



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, August 12, 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

Chair/Supervisor Potter called the August 12, 2011 Board of Directors meeting to order at 3:30 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)
Mayor Donohue (City of Salinas)

Arriving after the roll call: Mayor Bachofner (City of Seaside)

Ex-Officio members present:

Graham Bice (University of California Santa Cruz ("UCSC")), Dr. Garrison (Monterey Peninsula College ("MPC")), Bill Collins (Base Realignment and Closure ("BRAC")), COL Clark (United States Army), Dan Albert, Jr. (Monterey Peninsula Unified School District), Mike Gallant (Monterey Salinas Transit), Ken Nishi (Marina Coast Water District ("MCWD")), and Nicole Charles (27th State Assembly District).

Arriving after the roll call: Alec Arago (17th Congressional District) Absent: Kevin Saunders (California State University Monterey Bay ("CSUMB")), Debbie Hale (Transportation Agency for Monterey County ("TAMC")), and representation from the 15th State Senate District.

2. **PLEDGE OF ALLEGIANCE** – Chair Potter asked FORA Assistant Executive Officer, Jim Feeney, to lead the Pledge of Allegiance.

3. **ACKNOWLEDGEMENTS/ANNOUNCEMENTS/CORRESPONDENCE** – Mr. Houlemard announced the first meeting COL Joel Clark as the Commandant of the Presidio of Monterey. Mr. Houlemard announced the retirement of Assistant Executive Officer Jim Feeney. Chair Potter requested a motion to award Mr. Feeney with a plaque. **A motion was made by Mayor McCall and seconded by Mayor ProTem Kampe, and the motion carried unanimously.** Mr. Houlemard reported that Mr. Feeney recommended Director of Planning & Finance, Steve Endsley to become the Assistant Executive Officer since he did such a fine job as interim during Mr. Feeney's absence. Mr. Houlemard announced that he has asked Steve step into the role and Steve is considering the position. Chair Potter welcomed Mayor Donohue to the Board. Mr. Houlemard reported that there were copies of the correspondence regarding FORA Master Resolution/Whispering Oaks from the City of Marina and the response from FORA.

4. **PUBLIC COMMENT PERIOD** – Director Garrison announced that MPC August 22nd opening of education center at Marina. Holding a grand opening on September 23.

5. CONSENT AGENDA

- a. July 8, 2011 FORA Board meeting minutes
- b. Kutak Rock – Attorney Contract Waiver – Water Service Agreement

Supervisor Parker asked for a correction to the minutes her comments are inaccurate – would like the minutes to read as follows: Item 6b, second paragraph – “Supervisor Parker encouraged the City of Seaside not to limit its options on the endowment parcel by committing it to Monterey Downs.” Mayor Bacofner abstained from the vote on the motion to correct as he was not in attendance at the July meeting. Mayor ProTem O’Connell asked for clarification of the Kutak Rock Waiver, asking if we waiving the potential conflict or the actual conflict? He said “secondly, are we giving FORA Counsel the authority to terminate the attorney/client relationship if the potential conflict does not become “actual”.” Counsel Bowden said the recommendation was to waive potential conflicts and request for authority to terminate if the request becomes necessary. **Upon a motion made by Supervisor Parker to accept the items on the consent agenda with noted corrections and seconded by Mayor ProTem Kampe, the motion passed.**

6. OLD BUSINESS

- a. California Central Coast Veterans Cemetery (CCCVC) – update
 - i. Citizens’ Advisory Committee Report
 - ii. Memorandum of Understanding Approval

Members of the Citizens’ Advisory Committee introduced themselves – Janet Parks – President of the Central Coast State Veterans Cemetery Foundation, Bill Nye – Representative of Veterans of the 5th District Cemetery Advisory Committee, Ralph Larr - Representative of District 1, Leonard Ortiz – Representative of the 3rd District, Tom Mancini representative on behalf of FORA. Edith Johnson introduced herself as the liaison on behalf of the 501c3 to fundraise for the endowment. She announced a community Golf Tournament called “Heroes’ Open” and said there were different events for non-golfers being held on November 12th at the Blackhorse Bayonet to raise funds for the cemetery. Brochures regarding the event were given to each Board member. Executive Officer Houlemard gave a brief presentation and asked the Board to consider the MOU between FORA, California Central Coast Veterans Cemetery Foundation, the County of Monterey, and the City of Seaside. The MOU defines parcels and remediation work of the area of the Veterans Cemetery and will continue post transfer of property, access issues, fundraising, and the cooperation between the parties involved to complete the CCCVC. Mr. Houlemard showed a power point slide map of the location of the cemetery. Mr. Houlemard asked for the Board’s authorization for the Executive Officer to sign the MOU. **A motion was made, for the authorization of the Executive Officer to move ahead with the execution of the MOU, by Supervisor Parker, seconded by Mayor Bachofner.** A comment was made by Supervisor Parker encouraging Seaside to move forward with the new partner and keep their options open.

