



FORT ORD REUSE AUTHORITY
BOARD OF DIRECTORS REGULAR MEETING MINUTES
2:00 p.m., Friday, April 12, 2019 | Carpenters Union Hall
910 2nd Avenue, Marina, CA 93933

1. CALL TO ORDER

Chair Supervisor Jane Parker called the meeting to order at 2:00 p.m.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Monterey County Supervisor John Phillips.

3. CLOSED SESSION

- a. Conference with Legal Counsel – Gov. Code §54956.9(a), (d)(1): Keep Fort Ord Wild v. Fort Ord Reuse Authority. Monterey County Superior Court Case No.: 17CV004540, Pending Litigation.
- b. Conference with Legal Counsel – Gov. Code §54956.9(a), (d)(1): Marina Community Partners, LLC v. Fort Ord Reuse Authority, Monterey County Superior Court Case No.: 18CV000871, Pending Litigation.
- c. Conference with Legal Counsel - Potential Litigation, Gov. Code §54956.9(d).

Time Entered: 2:02 p.m.

Time Exited: 2:59 p.m.

4. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

Authority Counsel Jon Giffen announced there was no action to report.

5. ROLL CALL

Voting Members Present:

Supervisor Jane Parker (County of Monterey) Supervisor Mary Adams (County of Monterey), Supervisor John Phillips (County of Monterey), Councilmember John Gaglioti (City of Del Rey Oaks), Councilmember Frank O'Connell (City of Marina), Mayor Pro-Tem Gail Morton (City of Marina), Councilmember Alan Haffa (City of Monterey), Mayor Ian Oglesby (City of Seaside), Councilmember Jon Wizard (City of Seaside), Mayor Mary Ann Carbone (City of Sand City), Mayor Joe Gunter (City of Salinas), Councilmember Cynthia Garfield (City of Pacific Grove), Councilmember Jan Reimers (City of Carmel-by-the-Sea)

Ex-officio (Non-Voting) Board Members Present:

Kathleen Lee (20th Congressional District), Todd Muck (Transportation Agency of Monterey County) Dr. P.K. Diffenbaugh (Monterey Peninsula Unified School District) Steve Matarazzo (University of California, Santa Cruz), Dr. Lawrence Samuels (California State University Monterey Bay), Bill Collins (Fort Ord Army Base Realignment & Closure Office), Colonel Gregory Ford (United States Army), Lisa Rheinheimer (Monterey-Salinas Transit), Dr. Matt Zefferman (Marina Coast Water District)

6. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

Executive Officer Michael Houlemard, Jr. announced the following:

- Sea Otter Classic, April 11-14, 2019 at Laguna Seca Raceway.

- Caltrans will be doing improvements along Hwy 1 April 12 – 14, 2019. Delays are expected.

7. CONSENT AGENDA

- a. Approve March 8, 2019 Meeting Minutes
- b. Approve March 15, 2019 Special Meeting Minutes
- c. Approve March 21, 2019 Special Meeting Minutes
- d. Administrative Committee
- e. Veterans Issues Advisory Committee
- f. Water/Wastewater Oversight Committee
- g. Building Removal Quarterly Report
- h. Resolution fixing the Employer Contribution under the Public Employees' Medical and Hospital Care Act
- i. Public Correspondence to the Board

Chair Parker read the consent agenda items and asked if members had any comments or items to pull for discussion. Board member Dr. Zefferman requested item 7c – March 21, 2019 Special Board Meeting minutes be pulled for correction, and Board member O'Connell requested item 7g be pulled for clarification.

Motion: On motion by Board member Gunter and seconded by Board member Oglesby and carried by the following vote, the Board moved to approve the consent agenda items 7a – 7b, 7d – 7f, and 7h – 7i.

MOTION PASSED UNANIMOUSLY

Motion: On motion by Board member Morton and seconded by Board member Haffa and carried by the following vote, the Board moved to approve consent agenda item 7c – March 21, 2019 Special Board Meeting minutes with the proposed correction.

MOTION PASSED UNANIMOUSLY

Motion: On motion by Board member O'Connell and seconded by Board member Phillips and carried by the following vote, the Board moved to approve consent agenda item 7g – Building Removal Quarterly Report after staff provided clarification.

