

**ACTION MINUTES
OF THE
FORT ORD REUSE AUTHORITY
BOARD OF DIRECTORS' MEETING
Fort Ord Reuse Authority Conference Facility/Bridge Center
October 10, 2008**

1. CALL TO ORDER

Chair Russell called the meeting to order at 3:30 pm and requested a roll call.

2. ROLL CALL

The following board members were present:

Voting members present:

Chair/Mayor Russell (City of Del Rey Oaks)	Council Member Bloomer (City of Seaside)
Mayor McCloud (City of Carmel)	Mayor Wilmot (City of Marina)
Council Member Barnes (City of Salinas)	Mayor Della Sala (City of Monterey)
Council Member Mancini (City of Seaside)	Supervisor Potter (County of Monterey)
Council Member Davis (City of Pacific Grove)	Mayor Pendergrass (City of Sand City)
Supervisor Mettee-McCutchon (County of Monterey)	

Arriving after the roll call were Council Member McCall (City of Marina) and Jim Cook, alternate for Supervisor Calcagno (County of Monterey).

Ex-Officio members present:

Graham Bice (UC Santa Cruz)	James Main (CSUMB)
Hunter Harvath (Monterey-Salinas Transit)	Dr. Douglas Garrison (Monterey Peninsula College)
Gail Youngblood (BRAC)	Debbie Hale (TAMC)
Kenneth Nishi (Marina Coast Water District)	

Arriving after the roll call was COL Pamela von Ness (U.S. Army). Absent were representatives from the 17th Congressional District, the 15th State Senate District, the 27th State Assembly District, and Monterey Peninsula Unified School District.

With a quorum present, Chair Russell opened the meeting.

3. PLEDGE OF ALLEGIANCE

Chair Russell asked Mayor Della Sala, who agreed, to lead the Pledge of Allegiance.

4. ACKNOWLEDGEMENTS

Chair Russell acknowledged the presence of Council Member Steve Bloomer, the Seaside alternate who was standing in for Mayor Rubio. Mayor McCloud introduced Jake Odello, a student at Carmel High School who is shadowing her this week because he is interested in a career in politics.

5. PUBLIC COMMENT PERIOD

Margaret Davis expressed concerns about the possible change in usage of the Marina Equestrian Center from a public recreational center to private business use and asked that the item be placed on the November FORA board agenda. Gail Morton, an attorney representing the equestrian center, called attention to the information packets related to the usage change, which were presented to the voting board members, and also requested that the issues be reviewed by the FORA Board.

6. CONSENT AGENDA

There were two items on the Consent Agenda: Item 6a (September 12, 2008 board meeting minutes) and Item 6b [General Jim Moore Boulevard (Phase IV) and Eucalyptus Road (Phase I) Improvement Project – authorization to award construction contract]. There were no board or public comments. **Motion to approve Items 6a and 6b on the Consent Agenda was made by Council Member Mancini, seconded by Mayor McCloud, and carried.**

7. OLD BUSINESS

Item 7a – Habitat Conservation Plan (“HCP”) approval process: Director of Planning and Finance Steve Endsley provided a brief summary of the recent developments as described in the board report. He said that some unexpected delays in the reviews by the CA Department of Fish and Game and the U.S. Fish and Wildlife Service will push completion of the document and environmental impact report into January, but the process is still pretty much on track. He said he would be monitoring the process closely, particularly if it requires additional work resulting in additional costs by the consultants. There were no board or public comments.

