



MINUTES

Tuesday, October 3, 2017

5:00 P.M. Closed Session
6:00 P.M. Study Session
6:30 P.M. Open Session

REGULAR MEETING

CITY COUNCIL, AIRPORT COMMISSION, MARINA ABRAMS B NON-PROFIT CORPORATION, PRESTON PARK SUSTAINABLE COMMUNITY NON-PROFIT CORPORATION AND SUCCESSOR AGENCY OF THE FORMER MARINA REDEVELOPMENT AGENCY

Council Chambers
211 Hillcrest Avenue
Marina, California

TELECONFERENCE LOCATION:¹

799 W. Birch Court
Louisville, CO

1. CALL TO ORDER
2. ROLL CALL & ESTABLISHMENT OF QUORUM: (City Council, Airport Commissioners, Marina Abrams B Non-Profit Corporation, and Successor Agency of the Former Redevelopment Agency Members)

Nancy Amadeo, Gail Morton, Frank O'Connell, Mayor Pro-Tem/Vice Chair, David W. Brown, Mayor/Chair Bruce C. Delgado
3. CLOSED SESSION: *As permitted by Government Code Section 54956 et seq., the (City Council, Airport Commissioners, Marina Abrams B Non-Profit Corporation, and Redevelopment Agency Members) may adjourn to a Closed or Executive Session to consider specific matters dealing with litigation, certain personnel matters, property negotiations or to confer with the City's Meyers-Milias-Brown Act representative.*

¹ Note: Pursuant to Government Code Section 54953(b), this meeting will include teleconference participation by Council Member Frank O'Connell from the address above. This Notice and Agenda will be posted at the teleconference location

- a. Labor Negotiations
 - i. Marina Employee Association
 - ii. Marina Management Employees Association
 - iii. Marina Public Safety Officers Association
 - iv. Marina Public Safety Manager's Association
 - v. Marina Professional Firefighters Association
 - vi. Department Directors
 - a. Community Development Director
 - b. Finance Director
 - c. Fire Chief

- d. Police Chief
- e. Recreation & Cultural Services Director

City Negotiators: Layne P. Long, City Manager and Employee Relations Officer

- b. Conference with Legal Counsel Anticipated Litigation - Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: Two potential cases.
- c. Real Property Negotiations
 - a. Property: Building 504, Marina Municipal Airport
Negotiating Party: Department of Justice
Property Negotiator: City Manager
Terms: All terms and conditions

6:00 PM - RECONVENE OPEN SESSION AND REPORT ON ANY ACTIONS TAKEN IN CLOSED SESSION

Assistant City Attorney Robert Rathie reported out Closed Session: Council met in closed session at 5:30 and did not discuss Labor Negotiations but discussed the three other matters, council received information, direction was given and no reportable action was taken.

MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE (Please stand)

4. **6:00-6:30 PM STUDY SESSION**

- a. City Council consider Study/Discussion points for Shared Fire Department Command staff between the City of Marina and the North County Fire Protection District

City Manager Long provided a brief overview. Years back the city looked at possibly considering a joint merger with the City of Seaside and for various reasons that did not move forward. We see across the nation particularly in fire departments is sometimes you are able to merge or share services or share facilities and one of the things we're trying to do is with all our departments is look at some possible options out there that we can consolidate or share some services with our neighboring jurisdictions. What we have is a proposal from North County Fire District to enter into a sharing agreement for our command services. This is just a study meeting so we're just interested in an informal type format to get feedback and direction from council if you would like us to continue to explore this further with North County.

Fire Chief Doug McCoun – Here to discuss shared services between City of Marina and North County Fire. Important for any type of discussion in this matter that the end result has to be a win, win for both sides. The North County Fire Protection District (NCF) is proposing to enter into an agreement in which Marina and NCF will share their command staff. This model which is successfully used in other jurisdictions around the country, will allow each agency to maintain local control of its emergency response resources while reducing command staff costs. The proposed management structure will allow the diversification utilization of the seated chief officers from each respective agency, while maintaining the continuity and identity of each department. By working together and minimizing the duplication of efforts, a better and more robust opportunity to enhance the service to the communities, while being fiscally responsible.

NCF contracted with the City Gate consulting firm to develop recommendations and options available to the District as they move forward after the retirement of the current chief. At the August 29, 2017 NCF board meeting, City Gate presented the Board with four options.

- Option #1, Promote or Appoint one of the Incumbent Fire District Division Chief(s).
- Option #2, Hire a Retired Fire Chief with Fire District experience to work as an interim Fire Chief while a permanent Fire Chief can be recruited.
- Option #3, A shared management services agreement with another local public agency.
- Option #4 combine with Option #1, appoint one of the incumbent Division Chiefs and provide coaching support from a retired Fire Chief or fire service consultant.

