



FORT ORD REUSE AUTHORITY

BOARD OF DIRECTORS REGULAR MEETING MINUTES

Friday, March 13, 2015 at 2:00 p.m.

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

1. CALL TO ORDER

Chair O'Connell called the meeting to order at 2:00 p.m.

2. PLEDGE OF ALLEGIANCE

Chair O'Connell led the Pledge of Allegiance.

3. CLOSED SESSION

The Board adjourned into closed session at 2:02 pm

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 2:12 pm 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 Pro-Tem O'Connell (City of Marina)
Mayor Pro-Tem Beach (City of Carmel-by-the-Sea)
Mayor Edelen (City of Del Rey Oaks)
Mayor Gunter (City of Salinas)
Councilmember Haffa (City of Monterey)
Councilmember Lucius (City of Pacific Grove)
Councilmember Morton (City of Marina)

Mayor Pro-Tem Oglesby (City of Seaside)
Supervisor Parker (County of Monterey)
Mayor Pendergrass (City of Sand City)
Supervisor Phillips (County of Monterey)
Supervisor Potter (County of Monterey)
Mayor Rubio (City of Seaside)

Absent: None.

Ex-officio (Non-Voting) Board Members Present: Erica Parker* (29th State Assembly District), Donna Blitzer (University of California, Santa Cruz), Shyam Kamath* (California State University, Monterey Bay), Walter Tribley *AR* (Monterey Peninsula College) – *replaced later by Vicki Nakamura**, P.K. Diffenbaugh *AR* (Monterey Peninsula Unified School District), Lisa Rheinheimer (Monterey-Salinas Transit), and Director Le (Marina Coast Water District).

6. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

a. March 13, 2015 California Central Coast Veterans Cemetery (CCCVC) Ground Breaking and Celebration

- Executive Officer Michael Houlemard discussed the day's widely attended CCCVC ground breaking and ceremony.

- Mr. Houlemard announced that ARCADIS had recently undergone personnel changes and consolidation, resulting in the loss of Kristie Reimer, who many recognized as the lead for the Environmental Services Cooperative Agreement program. Ms. Reimer had a long history at Fort Ord and staff was not encouraged by the unexpected change. Mr. Houlemard explained that staff was still investigating the impacts of this management change and planned to discuss with ARCADIS how they planned to guarantee continuing quality of services moving forward.

7. **2015 ANNUAL LEGISLATIVE SESSION** (POSTPONED TO FUTURE MEETING)

Executive Officer Houlemard explained that the Annual Legislative Session was postponed as several of the elected officials had other responsibilities in celebration of the CCCVC groundbreaking. He stated that staff would attempt to reschedule for the April or May Board meeting.

8. **CONSENT AGENDA**

a. **Adopt Salary Schedule for Principal Planner Position**

MOTION: Mayor Gunter moved, seconded by Mayor Rubio, to Adopt Salary Schedule for Principal Planner as recommended by FORA independent Human Resources (HR) consultant.

MOTION APPROVED UNANIMOUSLY

9. **BUSINESS ITEMS**

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

Principal Analyst Robert Norris provided a history of Board action on the item, noting that in November 2014, the Board had tabled the second vote on the item until the Preston Park litigation was resolved. Subsequently, the City of Marina requested the item be agendaized and the Executive Committee approved the request.

MOTION: Supervisor Potter moved, seconded by Supervisor Phillips, to take the item from the table.

MOTION APPROVED UNANIMOUSLY

Alliance representative Corey Williams responded to Board questions.

ORIGINAL MOTION (from 10/10/14 Board meeting):

- i. Approve/Sustain Current Rental Rate Setting Policy/Formula, Directing Staff to Provide Recommendations and a Written Summary of the Policy Prior to Consideration of the FY 2015/2016 Preston Park Budget.
- ii. Approve FY 2014/2015 Preston Park Operating and Capital Improvement Budget, to include a 2.4% rental Increase, Direct Staff to Extend the Rental Increase Noticing Period from 35 to 60 Days, and Make Best Efforts to Hold Meetings Between Alliance Management Company and the Preston Park Tenants Association.

2ND VOTE PASSED (11-2): Ayes: Beach, Edelen, Morton, Potter, Phillips, Lucius, Gunter, Pendergrass, Rubio, Oglesby. Noes: O'Connell, Parker. Abstentions: None. Absent: None.

b. **Authorize Economic Development Program Assistance/Support**

Mr. Houlemard provided a history of FORA's economic development efforts over the past year, reviewed alternatives for moving forward, and discussed staff's recommendation.

Vice Mayor Haffa requested that Monterey Peninsula College and the Middlebury Institute for International Studies be included with other educational institutions in alternative 1b. He also requested information regarding FORA's local preference policy, which Mr. Houlemard provided.

MOTION: Councilmember Lucius moved, seconded by Vice Mayor Haffa, to authorize the Executive Officer to utilize Board approved \$250,000 funding to implement the following Economic Development Program:

- i. hire an Economic Development Coordinator.
- ii. join the Monterey Bay Economic Partnership at \$10,000 level.
- iii. reassign staff resources to support economic development activities.
- iv. collaborate with the California State University Monterey Bay (CSUMB) Institute of Innovation and Entrepreneurship Development for related program support, and
- v. recruit local agency assistance with job training and neighborhood participation in economic development programs.
- vi. form a FORA Economic Development Committee as a subset to the existing Monterey County Economic Development Committee, to include representatives from CSUMB, Monterey Peninsula College, the Middlebury Institute for International Studies, the County of Monterey/jurisdictions, and business and community organizations.