Item 7b - Environmental Services Cooperative Agreement (“ESCA”) - update: Executive Officer Houlemard said that this report is a “good news presentation,” noting particularly the excellent cooperation among the regulators, U.S. Army, FORA and LFR, Inc., which had been confirmed in a recent letter from the regulators. He said the public safety officers have been very active in handling safety matters and noted FORA’s support of obtaining funding for their facility in Parker Flats. ESCA Program Manager Stan Cook presented a brief PowerPoint that summarized the following: the final cleanup actions in the Seaside parcels; community engagement events; and notice of the initial workshop, surveys and brush cutting operations connected with the Parker Flats parcels, which are scheduled for cleanup to start soon. Mr. Houlemard noted that Kristie Reimer, the LFR program manager, was present to answer any questions. Board members followed with questions regarding how successful FORA’s ESCA hotline had been and the number of e-mails received. Mr. Houlemard spoke to the concerns regarding FORA’s environmental insurance policy with AIG, stating that the AIG insurance subsidiary is separate from the parent company, where the current financial problems exist. He suggested that board members read the reports from the five state insurance auditors, which FORA staff can provide. There were no further board comments and no comments from the public.

Item 7c – Marina Coast Water District (“MCWD”) capacity charges: Director of Planning and Finance Steve Endsley reported on the number of meetings that have occurred and said progress in resolving some of the facts and figures had been made. He said staff is recommending that the item be deferred to the November or December FORA board meeting. Mayor McCloud requested a clarification concerning the October 15th joint meeting. There were no public comments. **Motion to defer board action on MCWD’s proposed capacity charges until the November/December board meeting was made by Council Member Mancini and seconded by Supervisor Mettee-McCutchon.** Supervisor Mettee-McCutchon asked if there were any legal implications for FORA regarding the need to respond within the 90 days, as noted in the staff report, and Authority Counsel Bowden replied that the Board had responded that it needed more information and this action served to comply. Mayor Wilmot remarked that the response was a request for time to further analyze the charges, which MCWD had accepted. Executive Officer Houlemard indicated that respective counsel

might debate the question but confirmed that FORA had been working closely with MCWD and others impacted by the charges, and this issued was not a concern today. **The motion carried.**

8. NEW BUSINESS - none

9. EXECUTIVE OFFICER'S REPORT

There were two items in this report: Item 9a (Administrative Committee Report) and Item 9b (Legislative Committee report – draft September 29, 2008 meeting minutes and the draft 2009 FORA Legislative Agenda): Executive Officer Houlemard summarized the process by which the 2009 Legislative Agenda would reach final approval and said he welcomed any further changes, preferably before the November board meeting.

10. ANNOUNCEMENTS AND CORRESPONDENCE

Item 10a [Decision on Save our Peninsula v. FORA litigation (oral report)]: Executive Officer Houlemard reported the court had issued an “intended decision” in the case. He offered to forward a copy to anyone requesting the document.

Mr. Houlemard also commented on the October 9th groundbreaking of Monterey Peninsula College's public safety officer program classrooms on Col. Durham Road and added that the project is moving along very well. Dr. Garrison remarked that between 75 and 80 people attended the event, including representatives from virtually all the public safety agencies in the area.

Mr. Houlemard called attention to the letter, date-stamped 10/8/08, from Pinnacle Bank, which summarized the bank's review of financing the AMBAG office building at 2nd Avenue and Imjin Parkway and a recommendation to consider partnering with FORA in the construction of a jointly utilized building on the property, rather than two separate buildings. AMBAG Executive Director Nick Papadakis's response to the AMBAG Board of Directors, dated 10/8/08, recommended that discussions continue, development of the AMBAG pad be completed, and bridge financing be secured.

Debbie Hale, TAMC executive director, thanked FORA for collaborating with TAMC, Monterey-Salinas Transit, and County representatives, along with others, in an effort to bring their legislative agendas in concert. She said this was the second year of their efforts to coordinate the agendas, which will provide greater political clout.

Supervisor Mettee-McCutchon provided a brief update on the Central Coast Veterans Cemetery, including mention of the Board of Supervisor's consideration of approval of the Master Plan at their October 21st meeting. She said groundbreaking might be as early as 2011.

11. ADJOURNMENT

There being no further business, Chair Russell adjourned the meeting at 4:05 p.m.

Minutes prepared by Linda Stiehl, Deputy Clerk.

Approved by _____
Michael A. Houlemard, Jr., Executive Officer/Clerk