

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

KATE McKENNA, AICP
Executive Officer

LOCAL AGENCY FORMATION COMMISSION
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DATE: February 24, 2020
TO: Chair and Members of the Commission
FROM: Kate McKenna, AICP, Executive Officer
PREPARED BY: Jonathan Brinkmann, Senior Analyst and Darren McBain, Principal Analyst
SUBJECT: Consider Status Report on Fort Ord Reuse Authority (FORA) Dissolution Process
(LAFCO File No. 18-06)

SUMMARY OF RECOMMENDATIONS:

It is recommended that the Commission:

1. Receive the Executive Officer's report;
2. Receive any public comments;
3. Provide for any questions or follow-up discussion by the Commission, and
4. Authorize the Chair to transmit a letter to FORA outlining LAFCO's current concerns and recommendations regarding FORA dissolution planning or provide other general direction.

Executive Summary

FORA will sunset out of existence on June 30. Assembly Bill 1614, the legislation passed in 2012 to extend FORA through 2020, established LAFCO's role in the FORA dissolution as follows: "The Monterey County LAFCO shall provide for the orderly dissolution of the authority including ensuring that all contracts, agreements, and pledges to pay or repay money entered into by the authority are honored and properly administered, and that all assets of the authority are appropriately transferred."

With just over four months remaining, we are nearing the end of the FORA dissolution process. FORA and its members are working diligently toward an orderly dissolution. Importantly, FORA is coordinating with its member agencies to draft agreements and plans that, prior to dissolution, transfer: 1) FORA financial obligations, 2) remaining FORA fund balances, 3) FORA's ESCA-related responsibilities and records to City of Seaside, and 4) all other FORA records to Monterey County. However, some significant LAFCO concerns remain, particularly:

- Existing litigation involving FORA;
- Potential FORA Board actions through June 30, 2020 – Some of these actions, particularly finalization and certification of the Fort Ord Habitat Conservation Plan Environmental Impact Report (HCP EIR), are not essential to FORA dissolution, may not be realistically achievable in the time remaining, and appear to involve a high risk of generating new litigation;
- The possibility of additional FORA-related litigation that could occur in the future and which LAFCO may be obligated to defend against; and
- Uncertainty of LAFCO receiving litigation reserve funds beyond a \$500,00 initial payment.

Staff proposes that the Commission authorize the Chair to transmit a letter expressing LAFCO's current concerns and recommendations for achieving an orderly dissolution pursuant to AB 1614's mandate. In summary, LAFCO staff recommends that the letter respectfully request FORA to consider taking the following dissolution planning actions in the short time remaining:

- 1) Prioritize actions that are most directly related to closing down the agency's operations and transferring FORA assets and responsibilities by June 30, 2020;
- 2) Avoid actions – such as certification of the HCP EIR – that are not essential to FORA dissolution, may not be realistically achievable in the time remaining, and appear likely to generate new litigation; and
- 3) Based on the identified litigation risks, prioritize additional funds to augment LAFCO's FORA-related litigation reserve fund beyond the \$500,000 initial payment, in accordance with LAFCO's November 19, 2019 letter to FORA (Attachment 1).

Background/Progress to Date

AB 1614 required FORA to approve and submit a transition plan to LAFCO, providing a roadmap for FORA dissolution. The transition plan was required to “assign assets and liabilities, designate responsible successor agencies, and provide a schedule of remaining obligations.”

FORA met its December 31, 2018 deadline for submitting its transition plan to LAFCO. However, the 2018 transition plan also identified the important follow-up concept of Implementing Agreements – to be negotiated among FORA's members throughout 2019 and into 2020 – to supplement the 2018 transition plan and to address assignment of key FORA responsibilities.

LAFCO had previously anticipated receiving FORA's submission of a “Finalized Transition Plan Package,” including the transition plan, finalized Implementing Agreements, and any other relevant updates, by April 2020; see **Attachment 2**, FORA Dissolution Process Schedule. FORA's current timing for completing some agreements remains uncertain. Staff will bring forward all relevant agreements and updates that are finalized and available to the Commission's April regular meeting for a public hearing on FORA dissolution.

