



FORT ORD REUSE AUTHORITY

REGULAR MEETING

FORT ORD REUSE AUTHORITY (FORA) ADMINISTRATIVE COMMITTEE

Wednesday, January 31, 2018 at 8:30 a.m.

920 2nd Avenue, Suite A, Marina, CA 93933 (FORA Conference Room)

AGENDA

1. CALL TO ORDER/ESTABLISHMENT OF QUORUM
2. PLEDGE OF ALLEGIANCE
3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE
4. PUBLIC COMMENT PERIOD

Members of the public wishing to address the Committee on matters within its jurisdiction, but not on this agenda, may do so for up to 3 minutes and will not receive Committee action. Whenever possible, written correspondence should be submitted to the Committee in advance of the meeting, to provide adequate time for its consideration.

5. APPROVAL OF MEETING MINUTES ACTION
 - a. December 13, 2017 Meeting Minutes
 - b. January 17, 2018 Meeting Minutes
6. FEBRUARY 9, 2018 DRAFT BOARD MEETING AGENDA REVIEW INFORMATION
7. BUSINESS ITEMS INFORMATION/ACTION
 - a. Capital Improvement Program – Review and Approve Development Forecast Requests
8. ITEMS FROM MEMBERS INFORMATION

Receive communication from Committee members as it pertains to future agenda items.
9. ADJOURNMENT

NEXT MEETING: Wednesday, February 14, 2018



FORT ORD REUSE AUTHORITY
ADMINISTRATIVE COMMITTEE REGULAR MEETING MINUTES
8:30 a.m., Wednesday, December 13, 2017 | FORA Conference Room
920 2nd Avenue, Suite A, Marina, CA 93933

1. CALL TO ORDER

Co-Chair Executive Officer Michael Houlemard called the meeting to order at 8:30 a.m.

The following members were present:

Craig Malin* (City of Seaside)
Dino Pick* (City of Del Rey Oaks)
Melanie Beretti* (County of Monterey)
Layne Long* (City of Marina)
Michelle Overmeyer (MST)
Patrick Breen (MCWD)
Anya Spear (CSUMB)

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by City of Marina Council Member Gail Morton.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

There were no acknowledgements, announcements or correspondence presented from staff, committee or the public.

4. PUBLIC COMMENT PERIOD

Members of the public wishing to address the Administrative Committee on matters within its jurisdiction, but not on this agenda, may do so for up to 3 minutes.

Public comments were received. Inquiries were made about the status the workshop on Eastside Parkway held on December 6, 2017. Staff informed the Committee and the public that would be available on our website at www.fora.org as soon as possible.

5. APPROVAL OF MEETING MINUTES

ACTION

a. November 8, 2017 Regular Meeting Minutes

MOTION: On motion by Committee member Pick and second by Committee member Long and carried by the following vote, the Administrative Committee moved to approve the regular meeting minutes of November 8, 2017.

MOTION PASSED UNANIMOUSLY

6. DECEMBER 8, 2017 BOARD MEETING FOLLOW UP

INFORMATION

Jonathan Brinkman provided the Committee and public with an overview of the Board meeting from December 8, 2017. Board member Gail Morton had questions on the Prevailing Wage Report, Mr. Houlemard and staff addressed questions and concerns.

7. BUSINESS ITEMS

a. 2018 Environmental Service Cooperation Agreement Land Use Control Implementation Plan/ Operation and Maintenance Plan Information Workshops
Environmental Services Cooperative Agreement (ESCA) Program Manager Stan Cook announced training workshops covering Land Use Controls, Operations and Maintenance, and Property transfers. The training classes will be split into groups of four different modules,

to be held after the Administrative Committee meeting in February, April, June and July. These dates are subject to change. ESCA Program Coordinator Laura Vidaurri announced she is working on a distribution list for those interested and Jurisdictions that would like to attend the workshops. Staff responded to questions from the Committee and public. This item was for information only.

b. Capital Improvement Program – Development Forecast Request

Principal Planner Jonathan Brinkman announced the due date of the annual request for Development Forecast which begins the FORA Capital Improvement Program planning process. Mr. Brinkman reviewed the 2017 forecast and explained the different tables. Project Manager Peter Said explained the Land Sales Forecast and how it is comprised. Mr. Said requested the Jurisdictions note which parcels are being lumped together for sale, in addition the probability of sales per year. Staff responded to questions from the committee. Public comment was received. This item was for information only.

