



Fort Ord Reuse Authority

100 12th Street, Building 2880, Marina, CA 93933
Phone: (831) 883-3672 • Fax: (831) 883-3675 • www.fora.org

BOARD OF DIRECTORS MEETING

Friday, July 8, 2011

3:30 p.m. Carpenters Union Hall
910 2nd Ave, Marina (on the former Fort Ord)

MINUTES

1. CALL TO ORDER AND ROLL CALL

1st Vice Chair/Mayor Edelen called the July 8, 2011 Board of Directors meeting to order at **4:07 p.m.**

Voting members present (Quorum present at call to order)

Mayor Pendergrass (City of Sand City)
Mayor ProTem Kampe (City of Pacific Grove)
Councilmember Brown (City of Marina)
Supervisor Parker (County of Monterey)
Mayor McCloud (City of Carmel-by-the-Sea)

Councilmember Selfridge (City of Monterey)
Councilmember Oglesby (City of Seaside)
2nd Vice Chair/Mayor Pro-Tem O'Connell
(City of Marina)

Arriving after the roll call: Jim Cook (County of Monterey)
Absent: Chair/Supervisor Potter (County of Monterey), Mayor Bachofner (City of Seaside),
Councilmember Barrera (City of Salinas).

Ex-Officio members present:

Graham Bice (University of California Santa Cruz ("UCSC")), John Marker (California State University Monterey Bay ("CSUMB")), Vicki Nakamura (Monterey Peninsula College ("MPC")), Bill Collins (Base Realignment and Closure ("BRAC")), Debbie Hale (Transportation Agency for Monterey County ("TAMC")), COL Darcy Brewer (United States Army), Alec Arago (17th Congressional District) and Director Ken Nishi (Marina Coast Water District ("MCWD")), Nicole Charles (27th State Assembly District).

Absent: representation Dan Albert, Jr., (Monterey Peninsula Unified School District), Hunter Harvath (Monterey Salinas Transit), and representation from the 15th State Senate District.

2. **PLEDGE OF ALLEGIANCE** – (The Board recited the pledge at the 3:00 p.m. Joint MCWD meeting)

3. **ACKNOWLEDGEMENTS/ANNOUNCEMENTS/CORRESPONDENCE** – Chair/Mayor Edelen presented COL Darcy Brewer a Resolution on behalf of the FORA Board members commending him for the service he has provided to the military community, members of the public and to the FORA Board. **Mayor McCloud moved for approval of the Resolution, seconded by Supervisor Parker and the motion carried unanimously.** Executive Officer Houlemard noted the demolition of Building #4470 which is located at the Northeast corner at the intersection of Gigling Road and Malmedy Road in the City of Seaside. He said that the building removal should be completed within three (3) months under an agreement with Granite Construction.

4. **PUBLIC COMMENT PERIOD** – LeVonne Stone thanked COL Brewer for his service. She also thanked Stan Cook for his help with the Fort Ord Environmental JTI (Job Training Initiative) program and asked Board members to keep the graduates of in mind when filling jobs. She said that she looks forward to getting students placed and hopes for many more training programs such as these to be provided to the community.

5. CONSENT AGENDA

- a. June 10 Joint FORA/MCWD Board meeting minutes
- b. June 10 FORA Board meeting minutes

Executive Officer Houlemard asked the Board to hold over the joint meeting minutes and accept them after receipt of today's meeting minutes at the next joint MCWD/FORA Board meeting, further noting that some technical corrections needed to be made. **Mayor McCloud made a motion to hold the Joint Board meeting minutes for a period of 60-days and to accept the (regular) Board meeting minutes, Supervisor Parker seconded and the motion carried.**

