but is not obligated to create, within the area of Fort Ord, any of
27 these financing districts which authorize financing for public
28 services and may levy authorized assessments or special taxes in
29 order to pass through funding for these services to the local
30 agencies. Notwithstanding any other provision of law, no city or
31 county with jurisdiction over any area of the base, whether now
32 or in the future, shall create any land-based financing district or
33 levy any assessment or tax secured by a lien on real property within
34 the area of the base without the consent of the board, except that
35 the city or county may create these financing districts for the
36 purposes and subject to any financing limitations that may be
37 specified in the capital improvement program prepared pursuant
38 to Section 67675.

39 (d) The board may levy development fees on development
40 projects within the area of the base. Any development fees shall

1 comply with the requirements of Chapter 5 (commencing with
2 Section 66000) of Division 1 of Title 5. No local agency shall issue
3 any building permit for any development within the area of Fort
4 Ord until the board has certified that all development fees that it
5 has levied with respect to the development project have been paid
6 or otherwise satisfied.

7 (e) This section shall become operative on July 1, 2020.

8 ~~SEC. 21.~~

9 *SEC. 22.* Section 67690 of the Government Code is amended
10 to read:

11 67690. (a) In addition to any funds received from federal and
12 state agencies for the expenses of operating the Fort Ord Reuse
13 Authority, the board may receive contributions from agencies
14 represented on the board. Each agency represented by a board
15 member shall contribute to the authority, on or before August 1
16 of each fiscal year, the sum of fourteen thousand dollars (\$14,000)
17 for each board member that the agency appoints. Each public
18 agency which is represented on the board by an ex officio member
19 shall contribute to the authority, on or before August 1 of each
20 fiscal year, the sum of seven thousand dollars (\$7,000). For
21 purposes of this section, the term "public agency" does not include
22 any elected official of the federal or state government.

23 (b) This section shall remain in effect only until July 1, 2020,
24 and as of that date is repealed.

25 ~~SEC. 22.~~

26 *SEC. 23.* Section 67700 of the Government Code is amended
27 to read:

28 67700. (a) This title shall become inoperative when the board
29 determines that 80 percent of the territory of Fort Ord that is
30 designated for development or reuse in the plan prepared pursuant
31 to this title has been developed or reused in a manner consistent
32 with the plan adopted or revised pursuant to Section 67675, or
33 June 30, 2020, whichever occurs first, and on January 1, 2021, this
34 title is repealed.

35 (b) (1) The Monterey County Local Agency Formation
36 Commission shall provide for the orderly dissolution of the
37 authority including ensuring that all contracts, agreements, and
38 pledges to pay or repay money entered into by the authority are
39 honored and properly administered, and that all assets of the
40 authority are appropriately transferred.

1 (2) The board shall approve and submit a transition plan to the
2 Monterey County Local Agency Formation Commission on or
3 before December 30, 2018, or 18 months before the anticipated
4 inoperability of this title pursuant to subdivision (a), whichever
5 occurs first. The transition plan shall assign assets and liabilities,
6 designate responsible successor agencies, and provide a schedule
7 of remaining obligations. The transition plan shall be approved
8 only by a majority vote of the board.

9 (c) This section shall remain in effect only until July 1, 2020,
10 and as of that date is repealed.

11 ~~SEC. 23.~~

12 *SEC. 24.* Section 67700 is added to the Government Code, to
13 read:

14 67700. (a) (1) This title shall become inoperative on June 30,
15 2022.

16 (2) This title shall remain in effect only until January 1, 2023,
17 and as of that date is repealed.

18 (b) No later than June 30, 2022, the authority shall negotiate
19 and secure one or more successor agencies to implement all
20 obligations under the transition plan.

21 (c) (1) The Monterey County Local Agency Formation
22 Commission shall provide for the orderly dissolution of the
23 authority once an agreement with a successor agency has been
24 finalized. The Monterey County Local Agency Formation
25 Commission shall ensure that all contracts, agreements, and pledges
26 to pay or repay money entered into by the authority are honored
27 and properly administered, and that all assets of the authority are
28 appropriately transferred.

29 (2) The board shall approve and submit a transition plan to the
30 Monterey County Local Agency Formation Commission on or
31 before December 30, 2018. The transition plan shall assign assets
32 and liabilities, designate responsible successor agencies, and
33 provide a schedule of remaining obligations. The transition plan
34 shall be approved only by a majority vote of the board.