The Board voted to move forward with Option #3, which is a shared management services agreement with another local public agency. The agency the Board of Directors chose to move forward with is the City of Marina.

The main goals of a Shared Fire Command Staff Agreement (referred to as "Agreement") would be to: **(1) Maintain local control and preserve community specific identity and responsiveness:** *In the shared services agreement, any direction concerning the Marina Fire Department and the Marina community will be provided by the City Manager and the City Council. Any direction concerning the North County Fire Protection District will come from the NCF board of directors;* **(2) Develop a consistent and effective management structure that creates a positive synergy at all levels of the organization:** *Our management structure will be stronger as we will be able to combine the command staff to meet the needs of the organization. Today, there are a total of 5 command chief officers. Under a shared services agreement, we will have a Fire Chief and 3 Division Chiefs to meet the needs of our respective organizations;* **(3) Enhance fire and emergency medical services while reducing costs:** *This agreement will enhance the level of service across all divisions of the fire service. Having the command staff to manage the various programs, having the available staff for multiple incidents is a benefit to the citizens of both agencies;* **(4) Foster an attitude of teamwork and camaraderie through mutual training, planning, operations and other opportunities:** *By bringing the Command staff together, we will have the ability to tap into human resources of both agencies. Both agencies have many talented employees. Both agencies will reap the benefits of fostering an atmosphere of teamwork and camaraderie;* **(5) Eliminate many redundancies and streamline work flow:** *Both agencies have almost identical workloads. There are endless opportunities to eliminate redundancies and streamline the work flow. Such as in Training, Operations, Prevention and Community Risk Reduction;* **(6) Showcase efficient government practices:** *By eliminating redundancies and streamlining the work flow, we are showcasing efficient government practices.*

Current Line Staff Operations: No changes: Line Personnel (non-command staff) covered under this Agreement operate under the existing practices, policies and procedures of the organization that initially hired them.

Operational Effectiveness: The Shared Service Agreement will allow for the development of an administrative structure which will improve the existing command staff structure. Both agencies utilize the same Records Management System and have the same report writing requirements.

Fire Chief Shared Services: Direct responsibility for day-to-day management of fire operations will rest with the Fire Chief. This flexibility will allow the Fire Chief to address the long-range goals and opportunities for service improvements and efficiencies in both organization. The Designated Fire Chief will provide general administration and oversight of the NCF including but not limited to budget administration, personnel management and supervision, and related activities, all in accordance with the requirements and expectations of statutory law and the customary duties of a fire chief. Marina's City Manager will supervise the Designated Fire Chief concerning Marina matters and will provide

direction to the Designated Fire Chief. The NCF Board of Directors will supervise the Designated Fire Chief on NCF matters and will provide direction to the Designated Fire Chief.

Who hires Division Chiefs? Currently, NCF staffs two division chiefs and Marina one division chief. Each Division Chief works under the general direction of the Fire Chief. If a Division Chief from either agency retires or leaves the position for any reason, the agency they work for will be responsible to hire a replacement Division Chief.

Division Chief: Fire Prevention/Community Risk Reduction: The Fire Prevention/Community Risk Reduction Division Chief can assume primary responsibility for fire code application in cooperation with the building department and code enforcement. This position will engage at multiple levels.

Division Chief: Training and Operations: Marina and NCF can realize efficiencies by aligning professional development and training activities. Both agencies use Target Solutions, a web based training delivery system and training management tool as a component of training. Marina and NCF also use the same engine company performance standards and both are signatory agencies of the Monterey County Fire Chiefs manual which has standard operating procedures for emergency operations.

Division Chief: Administration/Maintenance: Emergency Operations Plans are required to meet minimum State and Federal levels of emergency management training throughout key citywide administrative and operational personnel. The development of plans and training for emergency operations are tasks which fall within the fire departments purview. The Administrative Chief will work with our regional EOC to update and revise our emergency plans.

Next Steps: Provide direction to staff on whether or not to continue discussions with NCF regarding a shared services agreement and whether or not to bring a draft agreement back to council for further consideration.

Council Questions: how does any proposed change with shared command impact this minimal staffing; are we suggesting that you would share the cost of the chief division chiefs; what are the sizes and budgets of each service area; what are our shared costs; how do you decide what is the allocation of the shared costs; cost savings for Marina; will there be a look into current or future shared facilities; can there be a way where Marina fire staff can digest this proposal and provide their input anonymously; if half of Fire Chief's time is shared, what type of tasks won't be done; do you anticipate that we would be making a decision so that we would be implementing the change in our 2018-2019 budget; in the consideration of Seaside and or North County, with mutual aid are we more dependent on Seaside or North County; does this change any current agreements we have with other agencies for aid?