6. OLD BUSINESS

Approval of the FY 2011/2012 – 2021/2022 Capital Improvement Program ("CIP") – Director of Planning and Finance Steve Endsley gave a brief overview and PowerPoint presentation of the formal approval process and progress to date of the CIP. Mr. Endsley discussed the presentations made to date of the CIP, the Land Use Jurisdiction ("LUC") development forecast, the lowered Community Facilities District ("CFD") fee amount to \$33,700 per new residential dwelling unit and proportionally for all other fee categories would translate into a total fee collection of \$5,054,000, if the development forecasts come to fruition this FY. Mr. Endsley described how the CIP mitigation categories were adjusted due to cost index factors and how the projected fee collections of \$5,054,000 would be expended in the various mitigation categories. He listed changes to the CIP document resulting from the Board's resolution to adjust the CFD fees. Chair Edelen opened public comment. Doug Yount asked for confirmation of the building removal program funds/allocated for the stockade in Marina. Mr. Endsley confirmed that the CIP document shows building removal funds allocated for the stockade in future years. (PowerPoint presentation attached to these minutes.) **Mayor McCloud made a motion to approve FY 2011/2012 – 2021/2022 Capital Improvement Program, seconded by Councilmember Selfridge and the motion carried.**

- a. California Central Coast Veterans Cemetery – Mr. Houlemard reported that Congressman Sam Farr has been advocating for the project for over 17 years. He said that about \$1,074,000 is needed to be placed in the endowment with the State of California in order for the state to proceed with its application for federal construction funding. He said that the funds are needed in the next six weeks. Assemblymember Bill Monning has forwarded AB 629 and which has gone thru the State Assembly, is currently working its way through the State Senate, and will likely be signed into law in September since there has been no opposition. He said this would allow FORA to become the contracting agent for a savings of about ½ million dollars. He said that if the August 15 deadline is not made this year, the funding would have to wait until August 2012.

Supervisor Parker encouraged the City of Seaside not to limit its options on the endowment parcel by committing it to Monterey Downs. This was an information only item and no action was taken.

- b. Preston Park

- i. FY 2011-12 budget
- ii. Management Agreement Amendment No. 4

Mr. Endsley gave a PowerPoint presentation (attached) regarding the Preston Park budget which has historically been reviewed by FORA staff requesting Board action. Mr. Endsley stated that staff was asking the Board for the following:

1. Conduct Public Hearing/Deliberation considering Preston Park rates.
2. Approve Management Agreement Amendment #4 (although Marina and FORA versions slightly differ in interpretation but close enough in agreement for Board approval).
3. Concur in Alliance rent increase recommendation.
4. Consider continuing budget approval deliberations to August allowing resolution of outstanding items.

Mr. Endsley reported that the City of Marina rescinded its previous budget approval in order to reconsider at a future City Council meeting. He said that there are a couple of budget issues and said that staff would recommend continuing the budget approval to the August meeting to allow staff to

work through those issues. Mr. Endsley stated that as part of the agreement with the City, the Preston Park budget has to be disapproved by FORA by a date certain (July 1) otherwise it is considered automatically approved. Mr. Endsley said that by pro-forma FORA sent the City a letter formally disapproving the budget because there were a few line items that needed clarification. He said that specifically, FORA staff requested any major capital improvement expenditures be postponed until the disposition of Preston Park could be determined. Mr. Endsley reported that both parties agreed that any emergency health and safety issues be approved. He said that the recent budget submitted by the City had differed from the initial budget presented to FORA staff on May 11, 2011. Mayor Pro-Tem O'Connell said that the Council (of Marina) will reconsider the June 28 decision by the 19th of July. Mr. O'Connell concurred that the City was in agreement with FORA as to the management agreement. As to Items 3 and 4 (outlined in the presentation) he asked the Board to hold those over to the August FORA Board meeting. Mayor Pro-Tem Kampe asked how the City could take Capital expenditures when as he understands it the property is still owned by FORA. Mr. O'Connell said he understood that while FORA wanted to limit improvements to those affecting health and safety, the City considered improvements to include such items as exterior painting, fence slats, signage problems, landscaping, clubhouse upgrade, and playground refurbishing and removal. He said that he hopes the City and FORA staff can resolve the issues. Councilmember Oglesby commented about the management agreement wording. Mr. Houlemard clarified that the wording was the same on both Amendment agreements. Marina resident Jan Shriner commented that the Preston Park tenants are already suffering financially due to the ongoing rent increases and water rates. She said that some tenants have experienced retaliation and asked for clarification on the \$3.3 million dollars that Alliance has accumulated and why it is not being used on maintenance and/or improvements. She also asked where these funds will go once the disposition of the property is resolved. Mr. Houlemard stated his concern that the agent had not disclosed any problems of retaliation to FORA as the owner of Preston Park. He said these are serious charges and that they should be taken immediately to Marina staff member Jennifer Coile. He said that there is a reserve fund for Preston Park to take care of issues associated with upkeep of the property and urged Ms. Shriner and members of the community to address such concerns immediately to the Marina City Council. Chair Edelen encouraged the public to address their concerns to the FORA staff. **Mayor Pro-Tem O'Connell made a motion for the Board to approve Items #2 and #4, seconded by Supervisor Parker, and carried. Mayor Pro-Tem O'Connell then made a motion that the Board concur regarding the Alliance rent increase (Item #3) recommendation be put over to the August FORA Board meeting, seconded by Councilmember Brown, motioned carried.**