FORA and LAFCO have continued to coordinate throughout the dissolution planning process, including monthly meetings for the past six months. Amid coordination efforts, LAFCO transmitted a letter to FORA on November 19, 2020 requesting:

- 1) Execution of the FORA-LAFCO Indemnification Agreement providing for a \$500,000 litigation reserve fund payment,
- 2) An additional \$1.5 million for LAFCO's litigation reserve fund,
- 3) Establishment of a mechanism for additional litigation funding,
- 4) Establishment of a \$100,000 reserve fund for LAFCO's post-June 30, 2020 administrative oversight of the FORA dissolution, and
- 5) Re-inclusion of previously reviewed terms that were deleted from the draft Multi-Agency Implementing Agreement, pertaining to disbursement of funds by the County post-June 30.

LAFCO continues to pursue these requested items and, in December 2019, executed the Indemnification Agreement. FORA staff assures LAFCO that the initial \$500,000 litigation reserve fund payment will be made shortly. Importantly, the outlook for LAFCO's other requests (items 2-5) remains uncertain.

Key Areas of Current FORA Efforts to Implement Dissolution

Although FORA's initial estimate for finalizing Implementing Agreements has been delayed by approximately three months, FORA is making progress on two critical Agreements:

- **ESCA Implementing Agreement** (assigns/nominates Seaside to assume FORA's ESCA and property transfer responsibilities): The FORA Board considered approval at its February 13 meeting, receiving a majority vote for approval. Because the vote was not unanimous, a second vote will be needed at the next FORA board meeting, currently scheduled on February 21.
- **Multi-Agency Implementing Agreement** (provides for transfer of remaining FORA fund balances and records to the County of Monterey as well as transfer of Capital Improvement Program obligations and habitat management funds). FORA is also circulating the draft Multi-Agency Implementing Agreement for final comments from its member agencies' legislative bodies by March 15, 2020 and planned finalization by FORA's members in April to May 2020.

At its February 13 meeting, the FORA Board adopted a new meeting schedule that maintains its regularly scheduled meetings each month and adds special Board meetings to be held the following week, the 3rd Friday of each month, from 1:00 to 3:00 pm. These additional meetings provide more opportunities for the FORA Board to address policy issues and time-sensitive dissolution tasks in its remaining four months. Among other items, FORA will be completing a final mid-year budget adjustment, a plan to disburse remaining funds, and payment of its CalPERS termination liability.

Current LAFCO Concerns and Discussion

FORA has limited resources and time to complete its remaining dissolution actions. FORA is making progress in some areas, as discussed above. Its reduced staff is working diligently with counsel and consultants, under challenging circumstances, to complete remaining dissolution actions. However, FORA's limited staff resources are also currently engaged with tasks that are long-standing FORA goals, such as certification of the HCP EIR, but are not essential to achieving an orderly FORA dissolution. LAFCO has several primary concerns about the current status of FORA dissolution planning, as discussed below.

Existing litigation involving FORA: FORA currently has pending litigation related to a building removal contract. FORA has also filed a validation action, which is an effort to issue tax increment bonds for up to \$55 million to be used to complete additional building removal on Fort Ord. LAFCO staff and counsel are tracking these items. Their eventual outcome may entail relatively low risk to LAFCO, but will need to be monitored until fully resolved.

Potential litigation risks relating to possible FORA actions through June 30, 2020: Items of potential litigation risk include the following.

- *Certification of the Fort Ord Habitat Conservation Plan Environmental Impact Report:* FORA is considering finalizing and certifying the HCP EIR in May or June. The EIR would then be available for subsequent use by the individual land-use jurisdictions (Cities and the County) in their development permitting processes in the long term. However, FORA staff is uncertain if preparing a Final EIR is feasible with very little time remaining to prepare responses to approximately 33 sets of comments received during public review. Furthermore, with most public comments and significant public sentiment being in opposition to the HCP and EIR with the understanding that an approved HCP could facilitate development of certain natural lands on Fort Ord, the FORA Board's proposed certification of the HCP EIR has high litigation risk potential for agencies involved in the FORA dissolution, namely, LAFCO and FORA's member agencies. If FORA were to certify the HCP EIR, it may result in new litigation for FORA, leaving LAFCO and FORA's members the litigation burden after June 30, 2020.

