



October 24, 2017

Mayor Ralph Rubio, Chair
Fort Ord Reuse Authority (FORA) Board of Directors
920 2nd Avenue, Suite A
Marina, CA 93933

Dear Chair Rubio and Board of Directors:

LandWatch understands that the FORA Board of Directors has scheduled a workshop Thursday, October 26 to consider preparation of a transition plan. FORA staff face an inherent conflict of interest in developing this plan, as made clear by the woefully inadequate transition planning that has so far taken place. Whether FORA is extended or not, staff will be economically impacted by the transition. Salaries, pensions, and other benefits are all at stake. Staff has a very significant incentive to pursue an extension to the exclusion of fair consideration of other alternatives that might better serve the public interest.

As evidence of this problem, LandWatch received no reply to our October 3, 2017 letter (attached), nor any indication that staff is seriously evaluating the eleven critical public policy issues we raised. As further evidence, FORA staff released this week [Realizing the Vision - 20 years of Fort Ord Reuse Progress](#), a slick promotional video—presumably paid with public funds—that aims to present its case for extension, highlighting in a shallow, public relations fashion FORA's ostensible successes with no mention of its shortcomings. It's hard to imagine another public agency using public funds to toot its own horn at a more inappropriate time and in a more inappropriate manner.

Staff's conflict of interest is further spotlighted by its recommendation for a five-year extension in the January 27, 2016 memorandum, written by Assistant Executive Director Officer Steve Endsley, and the 2016 and 2017 Transition Task Force Committees' conclusionary recommendations to the board to extend FORA. Staff guided all three recommendations, which were made prior to the development and consideration of a transition plan.

Because of the staff's conflict of interest, the FORA Board of Directors must retain as quickly as possible an objective third-party consultant who can develop transition options for the Board's consideration. At a minimum, such options must include the termination of FORA consistent with current state law; the identification of responsibilities that require no further action; and the potential assignments of unfulfilled responsibilities to other jurisdictions and agencies.

Any extension of FORA must be premised upon supported findings of a true need for the Authority to continue, *if such need exists*. Neither the FORA Board nor the state legislature should consider any extension of the Authority Act, contemplated to sunset in 2014 and already extended to 2020, without a full and impartial analysis of alternatives, as Assembly Bill No. 1614, Chapter 743 requires.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael D. DeLapa". The signature is stylized with large, overlapping letters and a long, sweeping tail on the final letter.

Michael D. DeLapa
Executive Director