



August 1, 2018

The Honorable Stephanie E. Hulsey
Judge of the Superior Court
County of Monterey
240 Church Street
Salinas, CA 93901

Re: Response to 2017-18 Monterey County Civil Grand Jury Final Report — “Law Enforcement Training Opportunities on the Former Fort Ord”

Dear Judge Hulsey:

Monterey Peninsula College (MPC) acknowledges the time and efforts of the Monterey County Civil Grand Jury to examine public safety training opportunities at the former Fort Ord and the College’s facilities plan to support this training.

MPC has a long history of providing public safety training, being home to California’s first fire academy and having hosted a POST (Peace Officers Standards and Training) certified police academy since 1992. The college collaborated with local law enforcement, fire, and other public safety agencies to plan facilities that will meet the specific needs of each program and be delivered in the most cost effective manner possible. MPC’s public safety training facilities at the former Fort Ord will allow MPC to continue to provide a high quality training environment which is critical for these programs. MPC appreciates the Civil Grand Jury’s support for these facilities.

At the same time, MPC is aware of the unique habitat experience and recreational opportunities provided at the former Fort Ord. The Civil Grand Jury’s report mentions a proposal for green belts or solar farms to be incorporated within MPC’s facilities plan. While this specific proposal would not be feasible to implement, MPC intends to construct these training facilities with respect and sensitivity to the environment, and in compliance with state environmental regulations and the Fort Ord Habitat Conservation Plan.

As requested by the Civil Grand Jury, Monterey Peninsula College respectfully submits the following responses to the Findings and Recommendations identified for response in the Final Report entitled, “Law Enforcement Training Opportunities on the Former Fort Ord.”

FINDINGS

Finding 1. Large tracts of land are needed for developing the proposed law enforcement training applications, especially for constructing a full-scale EVOC and a firing range.

Response: The Board of Trustees agrees with the finding.

Finding 2. The 535 acres being transferred to MPC should be sufficient land to complete the proposed public safety training facilities.

Response: The Board of Trustees agrees with the finding.

Finding 3. An EVOC would be highly beneficial for training police recruits, existing law enforcement personnel, firefighters, and other emergency responders throughout the County and region.

Response: The Board of Trustees agrees with the finding.

Finding 4. A MOUT facility would be useful for training SWAT and other law enforcement personnel throughout the County. It could also provide a useful training ground for firefighters and other first responder personnel.

Response: The Board of Trustees agrees with the finding.

Finding 5. Continuing to use MOUT for its original military purpose is consistent with the 2003 facility use agreement regarding public safety officer training facilities at the former Fort Ord.

Response: The Board of Trustees agrees with the finding.

Finding 6. The upgrades and safety features needed for the MOUT facility will be costly.

Response: The Board of Trustees agrees with the finding.

Finding 7. Many law enforcement departments in the County would benefit from lower costs and travel time by creating a rifle range at the former Fort Ord.

Response: The Board of Trustees agrees with the finding.

Finding 8. Constructing a full-scale EVOC would be expensive. Additional funding may be needed to cover those costs.

Response: The Board of Trustees agrees with the finding.

Finding 9. Designating large areas within the 535 acres being transferred to MPC as greenbelts, and/or as areas to be used for solar farming, could help ensure the project has a net positive impact on the environment.

Response: The Board of Trustees disagrees with the finding. The finding appears to assume the project will have a negative impact on the environment. The Grand Jury report acknowledges that approximately 200 acres within the 535 acres to be transferred to MPC are designated as a habitat reserve and cannot be developed. This recommendation to designate additional acreage as green belts, and/or for solar farming, does not account for the acreage (200+) already reserved for habitat purposes. Also, solar farming would require construction and infrastructure to be installed and may have its own impact on the environment that would need mitigation.

Finding 10. The operation and maintenance of the public safety officer training facilities would require additional expenditures.

Response: The Board of Trustees agrees with the finding.

Finding 11. The MPC Police Officer Training Academy is currently functioning without the use of the MOUT facility, a full-scale dedicated EVOC, or a firing range due to the use of temporary facilities at other locations.

Response: The Board of Trustees agrees with the finding.

Finding 12. An EVOC facility and trainers near to the MPC Police Officer Training Academy, where driving-related training and remediation would occur, could reduce training expenses.

Response: The Board of Trustees agrees with the finding.

Finding 13. The development of the EVOC and MOUT MPC training facilities at the former Fort Ord has been under consideration for more than 20 years.

Response: The Board of Trustees agrees with the finding.

RECOMMENDATIONS

Recommendation 1. The MPC Board of Trustees should determine whether or not they want to move ahead with the MOUT project.

Response: This recommendation has not yet been implemented, but MPC Board of Trustees approval will be completed by October 31, 2018.

Each year, the District is required to submit its 5 Year Construction Plan to the California Community College Chancellor's Office, which indicates the capital facilities projects the District intends to build. The deadline is usually July 1; however, an update to the state facilities database system, known as FUSION, has moved this year's due date to fall 2018 (the exact date is still being determined). One of the projects in the District's 5 Year Plan is the Fort Ord Public Safety – Phase II project, which includes the MOUT project as a component. The Fort Ord Public Safety – Phase II project is currently approved by the state Chancellor's Office for a 50% state funding match and before MPC can proceed, the state must issue bonds to fund the state portion. The MPC Board of Trustees will consider approval of the 5 Year Construction Plan, including the Fort Ord Public Safety – Phase II project, by October 31, 2018.

Recommendation 2. The MPC Board of Trustees should determine whether or not they want to move ahead with the EVOC project.

Response: This recommendation has not yet been implemented, but MPC Board of Trustees approval will be completed by October 31, 2018.

