



**FORT ORD REUSE AUTHORITY**  
**BOARD OF DIRECTORS REGULAR MEETING MINUTES**  
**2:00 p.m., Friday, December 14, 2018 | Carpenters Union Hall**  
910 2<sup>nd</sup> Avenue, Marina, CA 93933

**1. CALL TO ORDER**

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

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Base Realignment and Closure Environmental Coordinator Mr. Bill Collins.

Vice-Chair Parker indicated that the announcements, acknowledgements and correspondence would be heard after the closed session. Authority Counsel Jon Giffen read the items to be discussed in closed session. There were no public comments.

**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)(4).

Time Entered: 2:02 p.m.

Time Exited: 2:44 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 John Phillips (County of Monterey), Supervisor Mary Adams (County of Monterey), Mayor Jerry Edelen (City of Del Rey Oaks), Councilmember Frank O'Connell (City of Marina), Councilmember 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 (20<sup>th</sup> Congressional District), Toby Uptain-Villa (17<sup>th</sup> State Senate District), Erica Parker (29<sup>th</sup> State Assembly District), Todd Muck (Transportation Agency for Monterey County), Dr. P.K. Diffenbaugh (Monterey Peninsula Unified School District), Steve Matarazzo (University of California, Santa Cruz), Dr. Eduardo Ochoa (California State University Monterey Bay), Colonel Gregory Ford (United States Army), Bill Collins (Fort Ord Army Base Realignment & Closure Office), Lisa Rheinheimer (Monterey-Salinas Transit), Dr. Thomas Moore (Marina Coast Water District)

**6. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE**

Executive Officer Michael Houlemard announced the following:

- Veteran Town Hall meeting on Wednesday, December 19, 2018 at the Major General Gourley VA/DoD Outpatient Clinic (Canteen) at 201 9<sup>th</sup> Street, Marina.
- The FORA office will be closed December 24 & 25 and January 1.
- Deputy Clerk Dominique Davis announced her acceptance of a position with the City of Santa Clara.

**7. CONSENT AGENDA**

- a. Approve October 12, 2018 Meeting Minutes
- b. Approve October 29, 2018 Special Meeting Minutes
- c. Approve November 9, 2018 Meeting Minutes
- d. Administrative Committee
- e. 2019 Board of Directors Meeting Calendar
- f. Fiscal Year 2017-18 Audited Financial Report Audit
- g. Public Correspondence to the Board

Vice-Chair Parker read the consent agenda items and asked if members had any comments or items to pull for discussion. Board member O'Connell requested item 7c – November 9, 2018 Meeting Minutes be pulled and brought back at the January Meeting.

**Motion:** On motion by Board member O'Connell and second by Board member Morton and carried by the following vote, the Board moved to have the November 9, 2018 meeting minutes correct the motion on item 8b in the November 9, 2018 meeting minutes and resubmit the minutes for approval at the Boards January meeting.

**Motion:** On motion by Board member Gunter and second by Board member Carbone and carried by the following vote, the Board moved to approve the consent agenda items 7a, 7b; and 7d – 7g.

**MOTION PASSED UNANIMOUSLY**

## 8. BUSINESS ITEM

### a. Land Use Covenants – Fiscal year 2017-18 Report

Mr. Houlemard introduced the item and Principal Planner Jonathan Brinkmann who provided a brief presentation. Mr. Brinkmann's presentation reviewed the reporting requirements, types of land use covenants, reporting ethics and reporting role transition. The eight (8) reporting entities which were identified as the County of Monterey, City of Marina, City of Seaside, City of Del Rey Oaks, Regents of the University of California, Board of Trustees of California State University (on behalf of California State University Monterey Bay), and Monterey Peninsula College District.

This item was for information only. The Board received the report.

### b. Adopt a Transition Plan Resolution

Mr. Houlemard introduced the item and Risk Manager Sheri Damon who provided a presentation. Chair Parker asked that the authors of versions of the Transition Plan Resolution provide a presentation to the Board for no more than 5 minutes. Ms. Damon's presentation reviewed the updates on the progress of the Transition Plan, the facilitator status and a brief overview of the alternative resolutions. Staff recommended that the Board do the following:

1. Adopt the FORA 12-6 Transition Plan to submit to Local Agency Formation Commission (LAFCO) of Monterey County by December 30, 2018.
2. Set Special Meeting the vote is not unanimous on December 19, 2018 at 4:00 p.m.
3. Direct staff to transmit to LAFCO with LAFCO Indemnification Agreement.
4. Begin the facilitation process and move into Implementing Agreement process.