35 (d) Upon dissolution of the authority, all remaining community
36 facilities district revenues shall be transferred to the County of
37 Monterey. The County of Monterey shall disburse those community
38 facilities district revenues to each underlying land use jurisdiction
39 on a pro rata basis, based on the source of the revenue or another

1 equitable method that the County of Monterey determines is
2 reasonable.

3 (e) If the authority has any remaining outstanding debt at the
4 time of its dissolution, property tax revenues shall continue to be
5 paid to the County of Monterey in accordance with subparagraph
6 (D) of paragraph (1) of subdivision (c) of Section 33492.71 of the
7 Health and Safety Code in an amount necessary to pay the principal
8 and interest or other amounts on that debt. Upon the dissolution
9 of the authority or the retirement of debt as provided in this
10 subdivision, whichever occurs later, any remaining property tax
11 revenues shall be transferred to the auditor-controller of the County
12 of Monterey for appropriate distribution.

13 (f) If the County of Monterey succeeds to any financial
14 obligation of the authority as a result of the disbursement of
15 remaining revenues or the retirement of debt, that obligation shall
16 not constitute a debt or liability of the county, or any other member
17 agency, but shall be payable solely from the remaining revenues
18 provided for purposes of that obligation in the transition plan.

19 (g) The County of Monterey may, before disbursing revenues
20 as provided in this section, deduct an amount equal to the
21 reasonable cost of administering this section out of the remaining
22 revenues of the authority to be disbursed.

23 (h) This section shall become operative on July 1, 2020.

24 ~~SEC. 24.~~

25 *SEC. 25.* Section 67701 is added to the Government Code, to
26 read:

27 67701. On and after July 1, 2020, all of the following shall
28 apply:

29 (a) The authority may do all of the following:

30 (1) Implement the transition plan.

31 (2) Manage the community facilities district boundaries.

32 (3) Make appropriate revisions to the boundaries of the
33 community facilities district established by the board as
34 replacement funding mechanisms are created by underlying land
35 use jurisdictions pursuant to subdivision (b). Revisions to the
36 community facilities district boundaries shall be made by filing
37 an amended map of the community facilities district.

38 (4) Collect and disburse community facilities district revenues.

39 (5) Collect and disburse property tax revenues.

1 (6) Disburse revenues described in paragraphs (4) and (5) for
2 the purposes of the habitat conservation plan, transportation, transit,
3 and water supply pursuant to Section 67675.

4 (7) Continue as the local reuse authority for purposes of the
5 federal government and property transfers, including receipt of
6 federal grant funding.

7 (8) Ensure that all pledges, contracts, or obligated payments are
8 funded and appropriately carried out.

9 (b) Any underlying land use jurisdiction may adopt a substitute
10 funding mechanism in lieu of the community facilities district
11 established by the board, in which case the board shall adjust the
12 boundaries of the community facilities district accordingly. An
13 underlying land use jurisdiction that adopts a substitute funding
14 mechanism pursuant to this subdivision shall commit, either in
15 that substitute funding mechanism or otherwise in a written
16 agreement, to continue funding regional needs in the former Fort
17 Ord on a pro rata basis, to the satisfaction of the authority. For
18 purposes of this subdivision, "regional needs" includes, but is not
19 limited to, habitat conservation, transportation, transit, and water
20 supply augmentation.

21 (c) The transition plan adopted by the board for organizational
22 changes shall be deemed to be within the scope of the Class 20
23 exemption provided by Section 15320 of Title 14 of the California
24 Code of Regulations.

25 ~~SEC. 25. Section 33492.79 is added to the Health and Safety~~
26 ~~Code, to read:~~

27 ~~33492.79. This article shall become inoperative as of the date~~
28 ~~of the dissolution of the Fort Ord Reuse Authority pursuant to~~
29 ~~Section 67700 of the Government Code or the retirement of the~~
30 ~~authority's debt as provided in subdivision (c) of Section 67700~~
31 ~~of the Government Code, whichever occurs later.~~

32 SEC. 26. The Legislature finds and declares that a special
33 statute is necessary and that a general statute cannot be made
34 applicable within the meaning of Section 16 of Article IV of the
35 California Constitution because of the unique circumstances in the
36 County of Monterey relating to the dissolution of the Ford Ord
37 Reuse Authority.

38 SEC. 27. If the Commission on State Mandates determines
39 that this act contains costs mandated by the state, reimbursement
40 to local agencies and school districts for those costs shall be made

- 1 pursuant to Part 7 (commencing with Section 17500) of Division
- 2 4 of Title 2 of the Government Code.

O