Public Comments:

- Paula Pelot – How long will it take to come to an agreement? Once we have entered into the agreement how long will it take to implement it?
- Ron Dunlap – With growth growing between Seaside and Marina and the majority of the new housing development happening between us, we had the report back in 2006 suggesting and recommending that joint staff and support the City of Seaside. I would like to suggest possibly that that report be looked into again and with the growth especially between want we have now.

5. **SPECIAL PRESENTATIONS:**

a **Proclamations**

- i. Freedom from Workplace Bullies Week

b Recreation Announcements

6. SPECIAL ANNOUNCEMENTS AND COMMUNICATIONS FROM THE FLOOR: *Any member of the Public or the City Council may make an announcement of special events or meetings of interest as information to Council and Public. Any member of the public may comment on any matter within the City Council's jurisdiction which is not on the agenda. Please state your name for the record. Action will not be taken on an item that is not on the agenda. If it requires action, it will be referred to staff and/or placed on a future agenda. City Council members or City staff may briefly respond to statements made or questions posed as permitted by Government Code Section 54954.2. In order that all interested parties have an opportunity to speak, please limit comments to a maximum of four (4) minutes. Any member of the public may comment on any matter listed on this agenda at the time the matter is being considered by the City Council.*

- Mike Owen – provided update on Lapis Road and the progress being made in the cleanup and asked about parking within Marina limits; Mayor had a Sustainable Marina event with about 20 volunteers that collected trash along the bike lane on Del Monte Avenue; consideration for a safe place for people to park their RV's;
- Norene Irwin – Commented that had family visiting but they left early because they were not able to park their RV/Trailer in front of home and received a parking ticket. Asked about the current RV Parking Ordinance and wanted to know if the ordinance could be revisited to allow permit parking for residents who have visiting guests. Signs entering city limits addressing RV parking is not legible, fonts is too small to read when driving by one.
- Marilyn Lidyoff – Announced the 3rd Annual Native American Gathering on November 4th from 10:00am-7:00pm at CSUMB
- Tina Nieto, Police Chief – Introduced herself to the public and indicated that she is following the posts on the Next-Door media site but would not respond to posts. Provided public with her new email address and phone number.
- Doug McCoun – Announced Fort Ord Prescribed Burn set for Thursday, October 5th. Roads will be closed at Eucalyptus Road, Gigling Road/east of 8th Avenue; the Eight Avenue extension; Parker Flats; Parker Flats cutoff; Watkins Gate Road; Barley Canyon Road; Hennican's Ranch Road and access to the Fort Ord National Monument off Hwy 68.
- Wess Wiedenmier – commented on Lapis Road and indicated that anyone who has signed up to out there has already got a permit. Allowing people during the daytime should be ok. Having people move all the time is actually hurting them money wise. We need to start accepting people living in their RV's as affordable housing. Between the cities and the county, you all need to work together and stop hurting people.
- Audra Walson – with regard to MPC and the handshake that just happened or is going to happen with the High School, where is the parody in this proposal? Monterey and Pacific Grove student will be able to take classes in video games and computer technology and Marina student will have classes in hospitality.
- Liz Stetler – Asked council what is the parking requirements for commercial vehicles parking in residential areas. Noted that commercial vehicles park along Cosky Drive in front of people's homes. How is this different from parking an RV? Why is one ticketed and other are not?
- Council Member Amadeo – announced that all Marina Youth Arts programs, except for their Summer Workshops are free. They are held after school at Los Arboles, Marina High School, and the Marina Teen Center
- Mayor Delgado – Announced on October 21st from 9:00-12:00 is the Friends of Marina Parks Clean-up at the Marina Library and then from 3:00-5:00pm Citizens for Sustainable Marina will be

doing roadway cleanup on long Beach Road in front of Wal-Mart; attended 3-day conference hosted by California Special District Association in Monterey related to Finances, holding special meetings and handle public comments during meetings.

7. CONSENT AGENDA FOR THE SUCCESSOR AGENCY TO THE FORMER MARINA REDEVELOPMENT AGENCY: *Background information has been provided to the Successor Agency of the former Redevelopment Agency on all matters listed under the Consent Agenda, and these items are considered to be routine. All items under the Consent Agenda are normally approved by one motion. Prior to such a motion being made, any member of the public or the City Council may ask a question or make a comment about an agenda item and staff will provide a response. If discussion or a lengthy explanation is required, that item will be removed from the Consent Agenda for Successor Agency to the former Marina Redevelopment Agency and placed at the end of Other Action Items Successor Agency to the former Marina Redevelopment Agency.*

8. CONSENT AGENDA: *Background information has been provided to the City Council, Airport Commission, Marina Abrams B Non-Profit Corporation, and Redevelopment Agency on all matters listed under the Consent Agenda, and these items are considered to be routine. All items under the Consent Agenda are normally approved by one motion. Prior to such a motion being made, any member of the public or the City Council may ask a question or make a comment about an agenda item and staff will provide a response. If discussion or a lengthy explanation is required, that item will be removed from the Consent Agenda and placed at the end of Other Action Items.*
 - a. ACCOUNTS PAYABLE:
 - (1) Accounts Payable Check Numbers 82968-83092, totaling \$219,029.94