7. **NEW BUSINESS** - none

8. **EXECUTIVE OFFICER'S REPORT** - Executive Officer Houlemard stated that most items were for informational purposes and highlighted the following: Item 8a. Outstanding Receivables – Controller Bednarik, payment from City of Del Rey Oaks continues to pay interest and the City of Marina portions of the tax increment have been resolved. There is additional work that needs to be resolved with the City of Marina. **Supervisor Parker made a motion to accept a 50% payment from the City of Marina for Neeson Road, Mayor Pro-Tem O'Connell seconded and the motion carried. Supervisor Parker made a motion approving the Memorandum of Agreement regarding the tax increment obligation, seconded by Councilmember Oglesby, and the motion carried.** Item 8c. Legislative Committee – Mr. Houlemard highlighted the recent AB 629 regarding the California Central Coast Veterans Cemetery. Item 8d. Habitat Conservation Plan – Mr. Houlemard noted the schedule has been extended and it is of concern since FORA is coming to conclusion. Item 8e. Travel Report – Mr. Houlemard reported that he would be meeting with the Office of Economic Adjustment along with Justin Wellner of CSUMB in Washington and will be attending the ADC conference in Norfolk, Virginia. Mr. Houlemard noted Marina member Doug Yount will also be attending the conference. Item 8f. Fort Ord Reuse Authority FY 2010-11 Annual Report – Mr. Houlemard presented the annual report for the FY 2010-11 which provides a summary of accomplishments over the past year. Mayor McCloud asked if the report will be made available online and Mr. Houlemard confirmed.

9. **ITEMS FROM MEMBERS** - none

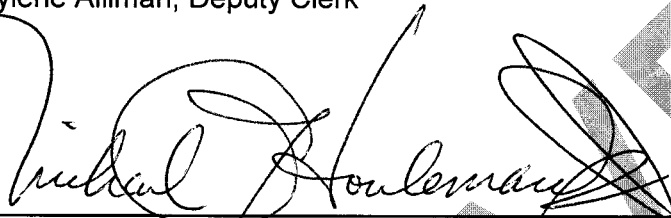
10. **CLOSED SESSION** – Real Property Negotiations: Preston Park sale

11. **REPORT OUT OF CLOSED SESSION** – The Board gave direction to the Executive Officer for action to be taken in mediation. The Board asked the Preston Park sub-committee to: 1) Look at terminating the agreement with the City of Marina as agent, 2) Take action to retain title to Preston Park under the FORA Act, and 3) Demand an accounting for the 2010 Preston Park budget. **Upon a motion made by Mayor Pro-Tem Kampe and seconded by Councilmember Oglesby, the Board agreed to consider spending up to \$38,000 toward the cost of mediation.**

12. **ADJOURNMENT** - Chair Edelen adjourned the meeting at 6:19 p.m.

Minutes prepared by Daylene Alliman, Deputy Clerk

Approved by



Michael A. Houlemard, Jr., Executive Officer/Clerk

APPROVED