

**MINUTES  
OF THE  
FORT ORD REUSE AUTHORITY  
BOARD OF DIRECTORS' MEETING  
Fort Ord Reuse Authority Conference Facility/Bridge Center  
April 3, 2009**

1. CALL TO ORDER AND ROLL CALL

Chair Rubio called the meeting to order at 3:36 p.m. and requested a roll call.

Voting members:

Chair/Mayor Rubio (City of Seaside)  
Mayor McCloud (City of Carmel)  
Councilmember Gray (City of Marina)  
Councilmember Kampe (City of Pacific Grove)  
Supervisor Potter (County of Monterey)  
Supervisor Parker (County of Monterey)

Councilmember Selfridge (City of Monterey)  
Mayor Russell (City of Del Rey Oaks)  
Councilmember Mancini (City of Seaside)  
Mayor Pendergrass (City of Sand City)  
Councilmember McCall (City of Marina)  
Jim Cook (alternate for Supervisor Calcagno)

Arriving after the roll call was Councilmember Barnes. A full quorum of voting members was present.

Ex-Officio members:

Graham Bice (UC MBEST)  
Vicki Nakamura (Monterey Peninsula College)  
Kenneth K. Nishi (Marina Coast Water District)  
Debbie Hale (TAMC)

James Main (CSUMB)  
Dan Albert, Jr. (MPUSD)  
Rob Robinson (BRAC)  
Gail Youngblood (BRAC Office)

Arriving after the roll call was Hunter Harvath (Monterey-Salinas Transit). Absent were representatives from the 17<sup>th</sup> Congressional District, the 15<sup>th</sup> State Senate District, the 27<sup>th</sup> State Assembly District, and the U.S. Army.

With a quorum present Chair Rubio called the meeting to order.

2. PLEDGE OF ALLEGIANCE

Chair Rubio asked Councilmember Ken Gray, who agreed, to lead the Pledge of Allegiance.

3. ACKNOWLEDGEMENTS

Chair Rubio announced that there was a quorum of board members present on the special board field trip to the ESCA Residential Quality Assurance (RQA) Pilot Project sites near CSUMB and on Eucalyptus Road. The group had met in the FORA Conference Facility parking lot, where a bus was waiting to take them to the sites. The tour was scheduled from 2:15 – 3:15 p.m.

4. PUBLIC COMMENT PERIOD - none

5. CONSENT AGENDA

There were three items on the Consent Agenda: Item 5a (March 13, 2009 board meeting minutes), Item 5b (General Jim Moore Boulevard Improvement Project (Phase IV) – Contract Amendment), and Item 5c (Memorandum of Understanding among County of Monterey, City of Seaside and Fort Ord Reuse Authority regarding the Central Coast Veterans Cemetery). Mayor McCloud asked if authority counsel had reviewed the contract amendment and Mr. Bowden replied yes. There were no public comments. **Motion to approve Items 5a, 5b and 5c was made by Mayor Russell, seconded by Councilmember McCall, and carried.**

6. OLD BUSINESS

Item 6a - Habitat Conservation Plan (“HCP”) approval process: Executive Officer Houlemard guided the members through a PowerPoint slide show presentation, which included a background/summary of the approval process since it started in 1996. He said there had been five draft versions of the HCP since discussions began 13 years ago and eight changes in leadership of the regulatory agencies, which had delayed reaching resolution on a final document. He reported on the current status and outlined the key points in the Joint Powers Authority (“JPA”) Agreement, the Implementing Agreement, and the Implementing Ordinance/Policy. He closed with a review of the current approval schedule, which anticipates final approval in early 2010, when the permits can be issued. Jim Cook thanked Mr. Houlemard and Mr. Endsley, on behalf of the County, for their hard work in moving this important approval process forward. Mr. Cook asked about the topics of discussion for the April 8<sup>th</sup> meeting, and Mr. Houlemard replied that projected development figures are needed from all parties before any meaningful calculations of the financial figures could be determined. Mayor Russell asked about the duration/termination of the JPA, and Mr. Houlemard replied 50 years, but it could be extended if habitat requirements remain. Authority Counsel Bowden clarified that the parties are not obligated to remain members of the JPA and could terminate their membership, but the HCP requirements are obligatory and perpetual.