 - b. MINUTES:
 - (1) September 17, 2017, Special City Council Meeting
 - (2) September 19, 2017, Regular City Council Meeting

 - c. CLAIMS AGAINST THE CITY: None

 - d. AWARD OF BID: None

 - e. CALL FOR BIDS: None

 - f. ADOPTION OF RESOLUTIONS:
 - (1) ~~City Council consider adopting Resolution No. 2017 , approving the purchase of one not fully equipped 2017 Ford F-150 from The Ford Store in Morgan Hill, California, waiving the City’s formal bid process; finding that competitive bidding would be unavailing, would not produce an advantage and would not be in the public interest; authorize the Finance Director to make necessary accounting and budgetary entries, and; authorize the City Manager to execute purchase agreements in an amount not to exceed \$41,000.00 on behalf of the City subject to final review and approval by the City Attorney. ***Pulled by Council Member Morton, becomes agenda item 11c***~~

 - g. APPROVAL OF AGREEMENTS: None

 - h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None

 - i. MAPS: None

 - j. REPORTS: (RECEIVE AND FILE): None

 - k. FUNDING & BUDGET MATTERS: None

- l. APPROVE ORDINANCES (WAIVE SECOND READING): None
- m. APPROVE APPOINTMENTS: None

Council Member Morton requested to pull agenda item 8f(1) for questions

DELGADO/MORTON: TO APPROVE THE CONSENT AGENDA MINUS 8f(1). 4-0-1(Brown)-0 Motion Passes

- 9. PUBLIC HEARINGS:
- 10. OTHER ACTIONS ITEMS OF THE SUCCESSOR AGENCY TO THE FORMER MARINA REDEVELOPMENT AGENCY: *Action listed for each Agenda item is that which is requested by staff. The Successor Agency may, at its discretion, take action on any items. The public is invited to approach the podium to provide up to four (4) minutes of public comment.*
 - a. Agency Board consider adopting **Resolution No. 2017-07 (SA-MRA)**, that approves certain documents for a property tax increment bond issue for the Marina Dunes project, pursuant to pre-existing enforceable obligations, and take various other actions related thereto, and direct the City Manager to return to the Board with the balance of the documents required to complete this transaction, including a preliminary official statement and a bond purchase agreement. *Continued from August 18, 2017*

Karen Tiedemann, Goldfarb & Lipman outside Counsel for the Successor agency – Item before you is a continuation of an item we discussed on August 15th and the action that is being requested tonight is that you approve the issuance of tax increment bonds related to The Dunes Project as called for in the Second Implementation Agreement and the Tax Increment Financing Plan that letter entered into between the former Redevelopment Agency and Marina Community Partners in 2008.

Reminded Council that when we entered into the agreements we had a fully functioning Redevelopment Agency and all of the property tax in the project area was going to the Redevelopment Agency, not the city. As a result of the dissolution now a portion of that property tax is going not only to the city but also to other taxing agencies. So, there is more money flowing to the city than we would have projected when we entered into this agreement and as a result of the dissolution there will continue to more money.

Council Questions: page 53 projects \$70 million in payments to developer, if approved, which \$54 million from 5 separate bond issuances – tonight we’re discussing 1 bond issuance of up to \$17 million, when will the remaining 4 bonds potentially happen and when will the last one potentially end as no longer being a debt; page 54 how certain are the payment numbers on this page;

DELGADO/O’CONNELL: TO ADOPT RESOLUTION NO. 2017-07 (SA-MRA), THAT APPROVES CERTAIN DOCUMENTS FOR A PROPERTY TAX INCREMENT BOND ISSUE FOR THE MARINA DUNES PROJECT, PURSUANT TO PRE-EXISTING ENFORCEABLE OBLIGATIONS, AND TAKE VARIOUS OTHER ACTIONS RELATED THERETO, AND DIRECT THE CITY MANAGER TO RETURN TO THE BOARD WITH THE BALANCE OF THE DOCUMENTS REQUIRED TO COMPLETE THIS TRANSACTION, INCLUDING A PRELIMINARY OFFICIAL STATEMENT AND A BOND PURCHASE AGREEMENT. 4-0-1(Brown)-0 Motion Passes

Public Comments: None received

11. **OTHER ACTION ITEMS:** *Action listed for each Agenda item is that which is requested by staff. The City Council may, at its discretion, take action on any items. The public is invited to approach the podium to provide up to four (4) minutes of public comment.*

Note: No additional major projects or programs should be undertaken without review of the impacts on existing priorities (Resolution No. 2006-79 – April 4, 2006).

