



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legislation Details (With Board Report)

File #: 13-0421 **Name:** FORA Formulaic Developer Fee
Type: General Agenda Item **Status:** Passed
File created: 4/24/2013 **In control:** Board of Supervisors
On agenda: 5/7/2013 **Final action:** 5/7/2013
Title: Adopt a resolution approving Amendment No. 1 (Formulaic Developer Fee) to the Implementation Agreement between the County of Monterey and the Fort Ord Reuse Authority.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit A, 2. Exhibit A1, 3. Exhibit B, 4. Completed Board Order and Resolution, 5. Fully Executed Agreement, Amendment No. 1 between Fort Ord Reuse Authority & CoMo

Date	Ver.	Action By	Action	Result
5/7/2013	1	Board of Supervisors	approved	Pass

Adopt a resolution approving Amendment No. 1 (Formulaic Developer Fee) to the Implementation Agreement between the County of Monterey and the Fort Ord Reuse Authority.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Adopt a resolution approving Amendment No.1 (Formulaic Developer Fee) to the Implementation Agreement between the County of Monterey and the Fort Ord Reuse Authority (**Exhibit A**); and
- b. Authorize the Chair of the Board execute the Amendment on behalf of the County.

SUMMARY:

The Fort Ord Reuse Authority (FORA) has been considering how the FORA developer fee is calculated since FY 2011-12. FORA hired a consultant (EPS) to provide advice with the intent to refine and improve the process for determining appropriate fee levels to meet FORA obligations funding by this impact fee. This review led to an initial fee reduction in FY 2011-12 along with a recommendation to develop a formulaic approach for determining the fee. The purpose of the formula is to provide greater certainty how the impact fee is determined and to more clearly link it to meeting FORA’s required obligations including mitigation measures, related base-wide implementation costs, and FORA operational costs. All FORA obligations to CEQA and TAMC are met by the formula, as well as opportunity to assist FORA jurisdictions with caretaker costs and reuse costs.

DISCUSSION:

A copy of the staff report that was presented to the FORA Board is attached for your reference that provides the background of this item (**Exhibit B**). The July 2012 FORA staff report is provided for additional reference, including responses to questions about the proposed formula. A copy of the FORA Board approved Amendment between FORA and Monterey County is attached to the draft resolution as Attachment 1.

OTHER AGENCY INVOLVEMENT:

This matter has been considered and approved by the Fort Ord Reuse Authority Administrative Committee, Fort Ord Reuse Authority Board of Directors, the City of Marina, City of Seaside, and the City of Del Rey Oaks. On March 25, 2013, the Board of Supervisors Fort Ord Committee authorized staff to prepare a resolution to

the full Board approving the amendment. The City of Monterey plans to consider action in April 2013.

FINANCING:

The amendment adjusts the development fee collected to address obligations of FORA for Base Reuse Plan mitigation and the capital improvement plan (CIP). This formula allows the fee to go up or down depending on these anticipated needs. If approved, the County would receive 10% of the property tax anticipated to be received by FORA from new assessed value of properties developed within the unincorporated Monterey County area of the former Fort Ord.

Prepared by: Carl P. Holm, AICP, Deputy Director, Resource Management Agency

Approved by: Benny J. Young, Director, Resource Management Agency

Attachments:

- A. Resolution
 - 1. Amendment #1
- B. FORA Staff Report, dated 2/15/2013