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September 7, 2017

Via email and facsimile
Ralph Rubio, Chair
Board of Directors
Fort Ord Reuse Authority

Re: Concerns and objections – September 8 Board agenda item 9.a

Dear Chair Rubio and FORA Directors:

My client Keep Fort Ord Wild objects to the Board's consideration of item 9.a on the Board agenda. We respectfully urge you to remove the item from the agenda.

KFOW urges you to not consider or approve the item due to concerns including violations of the California Open Government Act (a.k.a. Brown Act; Gov. Code, § 54950 et seq.), the California Environmental Quality Act (CEQA; Pub. Resources Code, § 21000 et seq.) and FORA requirements. Transparency is a foundational value for ethical government practices. Effective notice is essential for an open and public meeting. Whether a meeting is open or how the public may participate in that meeting is academic if the notice of the items in the agenda is not adequate.

We offer to assist you by explaining some of the problems.

The agenda descriptions are too brief and vague to show the whole scope of the board's intended actions. Item 9 is "Capital Improvement Program Master Services Contracts." Item 9.a is "Approve On-Call Engineering and Design Services Contract and Service Work Order" and "Approve General Engineering Services Contract and Service Work Order."

FORA's item 9.a description is even more vague than the example of an *inadequate* agenda item description provided by the League of California Cities. The League has said the following agenda description is *not adequate*: "Consideration of contract with ABC Consulting." (Open & Public IV: A Guide to the Ralph M. Brown Act (2nd ed., rev. July 2010), p. 24.) The League has stated that a better description would be: "Consideration of a contract with ABC Consulting in the amount of \$50,000 for traffic engineering services regarding traffic on Eighth Street."

Here, it would have taken relatively little effort to add to the FORA agenda the contract amounts, the proposed contractors, the specific projects and tasks included in the scope of the contracts and the work orders, and other information.

Some examples of the problems with agenda item 9.a include the following:

- The agenda does not state the project(s) to be worked on. It could be blight removal, building demolition, water, wastewater, major new or expanded road construction, and/or one or more of numerous projects.
- The agenda does not state the amount of the proposed contract costs or even give an adequate idea of the magnitude of the 9.a.i contract. That information is buried in the packet: \$1,500,000. The FORA RFP was for half to two-thirds that amount.
- The 9.a.i contract includes three work orders, instead of a single “work order” as the agenda claims. Notification of three work orders would have indicated a greater magnitude of scope and tasks than a single work order.
- The 9.a.ii contract does not include any work orders, in contrast to the “work order” stated in the agenda description. Instead, the contract proposes the Board delegate all authority for service work orders for the \$719,000 contract to the Executive Officer, without Board oversight.
- The agenda does not state the name of the proposed contractors.
- The agenda does not state whether the proposed actions are projects subject to NEPA and CEQA, and does not state whether the proposed action would be a project approval based on a NEPA/CEQA determination. This information is required.
- The agenda does not state the status of the environmental review.

The item was not properly noticed as a public hearing. KFOR is not aware of any published hearing notice either in the newspaper or to interested parties and neighboring property owners. Roads at FORA are known to be controversial projects, as shown by the Eastside Parkway litigation.

The proposed actions would be approvals of the Gigling Road and South Boundary Road projects. Those projects have not been approved by the FORA Board, according to FORA records disclosed to us to date. Members of the public interested in FORA road projects have not been informed of this agenda item through the public notice process, which compounds the problems and effects of the Brown Act violations.

Request: Item 9.a should be removed from the September 8 agenda. I ask Mr. Houlemard and Mr. Giffen to please advise me at the earliest opportunity whether FORA will remove the item. If not, I will need to come to the Board meeting and present the objections in person.

Chair Rubio and FORA Board of Directors
September 7, 2017
Page 3

Offer to Meet: KFOW offers to meet with you to resolve these concerns. KFOW urges FORA not to act on this item until FORA has taken the time to understand the issues and to fix the problems. FORA should take time to do this. FORA, not KFOW, controls the schedule with regard to FORA's actions.

