

**ACTION MINUTES
OF THE
FORT ORD REUSE AUTHORITY
BOARD OF DIRECTORS' MEETING
July 13, 2007**

**WORKSHOP
Update on Former Fort Ord Development Projects:
Presentations by the Jurisdictions
3:00 – 4:15 PM**

1. CALL TO ORDER

Chair Joe Russell called the workshop to order at 3:02 p.m., welcomed everyone, and requested a roll call.

2. ROLL CALL

The following voting board members were present:

Chair/Mayor Russell (City of Marina)
Mayor McCloud (City of Carmel-by-the-Sea)
Mayor Della Sala (City of Monterey)
Councilmember Davis (City of Pacific Grove)
Mayor Rubio (City of Seaside)

Mayor Mettee-McCutchon (City of Marina)
Councilmember Wilmot (City of Marina)
Supervisor Calcagno (Monterey County)
Mayor Pendergrass (City of Sand City)
Councilmember Mancini (City of Seaside)

Absent were representatives from the City of Salinas and Monterey County (2).

The following ex officio members were present:

Colleen Freeman (27th Assembly District)
Dr. Marilyn Shepherd (MPUSD)
Pamela von Ness (U.S. Army)
Kenneth K. Nishi (MCWD)

Steve Reed (CSUMB)
Hunter Harvath (Monterey-Salinas Transit)
Gail Youngblood (BRAC)

Arriving after the workshop started were Alec Arago (17th Congressional District), Rito Guerra (15th State Assembly District), Dr. Douglas Garrison (MPC), and Debbie Hale (TAMC). Dr. Dianne Harrison, president of CSUMB, assumed the CSUMB chair at the board table when she arrived. Donna Blitzer represented UCSC as an observer. Assemblymember Anna Caballero (28th State Assembly District) assumed her chair at the board table when she arrived.

All ex-officio entities were represented for the workshop.

3. DISTRIBUTION OF FORA'S ANNUAL PUBLICATIONS

Copies of FORA's Annual Report for 2006-2007 and the Capital Improvement Program for FY 2007-08 through 2021-22 had been included in the board packets. Executive Officer Houlemard said that additional copies were available by contacting the FORA office and both documents will be available shortly on the FORA website.

4. PRESENTATIONS BY THE LAND USE JURISDICTIONS/ AGENCIES - PROGRESS ON REDEVELOPMENT PROJECTS ON FORMER FORT ORD

Presentations were heard from the Cities of Del Rey Oaks, Marina, Monterey, and Seaside; also Monterey County, the U.S. Army, Monterey Peninsula College, and CSUMB. When time ran out, Monterey-Salinas Transit and the Transportation Agency for Monterey County were asked to make their presentations at the August 10th board meeting.

A brief recess was taken between 4:24 and 4:30 p.m.

REGULAR BOARD MEETING

1. CALL TO ORDER AND ROLL CALL

Chair Russell reconvened the meeting at 4:30 p.m. and requested a second roll call. All voting members present during the workshop were present at this time. Assemblymember Laird replaced Colleen Freeman when he arrived and Steve Reed represented CSUMB when President Harrison left. Monterey Peninsula Unified School District was without a representative when Dr. Shepherd left.

Chair Russell declared a quorum present and opened the meeting.

2. PLEDGE OF ALLEGIANCE

Chair Russell asked Mayor Rubio to lead those present in the Pledge of Allegiance.

3. ACKNOWLEDGEMENTS - none

4. LEGISLATIVE SESSION

Chair Russell welcomed Assemblymember Anna Caballero (28th State Assembly District), who spoke first. Her presentation focused on three topic areas: (1) food safety, (2) youth violence prevention, and (3) affordable housing. She discussed the bills that she had introduced in the Legislature in each of these areas. She noted that she had been appointed to chair the Local Government Committee. Executive Officer Houlemard remarked that Assemblymember Caballero had provided important support and coordination efforts with officials in the CA Resources Agency and the Department of Fish & Game in Sacramento, with respect to FORA's Habitat Conservation Plan ("HCP").

Assemblymember John Laird spoke next. He commented that he was having a successful year so far in that 21 of his 24 bills had been sent to the Senate. A short summary of each bill was provided in a

handout. In particular, he pointed out the details of his bills related to children's health insurance (AB 1), food stamp and CalWORKS Red Tape Reduction Act (AB 1060), flood control (AB 156), a correction in the mandate process (AB 1222), storm water runoff (AB 739), housing infill funds (AB 1283), and transportation funds. As chair of the Budget Committee, he provided an update on the current state budget impasse, noting that 308 items have been sent to the conference committee for resolution. He encouraged public discussion of the budget at this time when the two political parties can't seem to reach compromises. There were several questions from board members, and Executive Officer Houlemard remarked that Assemblymember Laird had also been helpful in assisting FORA move its HCP forward.

Rito Guerra, representing Senator Abel Maldonado (15th State Senate District), confirmed the Senator's support of FORA's HCP. Mr. Guerra said Senator Maldonado had introduced 20 bills and that 9 were still in process. He reported that the Governor had signed SB 283, which reinstates student voices on the CA Community College Board of Governors. Other education-related bills include SB 155 and SB 543. Senator Maldonado is also supporting a 25% increase in renewable energy sources and CA tax credits for health savings accounts, which he will reintroduce in the next session. As chair of the Senate Agriculture Committee, he has supported farm unemployment funding for emergency situations, funding to deal with the threat of the light brown apple moth, and stricter regulation and more research on foreign food imports. Mr. Guerra said that Senator Maldonado had remarked how important it is for a balanced budget to be approved. Executive Officer Houlemard repeated his appreciation to all of FORA's state representatives for their extraordinary support in opening doors in Sacramento to the "right" officials, especially in reference to the HCP.