MOTION PASSED UNANIMOUSLY

**Chair Parker requested if the Board has no objections Item 8d be moved up and heard first.*

8. BUSINESS ITEMS

d. Consistency Determination

Mr. Brinkman introduced the item and provided a presentation that reviewed the criteria outlined in the Fort Ord Base Reuse Plan ("BRP") and indicated the consistency determination for the City of Marina Veterans Transition Permanent Supportive House at 229-239 Hayes Circle, Marina was found to be generally consistent with the BRP by Planners Working Group and the FORA Administrative Committee.

City of Marina Pro-Tem Mayor Morton provided further background information and responded to questions and comments from the Board.

MOTION: On motion by Board member Haffa and second by Board member Adams and carried by the following vote, the Board moved to approve Resolution 19-04 certifying City of Marina Veterans

Transition Center Permanent Supportive Housing at 229-239 Hayes Circle, Marina is generally consistent with the Fort Ord Reuse Plan.

MOTION PASSED UNANIMOUSLY

a. ESCA Quarterly Report

- i. Environmental Services Cooperative Agreement (“ESCA”) Program Manager Stan Cook introduced the item and provided a presentation noting a huge milestone that all ESCA properties have regulatory certifications of completion. The American International Group cost cap insurance policy has expired. However, the Army has committed additional funding to get to the completion of the ESCA program. Mr. Cook stated that the ESCA team of Arcadis, West Cliff Engineering, and Weston Solutions is set to dismantle in two months after more than 12 years of working on the ESCA. However, FORA is trying to preserve the team because the potential successor agency the City of Seaside has requested the transition be as seamless as possible. There were no questions from the Board or public.
- ii. Chair Parker requested to pull the item, and have it brought back after consultation with the jurisdictions.

b. 2018 Transition Plan Update

i. Progress Report

Risk Manager Sheri Damon introduced the item and provided a presentation outlining the Legislative Update on SB 189 and SB 533 introduced by Senator Monning. Ms. Damon gave an overview of the legislative process from the introduction of the Bill to the official signing by the Governor. SB 189 does not represent exactly what the FORA Board approved; however, it would extend FORA in a limited capacity through June 30, 2022 by creating a 5-member board with single vote majority voting, extending the FORA Community Facilities District and allowing for boundary modification as replacement revenue districts come online. It would also extend the property tax and provides that the revenue stream will continue to be available post June 30, 2020 for FORA debt, includes a CEQA exemption for the Transition Plan, and retains the 50-50 land sales revenues split in place until 2022. SB 533 would amend the FORA Act and it addresses issues specifically with prevailing wages. It would make projects subject to FORA Master Resolution, deed restriction, or covenant a public works project, requiring contractor and subcontractor registration with the Department of Industrial Relations. It would authorize the Labor Commissioner to enforce compliance and consider penalties and survives the repeal of the Authority Act. Ms. Damon led the Board through the next steps of the process. Staff responded to questions and comments from the Board.

Assistant Executive Officer Steve Endsley provided an update on the 2018 FORA Transition Plan two track approach; one being the legislation addressing Financing and Prevailing Wages, clarifying what laws will remain in effect and where other revenue streams may be available, and two being implementing agreements that are being developed by the facilitators in consultation with the FORA jurisdictions and resource entities. Mr. Endsley reviewed the main areas of redevelopment that FORA has been responsible for handing over the last 20 or more years. Some of those areas are transportation, habitat conservation, water augmentation, and Army cleanup and property transfers.

Kendall Flint from Regional Governmental Services (“RGS”) provided a status update on the discussions on several different projects in relation to the Capital Improvement

Program (CIP) and the FORA 2018 Transition Plan; the idea is to redirect these projects to the member jurisdictions upon FORA’s sunset on June 30, 2020. She stated that RGS has completed approximately 50% of their work in talking with the jurisdictions and gathering information in order to produce implementing agreements that are efficient and effective. Mrs. Flint also spoke about how certain funding may or may not be impacted by TAMC Regional Development-Impact Fees, the extension or sunset of the Community Facilities District that was set in place by FORA, as well as other factors. She provided information on others areas covered by the Transition Plan such as the Habitat Conservation Plan, employee transition, affordable housing, and water augmentation. Mrs. Flint led a discussion on items to be further addressed at an upcoming workshop to include the Board of Directors and the Administrative Committee. FORA and RGS staff addressed comments and questions from the Board.