Thank you.

Very truly yours,

STAMP | ERICKSON

/s/ Molly Erickson

Molly Erickson

cc: Michael Houlemard, Executive Officer
Jon Giffen, Agency Counsel

California Native Plant Society

Monterey Bay Chapter – P.O. Box 221303, Carmel, CA 93922

September 7, 2017

Ralph Rubio, Chair, Board of Directors
Fort Ord Reuse Authority
Via email to board@fora.org

SUBJECT: Proposed widening of South Boundary Road

Dear Mayor Rubio:

I am writing about the following statement noted in the "South Boundary Road/Gigling Road Improvement Project" documentation, Volume I, page 3-2:

Widening of South Boundary Road within the alignment as proposed by the project would be largely dependent upon the outcome of negotiations with the California Native Plant Society (CNPS) to relocate a currently identified habitat preserve area further south.

As President of the Monterey Bay Chapter of the California Native Plant Society, I have reached out to past Chapter Presidents to inquire about any negotiations undertaken on behalf of the Chapter, with regards to the relocation of any habitat preserves located on the former Fort Ord.

At this time, I am unaware of any negotiations regarding the relocation of any habitat preserves. Please inform me if this is incorrect.

Thank you,



Nikki Nedeff
President, Monterey Bay Chapter CNPS

cc: Chapter Board of Directors



Dedicated to the preservation of California native flora



From: [Morgan, Eric](#)
To: [FORA Board](#)
Subject: FORA Transportation Workshop
Date: Friday, August 25, 2017 9:55:59 AM
Attachments: [Transportation Workshop Letter to FORA.pdf](#)
[eastside parkway planning maps BLM comment letter.pdf](#)

Hi FORA Board:

Thanks for sponsoring a transportation workshop on September 8th.

Please see our comments on the transportation planning efforts relevant to Eastside Parkway.

Eric A. Morgan

BLM's Fort Ord National Monument Manager

(831)582-2212 Office

(831)206-2505 Cellular

BLM Fort Ord National Monument
940 2nd Avenue
Marina, CA 93933

Visit Our Extra**Ordinary** Webpage [here](#)

*"**GREAT LANDS, GREAT VALUE:** The BLM is one of a handful of federal agencies that generates more revenue than it spends. For every dollar of federal funding spent, BLM returns about five dollars directly back to the Federal Treasury - much of this revenue is disbursed back to state and local governments where the public lands reside. Job creation associated with the BLM administered lands accounts for about 1 percent of the GDP. These lands are a sound financial investment in so many ways."*



United States Department of the Interior
BUREAU OF LAND MANAGEMENT

Central Coast Field Office
940 2nd Avenue
Marina, CA 93933
www.blm.gov/california



August 25, 2017

In Reply Refer To:
6200 (CA190.50)P

Michael A. Houlemard, Jr.
Executive Officer Fort Ord Reuse Authority (FORA)
920 2nd Ave,
Marina, CA 93933
Regarding: Transportation Workshop

Dear Mr. Houlemard:

The Bureau of Land Management (BLM) appreciates the leadership of FORA and the FORA Governing Board in carefully considering and planning a regional transportation system on the former Fort Ord. We support FORA's decision to analyze various options for the regional transportation system referred to as "Eastside Parkway" within the Capital Improvement Program. This potential transportation facility has become a lightning rod for controversy and we hope that the public becomes involved in the environmental review process.

As you know, the BLM was engaged with FORA in the early conceptual planning of "Eastside Parkway" with California State University Monterey Bay (CSUMB) sometime around 2005. The BLM envisioned a regional transportation connector that was north of what is now the national monument, and CSUMB envisioned this regional connector being south of their campus and possible future campus housing. That conceptual transportation planning in 2005 was also mindful of avoiding lands designated as habitat reserves within the Habitat Management Plan.

