



FORT ORD REUSE AUTHORITY

920 2nd Avenue, Suite A, Marina, CA 93933

Phone: (831) 883-3672 | Fax: (831) 883-3675 | www.fora.org

FORT ORD REUSE AUTHORITY BOARD OF DIRECTORS REGULAR MEETING MINUTES

Friday, November 14, 2014 at 1:30 p.m.

910 2nd Avenue, Marina, CA 93933 (Carpenters Union Hall)

1. CALL TO ORDER

Chair Edelen called the meeting to order at 1:31 p.m.

2. PLEDGE OF ALLEGIANCE

Mayor Pro-Tem O'Connell led the Pledge of Allegiance.

3. CLOSED SESSION

The Board adjourned to closed session at 1:33 p.m.

a. **Public Employment , Gov Code 54959.7(b) - Executive Officer**

b. **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 1:55 p.m. and Authority Counsel Jon Giffen announced no reportable action had been taken.

5. ROLL CALL

Voting members present: (*alternates) (AR: entered after roll call)

Chair/Mayor Edelen (Del Rey Oaks)

Mayor Pro-Tem Beach (City of Carmel-by-the-Sea)**

Mayor Gunter (City of Salinas)

Mayor Kampe* (City of Pacific Grove)

Councilmember Morton (City of Marina)

Councilmember Brown* (City of Marina)

Mayor Pro-Tem Oglesby (City of Seaside)

Supervisor Parker (County of Monterey)

Mayor Pendergrass (City of Sand City)

Supervisor Potter (County of Monterey)

Mayor Rubio (City of Seaside)

Councilmember Selfridge (City of Monterey)

**replaced by Councilmember Dallas at 3:07 p.m.

Absent: Supervisor Calcagno (County of Monterey)

Ex-officio (Non-Voting) Members Present: Alec Arago* (20th Congressional District), Taina Vargas Edmond* (29th State Assembly District), Donna Blitzler (University of California, Santa Cruz), Andre Lewis* (California State University Monterey Bay), Walter Tribley (Monterey Peninsula College), PK Diffenbaugh (Monterey Peninsula Unified School District), Lisa Rheinheimer* (Monterey Salinas Transit), Bill Collins (Fort Ord BRAC Office), Director Moore (Marina Coast Water District).

6. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

Executive Officer Houlemard thanked the Board for their understanding as FORA experienced multiple staff shortages due to illness and family emergencies.

7. CONSENT AGENDA

Supervisor Parker asked clarifying questions regarding item 7b, to which Mr. Houlemard and Senior Planner Jonathan Garcia responded. Mayor Pro-Tem Oglesby requested to remove item 7b from the Consent Agenda to permit further public explanation of the item.

a. **Approve October 10, 2014 Board Meeting Minutes**

~~b. FORA City of Marina Reimbursement Agreement Amendment #1~~ *removed from consent agenda*

c. **Approve 2015 Fort Ord Reuse Authority Legislative Agenda**

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

7b. FORA-City of Marina Reimbursement Agreement Amendment #1

A member of the public requested additional information on item 7b, which Mr. Houlemard provided.

MOTION: Mayor Rubio moved, seconded by Mayor Pro-Tem Oglesby, to authorize the Executive Officer to execute amendment #1 to the Fort Ord Reuse Authority-City of Marina Reimbursement Agreement according to the terms provided.

MOTION PASSED UNANIMOUSLY

8. BUSINESS ITEMS

a. **2nd Vote: Preston Park Operating and Capital Budgets**

MOTION: Mayor Gunter moved, seconded by Mayor Rubio, to table (postpone) the item, pending settlement of the Marina v. FORA Preston Park litigation.

MOTION PASSED UNANIMOUSLY

b. **Executive Officer Contract Amendment**

Authority Counsel Jon Giffen presented the item. Chair Edelen emphasized that the matter before the Board was amendment of the Executive Officer's contract and not the previously discussed compensation adjustment.

MOTION: Mayor Rubio moved, seconded by Supervisor Potter, to amend the Executive Officer's contract as recommended.

Mayor Kampe suggested removing the last sentence of section 3(a) as an alternative to the proposed amendments.

SUBSTITUTE MOTION: Mayor Rubio moved, seconded by Mayor Gunter, to refer to the Executive Committee for further study and a recommendation regarding the EDS contract correction for Board action.

THE SUBSTITUTE MOTION PASSED UNANIMOUSLY

c. **Authorize Purchase of Pollution and Legal Liability Insurance Coverage**

Mr. Houlemard provided an overview of the process used to select the insurance broker and jurisdiction coverage levels. FORA Special Counsel Barry Steinberg clarified the terms of the policy.

MOTION: Mayor Gunter moved, seconded by Mayor Rubio, to:

- i. Authorize the Executive Officer to purchase Pollution and Legal Liability (PLL) Insurance Coverage, not to exceed \$1,710,000, comprised of premium, broker fee, and surplus lines tax.