The transition plan does not require FORA to certify the HCP EIR as a dissolution task. One alternative option for FORA to consider would be to determine the agency or agencies to which it will transfer its \$17 million habitat management fund and that agency will serve as successor to FORA. If the agency or agencies receiving FORA funds wish to pursue a Fort Ord HCP, the agency or agencies would have discretion to create a plan to accommodate their needs, resources (prior FORA work and funding) to get them through the process, and time to complete a thorough environmental review.

- *Assignment of FORA's ESCA munitions removal program, Economic Development Conveyance Agreement, and Local Redevelopment Authority (LRA) responsibilities to the City of Seaside:* Seaside has offered to take on FORA's role in these three matters. From LAFCO's perspective, this would be a positive step because it would wrap up a number of critical FORA dissolution steps, including ESCA responsibilities and property transfers from FORA and the Army to other public agencies. However, the process does have a degree of uncertainty if timelines are not met.
- *Recording of the FORA Master Resolution in accordance with the transition plan:* The Transition Plan provides that the five land use jurisdictions on Fort Ord are encouraged to take steps to adopt the Master Resolution policies by December 30, 2019. It appears that this step has not occurred. In this event, the transition plan directs FORA staff to record the Master Resolution in its entirety one month prior to FORA dissolution. If this Transition Plan action is not addressed, it may increase legal risk for LAFCO and FORA's members since labor, developers, and affordable housing advocates have taken note of this issue in the past.

The possibility of additional FORA-related litigation that could occur in the future: FORA dissolution may result in unknown litigation risk for LAFCO, such as challenges to transition plan implementation steps, enforcement of a FORA contract, or transfer of FORA's assets or liabilities.

Uncertainty of LAFCO receiving litigation reserve funds beyond a \$500,000 initial payment: LAFCO and FORA have entered into an agreement whereby FORA will transfer \$500,000 to LAFCO for indemnification purposes. Upon resolution of all litigation, the unexpended funds will be equally returned to FORA's members. FORA will make this payment in the next few weeks. LAFCO staff and counsel believe that \$500,000 is insufficient to address the full range of litigation risk associated with the FORA dissolution. However, there is significant uncertainty that LAFCO will receive any additional FORA funds to augment the initial \$500,000. Based on discussions with FORA representatives following LAFCO's November 19, 2019 letter requests, LAFCO staff's understanding is that all FORA funds are currently encumbered for other purposes and that the only recourse is to await FORA's final mid-year budget adjustment process. This process, which is currently underway and expected to continue through March, will determine how much funding is available, consider multiple agencies' requests for funding (including LAFCO's), and make decisions as to which agencies to fund and to what amount.

In summary, LAFCO staff and counsel have identified concerns relating to existing FORA litigation and additional litigation that could occur in the future – depending partly on actions the FORA Board is considering for action through June 30 – and would potentially require LAFCO involvement. Some actions that the FORA Board is considering – particularly finalization and certification of the HCP EIR may not be realistically achievable by June 30, and appear to involve high risk of subsequent litigation. There is no certainty that LAFCO will receive adequate funds from FORA to defend against such litigation, in accordance with the levels LAFCO requested in the November 19, 2019 letter.