- a. City Council consider authorizing the brand and logo, holiday and seasonal design for the Downtown Street Banner Program.

Marilyn Lidyoff, Economic Development Coordinator, coming back with additional designs for the street pole banners with matching fonts, colors and a new holiday choice.

Council Questions: with an extra set, the banners would stretch from 3 years to 4 years; can we approve in concept that we're going to pick a fourth set and still put the order in for the Christmas ones; is there a cost savings if we select the fourth set now vs. six months from now; are there any banner proposed for the median or are they all on the sidewalks;

AMADEO/ MORTON: THAT WE APPROVE THE PURCHASE OF THE THREE SETS THAT THE COUNCIL HAS AGREED ON; AND HAVE HAS STAFF COME BACK AT A LATER DATE, AFTER THE FIRST OF THE YEAR MAYBE AT MID-YEAR WITH POSSIBLE DESIGNS FORA FOURTH IN ORDER TO EXTEND THE QUALITY OF THEM.

4-0-1(Brown)-0 Motion Passes

Public Comments:

- Liz Stetler – You said they were guaranteed for 5-years, would that be the colors? Curious why we don't use the same fabric as what's used in our flag. If we have a 5-year guarantee why wouldn't the colors be guaranteed?
- Paula Pelot – Commented on the proposed second series, it's referred to as "Patriotic Series" and I would say that we should look at that second series as a value to the history. I think it's wonderful to have the "Historic Fort Ord" but you want to consider having something else like our city values "Diversity, Sustainability" something else, some other themes that say who we are as a community and historic Fort Ord but I don't think you want the whole series to be...
- Terry Lebda – Couple of thoughts on the banners, one of them being the "kite" it did look a little small in proportion to the banner but thought maybe if you just did a silhouette or a rendering a child holding the kite it might balance out the banner and would be very welcoming for our city and children being family oriented. Somebody said something about a surfboard, well actually my thought was on the bird and the shell banner that the surfer, not a surfboard, but a surfer be silhouetted or designed towards the top of the banner and the bird being on the beach, which it indicates it's on a beach. Marina Chamber of Commerce is printing a brochure, the Adventure Guide, for Marina and on the very cover is a surfer and that would tie in nicely with that.
- George Riley – To me Marina in my mind brings to mind the college, brings to mind the National Monument, and brings to mind the new Veterans Cemetery. Those over the last 20-years have been the new things that have been brought to this community. I know you're working making positive things of all of those things and I would just challenge you to plough that through your system too and see if there is any banner image that might take advantage of those assets. They're assets.
- Dawn Alva – Comment on extending the life of the banners. Likes the way the grouping was and the suggestion of adding history and culture. Like Council Member Amadeo saying we could add it to the trail on a different section. May-July is prime tourist starting season, so adding a grouping that doesn't talk about "Stay, Play, Dine" any of those other things that you try to get people here

wouldn't be the best of advantage for that kind of visibility. There is the option of adding another copy of a grouping, so you could still swap them out four times and not have the added cost of all the graphics thus extending the life of the same grouping. I think the work the group has done is amazing.

- b. City Council consider receiving additional information regarding the status of Fort Ord Reuse Authority and the FORA Transition Task Force recommendation, agenzized for FORA Board action on October 13, 2017; and provide further direction.

Council Member Morton provided council and public background history of the Fort Ord Reuse Authority.

FORA's Obligations = Authority Act – Planning, Oversight, Recovery, Financing; **Base Reuse Plan (BRP)** California Environmental Quality Act (CEQA) Mitigations

Board-Determined Obligations = FORA-US Army Environmental Services Cooperative Agreement (ESCA); Remaining Base-wide Building Removal (Marina, Seaside)

Organizational/Contractual Closure Obligations =

FOR A Revenue Sources = Land Sales (\$25M), Property Taxes (\$2-3M/year), FORA Community Facilities District (CFD) Special Taxes (\$78M); Membership dues (\$261K), Marina Coast Water District (MCWD) franchise fees (\$265K/year), ESCA (\$1M/year) and other grants

Post 2020 Considerations = Organizational Responsibilities (CalPERS, CEQA mitigations, etc.); Contractual Obligations (Army ESCA, MCWD and water rights, etc.); Post-2020 alternatives (single, multiple, new?)

