



# Fort Ord Reuse Authority

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**BOARD OF DIRECTORS MEETING**  
**Friday, May 13, 2011**  
**3:00 p.m. Carpenters Union Hall**  
**910 2<sup>nd</sup> Ave, Marina (on the former Fort Ord)**

## MINUTES

### 1. CALL TO ORDER AND ROLL CALL

Chair Potter called the May 13, 2011 Board of Directors meeting to order at 3:00 p.m.

Voting members present (Quorum present at call to order)

Chair/Supervisor Potter (County of Monterey)  
1<sup>st</sup> Vice Chair/Mayor Edelen (City of Del Rey Oaks)  
Mayor Pendergrass (City of Sand City)  
Mayor ProTem Kampe (City of Pacific Grove)  
Councilmember Brown (City of Marina)

Supervisor Parker (County of Monterey)  
Mayor Bachofner (City of Seaside)  
2<sup>nd</sup> Vice Chair/Mayor Pro-Tem O'Connell  
(City of Marina)

Absent: Mayor McCloud (City of Carmel-by-the-Sea). Arriving after the roll call were the following members: Councilmember Selfridge (City of Monterey), Jim Cook (County of Monterey), Councilmember Barrera (City of Salinas), Councilmember Oglesby (City of Seaside).

Ex-Officio members present:

Dr. Margon (University of California Santa Cruz ("UCSC")), Kevin Saunders (California State University Monterey Bay ("CSUMB")), Vicki Nakamura (Monterey Peninsula College ("MPC")), Dan Albert, Jr., (Monterey Peninsula Unified School District), Bill Collins (Base Realignment and Closure ("BRAC")), Debbie Hale (Transportation Agency for Monterey County ("TAMC")), Nicole Charles (27<sup>th</sup> State Assembly District), and Pamela Von Ness (United States Army).

Absent: Hunter Harvath (Monterey Salinas Transit) and representation from the 15<sup>th</sup> State Senate District. Arriving after the roll call were: Alec Arago (17<sup>th</sup> Congressional District) and Ken Nishi (Marina Coast Water District ("MCWD")).

2. **PLEDGE OF ALLEGIANCE** - Chair Potter led the Pledge of Allegiance.

3. **ACKNOWLEDGEMENTS** – Mr. Houlemard acknowledged FORA staff member Sharon Strickland. Ms. Strickland, who has been a dedicated employee with more than 15 years of service is moving to Texas and this was her last meeting.

4. **LEGISLATIVE SESSION** - Congressman Sam Farr (17<sup>th</sup> Congressional District) – Executive Officer Houlemard reported that Congressman Farr continues to be helpful regarding the UCMBEST Center. After arrival, 17<sup>th</sup> Congressional District staff member Alex Arago provided a handout summarizing federal issues related to FORA. Mr. Arago reported that, in general, the federal budget is very lean and may impact the clean-up efforts on the former Fort Ord. He said that the recently passed Continuing Resolution cut \$38 billion from the previous year, bringing the overall budget down to 2008 levels. He said that Mr. Farr realizes the importance of providing as much support as possible for the Fort Ord and BRAC (Base Reuse Alignment Closure) clean-up and that the House and Senate will have to weigh in on spending levels. However, Mr. Arago noted that Mr. Farr expects about \$373M (increased by \$50M for the account) to be available for cleanup purposes nationwide. Mr. Arago also said that the Defense Communities Caucus, was created to assist communities in developing positive collaborations to discuss funding issues, share expertise and best practices models and that MR. Farr serves as c-chair. Mr. Arago noted that City of Monterey City Manager Fred Meurer, Mr. Farr, and Executive Officer Houlemard, all

participated in a recent effort in Washington DC to discuss the intergovernmental services agreements such as the one between the City of Monterey and POM/DLI (Presidio of Monterey/Defense Language Institute). He said that arrangements such as these could save the Federal government money. Mr. Arago also reported on the joint Active Duty Military – Veterans Administration (“VA”) Clinic effort. The City of Seaside and the VA are working on a location and the perfect spot might be at General Jim Moore Boulevard and Gigling across from the Commissary. He said that Mr. Farr is hopeful that new construction will not be cut. Mr. Arago extended his appreciation to the FORA Board Directors and Mr. Monning and his staff for their work on the future California Central Coast Veterans Cemetery. Chair Potter opened the floor for questions. There being no questions, Chair Potter noted no representation from the 15<sup>th</sup> State Senate District and introduced Nicole Charles, representative from the 27<sup>th</sup> State Assembly District.