Recommendations

FORA has just over four months remaining to wind down its operations. Based on the concerns outlined above, staff recommends that the Commission authorize the Chair to execute a letter respectfully requesting FORA to consider taking the following actions in its remaining dissolution planning efforts:

- 1) **Prioritize actions that are most directly related to closing down the agency by June 30, 2020, and appear to have low risk of incurring new litigation.**

Specifically, based on LAFCO staff's review of the 2018 transition plan and dialogue with FORA staff and consultants, staff recommends that FORA prioritize the following dissolution actions: (1) Transfer Community Facilities District funds and other remaining fund balances, records, and office equipment to Monterey County, (2) Transfer Environmental Services Cooperative Agreement (ESCA) responsibilities, Local Redevelopment Authority LRA designation, and EDC agreement to Seaside, (3) Transfer water allocations, water augmentation obligations, water and wastewater capacity charges, and rates to MCWD, (4) Follow-up actions to complete transfer of ESCA, LRA designation, and EDC agreement to Seaside, such as EPA's 120-day notice period and new Seaside agreements with the U.S. Army and others, (5) Make final payment to terminate CalPERS liability and contract, (6) Create a plan to conduct the Final Year Audit, (7) Transfer remaining FORA-held real estate to local agencies, (8) Record the FORA Master Resolution 1 month prior to dissolution per the 2018 transition plan or, if FORA plans to address this item in a different manner, clarify the change in a revision to the 2018 transition plan or in a transition plan implementing agreement, and (9) Resolve existing litigation.

- 2) **Avoid actions – such as certification of the HCP EIR – that are not essential to FORA dissolution, may not be realistically achievable in the time remaining, and appear likely to generate new litigation.**

In particular, LAFCO staff recommends that FORA not act to finalize and certify the HCP EIR and, instead, consider alternative options such as transferring funds and/or resources to FORA member agencies to address habitat management responsibilities and Endangered Species Act compliance. Similarly, we encourage FORA to continue to work with its members to designate the most likely successor agency or agencies for other current or former FORA responsibility areas (building removal, water augmentation, roadway projects, etc.) and assist them with document transfer, funding, or other resources as may be needed to help the successors prepare for their new responsibilities as well as for potential future litigation.

- 3) Based on the identified litigation risks, prioritize additional funds to augment LAFCO's FORA-related litigation reserve fund beyond the \$500,000 initial payment, in accordance with LAFCO's November 19, 2019 letter to FORA.

Such funds shall be returned to FORA's jurisdictions when litigation is resolved or when the funds are otherwise determined to be no longer needed for LAFCO's defense.

Next Steps

In the coming weeks, staff will continue to work with FORA staff and consultants in an ongoing effort to concentrate current dissolution planning efforts on those tasks that are most directly related to winding down the agency's operations and ensuring that all FORA funds will be appropriately transferred upon dissolution. Staff will also be working with FORA member agency representatives to gain additional perspective on the current status of FORA dissolution planning. In addition, staff will continue to pursue the additional \$1.5 million in litigation reserve funds and the other requests in LAFCO's 11/19/2019 letter as described above in this report.

Staff will bring forward FORA's 2018 transition plan along with all implementing agreements and relevant updates to the Commission's April 27, 2020 regular meeting for a public hearing. Until that time, it will be important for LAFCO to receive from FORA comprehensive periodic updates as to the current status of all tasks identified in the 2018 transition plan. Following LAFCO's hearing, FORA will have approximately two months in which to make any final adjustments that may be appropriate and workable by June 30. LAFCO's oversight role of the FORA dissolution will officially end on December 31, 2020, since the FORA Act (California Government Code Section 67650 to 67700), which established LAFCO's oversight role, will be repealed.

As FORA dissolution grows nearer, LAFCO staff is continuing to work closely with FORA and its member agencies to assist in the successful completion of the dissolution process. Our priority is to collaborate with FORA representatives to resolve the concerns identified in this report and to achieve an orderly and efficient dissolution.