FORA has three broad categories of obligations that survive FORA sunset = (A) Capital Improvement Program (CIP)/Base Reuse Plan CEQA mitigations; (B) Board-determined base-wide obligations; and (C) Organizational closure obligations

(A) BRP CEQA Mitigations = Transportation/Transit (*Current FORA obligation: \$120.9 million; Estimated post-2020 obligation: \$40.4 million; On-site project completion schedule: 2025; Full completion schedule: 2035*)- **Water Augmentation** (*Current FORA obligation: \$24 million; Estimated post-2020 obligation: \$15.4 million (FORA's required mitigation only); \$8.6 million to be collected by 2020; Completion schedule: 2018-2035, in phases*) - **Habitat Management Plan/Habitat Conservation Plan (HCP)** (*Current FORA obligation: \$32.3 million; Estimated post-2020 obligation: \$9 million for HCP endowments; \$30 million to be collected by 2020; Completion schedule: 2035*)

Transportation/Transit = *Mitigations totaling \$125 million are funded by development fees - BUILT ONLY AS FEES COLLECTED – assigned to TAMC*

Water Augmentation = *Marina Coast Water District (MCWD) responsibility*

Habitat Management Plan/Habitat Conservation Plan (HCP) = *A Joint Powers Agreement for endowment to be created in 2018 - Never intended to be managed in perpetuity by FORA.*

Reassessment Report 2012 – 30 to 40 years for the build out of what is already planned

(B) FORA-US Army ESCA 2037 = \$98 million US Army grant. (*Administrative Order on Consent (AOC) termination is tied to performance standards, not a fixed date. Army/Regulators “approve” FORA's successor; ESCA completion schedule: Regulatory acceptance anticipated in 2019. Army 5-year review in 2017-18, FORA ESCA Obligations continue to 2037; Estimated post-2020 obligation: \$6 million (can be matched to potential new grant).* **Remaining Base-wide Building**

Removal 2020 = \$8-9 million estimated remaining FORA obligation paid by Land sales/rents. (Marina and Seaside have remaining removal obligation; FORA currently designated as Hazardous Waste Generator for World War II contaminated debris; Completion schedule: FORA's building removal financial obligations can be met by 2020. If obligation is altered, it may extend the schedule.)

Base-wide building removal = Current commitments met by 2020; Estimated cost: \$54 Million funded through land sale proceeds - FORA Extension does not impact; Munitions cleanup or base-wide building removal

(C) Organizational/Contractual Closure Obligations = FORA Water Rights, Agreements, BRP end? (FORA-MCWD Water/Waste Water Facilities Agreement; Fort Ord Water Rights conveyed by U.S. Army; FORA's Oversight Powers and BRP Compliance; Miscellaneous Contract Obligations (e.g. MPC, County, and FORA agreement regarding public safety officer training facilities) = **PLL Insurance-2025** (Pollution Legal Liability (PLL) Insurance); **Retirement / Health-2020** (FORA Employee Retirement/Health Insurance)

FORA Revenue Sources Post 2020 = Land sale and lease proceeds (50-50 FORA/jurisdiction split bringing in \$25 million); **Property Taxes** (current Health & Safety Code split bringing in \$2 million/year with increase expected to \$3M/year.); **FORA CFD Special Tax** (CFD revenues \$78 million in building permits triggered by development.); **Membership Dues** (\$261,000/yr paid by jurisdictions to FORA.); **MCWD Revenues** (\$265,000/yr paid by MCWD to FORA.); **ESCA grant funds** (Of \$98 million granted, \$98 million will be spent for regulatory reimbursement, FORA Administration, and ARCADIS work by 2020)

2016-2017 FORA Budget Midyear Budget = REVENUES (Membership Dues \$331,000); Franchise Fees (MCWD) \$615,000; Federal Grants \$922,410 (ESCA); Development Fees \$5,239,869; Land Sale Proceeds \$ 0; Rents \$50,000; Property Taxes \$1,722,472; Interest Income \$105,000) = **TOTAL REVENUES \$8,985,751**

2016-2017 FORA Budget Midyear Budget = EXPENDITURES (Salaries & Benefits \$2,955,973; Supplies & Services \$413,305; Contractual Services \$1,932,813; Capital Improvement Projects CIP \$3,881,674) = **TOTAL EXPENDITURES \$9,183,765 = Deficit (\$198,014) - Cost of doing business \$5,300,00**

Timelines to Completion = FORA Water Rights, Agreements, BRP = 2060? - FORA-US Army ESCA = 2035-2037 - BRP CEQA Mitigations = 2035 - PLL Insurance = 2025 - Base-wide Building Removal = 2020 - Retirement / Health = 2020 - FORA Revenues = 2060?

Post 2020 Alternatives = (A) Extend FORA as is, or restructure membership, retaining legislative authorities for a fixed term; (B) Create a FORA successor agency or Joint Powers Authority / Community Services District for a fixed term; (C) Assign responsibilities to existing entity/ies (such as FORA members) and/or regional / state agencies.

Post-2020 Alternatives (Slide II)

A. Extend FORA as is or restructure FORA's membership, with legislative authority for a fixed term. Requires legislation but not Army consent.

B. Assign responsibilities to a combination of entities such as FORA member agencies, regional and state agencies. Requires legislation and Army consent.