- b. Preston Park
 - i. Receive a report on the Fiscal Year 11/12 Preston Park Budget
 - ii. Extend FY 10-11 approved budget and continue July 2011 rent schedule for all tenants to January 1, 2012, reiterating that Capital Expenditures and Reserve Account activities must be approved by Fort Ord Reuse Authority (“FORA”) on a case by case basis.
 - iii. Receive a report on the disposition of Preston Park and provide direction to staff

Mr. Endsley gave a brief report on the staff recommendation and requested the Board’s direction regarding budgets and rents for the Preston Park tenants. Staff recommended extension of the fiscal year 10/11 and rescission of the previously proposed 1.7% increase, for all tenants to January 1, 2012, reiterating that Capital Expenditures and Reserve Account activities must be approved by Fort Ord Reuse Authority (“FORA”) on a case by case basis. Previously FORA recommend health and safety capital expenditures only, but willing to work with Marina/Alliance to ensure the property is well maintained. **Mayor ProTem O’Connell made a motion to extend the rent schedule through June 30, 2012 seconded by Councilmember Brown.** Mr. Houlemard clarified no other action with respect to rents would be taken for new “move-ins”. Mayor ProTem O’Connell said that needed to go back to

the City Council for vote and come back to FORA with. Chair/Supervisor Potter opened the floor for public comment. Ms. Pelot commented on the capital expenditures and deferred maintenance and annual rent increases and the property has been allowed to degrade. She said that window and door replacements are needed and the management company has identified and the repairs shouldn't be held up due to negotiations on the property. Denise Charley reported that there are tenants wished for the windows, doors, roofs, paint to preserve the asset and asked that simple things like exterior lighting be provided. Supervisor Potter closed the public comment period and Chair/Supervisor Parker asked how FORA and Marina and the management company are going to identify what are the maintenance projects that go forward and what are the criteria for that? Mr. Endsley said that FORA, the City and Alliance would work together and the City would present a list of capital expenditures and staff would come back with a common recommended approach for the Board. Mr. Houlemard asked for the Board to give the Executive Officer the authority to work with the City of Marina to address these questions. Councilmember Oglesby requested that the Board have an independent look to see what the tenants request need fixing. The residents and the Board should have a say in what need to be fixed. Mayor Bachofner requested a site visit be coordinated and that he would like to see what the conditions are at the facility. **Chair/Supervisor called for a vote which was unanimously approved by the Board.** Chair/Supervisor Potter gave a brief report on the disposition Preston Park mediation stating that the negotiating members met on August 2nd with Judge Silver and significant progress was made. The City of Marina expect a closed session (council meeting) on the 17th and open session on the 23rd. Councilmember Selfridge thanked the City of Marina for their participation.

- c. Creegan + D'Angelo Professional Services – Contract Amendments
 - i. Amendment #22 to Master Agreement 12-02 - Service Work Orders 3, 4 and 9
 - ii. Amendment #1 to Service Agreement 12-09

Mr. Arnold gave a brief update on the construction at General Jim Moore Blvd. and Eastside Parkway and modifications were made due to requests made by land use jurisdictions and the public. **Upon a motion made by Mayor Edelen to approve the two amendments, seconded by Councilmember Oglesby, the motion carried.**

7. NEW BUSINESS

a. Consistency Determination: City of Marina Zoning Ordinance Amendments – Steve Endsley said that the amendment is non-controversial and reviewed by the Administrative Committee and staff and the recommended action is to find for consistency and approve resolution 11-06. Ms. Symanis, Planning Services Manager, City of Marina explained that the package added definition to the zoning ordinance amendment for the Fort Ord Base Reuse plan for supportive, transitional and emergency shelters and allow for them to be built without any use permits. **Motion to approve the Consistency Determination was made by Supervisor Parker, seconded by Mayor ProTem O'Connell, and carried unanimously.**

8. EXECUTIVE OFFICER'S REPORT - Executive Officer Houlemard stated that most items were for informational purposes and highlighted the following: Item 8a. Outstanding Receivables – Mr. Houlemard stated there was almost \$800k in outstanding receivables and FORA is working favorably with the cities. Item 8b. Administrative Committee – report and Item 8c. Habitat Conservation Plan – Mr. Houlemard said there are no significant changes and the working drafts of the document can be reviewed at the US Army and FORA websites. Item 8d. Marina Coast Water District Ord Community Budgets and Rates – An independent entity has been hired to look at the rates issues and a report should be available at the Joint MCWD meeting on September 16th. Item 8e. Distribution of FY 2011/12 through 2021/22 Capital Improvement Program – FORA staff member Crissy Maras distributed and it is also available on the FORA website. Item 8f. Executive Officer's Travel Report - Mr. Houlemard reported on his trip to Washington, DC at the Office of Economic Adjustment regarding building removal and FORA is working with CSUMB. Mr. Houlemard also noted his and Doug Yount's attendance at the ADC conference held in Norfolk, VA. 1st Vice Chair/Mayor Edelen thanked the FORA staff and MCWD regarding providing all questions and answers asked by Board members on Item 8e. Supervisor Parker

requested a copy of the scope of services be provided to the Board. Councilmember Oglesby requested it be posted on the FORA website.

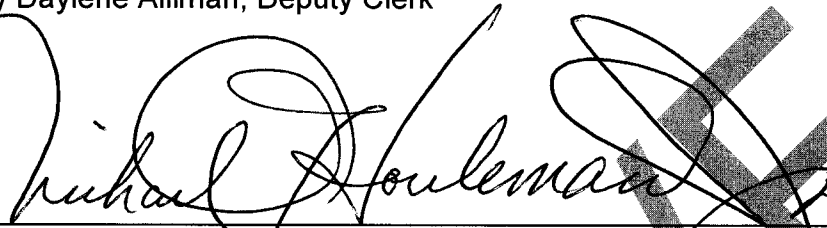
9. ITEMS FROM MEMBERS – Councilmember Selfridge reported that she has been taking the AG-knowledge 5 course and encouraged other members to take course 6.

10. CLOSED SESSION – Chair/Supervisor Potter noted that there was no need for a closed session.

11. ADJOURNMENT - Chair Potter adjourned the meeting at 4:42 p.m.

Minutes prepared by Daylene Alliman, Deputy Clerk

Approved by _____



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

APPROVED