Respectfully submitted,



Kate McKenna, AICP
Executive Officer

CC:

Josh Metz, Executive Officer, FORA

Kendall Flint, Director of Communications and Strategic Planning, Regional Government Services (RGS)

Attachments:

1. LAFCO's November 19, 2019 letter to FORA
2. FORA dissolution schedule

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

2019

Commissioners

November 19, 2019

Chair

Matt Gourley
Public Member

Michael A. Houlemard, Jr.
Executive Officer
Fort Ord Reuse Authority
920 2nd Avenue, Suite A
Marina, CA 93933

Vice Chair

Ian Oglesby
City Member

Luis Alejo
County Member

Joe Gunter
City Member

Subject: FORA Dissolution - LAFCO Indemnification, Litigation Defense Reserve, Long-Term Administrative Expense Reserve, and draft Multi-Agency Implementing Agreement Language

Mary Ann Leffel
Special District Member

Dear Michael,

Christopher Lopez
County Member

Warren Poitras
Special District Member

Maria Orozco
City Member, Alternate

Jane Parker
County Member, Alternate

On behalf of the Local Agency Formation Commission (LAFCO) of Monterey County, I write to request your prompt attention to five items related to the Fort Ord Reuse Authority (FORA) dissolution: (1) executing the LAFCO-FORA indemnification agreement to the appropriate funding level; (2) funding of a \$2 million litigation reserve for LAFCO's defense of the dissolution; (3) establishing a mechanism for additional litigation defense funding as may be necessary; (4) funding of a \$100,000 deposit toward LAFCO's long-term administrative expenses for oversight of dissolution-related matters; and (5) inclusion of LAFCO-requested language in the draft Multi-Agency Implementing Agreement.

Steve Snodgrass
Public Member, Alternate

These measures are necessary to LAFCO's successful oversight of dissolution proceedings and related actions. LAFCO's oversight role in the FORA dissolution, including an unknown number of years following the dissolution, creates an unfunded mandate. LAFCO maintains a separate litigation reserve to protect itself in the event of litigation related to its normal operations, which is funded by its local agencies. However, should LAFCO be named in legal action or initiate legal action related to the FORA dissolution, LAFCO has no designated funds to defend oversight of the FORA dissolution. LAFCO staff has coordinated with FORA representatives throughout this year to identify appropriate steps to address this unfunded mandate by sufficiently funding LAFCO's litigation reserves and anticipated future administrative expenses specific to FORA dissolution. Specific requests and timelines are listed below. LAFCO staff will recommend to the Commission that these items be incorporated into any formal Commission actions or determinations on FORA dissolution in early 2020.

Graig R. Stephens
Special District Member, Alternate

Counsel

Kelly L. Donlon
General Counsel

Executive Officer

Kate McKenna, AICP

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(1) Execution of an Indemnification Agreement by November 27, 2019.

A draft indemnification agreement was transmitted to FORA staff a year ago. Based upon our recent meetings with your staff, we anticipated that the agreement would be executed by now. We received an email from your Authority Counsel on November 15, 2019, in which he transmitted FORA's revised version of the indemnification agreement. We are particularly concerned by three unwarranted revisions to the draft agreement.

First, LAFCO is concerned that FORA has reduced the initial litigation reserve fund deposit from \$500,000 to \$300,000. Although \$300,000 was included in the FORA

transition plan, LAFCO staff objected to this amount a year ago in public meetings and meetings with FORA staff. Furthermore, LAFCO and FORA staff have discussed the amount of \$500,000 being the initial LAFCO litigation reserve fund deposit for a year now. Over the past year, FORA staff did not voice any objection to the \$500,000 initial deposit. The FORA Board has approved a Fiscal Year 2019-2020 budget line item of \$750,000 for the indemnification of LAFCO. As FORA has not explained this last-minute change, I am requesting that FORA change the initial deposit amount back to \$500,000.

Second, FORA changed the third recital to state that LAFCO accepted the Transition Plan in January 2019. Although LAFCO presented a FORA Transition Plan status report at its January 28, 2019 meeting, LAFCO's agenda item was informational. The Commission took no action to accept the FORA Transition Plan, recognizing that the Transition Plan anticipated the need for multiple implementing agreements with other agencies. LAFCO's tentative dissolution processing schedule, included with the January 28, 2019 Commission report, anticipated FORA submitting an updated/finalized Transition Plan package to LAFCO in the fall of 2019 and, subsequently, LAFCO conducting a hearing to consider the orderly dissolution of FORA. LAFCO's acceptance never occurred, and this correction needs to be made in the agreement.

