



# FORT ORD REUSE AUTHORITY

## BOARD OF DIRECTORS REGULAR MEETING MINUTES

Friday, April 11, 2014 at 2:00 p.m.

910 2<sup>nd</sup> Avenue, Suite A, Marina, CA 93933 (Carpenters Union Hall)

### 1. CALL TO ORDER

Chair Edelen called the meeting to order at 2:02 p.m.

### 2. PLEDGE OF ALLEGIANCE

Mayor Rubio led the Pledge of Allegiance.

### 3. CLOSED SESSION

The Board adjourned into closed session at 2:04 p.m.

#### a. Conference with Legal Counsel - Existing Litigation, Gov Code 54956.9(a) – 2 Cases

i. Keep Fort Ord Wild v. Fort Ord Reuse Authority (FORA), Case Number: M114961

ii. The City of Marina v. Fort Ord Reuse Authority, Case Number: M11856

### 4. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

The Board reconvened into open session at 2:33 p.m. Authority Counsel Jon Giffen announced no reportable action was taken.

### 5. ROLL CALL

**Voting Members Present:** (*\*alternates*)(*AR: entered after roll call*)

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Chair/Mayor Edelen (City of Del Rey Oaks)	Mayor Pro-Tem Oglesby (City of Seaside)
Councilmember Beach (City of Carmel-by-the-Sea)	Supervisor Parker (County of Monterey)
Supervisor Calcagno (County of Monterey)	Mayor Pendergrass (City of Sand City)
Mayor Gunter (City of Salinas)	Supervisor Potter (County of Monterey)
Councilmember Lucius (City of Pacific Grove)	Mayor Rubio (City of Seaside)
Councilmember Morton (City of Marina)	Mayor Della Sala (City of Monterey)*
Mayor ProTem O'Connell (City of Marina)	

**Ex-officio (Non-Voting) Board Members Present:** Nicole Charles\* (17<sup>th</sup> State Senate District), Donna Blitzer (University of California, Santa Cruz), Eduardo Ochoa (California State University, Monterey Bay), Vicki Nakamura\* (Monterey Peninsula College) - later replaced by Walter Tribbley, Dan Albert, Jr.\* (Monterey Peninsula Unified School District), Debbie Hale (Transportation Agency for Monterey County), COL Fellingner (US Army), Bill Collins (Fort Ord BRAC Office), and Director Moore (Marina Coast Water District).

### 6. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

Chair Edelen announced several requested agenda changes: 1) The Executive Officer request to pull item 7d from Consent and add it to old business (new item 8d) to facilitate a brief item presentation, 2) the appellant request to pull item 9a to permit further coordination with MCWD, and 3) staff request to add item 6a to the consent agenda (new item 7d), as Mayor Kampe was unable to attend the meeting. No objections were received and Chair Edelen deemed the changes approved.

Executive Officer Michael Houlemard presented a \$99,000 check to Monterey-Salinas Transit Representative Hunter Harvath, explaining that the payment satisfied a key element of mitigating EIR identified transit needs associated with the reuse program. Mr. Harvath thanked the Board and stated that MST planned to purchase a mini-bus to provide special service to the Fort Ord and other north Monterey County communities.

Mr. Houlemard announced that FORA had recently received an invoice from the County for election services related to the two Fort Ord initiatives. While initial estimates had been around \$1 million, it appeared that actual costs would be closer to \$600,000.

Eric Morgan, Bureau of Land Management (BLM), addressed the Board to discuss the BLM's new "Discover the Coast" statewide initiative. He explained that Fort Ord was one of several communities selected for the rollout of the initiative, which was intended to promote coastal tourism and celebrate communities around the base.

~~a. Approve Resolution Acknowledging Pacific Grove Mayor Bill Kampe (new item 7d)~~

**ANNUAL LEGISLATIVE SESSION (FEDERAL)**

**Receive Report from congressman Sam Farr - 20<sup>th</sup> Congressional District**

Congressman Farr provided an update to the Board on the status of the Joint Department of Defense/Veterans Affairs Clinic. He discussed the history of the California Central Coast Veterans Cemetery, the success of the ESCA clean-up efforts, the annual struggle to fund remediation efforts, and the negative impact of sequestration on BRAC. Congressman Farr also discussed the development of the "The Monterey Model," noting that it was approved in 2013 as example for the nation. He provided a brief history of his involvement with the Medicare program and announced that, after 15 years of work, he had successfully passed federal legislation to correct the underpayment of numerous California counties mislabeled as "rural." The fix would increase coverage for Medicare and Tricare patients and improve health care delivery throughout the region.

In response to Board questions, Congressman Farr discussed the establishment of Team Monterey, which was designed to foster collaboration between the region's various military installations, creating efficiencies through shared knowledge, expertise, and equipment. He explained that this collaboration would be an asset in the event of another BRAC round, as it required the Monterey Bay region's retention of its military missions.