The Board provided comments and asked questions to which staff responded.

City of Marina City Manager Layne Long presented the city's Transition Plan Resolution version and responded to Board questions and comments.

Board Member Mary Adams presented the Transition Plan Resolution version she emailed to the Board on December 13, 2018. Board Member Adams also responded to questions and comments from the Board.

Board Member Colonel Gregory Ford provided comments and the position of the Army and its primary concerns for there to be "one voice" and to Army's priority to maintain its resilient water and power.

LAFCO Executive Director Kate McKenna provided comments regarding the several Transition Plan Resolution versions affirming that the plans are workable frameworks and contain elements and structure that can be developed further once an initial plan is submitted in December 2018.

Public comment was received. Board Members provided comments and questions in general and that were directed at all of the versions of the Transition Plan Resolutions.

**MOTION 1:** On motion by Board member Edelen and second by Board member Phillips to accept the staff recommendations:

1. Find that approval of Transition Plan Resolution 12-6-18 is a mere organizational change and not a project subject to CEQA.
2. Approve a Transition Plan Resolution 12-6-18 and set a special meeting, if necessary, for December 19, 2018 if the Transition Plan and its Resolution are not unanimously approved.
3. Authorize staff to take appropriate action to comply with state law requiring submittal of an approved Transition Plan to the Local Area Formation Commission ("LAFCO") by December 2018.

**MOTION PASSED BY MAJORITY (11 AYES; 2 NOES)  
2D VOTE ON DECEMBER 19, 2018**

Director Parker	AYE	Director Edelen	AYE
Director O'Connell	NO	Director Reimers	AYE
Director Morton	NO	Director Carbone	AYE
Director Phillips	AYE	Director Garfield	AYE
Director Adams	AYE	Director Gunter	AYE
Director Oglesby	AYE		
Director Wizard	AYE		
Director Haffa	AYE		

**SUBSTITUTE MOTION 2:** On motion by Board member Adams and second by Board member Parker to adopt the "Adams version" of a Transition Resolution. The following roll call vote failed with 4 Ayes and 9 Noes.

**MOTION FAILED (4 AYES; 9 NOES)**

Director Parker	AYE	Director Edelen	NO
Director O'Connell	NO	Director Reimers	NO
Director Morton	NO	Director Carbone	NO
Director Phillips	NO	Director Garfield	AYE
Director Adams	AYE	Director Gunter	NO
Director Oglesby	NO		
Director Wizard	NO		
Director Haffa	AYE		

**2nd SUBSTITUTED MOTION 3:** On motion by Board member O'Connell and second by Board member Morton – adopt marina resolution with staff recommendations #1, 2, 3. The following roll call vote failed with 3 Ayes and 10 Noes.

**MOTION FAILED (3 AYES; 10 NOES)**

Director Parker	AYE	Director Edelen	NO
Director O'Connell	AYE	Director Reimers	NO
Director Morton	AYE	Director Carbone	NO
Director Phillips	NO	Director Garfield	NO
Director Adams	NO	Director Gunter	NO
Director Oglesby	NO		

Director Wizard	NO		
Director Haffa	NO		

Monterey-Salinas Transit Director of Planning & Marketing Lisa Rheinheimer provided comments regarding the removal of the funding mechanism that supported the replacement of buses.

Haffa indicated that he would support the Adams motion if the recitals were included. Board member Adams agreed to the suggest revision to the "Adams version" of the Transition Plan. The roll call vote for substitute motion 2 failed.

Vice Chair Parker asked the Board to consider an item that is not addressed in any of the versions of the Transition Plan Resolutions: increasing the funds set aside for litigation.

After the failure of the two substitute motions, Chair Parker made suggestions to the maker of the motion for modification. Member of the public Candy Ingram called a point of order to understand the dialogue that was made to the original motion by Board member Edelen.

Board member Phillips called the question to vote on the original motion and stated that items not on the agenda could not be considered for the Board to take action.

**MOTION:** On motion by Board member Adams and second by Board member Oglesby, the Board unanimously voted to extend the regular Board meeting to consider remaining items on the agenda.

#### 9. PUBLIC COMMENT

There were no comments from the public.

#### 10. ITEMS FROM MEMBERS

There were no comments from members.

#### 11. ADJOURNMENT at 5:07 p.m.

Minutes Prepared by:  
Dominique L. Davis  
Deputy Clerk

Approved by:

  
Michael A. Houlemard, Jr. Executive Officer