Third, FORA's changes to the agreement too narrowly restrict FORA's indemnification of LAFCO to LAFCO's actions. LAFCO could be named in legal actions or proceedings more broadly than from its individual actions. I request that FORA replace the reference in Section 1 from "LAFCO's action on the Dissolution" to "actions taken to effectuate the Dissolution." For a year now, FORA has held the draft indemnification agreement under review. I request that, after making these requested changes, you sign the agreement by November 27, 2019.

- (2) Establishment of a \$2 Million Litigation Reserve Fund with an Initial Deposit of \$500,000 by November 27, 2019 and a Subsequent Deposit of \$1.5 Million by December 31, 2019.

We have further identified an urgent need for FORA to build LAFCO's FORA litigation reserve to a level that will sustain several years of potential litigation defense, or potential initiation of litigation necessary to carry out FORA's statutory FORA dissolution oversight obligations. Additionally, LAFCO's need for a sufficient reserve was commented on and supported by several LAFCO Commissioners at LAFCO's October meeting. Accordingly, please transfer a second deposit of \$1.5 million for the FORA litigation reserve by December 31, 2019. This request is made in consultation with legal counsel and in recognition of LAFCO's high exposure associated with oversight of pre- and post-dissolution proceedings and related actions. Previously, on August 2, 2019, LAFCO requested additional language be included in the draft Multi-Agency Implementing Agreement section on "Dissolution of the Authority." This language provided for FORA to transfer funds to LAFCO "in an amount as reasonably determined by LAFCO in order for LAFCO to carry out its oversight duties." This language was part of prior versions of the Draft Multi-Agency Implementing Agreement (see subsection 5, below) and was discussed at the September 10 meeting of staff from FORA and LAFCO. Based on the preceding information, LAFCO's determination is that a \$2 million litigation reserve fund for the FORA dissolution is necessary and appropriate, and may in fact need to be further augmented in the future, as discussed in subsection 3, below.

- (3) Establishment of a Mechanism by April 1, 2020 for Additional Litigation Funding as May be Necessary.

As stated in the indemnification agreement, FORA is to establish a mechanism for additional LAFCO indemnification funding should additional defense funds prove necessary from FORA's successor agencies or otherwise. This mechanism will ensure an orderly completion of the dissolution process and outcomes. We request that the mechanism be established no later than April 1, 2020. Upon resolution of any litigation or if LAFCO does not use the litigation reserve fund, the funds shall be returned to FORA's successor agencies.

- (4) Establishment of a \$100,000 Reserve by December 31, 2019 for LAFCO's Long-Term Administration of Post-FORA Oversight Responsibilities.

As specified in the FORA transition plan, your Board directed payment of all LAFCO-required processing fees related to the dissolution. LAFCO has received an initial deposit of \$10,000 toward our immediate processing

tasks. In a separate letter, we will provide an accounting of those funds through October 31, 2019 with a request for replenishment of funds for LAFCO short-term processing tasks through June 30, 2020.

Separate from our short-term processing expenses, I am requesting a deposit of \$100,000 by December 31, 2019 for the purpose of funding LAFCO's long-term administrative costs for oversight tasks in the post-dissolution period that begins on July 1, 2020. This amount is based on an estimate of \$20,000 in annual administrative costs for about five years. A few weeks ago, members of LAFCO's Budget & Finance Committee commented on and urged staff to seek such funds for long-term administrative costs. Additionally, FORA should put in place a mechanism to fund any additional administrative costs incurred by LAFCO. Funds not expended for this purpose will be returned to successor agencies.

(5) Inclusion of LAFCO-Requested Language in the Draft Multi-Agency Implementing Agreement.