AMENDMENT: add the following language to the Economic Development Coordinator job description: "assist FORA land use jurisdictions and FORA staff in attracting construction project developers and in competing the build out of FORA lands in accordance with the Base Reuse Plan."

AMENDED MOTION PASSED UNANIMOUSLY

c. Consider Fort Ord Prevailing Wage Policy and Enforcement

Chair O'Connell noted the Authority Counsel legal analysis distributed to Board and public. Mr. Norris stated that staff had received communications indicating continuing prevailing wage enforcements issues. He discussed SB 854 and its potential implications for prevailing wage enforcement on the former Fort Ord. Mr. Norris reviewed staff's recommendation and responded to Board questions.

MOTION: Mayor Rubio moved, seconded by Supervisor Potter, to: 1) authorize the Executive Officer to request a California Department of Industrial Relations determination on FORA projects, and 2) direct staff to return with additional information on the costs and process associated with both an in-house FORA prevailing wage program and a state-run program.

MOTION PASSED UNANIMOUSLY

d. Authorize Executive Officer to Submit I-Bank Proposal

Mr. Houlemard explained that the proposed I-Bank loan would allow FORA to complete its remaining building removal obligations in the near term and responded to questions from the Board. Seaside City Manager John Dunn spoke in support of the proposal and discussed its potential for positive impact on economic development.

MOTION: Supervisor Parker moved, seconded by Mayor Pro-Tem Beach, to authorize the Executive Officer to submit a California Infrastructure and Economic Development Bank (I-Bank) proposal for the consideration of a \$3M loan to finance completing FORA's remaining building removal/clearance obligations.

Mayor Rubio requested that staff provide information regarding the remaining building removal obligations on Fort Ord, identifying what portion of that obligation is identified in the Annual Capital Improvement Program. Staff agreed to provide that analysis.

MOTION PASSED UNANIMOUSLY

e. Consider Marina Coast Water District (MCWD) Proposed Regional Urban Water Augmentation Project

Assistant Executive Officer Steve Endsley provided background information and explained potential Board actions. Bill Kocher, Interim MCWD General Manager, discussed the need for water augmentation, reviewed the desalination water plant design concept, and described the proposed planning process to produce a 10 percent conceptual design. Mr. Kocher responded to questions from members of the Board regarding the impact of the proposed project on the proposed Cal-Am water project. Staff responded to questions from Board members related to FORA's water augmentation mitigation.

MOTION: Mayor Rubio moved, seconded by Mayor Pro-Tem Oglesby, to:

- i. Approve a motion to endorse MCWD's proposed 10% design planning process, including desalination component, MCWD conceptual planning and selecting a consulting firm for evaluation for a 2,700 Acre Feet per Year (AFY) desalination plant (2,400 AFY of which could be designated for the Ord Community Service Area).
- ii. Reaffirm prior FORA Board action, designating MCWD as Lead Agency for water augmentation project development and preparation of environmental documents.
- iii. MCWD to continue evaluation of 'all of the above alternatives,' including but not limited to reclaimed, conservation, groundwater replenishment, and other methodologies.
- iv. MCWD to report conclusions and recommendations to FORA Board of Directors when 10% design planning process is completed.

with the following additions:

- i. Direct FORA to facilitate coordination between MCWD, Monterey Peninsula Water Management District, Monterey Peninsula Regional Water Authority, and the Mayors Authority.
- ii. Request MCWD provide quarterly progress reports to the FORA Board on status of 10 percent study.

SUBSTITUTE MOTION 1: Supervisor Parker moved, seconded by Mayor Pro-Tem Beach, to direct MCWD to coordinate with Cal-Am and other related water agencies to confirm the absence of conflicts between the two water projects prior to FORA Board endorsement of 10 percent conceptual design.

SUBSTITUTE MOTION 2: Supervisor Potter moved, seconded by Councilmember Morton, to deem the staff report received.

SUBSTITUTE MOTION 2 PASSED UNANIMOUSLY

10. PUBLIC COMMENT PERIOD

Mayor Edelen left the meeting at 4:47 p.m.

The Board received comments from members of the public.

11. EXECUTIVE OFFICER'S REPORT

a. Outstanding Receivables

Chair O'Connell commented on the prospective settlement in the City of Marina vs. FORA lawsuit.

b. Habitat Conservation Plan Update

No report given on this item.

c. Administrative Committee

No report given on this item.

d. Post Reassessment Advisory Committee

No report given on this item.

e. Regional Urban Design Guidelines Task Force

No report given on this item.

f. Travel Report

Mr. Houlemard stated that the April 13-16 Annual Federal Legislative Mission would include meetings with the U.S. Army Base Realignment and Closure Office, the U.S. Office of Economic Adjustment, the U.S. Environmental Protection Agency, the U.S. Department of Veterans Affairs, the Bureau of Land Management, Congressman Farr, and, possibly the U.S. Economic Development Administration. Meetings would cover a range of issues, including the status of FORA's long-term stewardship obligations, building removal progress, Monterey regional force reduction issues, Environmental Services Cooperative Agreement project management changes and contract amendments, and National Monument remediation.

Staff was also exploring the possibility of scheduling a State Legislative Mission in late April/early May to meet with the California Departments of Veterans Affairs, Toxic Substances Control, and Fish and Wildlife on a number of developing issues. Mr. Houlemard explained that the item would be presented to the Executive Committee in April for travel authorization.

g. Public Correspondence to the Board

No report given on this item.

12. ITEMS FROM MEMBERS

Victoria discussed efforts to reinvigorate a regional mapping project to be completed by CSUMB students. She noted that the project would provide an electronic database of all existing transportation linkages for use by local jurisdictions and others.

13. ADJOURNMENT

Chair O'Connell adjourned the meeting at 5:02 p.m.