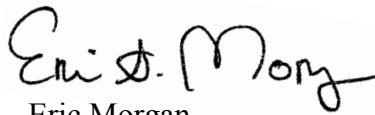
As you now analyze alternatives and final alignment of this regional transportation network, please be mindful of these opportunities: 1) there is need for a gateway to the national monument from the north – there are two BLM trailheads on the southeast near State Route 68, but no managed trailheads on the north; 2) there is an opportunity to integrate regional motorized and non-motorized routes such as the Fort Ord Recreation Trail and Greenway (FORTAG); and 3) consider passage across transportation systems by wildlife and recreationists to open space.

If planned correctly, this transportation corridor can accomplish all of the above and provide needed traffic relief for State Route 68 and Highway 1. If the transportation network improves access to the national monument and includes developed trailheads as part of its design, perhaps it

can be called “*Monument Parkway*” or “*Gateway Avenue*”. There are currently three trailhead opportunities along or near the study corridor that have opportunities to be served by a regional roadway: 8th and Gigling intersection, Jerry Smith and Intergarrison intersection, and the former Travel Camp. A trailhead at the Jerry Smith intersection with Intergarrison Road could serve both a FORTAG trail segment and access to the national monument. This could provide opportunities for federal funding of the transportation connection and access through the Federal Lands Access Program.

We are pleased to offer our enthusiastic support of this important transportation planning process. Thank you for considering our input.

Sincerely,

A handwritten signature in black ink that reads "Eric D. Morgan". The signature is written in a cursive style with a large, looped "M".

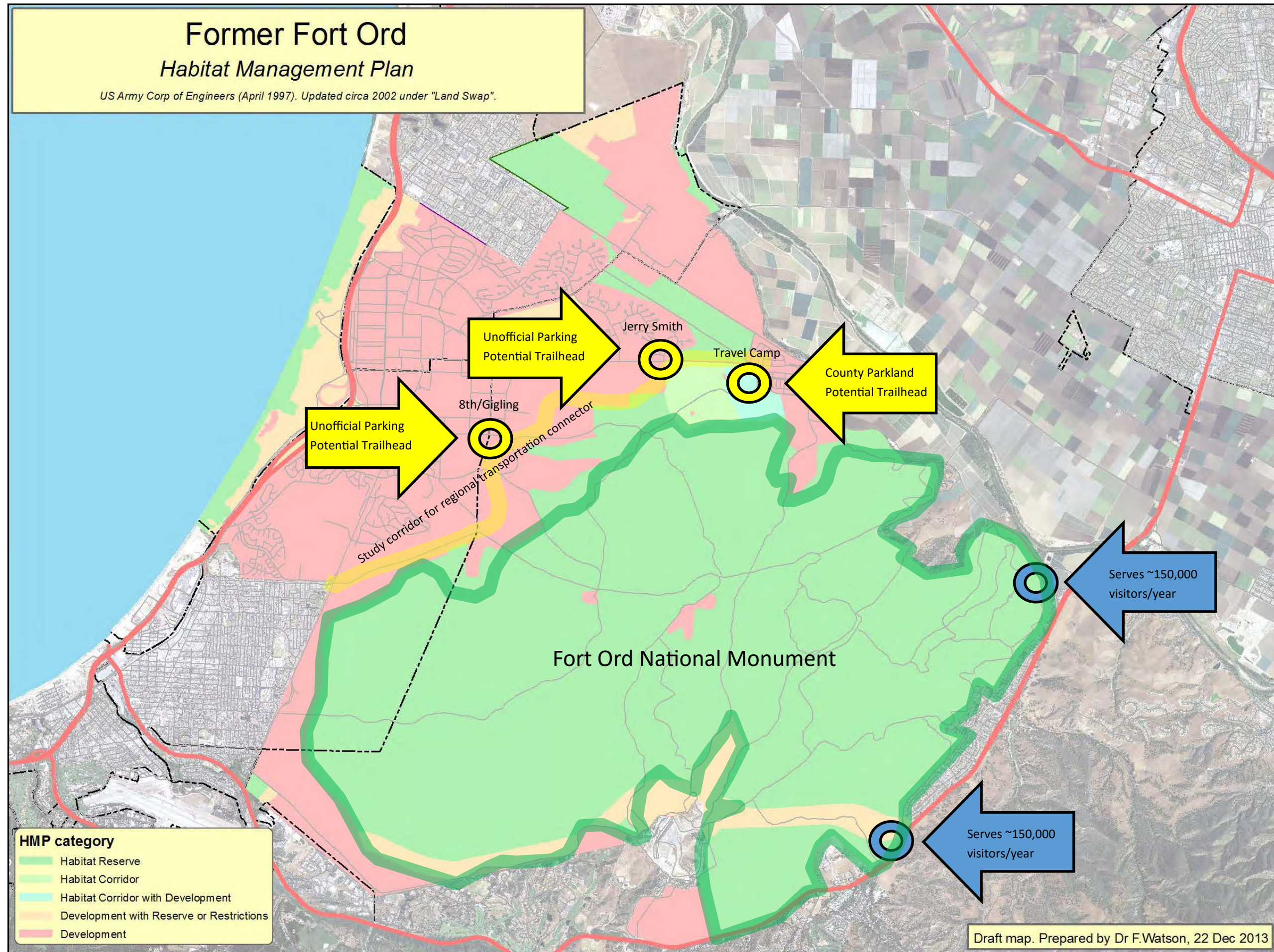
Eric Morgan
Fort Ord National Monument Manager