As mentioned earlier, on August 2, 2019, LAFCO requested that additional language be included in the draft Multi-Agency Implementing Agreement section entitled "Dissolution of the Authority" to clarify dissolution related items. FORA included this language, except for a missing paragraph, in its October 2, 2019 Administrative Committee Packet. When LAFCO and FORA held our monthly coordination meeting on October 16, 2019, FORA staff and consultants assured us that the missing paragraph would be included in the next version of the agreement. To our surprise, the most recent draft agreement (included in the November 13, 2019 FORA Administrative Committee Packet) has removed the entire "Dissolution of the Authority" section. No explanation was given. So, we assume the section was removed in error. Please include all the LAFCO-requested language in the next version of the draft agreement.

Thank you for your attention to these matters and feel welcome to discuss them with me. We hope that both LAFCO and FORA can come to an agreeable understanding on the points in this letter and work collaboratively on our shared goals and objectives. Our commitment is to provide the highest level of professional service to ensure a successful dissolution process for all parties.

Sincerely,



Kate McKenna, AICP
Executive Officer

cc: Chair Gourley and Members, Local Agency Formation Commission
Kelly L. Donlon, General Counsel

Fort Ord Reuse Authority - Dissolution Process
LAFCO Schedule (Updated as of October 28, 2019)

Attachment 7.2
(Reviewed on
Dec. 9, 2019)

Action	Target Date	Status	Description
Receive Transition Plan	Dec. 30, 2018	Done	FORA submitted an adopted transition plan to LAFCO on December 27 with an initial deposit of \$10,000. LAFCO anticipated receiving a signed indemnification agreement in 2019.
Review of Transition Plan	Jan. 2019	Done	LAFCO staff began a formal review of the submitted transition plan. LAFCO staff posted the transition plan on the LAFCO website to solicit additional public comment.
Initial LAFCO Comments/ Status Report	Jan. 28, 2019	Done	This initial review was held during a regularly scheduled LAFCO meeting and provided an opportunity for the Commission, local agency representatives, and the general public to discuss the FORA transition plan and dissolution process prior to Commission action later in 2019 or 2020.
FORA Review of Public Comments	Jan.-Feb. 2019	Done	LAFCO did not receive any written public comments through the LAFCO process. FORA does not plan to revise its transition plan.
Transition Plan Implementing Agreements Drafting, Review, and Finalization	June 2019 – Apr. 2020	In Progress	FORA has hired a facilitator Regional Government Services (RGS) to complete the Implementing Agreements. LAFCO staff is attending FORA Administrative Committee and Board meetings where draft Implementing Agreements are regularly reviewed and discussed. LAFCO continues to work with FORA and any other stakeholder to assist in the successful completion of these agreements.
Receive Updated/Finalized Transition Plan Package	April 2020		FORA will resubmit a finalized transition plan with copies of any adopted implementing agreements among the FORA member agencies, and any other relevant updates.
Conduct LAFCO Hearing to Consider the Orderly Dissolution of FORA	April – May 2020		Commission consideration of FORA's final transition plan, and dissolution of FORA will take place at a regularly scheduled LAFCO meeting.
Distribution of Adopted LAFCO Resolution	April – May 2020		LAFCO staff will distribute copies of the adopted resolution and transition plan to all affected and interested agencies. This concludes the formal LAFCO action pertaining to the dissolution of FORA.
Pre-FORA Dissolution Tasks (by FORA)	May – June 2020		FORA will have approximately 3 months remaining to execute contractual agreements with all successor agencies, fulfill any conditions of approval set forth and adopted by the FORA Board or LAFCO, and address any unresolved matters listed in FORA's transition plan. No LAFCO action is required, however, the Commission may receive periodic updates from FORA.
FORA Act Inoperative	June 30, 2020		FORA Act is deemed inoperative in June 2020. FORA will discontinue all current operations, meetings, and official business hours as of this date. No LAFCO action is required.
Post-FORA Dissolution Tasks (by FORA)	June 2020 – Dec. 2020		Interim post-FORA representatives will have approximately 6 months left to resolve any remaining FORA matters before the Act is officially repealed. No LAFCO action is required.
FORA Act Repealed	Jan. 1, 2021		FORA Act is deemed repealed. No LAFCO action is required.