Each year, the District is required to submit its 5 Year Construction Plan to the California Community College Chancellor's Office, which indicates the capital facilities projects the District intends to build. The deadline is usually July 1; however, an update to the state facilities database system, known as FUSION, has moved this year's due date to fall 2018 (the exact date is still being determined). One of the projects in the District's 5 Year Plan is the Fort Ord Public Safety – Phase II project, which includes the EVOC project as a component. The Fort Ord Public Safety – Phase II project is currently approved by the state Chancellor's Office for a 50% state funding match and before MPC can proceed, the state must issue bonds to fund the state portion. The MPC Board of Trustees will consider approval of the 5 Year Construction Plan, including the Fort Ord Public Safety – Phase II project, by October 31, 2018.

Recommendation 3. The MPC Board of Trustees should determine whether or not they want to move ahead with establishing a long-rifle range at Parker Flats.

Response: This recommendation has not yet been implemented, but MPC Board of Trustees approval will be completed by October 31, 2018.

Each year, the District is required to submit its 5 Year Construction Plan to the California Community College Chancellor's Office, which indicates the capital facilities projects the District intends to build. The deadline is usually July 1; however, an update to the state facilities database system, known as FUSION, has moved this year's due date to fall 2018 (the exact date is still being determined). One of the projects in the District's 5 Year Plan is the Fort Ord Public Safety – Phase II project, which includes constructing a rifle range at the MOUT as a component. The Fort Ord Public Safety –Phase II project is currently approved by the state Chancellor's Office for a 50% state funding match and before MPC can proceed, the state must issue bonds to fund the state portion. The MPC Board of Trustees will consider approval of the 5 Year Construction Plan, including the Fort Ord Public Safety – Phase II project, by October 31, 2018.

Recommendation 4. A current financial plan detailing the feasibility of these projects should be developed by MPC.

Response: This recommendation will be implemented in the future when state funding of community college facilities projects, including MPC's Fort Ord Public Safety – Phase II project, is known. As stated in the responses to Recommendations 1 – 3, MPC's project has been approved for a 50% state funding match. For the past few years, MPC's project has been included in the 2017-18 and 2018-19 capital outlay spending plan approved by the Chancellor's Office and Board of Governors of the California Community Colleges. However, for the 2017-18 and 2018-19 budget years, the state has allocated funding to a limited group of community college construction projects, only those which addressed fire and life safety concerns. A new governor will be elected in November 2018 and a different approach and spending priorities for the 2019-20 state budget are to be expected, including the allocation of funding to community college facilities projects. Having this information is necessary to the financial plan and evaluation of feasibility.

In addition, an analysis of infrastructure needs, construction requirements related to land use covenants in place on MPC's Fort Ord parcels, cost estimates, and the current vision of this project will need to be completed before a financial plan can be developed.

Recommendation 5. If the decision is to proceed on one or more projects (i.e., R1, R2, and/or R3), the President/Superintendent of MPC should appoint or hire a program manager. The Program Manager's responsibilities should include overseeing the transfer of land, acquisition of additional funding and the construction, maintenance, and operation of those facilities.

Response: This recommendation will not be implemented because it is not reasonable. The proposed Program Manager's responsibilities would duplicate or conflict with responsibilities

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already assigned to existing employees. For example, the Vice President for Administrative Services is responsible for overseeing property issues for the District, including transfer of land. The Vice President for Administrative Service also is responsible for developing funding strategies to address District needs, and manages construction, maintenance, and operation of District facilities. The Vice President of Academic Affairs oversees the instructional program to be offered at the facilities, with direct management of the public safety training program provided by the responsible Dean and Director of Public Safety Training positions.

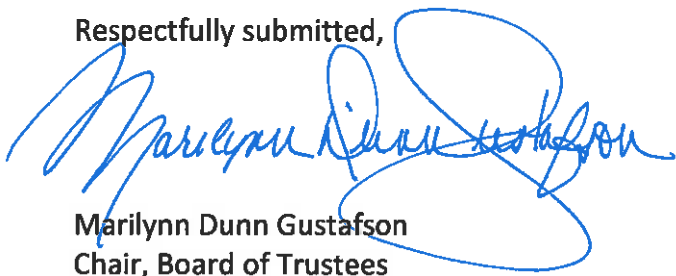
Also, the District currently does not have the financial resources to support hiring of a new management employee per the recommendation. A new funding formula has been approved by the state for implementation at the California community colleges, beginning in 2018-19. The full impact of the new funding formula upon the District's finances is unknown, but the District is anticipating the new funding metrics based on student performance will have a detrimental effect on MPC's revenue.

Recommendation 6. If the MPC Board of Trustees does not proceed on one or more of these projects, MPC should give up their claim, so the land can be transferred for other allowed and desirable purposes.

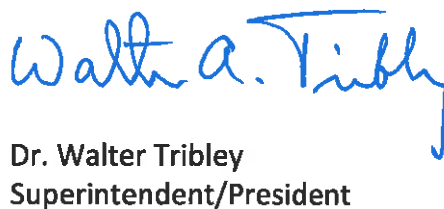
Response: This recommendation will not be implemented because it is not reasonable and does not acknowledge the Fort Ord property transfer process, longstanding contractual agreements with the Fort Ord Reuse Authority and Monterey County regarding transfer of these parcels to MPC, and the impact on MPC's public safety training program. Further, the MPC Board of Trustees intends to proceed with these projects.

Thank you for the opportunity to respond to the Civil Grand Jury's Report.

Respectfully submitted,



Marilynn Dunn Gustafson
Chair, Board of Trustees



Dr. Walter Tribble
Superintendent/President