**7. CONSENT AGENDA**

- a. Approve February 13, 2014 Board Meeting Minutes**
- b. Approve March 14, 2014 Board Meeting Minutes**
- c. Approve Resolutions Transferring Fire Fighting Enhancement Equipment Titles**
- ~~**d. Approve Legal Services Budget Line Item Reallocation (new item 8d)**~~
- d. Approve Resolution Acknowledging Pacific Grove Mayor Bill Kampe**

MOTION: Mayor Rubio moved, seconded by Supervisor Potter, to approve the Consent Agenda.

MOTION PASSED UNANIMOUSLY: Ayes: Beach, Calcagno, Della Sala, Edelen, Gunter, Lucius, Morton, O'Connell, Oglesby, Parker, Pendergrass, Potter, Rubio.

## 8. OLD BUSINESS

- a. **California Central Coast Veterans Cemetery (CCCVC) Items**
  - i. **Cemetery Update**
  - ii. **Approve Amended FORA-Seaside Agreement**
  - iii. **Approve Army-FORA Economic Development Conveyance Agreement Amendment #7 - Cemetery Water Resources**
  - iv. **Approve Resolution 14-XX, allocating 15 acre-feet per year (AFY) for 2 years and 5 AFY permanently of groundwater to California Department of Veterans Affairs**

Mr. Houlemard reviewed the CCCVC project history and the Board received public comments.

MOTION: Councilmember Lucius moved, seconded by Mayor Rubio, to 1) authorize the executive Officer to execute an amended FORA-Seaside Cemetery Agreement, 2) authorize the Executive Officer to execute an amended Army-FORA Economic Development Conveyance Agreement Amendment #7 - Cemetery Water Resources, and 3) approve Resolution 14-08, allocating 15 acre-feet per year for 2 years and 5 acre-feet permanently of groundwater to California Department of Veterans Affairs.

MOTION PASSED UNANIMOUSLY: Ayes: Beach, Calcagno, Della Sala, Edelen, Gunter, Lucius, Morton, O'Connell, Oglesby, Parker, Pendergrass, Potter, and Rubio.

- b. **Quarterly Environmental Services Cooperative Agreement (ESCA) Update**

Mr. Houlemard provided an update regarding the status of ESCA activities and the Department of Defense/Environmental Protection Agency language dispute over the classification of munitions and explosives under CERLA. He stated that if everything went well, the issue could be resolved in 48 days and emphasized the importance of the outcome to the jurisdictions' ability to retain insurance coverage for their Fort Ord properties. Chair Edelen deemed the report received.

- c. **Status of Pollution Legal Liability Insurance Solicitation**

Mr. Houlemard stated that, per previous Board direction, staff had issued a solicitation for obtaining Pollution Legal Liability insurance coverage to replace the policy set to expire this year. He described the solicitation timeline and responded to questions from the Board. Chair Edelen deemed the report received.

- d. **Approve Legal Services Budget Line Item Reallocation**

Mr. Houlemard explained that staff had requested the item be removed from the consent agenda due to several Board member questions leading up to the meeting, and he provided an explanation of the line item budget adjustment.

MOTION: Mayor Rubio moved, seconded by Supervisor Potter, to approve a \$100,000 expense budget line item shift from Legal/Litigation to Authority Counsel.

MOTION PASSED UNANIMOUSLY: Ayes: Beach, Calcagno, Della Sala, Edelen, Gunter, Lucius, Morton, O'Connell, Oglesby, Parker, Pendergrass, Potter, and Rubio.

## 9. NEW BUSINESS

- ~~a. Appeal: Marina Coast Water District Determination Bay View Community Annexation (pulled)~~
- b. **Post Base Reuse Plan Reassessment Follow-up**
  - i. **Regional Urban Design Guidelines Task Force Update**
  - ii. **Status of Remaining Category 3 Items**

Associate Planner Josh Metz provided a brief update on Regional Urban Design Guidelines process, creation of the Regional urban Design Guidelines Task Force, and next steps. He also reviewed remaining category 3 reassessment items.

**10. PUBLIC COMMENT PERIOD**

None.

**11. EXECUTIVE OFFICER'S REPORT**

- a. Outstanding Receivables**
- b. Habitat Conservation Plan Update**
- c. Administrative Committee**
- d. Veterans Issues Advisory Committee**
- e. Finance Committee**
- f. Water/Wastewater Oversight Committee**
- g. Travel Report**

Chair Edelen discussed his recent trip to Sacramento with FORA staff to coordinate on HCP issues. He described the 17-year history of the HCP and FORA's increasing frustrations with the state's lack of responsiveness and continuing delays.

- h. FORA Master Resolution - Revised Version**
- i. Public Correspondence to the Board**

**12. ITEMS FROM MEMBERS**

None.

**13. ADJOURNMENT**

Chair Edelen adjourned the meeting at 3:49 p.m.