- ii. Authorize the Executive Officer to enter into repayment agreements with Named Insureds to allow up to two years for Named Insureds to repay FORA their prorated share of the PLL Insurance Premium, according to the terms provided.

MOTION PASSED UNANIMOUSLY

d. Approve an Agreement with Monterey Bay Economic Partnership

Mr. Houlemard reviewed the Economic Development Specialist recruitment process, noting that none of the qualified candidates had been willing to accept the the terms approved by the Board. He reviewed various options for moving forward and communicated staff's recommendation that FORA retain the Monterey Bay Economic Partnership (MBEP) to carry out economic development services. Mr. Houlemard introduced MBEP representatives Brian Turlington and Mary Ann Leffel. Ms. Leffel provided a brief history of the MBEP and discussed the need for investment in a regional approach to economic development. The Board received comments from members of the public. David Spaur, Economic Development Director for the County of Monterey, requested Board support for this joint-MBEP effort. Doug Yount also spoke on behalf of CSUMB urging support.

MOTION: Supervisor Potter moved, seconded by Mayor Rubio, to authorize the Executive Officer to execute an agreement, not to exceed \$100,000, to join the Monterey Bay Economic Partnership.

Mayor Pro-Tem Beach left at 3:07 and Councilmember Dallas took over at 3:07 p.m.

MOTION RECEIVED MAJORITY APPROVAL (2nd Vote Required): Ayes: Dallas, Edelen, Gunter, Kampe, Oglesby, Pendergrass, Potter, Rubio. Noes: Morton, Parker, Selfridge. Abstain: O'Connell.

e. City of Del Rey Oaks Land Sales Transaction

i. Land sales Transaction Summary

Mr. Garcia provided an overview of the land sales transaction.

ii. Del Rey Oaks/FORA Insurance Repayment Agreement Amendment

Mr. Garcia reviewed the terms of the repayment agreement and staff responded to questions from members of the Board.

MOTION: Supervisor Potter moved, seconded by Mayor Rubio, to authorize the Executive Officer to execute Amendment #1 to the City of Del Rey Oaks/Fort Ord Reuse Authority Insurance Repayment Agreement.

MOTION PASSED UNANIMOUSLY

f. Update on Prevailing Wage Compliance

Principal Analyst Robert Norris reviewed Fort Ord prevailing wage requirements and provided a history of Board actions on the subject. He stated staff would likely return with a future item addressing recent enforcement concerns.

Mayor Rubio requested a future item to explore alternatives for prevailing wage compliance services, noting that the Building Trades Association and FORA should be considered potential enforcement entities. Councilmember Morton discussed contract amendments enacted by the City of Marina to support transparency and prevailing wage compliance for future development projects.

g. Regional Urban Design Guidelines (RUDG) Status Report

Associate Planner Josh Metz reviewed the site visit schedule and thanked participants. He provided background regarding the RUDG consultant selection process and next steps. Dover Kohl & Partners Representative Jason King discussed project goals, introduced the consultant team

members, and reviewed the charrette schedule. He announced that over 120 people had participated in the previous 2-day public sessions, and he briefly reviewed initial impressions/input received. Mayor Rubio and Pro-Tem Oglesby urged the consultants to incorporate evening and weekend meetings in order to permit community members and opportunity to provide input outside of working hours. Mr. Metz agreed.

9. PUBLIC COMMENT PERIOD

The Board received comments from members of the public.

10. EXECUTIVE OFFICERS REPORT

No report was given for items a, b, c, d, e, f, and h.

a. Outstanding Receivables

b. Habitat Conservation Plan Update

c. Administrative Committee

d. Finance Committee

e. Post Reassessment Advisory Committee (PRAC)

f. Regional Urban Design Guidelines Task Force

g. Travel Report

Mr. Houlemard stated he planned to present a full report on the recent Association of Defense Communities Base Redevelopment Forum at the next meeting.

h. Public Correspondence to the Board

i. Administrative Consistency Determination - Entitlement: City of Marina's Marriott Hotel

Mr. Houlemard explained the administrative consistency determination process, noting that since no appeal was filed, the Executive Officer's determination stands.

j. Environmental Services Cooperative Agreement Update

Mr. Houlemard provided a brief report.

k. Base Reuse Plan Reassessment Report Categories 1 and 2 Update

Mr. Houlemard discussed the PRAC-led Trails Symposium scheduled for January 22, 2016.

11. ITEMS FROM MEMBERS

Mayor Pro-Tem Oglesby stated he agreed the Board should receive a presentation on recently attended conferences.

Mayor Rubio requested staff look into methods of expanding local hiring preference.

Director Moore objected to the 2015 Legislative Agenda augmented water supply language.

12. ADJOURNMENT

Chair Edelen adjourned the meeting at 4:44 p.m.