



## Legislation Details (With Board Report)

<b>File #:</b>	18-1110	<b>Name:</b>	FORA Transition 11.06.18 BOS
<b>Type:</b>	General Agenda Item	<b>Status:</b>	Scheduled PM
<b>File created:</b>	11/2/2018	<b>In control:</b>	Board of Supervisors
<b>On agenda:</b>	11/6/2018	<b>Final action:</b>	
<b>Title:</b>	Receive staff presentation and consider the Fort Ord Reuse Authority (FORA) Transition Plan and provide direction to staff regarding the following: <ul style="list-style-type: none"><li>a. FORA Transition Plan process;</li><li>b. Revised draft FORA Resolution;</li><li>c. Participating in facilitated discussions with the Fort Ord Reuse Authority and jurisdictions;</li><li>d. Preparing draft Transition Plan Implementation Agreement terms that address the County's concerns; and</li><li>e. Recommendations to FORA. (ADDED VIA ADDENDA)</li></ul>		

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Attachment 1 - Transition Planning Process Update, 3. PowerPoint Presentation

Date	Ver.	Action By	Action	Result
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Receive staff presentation and consider the Fort Ord Reuse Authority (FORA) Transition Plan and provide direction to staff regarding the following:

- a. FORA Transition Plan process;
- b. Revised draft FORA Resolution;
- c. Participating in facilitated discussions with the Fort Ord Reuse Authority and jurisdictions;
- d. Preparing draft Transition Plan Implementation Agreement terms that address the County's concerns; and
- e. Recommendations to FORA. (ADDED VIA ADDENDA)

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

- a. Receive a presentation from staff regard the Fort Ord Reuse Authority (FORA) Transition Planning process and revised Transition Plan Draft Resolution;
- b. Consider the revised Transition Plan Draft Resolution;
- c. Authorize staff to participate in facilitated discussions with the Fort Ord Reuse Authority and jurisdictions;
- d. Provide direction to staff on preparing draft Transition Plan Implementation Agreement terms that address the County's concerns; and
- e. Provide direction to staff on recommendations to FORA for the Transition Plan Draft Resolution.

**SUMMARY/DISCUSSION:**

Board Referral 2018.26 from District 4 *requests a Board agenda item for November 6 or December 4 to receive a report from staff on their activities related to Fort Ord Reuse Authority (FORA) transition planning and to provide Board direction, if needed.* The agenda item is requested to include potential action for participating in

facilitated discussions and/or preparing a sample/draft Implementation Agreement that addresses County concerns. Due to the timing of FORA Board meetings and prior discussions on this topic, staff is bringing this forward without much analysis to receive Board direction.

Pursuant to Government Code section 67700, the Fort Ord Reuse Authority (FORA) is to be dissolved as of June 30, 2020, and the FORA Board is required to “approve and submit a transition plan to the Monterey County Local Agency Formation Commission” on or before December 30, 2018. At the October 29, 2018 FORA Board meeting a revised Draft Transition Plan Resolution was presented and discussed (Attachment 1). At this meeting, the FORA Board authorized the FORA Executive Officer to retain facilitator services to assist jurisdictions and FORA in negotiating Transition Plan Implementation Agreements (TPIAs); TPIAs are to be completed by March 30, 2019 per the Draft Transition Plan Resolution.

FORA staff has indicated that they will make minor modifications to the October 29 version and will present the modified FORA Transition Plan Resolution to the FORA Board at its regular meeting on November 9, 2018 for an anticipated first vote. FORA staff has indicated the Plan could be adopted with a single majority vote by the FORA Board; it is not known if a second vote will occur.

On Monday November 5, 2018, County staff will be meeting with staff from the Cities of Seaside and Marina to discuss issues of mutual concern (e.g. transportation, funding, etc). Staff will present a summary of this meeting to Board of Supervisors at its November 6, 2018 meeting.

County staff and County Counsel are analyzing the draft resolution and will present this analysis to the Board on November 6, 2018. Upon preliminary review, it appears that the revised draft Transition Plan resolution leaves the County in the position of the successor entity in some key areas, unless agreements are made otherwise. FORA’s draft resolution leaves some room for further modifications to the Transition Plan as Transition Plan Implementing Agreements are entered. There are still areas of concern for the County that need to be addressed. It may be preferable for the Transition Plan at this time to only identify issues and provide timeframes for jurisdictions to come to agreement rather than designate default successor entities now. Staff will provide more explanation in its presentation to the Board on November 6.

#### OTHER AGENCY INVOLVEMENT:

Supervisors Adams, Parker, and Phillips serve on the FORA Board. Supervisor Adams served on the FORA Transition Taskforce. The Board’s Fort Ord Committee (Supervisors Adams and Parker) conducted meetings on June 21, 2018 and August 9, 23, and 24, 2018 to discuss the Transition Plan.

RMA represents the County on the FORA Administrative Committee and has monitored FORA’s Transition Planning. The CAO Office has been involved in the transition planning efforts. County Counsel has provided legal analysis of issues per the Fort Ord Committee’s request. The CAO and County Counsel, in addition to RMA, are available to assist and advise the County in the upcoming months regarding the FORA transition.

#### FINANCING:

The potential impacts, benefits, and costs to the County as a result of the FORA’s Transition Plan could be significant depending on the final transition plan, and are a critical component of staff’s analysis, which is a work in process. County staff time to prepare this report and participate in the Transition Planning process is included in the FY2018-19 Adopted Budget Fund 001-RMA013.

#### BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

FORA was established to facilitate the transfer and reuse of the former Fort Ord, to minimize the disruption caused by the base closure on the local economy, to provide for the reuse and development of the base to

maintain and enhance the local economy, and to maintain and protect the unique environmental resources of the base. Managing and preparing for a smooth transition of FORA is vital for protecting County interests and reducing fiscal impacts. Part of the remaining physical infrastructure is located in unincorporated Monterey County.

☒ Economic Development  
☒ Administration  
☐ Health & Human Services  
☒ Infrastructure  
☐ Public Safety

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Approved by: Carl P. Holm, AICP, RMA Director

Attachment:

Attachment 1 - October 29, 2018 FORA Agenda Item 7.a Transition Planning Process Update

(Attachment on file with the Clerk of the Board)