Assemblymember Bill Monning (27<sup>th</sup> State Assembly District) – Staff member Nicole Charles read a memo from Assemblymember Monning thanking FORA Board and staff for their coordination with his office. In the memo read by Ms. Charles, Assemblymember Monning acknowledged FORA’s scheduled sunset and encouraged members to review the best options for the Monterey Community. He also thanked FORA’s work on Assembly Bill 629 which would bring a veterans cemetery to the former Fort Ord base and that the legislation proposes the California Department of Veterans Affairs to contract with FORA for construction of the project. Ms. Charles also noted the town hall meeting Mr. Monning at Seaside’s Oldemeyer Center on Saturday May 21<sup>st</sup> beginning at 10:00 a.m. and thanked Mr. Houlemard for agreeing to moderate that event.

5. **ANNOUNCEMENTS AND CORRESPONDENCE** – Chair Potter asked the directors to please be sure to turn on their microphone while speaking and turn it off when finished so that the Deputy Clerk could be assured of a proper recording for the Board minutes. Mr. Houlemard announced that a letter was received from Matt Huerta, Director of Housing Development South County Housing regarding the FORA Impact Fee Program for Affordable and Reduced Size Housing.
6. **PUBLIC COMMENT PERIOD** – John Hutchenson, resident of the City of Monterey commented that he was a part-owner of the former Fort Ord. He said that he walks the former Fort Ord seven days a week and enjoys the trails. He said that the serpentine roadways of Eastside Road and access to BLM land is of concern and will cut the access of thousands of people to use the Gigling and 8<sup>th</sup> street entrance. He urged a new base reuse plan be considered. Ken Cristman, resident of Carmel Valley thanked FORA staff for their work and for the access to the ESCA lands during the cleanup period. He asked the Board to consider an alternative to another automobile transit artery and further development at the cost of habitat. He said that maybe the plan needs to be updated.
7. **CONSENT AGENDA** – Motion to approve the April 8, 2011 FORA Board meeting minutes was made by Supervisor Parker, seconded by Councilmember Oglesby and carried.
8. **OLD BUSINESS** – Item 8a - Board packet distribution, staff member Sharon Strickland presented an overview of the new Board packet distribution process including a link on the FORA website main page. She said that, during the month of May, Board members received both paper copies and an email which included the link. Ms. Strickland said that this month’s board packet was extremely large and previous packets were much smaller, noting that, in the future, downloading the document should be swifter. Ms. Strickland said that the Board will be notified by email the Friday prior to the Board meeting that the board packet has been posted. She said that, if Board members wanted a paper copy, please notify the Deputy Clerk, Daylene Alliman. Debbie Hale asked if staff could ensure landscape documents be posted horizontally instead of vertically. Ms. Strickland agreed to research the issue and make the adjustment if possible. Item 8b - Environmental Services Cooperative Agreement (“ESCA”), Program Manager Stan Cook presented a report on the ESCA program and summarized meetings and outreach events held throughout the year. He discussed the future of East Garrison and gave an update on the Munitions Response Area, Habitat Program, 2011 Document Schedule and the Community Involvement for 2011. Mr. Cook reviewed the ACCORD principles of the Community Involvement and Outreach program. He reviewed the findings of munitions and explosives of concern (“MEC”)

and community resources available to the public and reported on planned events for the year. Item 8c - FORA/Agency Reimbursement Agreements, ESCA property work, Mr. Cook reported that outside agencies had requested ESCA team escorts for access to ESCA property owned by FORA. He said that this assistance cannot be provided utilizing ESCA remediation funds. He said the recommendation is for FORA to enter into reimbursement agreements with Monterey Peninsula College ("MPC"), Monterey Horse Park ("MHP"), and others so that these entities can pay FORA for the ESCA team escorts and additional staff time. Mr. Cook asked the Board to authorize the FORA Executive Officer to execute individual reimbursement agreements with these outside agencies. **Motion to approve was made by Mayor ProTem O'Connell and seconded by Mayor Bachofner. The vote failed as a consequence of a no vote and a second vote on this item will occur at the June meeting where a majority prevails as defined in 2.02.040 of the Master Resolution.**