Item 6b – Regional Urban Water Augmentation Project (“RUWAP”)– status report:

Item 6bi – Memorandum of Understanding (“MOU”) between Marina Coast Water District (“MCWD”) and Monterey Regional Water Pollution Control Agency (“MRWPCA”): MCWD General Manager Jim Heitzman reported that there is plenty of winter water and a three-agency draft agreement is out that will ensure water availability for all who qualify. He reported good progress reaching agreement on the MOU had been made, adding that he would be meeting again with MRWPCA General Manager Keith Israel on Monday to finalize the RUWAP agreement. He said he expects to have all parties on board by mid-April. Mr. Heitzman announced that Congressman Farr had managed to insert \$3 million for the RUWAP in an appropriations bill, which will strengthen the regional water plan being considered by the California Public Utilities Commission.

Item 6bii –CPUC project approval process: Mr. Heitzman reported that CPUC had opened the hearings on the regional project and the Environmental Impact Report (“EIR”) public comment period had been extended 15 days. He stressed the importance of getting all the necessary agreements signed before the CPUC would approve the project and added that CalAm is moving forward in approving their agreement. He said there is a lot of optimism that the RUWAP will be selected by the CPUC commissioners.

Mayor McCloud asked that FORA staff send a specific mailing address for sending project support letters. Mr. Heitzman said he would send the address as well as drafts of proposed text to all who want them. Councilmember Gray asked if the CEQA document out for public review would be sufficient for all the regional water projects, and Mr. Heitzman replied no, because more project specific work needs to be done. Executive Officer Houlemard recognized MRWPCA General Manager Keith Israel, who commented that Mr. Heitzman's report provided a good summary. He added that they are down to finalizing the last two agreements and that three or four agreements are expected to be finalized within two weeks. He said this action will move the CPUC approval process forward significantly.

#### Item 6c – Imjin Office Park Project

Chair Rubio recused himself from the discussion of this item, and 1<sup>st</sup> Vice Chair Potter assumed the chair's position.

Item 6ci – Approval of lease agreement with Marina Coast Water District: Executive Officer Houlemard provided the background of this agreement, including the current terms and conditions. He said it comports with the Board's previous lease approvals. A handout was distributed showing payments owed to FORA by AMBAG, which totaled \$220,855.92. Mr. Houlemard requested flexibility to use some of these financial charges on interest owed as credits in order to take advantage of energy efficiency programs that AMBAG has currently undertaken. Mayor Russell asked how FORA would benefit from any energy benefits, and Mr. Endsley replied that AMBAG had plans to develop an energy conservation center in the new building, which FORA would like to participate in via FORA's Sustainable Base Reuse Institute. There were no public comments.

Item 6cii – Resolution authorizing property sale: There were no board comments or questions.

**Motion to (1) authorize the Executive Officer to execute a lease agreement with Marina Coast Water District ("MCWD"), (2) approve Resolution No. 09-03 authorizing the Executive Officer to execute the sales contract with MCWD and AMBAG, and (3) authorize the Executive Officer flexibility in resolving AMBAG's outstanding finance fees due to FORA was made by Councilmember Mancini, seconded by Councilmember Kampe, and carried.**

Mayor Rubio assumed the Chair's position at this time.

## 7. EXECUTIVE OFFICER'S REPORT

There were five items in this report: Item 7a (Administrative Committee report), Item 7b (Executive Officer's travel report), Item 7c (Department of Toxic Substances Control Land Use Covenants annual reporting), Item 7d (Rabobank debt consolidation/priority capital improvements), and Item 7e (Status update of outstanding receivables). Re Item 7a: Executive Officer Houlemard encouraged all to read the Administrative Committee meeting minutes, calling them "illuminating." Re Item 7b: He provided an oral travel report, noting his many meetings in Washington, DC, and his efforts to participate in the federal stimulus funds and any additional revenues in the FY 2010 budget. He reported that Congressman Farr had been able to insert \$3 million for treatable (recycled) water in a Department of the Interior's FY 2010 appropriation budget bill. He also reported several leads for funding affordable housing, General Jim Moore

Blvd. ("GJMB") road improvements and installation of the water pipelines. Re Item 7d: Mr. Houlemard said that staff is pursuing several options to open up more funding opportunities for GJMB improvements. Re Item 7e: He summarized the board report and said staff is making every effort to reach reasonable resolution within the FORA board policies and rules to collect debts owed to FORA.

8. ANNOUNCEMENTS AND CORRESPONDENCE

A copy of the invitation to the ceremony commemorating the official opening of the Fort Ord Dunes State Park at 11:00 a.m. on April 15<sup>th</sup> was in the meeting packet. All were encouraged to attend.

9. ADJOURNMENT

Chair Rubio adjourned the meeting at 4:12 p.m., following a motion that was made without objection.

Minutes prepared by Linda Stiehl, Deputy Clerk.

Approved

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