8. ITEMS FROM MEMBERS

There were no items from members

9. ADJOURNMENT at 9:38 a.m.

Minutes Prepared by:
Dominique L. Jones
Deputy Clerk

Approved by: _____
Michael A. Houlemard, Jr.
Executive Officer



FORT ORD REUSE AUTHORITY
ADMINISTRATIVE COMMITTEE REGULAR MEETING MINUTES
8:30 a.m., Wednesday, January 17, 2018 | FORA Conference Room
920 2nd Avenue, Suite A, Marina, CA 93933

1. CALL TO ORDER

Co-Chair Executive Officer Michael Houlemard called the meeting to order at 8:30 a.m.

The following members were present:

Craig Malin* (City of Seaside)	Steve Matarazzo (UCSC)
Dino Pick* (City of Del Rey Oaks)	Lisa Rheinheimer (MST)
Melanie Beretti* (County of Monterey)	Todd Bodem* (Sand City)
Layne Long* (City of Marina)	Mike Zeller (TAMC)
Hans Uslar* (City of Monterey)	Bill Collins (US Army)
Vicki Nakamura (MPC)	

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Steve Matarazzo.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

Environmental Services Cooperative Agreement Senior Program Manager Stan Cook announced a Land Use Control Implementation Plan training seminar on February 16, 2017 at Carpenter's Union Hall in Marina.

4. PUBLIC COMMENT PERIOD

Members of the public wishing to address the Administrative Committee on matters within its jurisdiction, but not on this agenda, may do so for up to 3 minutes.

There were no comments received from the public.

5. APPROVAL OF MEETING MINUTES

ACTION

a. January 3, 2018 Meeting Minutes

MOTION: On motion by Committee member Pick and second by Committee member Beretti and carried by the following vote, the Administrative Committee moved to approve the January 17, 2018 meeting minutes.

6. January 12, 2018 BOARD MEETING FOLLOW-UP

INFORMATION

FORA staff provided an overview of the Board meeting items and action taken by the Board. The possibility for a Special Board meeting to be scheduled was also discussed. Public comment was received.

7. BUSINESS ITEMS

INFORMATION/ACTION

a. Wage Rate Determination Discussion

Principal Analyst Robert Norris provided a presentation and responded to questions and comments from the Committee and public. Public comment was received. This item was for information only, there was no action taken on the item.

b. Capital Improvement Program – Development Forecast Request

Principal Planner Jonathan Brinkmann advised the Committee that the due date for the development forecast request has passed. Mr. Brinkmann reminded all the jurisdictions of the importance of submitting the paperwork in a timely manner. Public comment was received. This item was for information only, there was no action taken on the item.

8. ITEMS FROM MEMBERS

Mr. Houlemard advised the committee of Senate Bill No. 50 that became effective on January 1, 2018. The Committee was encouraged to read more about the bill as it in regards to the conveyances of federal public lands in California. SB 50 can be read in full here:

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB50

9. ADJOURNMENT at 9:49 a.m.

Minutes Prepared By:
Dominique Jones
Deputy Clerk

Approved by: _____

Michael A. Houlemard, Jr.
Executive Officer

- START -

**DRAFT
BOARD PACKET**



FORT ORD REUSE AUTHORITY

REGULAR MEETING

FORT ORD REUSE AUTHORITY (FORA) BOARD OF DIRECTORS

Friday, February 9, 2018 at 2:00 p.m. | 910 2nd Avenue, Marina, CA 93933 (Carpenters Union Hall)

AGENDA

ALL ARE ENCOURAGED TO SUBMIT QUESTIONS/CONCERNS BY NOON FEBRUARY 8, 2018.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE *(If able, please stand)*

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

4. CLOSED SESSION

- a. Conference with Legal Counsel – Gov. Code 54956.9(d)(2) one matter of significant exposure to litigation. Claimant: Marina Community Partners
- b. Conference with Legal Counsel – Gov. Code 54956.9(a): Keep Fort Ord Wild v. Fort Ord Reuse Authority, Monterey County Superior Court, Case No.:17CV004540

5. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

6. ROLL CALL

FORA is governed by 13 voting members: (a) 1 member appointed by the City of Carmel; (b) 1 member appointed by the City of Del Rey Oaks; (c) 2 members appointed by the City of Marina; (d) 1 member appointed by Sand City; (e) 1 member appointed by the City of Monterey; (f) 1 member appointed by the City of Pacific Grove; (g) 1 member appointed by the City of Salinas; (h) 2 members appointed by the City of Seaside; and (i) 3 members appointed by Monterey County. The Board also includes 12 ex-officio non-voting members.

7. CONSENT AGENDA

INFORMATION/ACTION

CONSENT AGENDA consists of routine information or action items accompanied by staff recommendation. Information has been provided to the FORA Board on all Consent Agenda matters. The Consent Agenda items are normally approved by one motion unless a Board member or the public request discussion or a separate vote. Prior to a motion, any member of the public or the Board may ask a question or make comment about an agenda item and staff will provide a response. If discussion is requested, that item will be removed from the Consent Agenda and be considered separately at the end of the Consent Agenda.

- a. Approve January 12, 2018 Meeting Minutes
Recommendation: Approve January 12, 2018 meeting minutes.
- b. Administrative Committee
Recommendation: Receive a report from the Administrative Committee.
- c. Veterans Issues Advisory
Recommendation: Receive an update from the Veterans Issues Advisory Committee.
- d. Water/Wastewater Oversight Committee Update
Recommendation: Receive an update from the Water/Wastewater Oversight Committee.
- e. Adopt Workers' Compensation Resolution for Governing Body Member and/ or Volunteer Workers Compensation Coverage
Recommendation: Adopt Resolution No. 18-XX titled "Resolution of the Governing Body of the Fort Ord Reuse Authority, declaring that governing body members and volunteers shall be deemed to be employees of the district for the purpose of providing workers' compensation coverage for said certain individuals while providing their services" updating Fort Ord Reuse Authority's (FORA) Special District Risk Management Authority Workers' Compensation Policy.
- f. Public Correspondence to the Board

8. BUSINESS ITEMS

INFORMATION/ACTION

*BUSINESS ITEMS are for Board discussion, debate, direction to staff, and/or action. Comments from the public are **not to exceed 3 minutes** or as otherwise determined by the Chair.*

- a. 2018 Election of Board Officers (Continued from January 12, 2018 Board meeting)

Recommendation:

1. Receive report from the 2018 Nominating Committee.
2. Approve Nominating Committee's proposed slate or alternatively seek Board/public nominations, and the Executive Officer will conduct an election.
3. Provide direction as to possible adjustments to the selection process.

- b. Transition Planning Update

Recommendation:

- i. Receive Update on January transition planning issues
- ii. Receive Transition Plan Summary Charts for Administration and Environmental Services Cooperative Agreement

- c. Eastside Parkway Goal and Objectives

Recommendation:

- i. Receive an Eastside Parkway Goals and Objectives Update

- d. Fiscal Year 2016-2017 Mid-Year Budget/Section 115 Trust

Recommendation:

Authorize participation in the Public Agencies Post – Employment Benefits Section 115 Trust Program (Section 115 Trust) administered by Public Agency Retirement Services (“PARS”) to pre-fund Pension and Other Post-Employment Benefits (OPEB) and authorize the Executive Officer to execute associated contract documents.

9. PUBLIC COMMENT PERIOD

INFORMATION

*Members of the public wishing to address the Board on matters within its jurisdiction, but **not on this agenda**, may do so for up to 3 minutes or as otherwise determined by the Chair and will not receive Board action. Whenever possible, written correspondence should be submitted to the Board in advance of the meeting, to provide adequate time for its consideration.*

10. ITEMS FROM MEMBERS

INFORMATION

Receive communication from Board members as it pertains to future agenda items.

11. ADJOURNMENT

NEXT REGULAR MEETING: March 9, 2018 AT 2:00 P.M.

Placeholder for Item 7a

Approve January 12, 2018 Meeting Minutes

This attachment will be included in the final Board packet.

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject:	Administrative Committee	
Meeting Date:	February 9, 2018	INFORMATION/ACTION
Agenda Number:	7b	

RECOMMENDATION:

Receive a report from the Administrative Committee.

BACKGROUND/DISCUSSION:

The Administrative Committee met on December 13, 2017, January 3 and January 17, 2018. The approved minutes for these meetings are attached (**Attachment A, Attachment B & Attachment C**).

FISCAL IMPACT:

Reviewed by the FORA Controller_____

Staff time for the Administrative Committee is included in the approved annual budget.

COORDINATION:

Administrative Committee

Prepared by _____ Approved by _____
Dominique L. Jones Michael A. Houlemard, Jr.

Placeholder for Item 7b Attachment A

**December 13, 2017 Administrative Committee
Regular Meeting Minutes**

This attachment will be included in the final Board packet.

Placeholder for Item 7b Attachment B

**January 3, 2018 Administrative Committee
Regular Meeting Minutes**

This attachment will be included in the final Board packet.

Placeholder for Item 7b Attachment C

**January 17, 2018 Administrative Committee
Regular Meeting Minutes**

This attachment will be included in the final Board packet.

FORT ORD REUSE AUTHORITY BOARD REPORT	
CONSENT AGENDA	
Subject:	Veterans Issues Advisory Committee
Meeting Date:	February 9, 2018
Agenda Number:	7c
	INFORMATION/ACTION

RECOMMENDATION:

Receive an update from the Veterans Issues Advisory Committee (VIAC).

BACKGROUND/DISCUSSION:

The Veterans Issues Advisory Committee met on January 25, 2018.

At this meeting, the VIAC received a status report of the California Central Coast Veterans Cemetery indicating more than 2,270 veteran applications and 1,693 dependent applications were received last year and more that 710 inurnment services were held. CCVC fundraising efforts reflected the most successful effort todate, and reports on the status of the Veterans Transition Center Housing construction and veteran employment eprograms, VA-DOD clinic and the Historical Preservation Projects. The next VIAC meeting is scheduled to be held on February 22, 2018.

FISCAL IMPACT:

Reviewed by FORA Controller _____

Staff time for this item is included in the approved annual budget.

COORDINATION:

VIAC

Prepared by _____
 Dominique L. Jones

Approved by _____
 Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject: Water/Wastewater Oversight Committee

Meeting Date: February 9, 2018

Agenda Number: 7d

INFORMATION/ACTION

RECOMMENDATION:

Receive an update from the Water/Wastewater Oversight Committee (WWOC).

BACKGROUND/DISCUSSION:

The WWOC met on January 17, 2018. The minutes approved at this meeting are provided as (**Attachment A**). The WWOC received an update of the FORA Board response to Marina Coast Water District's (MCWD's) Initial Study, Negative Declaration for the Ord Community Sphere of Influence Amendment and Annexation.

The status of MCWD and California State University Monterey Bay (CSUMB) Regional Urban Water Augmentation Project (RUWAP) easement was discussed, with MCWD General Manager Keith Van Der Matten and CSUMB Director of Energy and Utilities Mike Lerch providing rationale for the current impasse. Executive Officer Michael Houlemard and Assistant Executive Officer Steve Endsley offered to assist the parties to reach agreement.

Lastly, MCWD provided an update on the progress of MCWD's 2018 Future Rate Study. The study informs the 218 rate-setting process. A question of legality was addressed by Mr. Van Der Matten explaining the reasons for considering a two-tier system instead of a three-tier system, emphasizing the grouping method (tiered system or customer classification) must be supported by the real cost of service. MCWD cannot arbitrarily move costs around in the tiers by creating customer classifications. The tiering system contemplated by MCWD is consistent with that used around the state and does not give arbitrary advantage to Business or other classes of user.

FISCAL IMPACT:

Reviewed by FORA Controller _____

Staff time for this item is included in the approved FORA budget.

COORDINATION:

WWOC, Marina Coast Water District

Prepared by _____
Peter Said

Reviewed by _____
Steve Endsley

Approved by _____
Michael A. Houlemard, Jr.



**FORT ORD REUSE AUTHORITY
WATER/WASTEWATER OVERSIGHT COMMITTEE
MEETING MINUTES**

920 2nd Avenue, Suite A, Marina CA 93933 | FORA CIC
9:30 a.m., Wednesday, January 3, 2018

1. CALL TO ORDER

Peter Said called the meeting to order at 9:33 a.m.

The following were present:

AR = After Roll Call

Committee Members:

Rick Riedl, City of Seaside (AR)
Brian McMinn, City of Marina
Dino Pick, City of Del Rey Oaks
Melanie Beretti, County of Monterey
Mike Lerch, CSUMB
Steve Matarazzo, UCSC

Other Attendees:

Mike Wegley, MCWD
Kelly Cadiente, MCWD
Sean Kranyak, MPP
Pierce Rossum, Carollo Engineers

FORA Staff:

Steve Endsley
Peter Said
Ikuyo Yoneda-Lopez

2. PLEDGE OF ALLEGIANCE led by Melanie Beretti

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

Peter Said announced the deadline of January 19, 2018 for comments on MCWD's Draft Initial Study/Negative Declaration (IS/ND) for the Ord Community Sphere of Influence Amendment and Annexation. Handout regarding announcement provided at meeting.

4. PUBLIC COMMENT PERIOD

5. APPROVAL OF MEETING MINUTES

a. **MOTION:** Dino Pick moved to approve the December 13, 2017 Water/Wastewater Oversight Committee (WWOC) minutes. Seconded by Brian McMinn.

MOTION PASSED: UNANIMOUSLY

6. BUSINESS ITEMS

a. Set 2018 WWOC Calendar

ACTION

Mr. Peter Said provided the proposed calendar and highlighted additional meetings added in February, April, and May to facilitate rate setting, the master plan, and the approval of the budget.

MOTION: Brian McMinn moved to approve the 2018 WWOC meeting calendar with addition of MCWD service area annexation initial study and negative declaration on agenda for January 17th meeting. Seconded by Dino Pick.

MOTION PASSED: UNANIMOUSLY

b. MCWD CIP

INFORMATION/ACTION

i. Recommendation: Consider recommending the adjusted 5-year CIP to MCWD for use in the 2018 rate study.

Mike Wegley, MCWD District Engineer, presented adjusted future use assumptions, map, and calendar for Master Plan review by the WWOC. Also included was the cost breakdown for each CIP project, the percentage covered by rates and percentage covered by capacity. Mr. Wegley responded to comments and questions from the Committee.

MOTION: Brian McMinn moved to recommend the adjusted 5-year CIP to MCWD for use in the 2018 Rate Study, with the adjustment to CIP project numbers OW-0201 and OW-0230. Seconded by Melanie Beretti.

MOTION PASSED: UNANIMOUSLY

c. MCWD Rate Study Workshop with WWOC

INFORMATION/ACTION

i. Recommendation: Consider recommending balanced rate approach to MCWD Board.

ii. Recommendation: Consider recommending to MCWD a 2-tier structure for future rates.

The WWOC received a report on the Rate Study from Pearce Rossum of Carollo Engineers. Topics discussed were: 1) a potential move to a two-tier water system, 2) the challenges of instituting customer classes, 3) questions of equity between residential, commercial, and institutional classes, 4) uniform rates, and 5) various data interpretation methods. Generally, the Committee was satisfied with the rigor and approach, but was not ready to make a recommendation to support any particular direction.

7. ITEMS FROM MCWD

None.

8. ITEMS FROM MEMBERS

a. Due to length of meeting, Chair Riedl suggested that Business Items 6d and 6e be carried over to the January 17, 2018 meeting.

MOTION: Steve Matarazzo moved to carry over Business Items 6d and 6e to January 17, 2018 meeting. Seconded by Brian McMinn.

MOTION PASSED: UNANIMOUSLY

9. ADJOURNMENT

Chair Riedl adjourned the meeting at 12:00 P.M.

NEXT MEETING: January 17, 2018

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject:	Adopt Workers' Compensation Resolution for Governing Body Member and/ or Volunteer Workers Compensation Coverage	
Meeting Date:	February 9, 2018	ACTION
Agenda Number:	7e	

RECOMMENDATION:

Adopt Resolution No. 18-XX titled "Resolution of the Governing Body of the Fort Ord Reuse Authority, declaring that governing body members and volunteers shall be deemed to be employees of the district for the purpose of providing workers' compensation coverage for said certain individuals while providing their services" (**Attachment A**) updating Fort Ord Reuse Authority's (FORA) Special District Risk Management Authority Workers' Compensation Policy.

BACKGROUND/DISCUSSION:

The Special District Risk Management Authority (SDRMA) notified its members that they needed to pass a governing body resolution to start or continue to cover their Governing Body members and/or volunteers. Section 3363.5 of the California Labor Code provides that a person who performs voluntary work for a public agency as designated and authorized by the Governing Body of the agency or its' designee, shall upon adoption of a Resolution by the Governing Body so declaring, be deemed to be an employee for workers' compensation purposes.

Thus, if such a resolution is adopted, and the Governing Body/volunteer is injured while performing duties for the agency, the Governing Body member/volunteer is entitled receive workers' compensation benefits and their exclusive remedy for recovery against the agency is through the Workers' Compensation system. Such Governing Body members and/or volunteers may be covered for workers' compensation benefits only if a Resolution to that effect is adopted by the Governing Body pursuant to Labor Code 3363.5 and filed with SDRMA.

FISCAL IMPACT:

The cost of this adjustment is \$21.19 /per member/year based. The FY 18-19 cost is \$xxxx.

COORDINATION:

Executive Committee

Prepared by _____ Approved by _____
Robert Norris Michael A. Houlemard, Jr.

**FORT ORD REUSE AUTHORITY
RESOLUTION 18-XX**

A RESOLUTION OF THE GOVERNING BODY OF THE FORT ORD REUSE AUTHORITY

Declaring that governing body members and volunteers shall be deemed to be employees of the district for the purpose of providing workers' compensation coverage for said certain individuals while providing their services

WHEREAS, the Fort Ord Reuse Authority utilizes the services of Governing Body Members and Volunteers; and

WHEREAS, Section 3363.5 of the California Labor Code provides that a person who performs voluntary service for a public agency as designated and authorized by the Governing Body of the agency or its designee, shall, upon adoption of a resolution by the Governing Body of the agency so declaring, be deemed to be an employee of the agency for the purpose of Division 4 of said Labor Code while performing such services; and

WHEREAS, the Governing Body wishes to extend Workers' Compensation coverage as provided by State law to the following designated categories of persons as indicated by a checkmark in the box to the left of the descriptions:

- X All Members of the Governing Body of the Fort Ord Reuse Authority as presently or hereafter constituted and/or
- X All persons performing voluntary services without pay other than meals, transportation, lodging or reimbursement for incidental expenses
- Individuals on Work-study programs
- Interns
- Other Volunteers
- _____
[Designate]

NOW, THEREFORE, BE IT RESOLVED that such persons coming within the categories specified above including the duly elected or appointed replacements of any Governing Body Member and other designated individuals be deemed to be employees of the Fort Ord Reuse Authority for the purpose of Workers' Compensation coverage as provided in Division 4 of the Labor Code while performing such service. However, said Governing Body Members and other designated individuals will not be considered an employee of the Fort Ord Reuse Authority for any purpose other than for such Workers' Compensation coverage, nor grant nor enlarge upon any other right, duty, or responsibility of such Governing Body Members or other designated individuals, nor allow such persons to claim any other benefits or rights given to paid employees of the Fort Ord Reuse Authority.

PASSED, APPROVED AND ADOPTED this February 9, 2018 by the following vote:

AYES:
NOES:
ABSENT:

Ralph Rubio, Chair
Fort Ord Reuse Authority

APPROVED AS TO FORM:

FORT ORD REUSE AUTHORITY BOARD REPORT	
CONSENT AGENDA	
Subject:	Public Correspondence to the Board
Meeting Date:	February 9, 2018
Agenda Number:	7f
	INFORMATION/ACTION

Public correspondence submitted to the Board is posted to FORA's website on a monthly basis and is available to view at <http://www.fora.org/board.html>

Correspondence may be submitted to the Board via email to board@fora.org or mailed to the address below:

FORA Board of Directors
 920 2nd Avenue, Suite A
 Marina, CA 93933

DRAFT

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject:	2018 Election of Board Officers (Continued from January 12, 2018 Board meeting)	
Meeting Date:	February 9, 2018	INFORMATION/ACTION
Agenda Number:	8a	

This item was continued from the January 12, 2018 Board meeting. The January 12, 2018 Board report is attached.

DRAFT

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject: 2018 Elect Board Officers

Meeting Date: January 12, 2018

Agenda Number: 8f

ACTION

RECOMMENDATION:

1. Receive a report from the 2018 Nominating Committee.
2. Approve Nominating Committee's proposed slate or alternatively seek Board/Public nominations, and the Executive Officer will conduct an election.
3. Provide Direction as to possible adjustments to the selection process.

BACKGROUND/DISCUSSION:

The FORA Master Resolution states that the Board Chair and Vice-Chair shall be elected annually at the end of the first regular Board meeting in January. The Board officers serve for a term of one year and may be reelected for no more than one consecutive, additional term in the same office. Under that policy, the current Board officers are eligible for re-election to their current positions. The Master Resolution also establishes a Board policy of succession from 1st Vice Chair to Chair. The Board may appoint other officers as deemed necessary. The Nominating Committee met on January 3, 2018 and provides the attached Nominating Committee report. (Attachment A)

It is expected that the election will address the following either by slate or subsequent nomination/vote as follows:

- i. Two voting Fort Ord Reuse Authority (FORA) Board members to serve as Board Chair and Vice-Chair and FORA Executive Committee members for a one year term.
- ii. Two voting FORA Board members to serve as members-at-large on the FORA Executive Committee for a one year term.
- iii. Elect a past Board Chair to serve on the Executive Committee for a one year term.
- iv. Elect one ex-officio Board member to serve as a non-voting member of the Executive Committee for a one year term.

VOTING PROCEDURE: A summary nomination covering all offices is offered by the Nominating Committee Chair or any Board member before voting for the individual offices commences. In the absence of a summary nomination, or in the event of additional nominations from the Board/Public, the Chair will accept nominations for each office, starting with the Chair, and conduct an election as noted in **Attachment B**. A majority of votes cast confirms election.

POTENTIAL FUTURE ACTION: Last year some of the FORA Board members inquired if the Officer and Executive Committee selection process could be revised to consider rotation or other methods of selection. The Executive Committee requested that this issue be included for discussion on this Board report.

FISCAL IMPACT:

Reviewed by FORA Controller 

Staff time for this item is included in the approved FORA budget.

COORDINATION

Nominating Committee and Executive Committee

Prepared by  Approved by 

Dominique L. Jones

Michael A. Houlemard, Jr.



FORT ORD REUSE AUTHORITY

920 2nd Avenue, Suite A, Marina, CA 93933

Phone: (831) 883-3672 | Fax: (831) 883-3675 | www.fora.org

MEMORANDUM

Attachment A to Item 8f
FORA Board Meeting 1/2/18

TO: FORA Board of Directors
FROM: Ralph Rubio, Chair and Dominique L. Jones, Deputy Clerk
RE: 2018 Nominating Committee Report
DATE: January 12, 2018

The 2018 FORA Nominating Committee met on January 3, 2018.

On January 12, 2018, the Board will consider Item 8f, 2018 Board Officers Election, for Board Chair and Vice Chair positions, including the four additional members of the Executive Committee (EC), which include Past Chair, two Members-at-large, and an Ex-Officio/Non-Voting member.

The Nominating Committee unanimously recommended the following EC slate for Board consideration:

Chair:	Seaside Mayor Ralph Rubio
Vice Chair:	Monterey County Supervisor Jane Parker
Past Chair:	Marina Mayor Pro-Tem Frank O'Connell
Member-at-Large:	Del Rey Oaks Mayor Jerry Edelen
Member-at-Large:	Salinas Mayor Joe Gunter
Ex-Officio (Non-Voting) Member:	CSUMB President Eduardo Ochoa

FORA VOTING PROCEDURES

Election of Officers and Executive Committee

1. The Executive Officer opens the election by confirming that the Nominating Committee slate and nominations are received.
2. The Board may elect the Chair, Vice-Chair, Past Chair, two “at-large” Executive Committee Members and an Ex Officio Member by a summary nomination, wherein a motion to fill all six positions is made (typically by the Nominating Committee Chair) and seconded, and carries with majority support. The summary nomination may be moved in whole or part by appropriate motion and second.
3. If there is no summary nomination or if the summary nomination fails to receive majority approval, the Executive Officer will request nominations from the other Board members. The order of any outstanding positions not filled by summary nomination and election shall be the Chair, Vice-Chair, Past Chair, at-large positions and finally the Ex Officio Member.
4. The Chair will receive all nominations for a given position and allow nominees to make a short statement before ordering a roll-call vote¹. Each nomination must pass with majority Board approval before the next position is considered. Voting results are announced by the Deputy Clerk. The Executive Officer, as designated FORA Elections Official, will verify and confirm the election.

¹ The Chair may allow public comment on each nomination prior to vote or alternatively, may require all public comments prior to the Board’s consideration of slate nominations for officers and Executive Committee members.

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject:	Transition Planning Update	
Meeting Date:	February 9, 2018	INFORMATION/ACTION
Agenda Number:	8b	

RECOMMENDATION

- i. Receive Update on January transition planning issues
- ii. Receive Transition Plan Summary Charts for Administration and Environmental Services Cooperative Agreement;

BACKGROUND/DISCUSSION

At the January 12, 2018, staff presented the Transition Plan workplan. The first two summary charts of the plan were presented at that time. The workplan requires a strict schedule of summary charts in order to meet the plan submission date prior to December 30, 2018. Accordingly, we are including the draft Transition Plan summary charts for known administrative and Environmental Services Cooperative Agreement (“ESCA”) components. The charts will be modified based upon the new side by side comparison approach requested by Senator Monning and approved by the Board at the January meeting. We expect further discussion and refinements during the Transition Ad Hoc Committee discussions. At the January Board meeting, direction was given to secure consultant services and to work with a new transition ad hoc committee on the side by side comparison of Fort Ord Reuse Authority (“FORA”) extension as contrasted with allocation/assignment to multiple entities. The FORA Board chair has convened a Transition Ad Hoc Committee (“TAC”). The new charge and the TAC appointees are attached as Exhibit A. Staff is looking to convene the first TAC in mid-February.

Local Agency Formation Commission (“LAFCO”) staff submitted a report to its Board on expectations for the FORA Transition Plan. A copy of the LAFCO staff report can be found at (<http://www.monterey.lafco.ca.gov/meetings/current/1-22-18%20Commission%20Meeting/1-22-18%20PDF%20FullMtgPkt-Searchable%20Agn.pdf>, at Agenda Item 15). Of significant note, LAFCO is requesting an application processing fee and an executed Indemnification Agreement upon submission of the Transition Plan. The processing fee is estimated by LAFCO staff to be an amount of between \$10,000-\$20,000. FORA Board Vice Chair Supervisor Parker, in her capacity as LAFCO commissioner, inquired of LAFCO staff as to the value of an Indemnification Agreement executed by FORA if the obligation extends beyond FORA’s sunset date. She was advised that this would most likely be handled in the transition plan as a liability for successor entities. We have noted this Indemnification Agreement with a place holder in the Transition Plan which contract will be inserted once it becomes available. Additionally and significantly, LAFCO is requiring an environmental document related to the Transition Plan, the nature and extent of which has not yet been determined by either LAFCO or FORA (as the lead agency). The Board can expect significant budget revisions in the next fiscal year as the Transition Plan ramps up to address indemnification, processing and additional consultant costs. Currently, the Board has approved \$50,000 in consultant fees related to Transition planning. Accordingly, staff has retained an on-call financial consultant to assist with some discrete financial calculations and expects to retain the services of an environmental consultant as well in order to meet the timelines set forth for the Transition Plan.

The first of your summary charts is titled Administrative Contracts, the contract of most interest and most potential liability is the CalPERS contract. As we have previously outlined the current range of terminated agency liability is between \$6.3M and \$8.8M. The second set of summary charts is the ESCA contracts and related regulatory documents. Of particular import related to those documents, is a new state legislation SB50 which prohibits property transfers from the Federal government from being recorded without giving State Lands Commission first right to secure surplus Federal property. This may significantly affect, and/or delay property transfers from the Department of Defense to FORA and/or the ultimate jurisdictions. Special counsel is working with the Executive Officer on options and interpretations of the new legislation, including some exemptions from the State Lands Commission process.

FISCAL IMPACT

Reviewed by FORA Controller _____

Staff time/legal are generally within the approved annual budget, and have been added to current staff workload. Staff anticipates presenting future transition plan budget items for Board consideration.

COORDINATION

Prepared by _____
Sheri L. Damon

Reviewed by _____
Steve Endsley

Approved by _____
Michael A. Houlemard, Jr.

- ATTACHMENTS:
Attachment A: TAC Charge and appointees
Attachment B: Summary Chart: Administrative Contracts
Attachment C Summary Chart: ESCA

Transition Ad-Hoc Committee (“TAC”)

2018 Charge

The Fort Ord Reuse Authority’s (FORA’s) legislative/State Law terminus is June 30, 2020. The TAC is a limited term *ad hoc committee*, formed to review a staff-generated comparative analysis for future FORA Board review. The analysis will contrast FORA Act continuation (including potential modifications) with FORA Act sunset and assignment of liabilities/obligations and resources/revenues to multiple successor agencies. The analysis will include:

- 1) Modifications to the existing FORA Act to address:
 - a. Governance/Membership/Voting.
 - b. Extension date.
 - c. Enforcement powers (prevailing wage, Base Reuse Plan, policies, etc.).
 - d. Affordable housing.
- 2) Multiple successor assignments with completion deadlines in a transition plan (by chapter) format for both tangible and intangible obligations.
 - a. Joint and several liability assignment.
 - b. Individualized/jurisdiction assignments and completion date.
 - c. Outstanding obligation and asset prioritization.
 - d. Enforcement of Basewide Costs and Mitigation Measures.

The TAC input is ongoing through June 1, 2018. The Committee Chair shall coordinate with staff on monthly progress reports to the Board.

Appointees:

Andre Lewis, Chair CSU Monterey Bay	Councilmember Alan Haffa City of Monterey
Councilmember Gail Morton City of Marina	Mayor Jerry Edelen City of Del Rey Oaks
Mayor Ralph Rubio City of Seaside	Supervisor Mary Adams County of Monterey
Councilmember Cynthia Garfield City of Pacific Grove	Director Debbie Hale Transportation Agency of Monterey County

**Placeholder for
Item 8b – Attachment B
Summary Chart:
Administrative
Contract**

This attachment will be included in the final Board packet.

Placeholder for Item 8b – Attachment C Summary Chart: ESCA Contract

This attachment will be included in the final Board packet.

Placeholder for Item 8c

Eastside Parkway Goals and Objectives

This report will be included in the final Board packet.

Placeholder for Item 8d

Fiscal Year 2016-2017 Mid-Year Budget/Section 115 Trust

This attachment will be included in the final Board packet.

- END -

**DRAFT
BOARD PACKET**