Attached:

- Maps showing study corridor for regional transportation connector

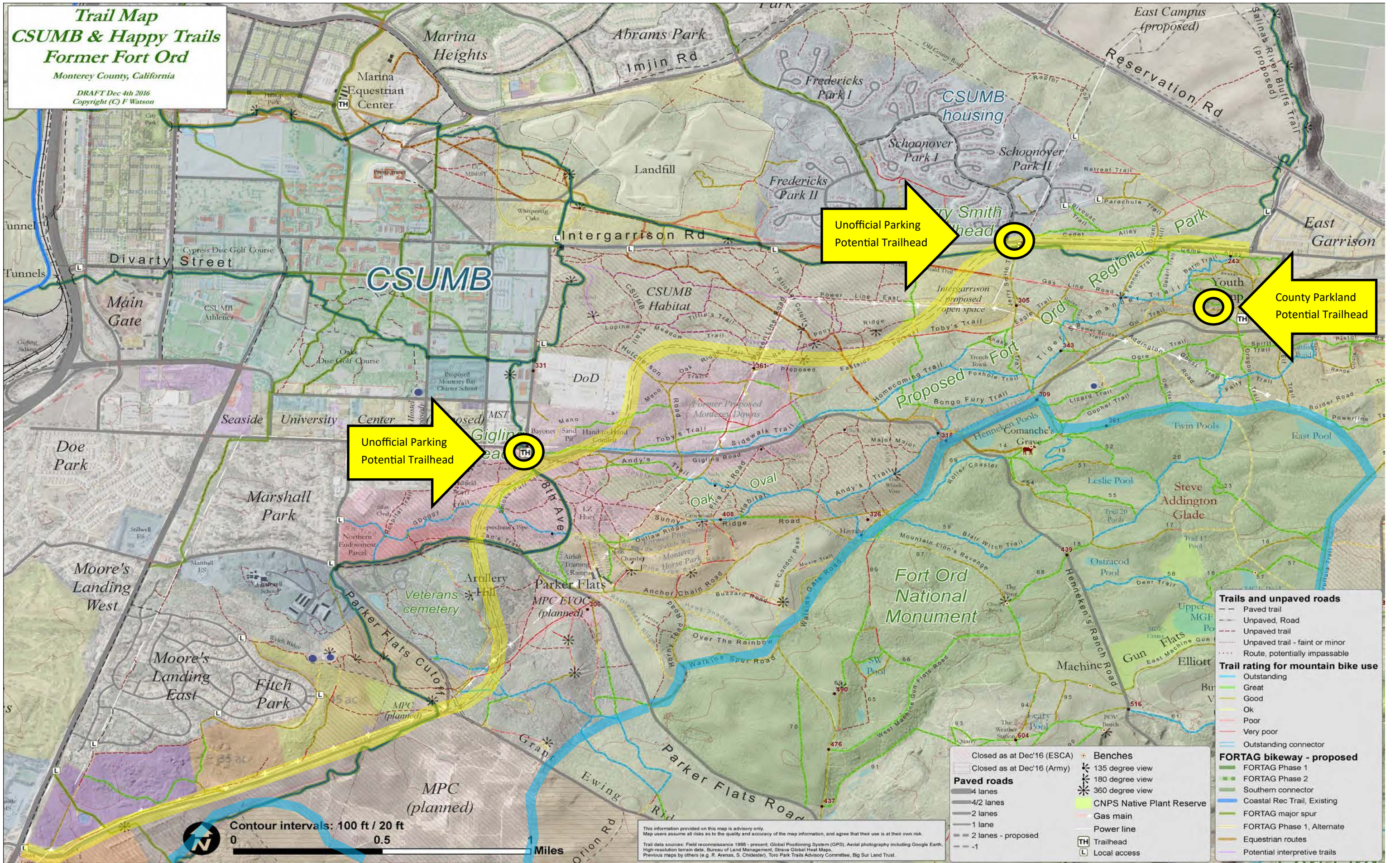
Former Fort Ord Habitat Management Plan

US Army Corp of Engineers (April 1997). Updated circa 2002 under "Land Swap".



Draft map. Prepared by Dr F.Watson, 22 Dec 2013

Trail Map
CSUMB & Happy Trails
Former Fort Ord
 Monterey County, California
 DRAFT Dec 4th 2016
 Copyright (C) F Watson



Unofficial Parking
Potential Trailhead

County Parkland
Potential Trailhead

Unofficial Parking
Potential Trailhead

- Trails and unpaved roads**
- Paved trail
 - Unpaved Road
 - Unpaved trail
 - Unpaved trail - faint or minor
 - Route, potentially impassible
- Trail rating for mountain bike use**
- Outstanding
 - Great
 - Good
 - Ok
 - Poor
 - Very poor
 - Outstanding connector
- FORTAG bikeway - proposed**
- FORTAG Phase 1
 - FORTAG Phase 2
 - Southern connector
 - Coastal Rec Trail, Existing
 - FORTAG major spur
 - FORTAG Phase 1, Alternate
 - Equestrian routes
 - Potential interpretive trails

- Closed as at Dec'16 (ESCA)
- Closed as at Dec'16 (Army)
- Paved roads**
- 4 lanes
 - 4/2 lanes
 - 2 lanes
 - 1 lane
 - 2 lanes - proposed
 - 1
- Benches
- 135 degree view
 - 180 degree view
 - 360 degree view
- CNPS Native Plant Reserve
- Gas main
 - Power line
 - Trailhead
 - Local access

Contour intervals: 100 ft / 20 ft

0 0.5 1 Miles

This information provided on this map is advisory only. Map users assume all risks as to the quality and accuracy of the map information, and agree that their use is at their own risk. Trail data sources: Field reconnaissance 1998 - present, Global Positioning System (GPS), Aerial photography including Google Earth, High-resolution terrain data, Bureau of Land Management, Strava Global Heat Maps, Previous maps by others (e.g. R. Arenas, S. Chidester), Toro Park Trails Advisory Committee, Big Sur Land Trust.