FORA 2.0

- Building Removal Hazardous Waste
- Army ESCA Long-term Obligations
- Water Rights
- CEQA Mitigations
- Retirement/Health

Resource	CFD/Dev Fees (\$2M)	ESCA Admin (\$1M)
Land Sales	\$2M	\$1M
Dues	\$261K/yr	\$1M

New Entity or Assign to Existing

- Building Removal/Haz. Waste. Jurisdictions
- Army ESCA LTDs. (LAFCO) To Be Assigned
- Water Rights. (LAFCO) To Be Assigned
- CEQA Mitigations. (LAFCO) To Be Assigned

Resource	CFD/Dev Fees (\$2M)	ESCA Admin (\$1M)
Land Sales	\$2M	\$1M
CFD/Dev Fees	\$2M	\$1M
Property Taxes	\$2M	\$1M

Land Sales: \$2M (or more) Jurisdictions Receive
 CFD/Dev Fees: \$2M (or more) Requires New Fee Structure
 Property Taxes: \$2M/yr (or more) Reallocated Outside Ft. Ord

Franchise Fee: \$615K or more Jurisdictions? To Be Assigned
 ESCA Admin: \$1M To Be Assigned

Post-FORA Financial Implications

Resource	Property Taxes (≥ \$2M/year)	Post-FORA CFD / Dev Fees (\$78M)	Land Sales (\$25M)	Dues & Franchise Fees (\$525K/year)	ESCA Regulators & Administration (\$1M)
FORA 'as is' or adjusted	✓	✓	✓	✓	✓
JPA or CSD	✓	✓	○	○	✓
Individual Entities	○	○	✓	○	✓/○

Costs	Building Removal (\$0-\$9M)	CIP (\$56M)	HCP (\$9M)	ESCA (\$6M)	TOTAL UNFUNDED OBLIGATION
FORA 'as is' or adjusted	✓	✓	✓	✓	\$0 M
JPA or CSD	✓	✓	✓	✓	\$70 M
Individual Entities	✓	✓	✓	✓	\$45 M

Timeline Schedule = FORA Board – approves the Draft Transition Plan (Dec. 2016); **LAFCO** – consults with FORA and confirms Board decision (Oct. 2017); **State Legislature** – receives FORA’s Transition Plan report (Spring 2018) and approves required legislation (2019-20); **Jurisdictions** – review and comment, implement assigned functions (2016-19), receive pass-through revenues if applicable; **Other Agencies** – review and negotiate assigned functions, negotiate role, receive pass-through revenues, if applicable (2016-19).

Potential Legislative Actions = Draft legislation to address/extend FORA authority, obligations, and assets for limited time **OR** Draft legislative language to transfer/convey powers and authority to JPA/CSA successor agency (*CFD Special Taxes; Land sales 50-50 formula; Property tax resources; BRP oversight continuity; Contractual obligations (where/if possible)*)

Transition Task Force - Committee Charge 2017 = The Fort Ord Reuse Authority’s (FORAs) legislative/State Law terminus is June 30, 2020. A Transition Task Force (TTF) was created in April 2016 and appointed by the then FORA Board of Directors chair as an *ad hoc committee* to explore post 2020 alternatives and the associated transition issues. It made a recommendation to the Board in Fall 2016 to pursue dual tracks of a legislative extension of FORA together with a transition plan. That approach is now FORA policy and **the current FORA Chair has reconstituted the TTF with a more directed future charge, as follows:**

The TTF is re-formed as a limited term *ad hoc committee* **to work with staff to provide a “transition plan” recommendation to the Board.** The transition plan will include: 1) a methodology for allocating obligations/liabilities (including - but not limited to - CEQA mitigations) and resources/assets among FORA member jurisdictions; 2) a methodology and alternatives for infrastructure improvement timing and prioritization; 3) a structure to implement obligations; and 4) feasible financing options to meet jurisdictional post-FORA obligations. The TTF work will require periodic transition plan reports and a recommendation to the Board by January 1, 2018.

Transition Task Force members voted to “recommend to the FORA Board a Transition Plan that: *creates a single entity successor JPA; seeks legislative extension of the CFD and other powers to the successor, and Utilize Implementation Agreement/Percentage assignment for jurisdictions’ fair and equitable contribution to successor to complete FORA program.*”

Council Questions: Post-2020 Slide - The only way to get everything done, to put a check in every box is to continue FORA “as is” or adjust it and the circles represent things that won’t be done if something besides FORA is the future; special district creations; what do we pay in membership dues; blight removal; what are the chances that this is going to go our way and what do we have to do to try to improve our chances; has there been any discussion of a weighted vote option;

9:58 PM

Delgado/Morton: to extend the meeting to 10:10 PM. 4-0-1(Brown)-0 Motion Passes

Public Comments:

- George Riley – lucky to have Gail on that board as she probably knows more about the intent of the legislation that extended it. The FORA staff is ignoring what the charge is from the legislation. The charge was “stop the FORA issue, find a transition, get out of that business”, that’s what the legislation says. Everything FORA staff does is to find some logic to continue. Suggested that you just go into that legislation and make your pitch over and over and over again. The more you can pitch it the more Monning will hear it. If you hear the other people talking they’re not paying any attention to legislation. They are always looking down the road for how to stay in business. I think it’s a captured audience, the board, by the staff pushing their own agenda. It is embarrassing as a public agency with a charge that they have.