**Supervisor Mary Adams departed at 3:37 p.m.*

**Supervisor John Phillips Departed at 4:21 p.m.*

ii. Transition Plan Transportation Study

Mr. Houlemard introduced the item and stated that the study’s intent is to provide information to TAMC, FORA, and other interested jurisdictions, regarding the CIP. Principal Planner Jonathan Brinkmann gave a PowerPoint Presentation on the Scope of Work for the proposed transportation study. He explained that the Scope of Work covers areas such as project management, meetings, and a baseline analysis for existing conditions, as well projected conditions. It also analyzes other pertinent information around the impact of existing and proposed changes to the roadways in or around FORA jurisdiction. Mr. Brinkmann advised the Board that this study uses the Level of Service (“LOS”), Vehicle Miles Traveled (“VMT”), Vehicle Hours Traveled (“VHT”), and congested VMT as measure of which, LOS is required by the Base Reuse Plan and it will assist staff and Board with evaluating projects in the CIP. Staff addressed questions and comments from the Board.

Motion 1: On motion by Board member Morton and seconded by Board member Haffa to table the Transportation Study, bring it back if necessary, at a later date, and allow the Special Workshop session to go through taking the information from the session to formulate the FY 2019-20 CIP.

Chair Parker requested a roll call vote.

Director Parker	AYE	Director Wizard	NO
Director O’Connell	AYE	Director Oglesby	NO
Director Morton	AYE	Director Garfield	AYE
Director Carbone	NO		
Director Reimers	NO		
Director Haffa	AYE		
Director Gaglioti	NO		

MOTION FAILED (5 AYE; 5 NOES)

Motion 2: On motion by Board member Gaglioti and seconded by Board member Carbone to accept staff recommendation, and allocate the money required to start the Transportation Study.

SUBSTITUTE MOTION: On motion by Board member Wizard and seconded by Board member Oglesby to accept the staff recommendation and the Board not take action on the Capital Improvement Program until the study has been completed received by the Board.

Chair Parker requested a roll call vote.

Director Parker	NO	Director Wizard	AYE
Director O'Connell	NO	Director Oglesby	AYE
Director Morton	NO	Director Garfield	AYE
Director Carbone	AYE		
Director Reimers	AYE		
Director Haffa	NO		
Director Gaglioti	AYE		

MOTION PASSED BY MAJORITY (6 AYES; 4 NOES)
2ND Vote (May 10, 2019) Required

- c. **Building Removal Financing/Feasibility Update**
Item not heard.

Chair Parker noted that time had expired for the scheduled Board meeting and a motion to extend for public comment only would be considered. (Therefore, item 8c, while retained as a matter of public record, and distributed for public was not debated by the Board)

MOTION: On motion by Board member Wizard and second by Board member Garfield and carried by the following vote, the Board moved to hear public comment and adjourn the meeting.

MOTION PASSED UNANIMOUSLY

9. PUBLIC COMMENT

There were no comments from the public.

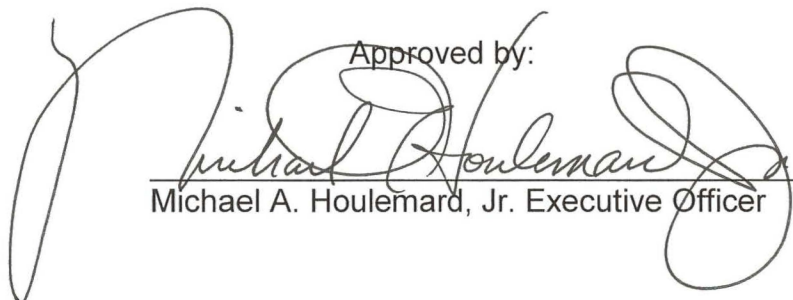
10. ITEMS FROM MEMBERS

There were no items from members.

11. ADJOURNMENT at 5:32 p.m.

Minutes Prepared by:
Heidi L. Lizarbe
Deputy Clerk

Approved by:



Michael A. Houlemard, Jr. Executive Officer