Bill Ritz, representing Senator Jeff Denham (12th State Senate District), commented on the inability of the legislature to come to agreement on the budget, one result being that salaries of some state employees could not be paid. He spoke briefly about some of the bills in the Senator's 2007 legislative package, notably SB 168 (Physical Education Standards Taskforce for Blind Students), SB 170 (Inter-district transfers sunset extension), SB 287 ("Gold Star Family" license plate), and SB 455 (Soledad Wastewater Treatment Plant). Mr. Ritz said the Senator is a strong supporter of education and food safety issues and currently serves on the Senate Agriculture and Education Committees.

Alec Arago, representing Congressman Sam Farr (17th CA Congressional District), reported that Mr. Farr had remained in Washington, DC, today, since the House was in session. He noted the close coordination between Congressman Farr and FORA during the ET/ESCA negotiations and follow-up and the inclusion in the Appropriations budget of the remaining \$50 million in funding for this project. Mr. Arago reported that the Seaside/Army land swap is almost complete and the joint active duty/veterans clinic project on former Fort Ord is moving along. A feasibility study for the veterans' cemetery is still needed and Congressman Farr continues to support this project at the federal level, as well as funding for the Seaside Basin Aquifer. Executive Officer Houlemard remarked that Congressman Farr was an early champion of the ET/ESCA and played a key role in getting it approved. Debbie Hale expressed her gratitude for federal funding for county transportation projects.

5. PUBLIC COMMENT PERIOD

LeVonne Stone from the Fort Ord Environmental Justice Network expressed her concern about the lack of health care for low-income people. She asked where the new jobs on former Fort Ord were, adding that low income minorities need to believe they will be created, because the need is so great.

6. CONSENT AGENDA

There were three items on the Consent Agenda: Item 6a – Action Minutes of the June 8, 2007 Board Meeting; Item 6b – General Jim Moore Boulevard Improvement Project – Phase III: Authorization to File Notice of Completion; Item 6c – Approval of Supervisor Potter’s Request to Amend the Previously Adopted May 11, 2007 Board Minutes: **Motion to approve the three items on the Consent Agenda was made by Mayor Mettee-McCutchon and seconded by Councilmember Wilmot.** Councilmember Mancini and Mayors Della Sala and Rubio abstained from voting on the minutes due to absence. **The motion carried.** When asked about the reasons for abstaining from a vote on the minutes, Authority Counsel Bowden said that one need not be present at the meeting to which the minutes referred but must have read the minutes.

7. OLD BUSINESS

Item 7a – Habitat Conservation Plan Approval Process - Update: Director of Planning and Finance Steve Endsley reported that yesterday’s CRMP (Coordinated Resource Management and Planning Group) meeting had been encouraging and there is evidence of more cooperation from the regulators in Sacramento. Councilmember Davis asked if the current approach of a combined document moving along in a single process were still on track, and Mr. Endsley replied yes.

Item 7b – Early Transfer/ Environmental Services Cooperative Agreement (“ET”/“ESCA”): Status Report/ Memorandum of Agreement (“MOA”) with the Jurisdictions/ Entities to Hold ESCA Properties during the Cleanup Period: Executive Officer Houlemard reported that program coordination between the regulators and LFR, Inc. has been good. Work still remains on some County parcels. Dr. Garrison expressed concerns about some of the language in the MOA and requested assistance from the FORA staff. Mr. Houlemard said two or three more meetings had been scheduled and he anticipates that the MOA will go to the Board for approval in September.

8. NEW BUSINESS - None

9. EXECUTIVE OFFICER’S REPORT

There were three items in the Executive Officer’s Report: Item 9a (Administrative Committee Report), Item 9b (Executive Officer’s Travel Report), and Item 9c (Resolution No. 07-13 Confirming the Fee for Administrative Appeals – Final Copy). Items 9a and 9b were informational and self-explanatory. Mayor McCloud asked why the Base Reuse Plan (“BRP”) had to be reopened and Executive Officer Houlemard responded that future phases of several projects require additional potable water supplies. According to the Sierra Club Settlement Agreement and Chapter 8 of the Master Resolution, the BRP must be updated. He added when desalinated water becomes available, now estimated at some time in 2010, reopening the BRP will be triggered; so it would be prudent to begin looking at the process now. Another question was asked about the veterans’ cemetery. RE Item 9c: Authority Counsel Bowden summarized the background of this resolution and recommended approval. Councilmember Davis asked if FORA could waive appeal fees in public appeals (not in this case since it was part of the Sierra Club Settlement Agreement). Executive Officer Houlemard added that any board member can request an appeal without invoking any fee. **Motion to confirm approval of Resolution No. 07-13 as amended was made by Mayor Rubio, seconded by Mayor Mettee-McCutchon, and carried unanimously.**

10. ANNOUNCEMENTS AND CORRESPONDENCE

Since a closed session was on the agenda, Mayor McCloud moved that the meeting be continued until 6:15 p.m. This motion was seconded by Mayor Rubio and carried. Chair Russell then adjourned the meeting to closed session.

11. CLOSED SESSION

The following conferences with legal counsel regarding existing litigation were noted on the agenda: (i) City of Marina, FORA, et al, v. Trustees of CSU, (ii) Save Our Peninsula v. FORA, and (iii) Building Trades Council v. Marina, et al [FORA as Real Party in Interest]

12. REPORT OUT OF CLOSED SESSION BY AUTHORITY COUNSEL

Authority Counsel Bowden reported that the board members had heard reports on the three cases and given him direction.

13. ADJOURNMENT: Chair Russell adjourned the meeting at 6:12 pm.

Minutes prepared by Linda Stiehl, Deputy Clerk

Approved by _____
Michael A. Houlemard, Jr., Executive Officer/Clerk