- Marilyn Lidyoff – being that the public agencies have expressed that they can actually perform their due diligence I am suggesting that FORA be abolished, the sooner the better.
- Audra – thanked Council Members Morton and O’Connell for educating us on this matter. Let FORA sunset. It needed to be disbanded a long time ago. Will FORA every clean up the landfill off of Imjin or will they leave them cemented under the ground as if they didn’t exist? What exactly has FORA done specifically for Marina? Doesn’t sound like done much.
- Paula Pelot – Attended the hearing where FORA was extended and work with Gail and the Sierra Club and others doing background work and really no one wanted it to go to 2020 at that point. The facts are we have pretty much funded and floated the boat of FORA. What have we gotten back in that bargain? I think the suggestion of having a CFD is fine. We need tax increment to go back to the other jurisdictions so it spreads into our community. When you make an investment, you need to know what you’re getting back for it and we’re not getting our value. Transition is when something dies and doesn’t think FORA understands that meaning. We’re paying the high salaries and basically this is a mechanism for the most executive staff at FORA to have a fatter CALPERS retirement check that we’re going to fund. Option “C”, go away.

10:10 PM

Delgado/Amadeo: to extend the meeting until 10:20 PM. 4-0-1(Brown)-0 Motion Passes

- Dawn Alva – Feels powerless now hearing all this and now were going to vote on October 13th. As a public individual that is now aware of the situation and our vote isn’t weighted and probably won’t be weighted for this October 13th, what could the public or we do as an individual to motivate? Are there at the meeting? What can we do express that I also agree, given this information that we should not continue the life this entity or another version of? Feels powerless with a vote 2-weeks away.
- Doug Yount, Marina Community Partners – echoed the comments about the hard work that Council Members Morton and O’Connell has done. This is a very complicated issue but it also doesn’t have to be overly complicated when you think about what’s coming in the future. On behalf of Marina Community Partners’, we stand ready to support the City of Marina on the direction you may go in the future and we’re here to assist with whatever you may need.

10:20 PM

Delgado/Amadeo: to extend the meeting to 10:30 PM. 4-0-1(Brown)-0 Motion Passes

- c. City Council consider adopting **Resolution No. 2017-89**, approving the purchase of one not fully equipped 2017 Ford F-150 from The Ford Store in Morgan Hill, California, waiving the City’s formal bid process; finding that competitive bidding would be unavailing, would not produce an advantage and would not be in the public interest; authorize the Finance Director to make necessary accounting and budgetary entries, and; authorize the City Manager to execute purchase agreements in an amount not to exceed \$41,000.00 on behalf of the City subject to final review and approval by the City Attorney. *Pulled by Council Member Morton, was agenda item 8f(1)*

Council Member Morton asked if we had another command vehicle? Under fiscal impact it’s identified at \$40,756.00 which is the purchase price, correct? The fiscal impact is the additional set aside for our Vehicle Replacement Program is not in that number. So, in the future when you bring us a fiscal impact can you be sure that it is in there, because we’re not spending \$40,000 we’re spending \$45,000-\$46,000.

DELGADO/AMADEO: TO APPROVE RESOLUTION NO. 2017-89, APPROVING THE PURCHASE OF ONE NOT FULLY EQUIPPED 2017 FORD F-150 FROM THE FORD STORE IN MORGAN HILL, CALIFORNIA, WAIVING THE CITY'S FORMAL BID PROCESS; FINDING THAT COMPETITIVE BIDDING WOULD BE UNAVAILING, WOULD NOT PRODUCE AN ADVANTAGE AND WOULD NOT BE IN THE PUBLIC INTEREST; AUTHORIZE THE FINANCE DIRECTOR TO MAKE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES, AND; AUTHORIZE THE CITY MANAGER TO EXECUTE PURCHASE AGREEMENTS IN AN AMOUNT NOT TO EXCEED \$41,000.00 ON BEHALF OF THE CITY SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY. 4-0-1(Brown)-0 Motion Passes

Public Comments: None received

12. COUNCIL & STAFF INFORMATIONAL REPORTS:

- a. Monterey County Mayor's Association [Mayor Bruce Delgado]
- b. Council and staff opportunity to ask a question for clarification or make a brief report on his or her own activities as permitted by Government Code Section 54954.2.

13. ADJOURNMENT:

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor