

**ACTION MINUTES  
OF THE  
FORT ORD REUSE AUTHORITY  
BOARD OF DIRECTORS' MEETING  
Fort Ord Reuse Authority Conference Facility/Bridge Center  
May 9, 2008**

1. CALL TO ORDER AND ROLL CALL OF VOTING MEMBERS

Chair/ Mayor Joe Russell called the meeting to order at 3:38 p.m. and requested a roll call of the voting members:

Chair/Mayor Russell (City of Del Rey Oaks)	1 <sup>st</sup> Vice Chair/Mayor Rubio (City of Seaside)
Mayor Wilmot (City of Marina)	Supervisor Mettee-McCutchon (County of Monterey)
Councilmember Mancini (City of Seaside)	Supervisor Calcagno (County of Monterey)
Vice Mayor Downey (City of Monterey)	Councilmember Davis (City of Pacific Grove)
Mayor Pendergrass (City of Sand City)	Mayor McCloud (City of Carmel-by-the-Sea)
Council Member Barnes (City of Salinas)	

Arriving after the roll call was Council Member McCall (City of Marina). The third representative from the County of Monterey was absent.

Mayor Russell immediately adjourned the meeting to Closed Session.

2. There were three items in the Closed Session: Item 2a – Conference with Legal Counsel – existing litigation [§54956.9(a)], Name of Case: City of Marina, FORA v. Trustees of CSU; Item 2b – Conference with legal counsel – pending litigation [54956.9(b)], Number of cases: 1; and Item 2c – Public Employee Performance Evaluation, Position: Executive Officer.

3. CALL TO ORDER FOR ALL MEMBERS

All voting members present during the closed session were still present, with the addition of Jim Cook (County of Monterey) at this time.

Ex-Officio members present:

Hunter Harvath (Monterey-Salinas Transit)	Vicki Nakamura (Monterey Peninsula College)
COL Pamela Martis (U.S. Army)	Graham Bice (UC MBEST)
Gail Youngblood (BRAC)	Kenneth K. Nishi (Marina Coast Water District)
Debbie Hale (TAMC)	Alec Arago (17 <sup>th</sup> Congressional District)
Brandon Gesicki (15 <sup>th</sup> State Senate District)	Tony Boles (CSUMB)

Absent were representatives from the 27<sup>th</sup> State Assembly District and Monterey Peninsula Unified School District.

With a quorum present, Chair Russell opened the meeting.

4. REPORT OUT OF CLOSED SESSION BY AUTHORITY COUNSEL

Authority Counsel Jerry Bowden reported that the Board had heard reports about the two pieces of litigation and given director to counsel. The board had also evaluated the Executive Officer's contract and made a decision regarding it.

5. PLEDGE OF ALLEGIANCE

Council Member Barnes led the Pledge of Allegiance.

6. ACKNOWLEDGEMENTS

Chair Russell acknowledged the presence of, and welcomed, L. Jerry Hansen, Deputy Assistant Secretary of the Army for Strategic Infrastructure, who was one of the speakers at the Army/Seaside Land Swap media event earlier today. Secretary Hansen said it was an honor to be at the FORA Board meeting today and participate in the media celebration event. He added that the Army was enthusiastic about continuing the progress at former Fort Ord and making it a reality.

7. PUBLIC COMMENT PERIOD - none

8. CONSENT AGENDA

There were two items on the Consent Agenda: Item 8a (April 11, 2007 board meeting minutes) and Item 8b (Continuance of current Marina Coast Water District ("MCWD") water and wastewater systems rates, fees and charges). **Motion to approve Items 8a and 8b was made by Mayor Rubio and seconded by Councilmember Wilmot.** Council Member Mancini said any time MCWD sends documents to FORA, he would like to see them, in particular, the water consumption report from last year. **The motion carried.**

9. OLD BUSINESS

Item 9a - Habitat Conservation Plan ("HCP") approval process: Director of Planning and Finance Steve Endsley reported that FORA had received enough information back from U.S. Fish & Wildlife Service to allow the environmental consultant to initiate the Environmental Impact Statement ("EIS") process. As previously agreed, the EIS will be tracked with the California document, the Environmental Impact Report (EIR). He said enough information had been received from the regulators to draft an appropriate project description.

Item 9b – Interim water use policy: Executive Officer Houlemard reported that the Administrative Committee and Water Managers Working Group are still working on the draft policy but it is expected to be ready for board consideration at June meeting. He pointed out the list of questions that have been posed and staff's responses, which are in the board report. Several clarifying questions were asked to which Mr. Houlemard responded. There were no public comments.

10. NEW BUSINESS

Item 10a – CONSISTENCY DETERMINATION: Implementation Plan 2007-2012 for the Seaside – Fort Ord Redevelopment Project Area: Director of Planning and Finance Steve Endsley pointed out several points in the supporting document packet received from Seaside and noted the following: (1) that Seaside had increased the level of affordable housing in its zoning ordinance from the state-mandated 15% to 20%; and (2) why this consistency determination is not subject to a CEQA review [Seaside requested a legislative land use decision review of the Implementation Plan (a plan level document) for their Fort Ord redevelopment project area, which does not require a CEQA review by FORA, because Seaside performed the appropriate level of environmental review when it approved the Plan.]. **A motion to amend the resolution with text recognizing that 20% affordable housing is required in Seaside's zoning ordinance was made by Supervisor Mettee-McCutchon and seconded by Council Member Wilmot. Motion to approve Resolution #08-04, including the amendment, concurring with the City of Seaside's legislative land use consistency determination and making findings that the Implementation Plan, covering areas within FORA's jurisdiction, is consistent with the Fort Ord Base Reuse Plan,**

**was made by Council Member Mancini and seconded by Mayor Wilmot.** There were no further board comments or public comments. **Both motions carried.**

Item 10b – FORA FY 08-09 Preliminary Budget: Executive Officer Houlemard said that the Finance Committee had a very productive session exploring the impact of the national and local economic downturn and will meet again next Monday to make necessary adjustments to this budget. Supervisor Calcagno asked how future projects would be funded, now that revenue-generating projects have stopped. Mr. Houlemard explained that FORA has a pay-as-you-go policy. When a project is stopped, cash flow stops, which results in the Capital Improvement Program projections to be pushed out further. He added that FORA still has financial obligations, e.g., for bonds and Habitat Conservation Plan, both of which are being funded by the Preston Park revenues and tax increment. Funds to move the General Jim Moore Blvd roadway project are being generated by tax increment receipts. He said there is no capital to build other projects at this time. Mayor McCloud, chair of the Finance Committee, announced that positive news regarding next year had been received from FORA's bank. There were no public comments.

Item 10c – FORA 2008 Priority Legislation: Executive Officer Houlemard made comments about several of the proposed bills in the matrix and noted that most were in the Watch category. He said the bills and FORA's positions have been coordinated with the County's and TAMC's legislative priorities. There were no board or public comments. **Motion to approve the matrix and FORA's current positions on each proposed bills was made by Supervisor Mettee-McCutchon, seconded by Vice Mayor Downey, and carried.**

#### 11. EXECUTIVE OFFICER'S REPORT

There were five items in this report: Item 11a (Administrative Committee report), Item 11b (Finance Committee report), Item 11c (Legislative Committee report), Item 11d (Fort Ord Reuse Authority sunset provisions – status report), and Item 11e (Fort Ord Reuse Authority investments – status report). All were informational.

Executive Officer Houlemard reported that the reduction of income in FORA's investments (Item 11e) has been mostly regained and that the Finance Committee recommended a minor adjustment to the policy (more bonds than mutual funds). Commenting on Item 11d, he suggested that the board set-aside time (about three hours) for a board retreat focused on providing a full understanding of the many issues, options and obligations to consider prior to FORA's sunset on June 30, 2014.

#### 12. ANNOUNCEMENTS AND CORRESPONDENCE

Executive Officer Houlemard called attention to the two handouts highlighting Chartwell School's recognition by the U.S. Green Building Council as the first complete educational campus to earn the organization's highest rating for environmental sustainability. Chartwell School, located on the parcel where the former Fort Ord Officer's Club stood, was awarded LEED Platinum certification when it opened in September 2006.

#### 13. ADJOURNMENT

Chair Russell adjourned the meeting at 4:45 p.m.

Minutes prepared by Linda Stiehl, Deputy Clerk.

Approved by \_\_\_\_\_  
Michael A. Houlemard, Jr., Executive Officer/Clerk  
Fort Ord Reuse Authority Board Meeting  
May 9, 2008  
Page 3