Item 8d - Capital Improvement Program Review

- i. Adopt resolution to implement fee adjustment
- ii. Review and adopt policy changes necessary to implement the fee adjustment
- iii. Authorize Executive officer to enter into contract for Phase II
- iv. Draft Capital Improvement Program FY 11-12

Director of Planning and Finance Steve Endsley presented the item to the Board. He summarized that FORA staff contacted Community Facilities District ("CFD")/Assessment District Counsel Paul Thimmig after the Board's April 8<sup>th</sup> action. Mr. Thimmig determined that the CFD special tax and development fee could be amended, as directed by the Board, through a resolution. Executive Officer Houlemard and Authority Counsel Jerry Bowden drafted the attached resolution 11-02, which was subsequently reviewed and edited by Mr. Thimmig. Staff recommends that the Board adopt resolution 11-02 to implement the across the Board CFD Special Tax and Development Fee adjustment. Mr. Endsley also described recommended policy changes for the Board to adopt for implementation of the fee adjustment. Mr. Endsley outlined the proposed Phase II Capital Improvement Program (CIP) consultant scope and recommended Board approval. Finally, Mr. Endsley provided a brief PowerPoint presentation regarding the draft Capital Improvement Program FY 11-12. Chair Potter opened the floor to public comment. Mike Weaver identified himself and expressed concerns about the recommended Board action of a fee adjustment. He commented that a CEQA study should be performed. Richard Rosenthal representing Save Our Peninsula commented on the fee adjustment. He said that a CEQA study or a reference to a CEQA exemption should be made. **Motion to approve was made by Mayor Edelen, seconded by Councilmember Oglesby and carried.**

Item 8e- Office of Economic Adjustment grant – Senior Planner Jonathan Garcia reported that there were two items recommended to the Board for this item. The first item was to receive a presentation from Whitson engineers and Royston, Hanamoto, Alley, & Abey (RHAA) regarding the work they've performed under the grant. The second item was to accept Office of Economic Adjustment (OEA) grant deliverables completed by Whitson Engineers and their sub-consultants. Andrew Hunter from Whitson Engineers and Cordy Hill from RHAA reported on the California Central Coast Veterans Cemetery work they've completed. **Motion to approve was made by Councilmember Barrera, seconded by Councilmember Oglesby and carried.**

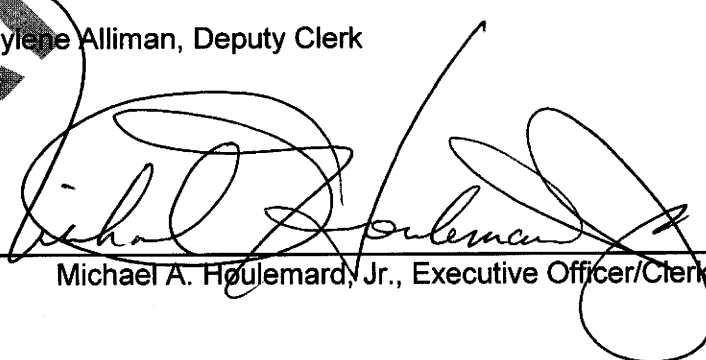
Item 8f - Habitat Conservation Plan, Director of Planning and Finance, Steve Endsley reported that relationships are good with both the California Department of Fish and Game (CDFG) and U.S. Fish and Wildlife Service (USFWS). He explained that much of the additional contract costs stem from comments received from USFWS requesting a complete reorganization of several sections. Mr. Arago offered support from Congressman Sam Farr's office. Mayor Bachofner expressed dismay regarding the contract costs for reorganizing Habitat Conservation Plan (HCP) sections. Mr. Endsley clarified that the contract would cover completion of a 3<sup>rd</sup> Administrative Draft HCP, a screen-check draft HCP for USFWS and CDFG attorneys to review, and completion of a public draft HCP. **Motion to approve was made by Councilmember Barrera, seconded by Councilmember Oglesby and carried unanimously.**

Item 8g - General Jim Moore Boulevard Phase V and Eucalyptus Road Phase II – Senior Engineer Jim Arnold gave an update stating the board report was succinct regarding the final change orders and FORA was working with the EDA to award the project which is expected by the June 10, 2011 board meeting.

9. **NEW BUSINESS - Item 9a - FORA FY 11-12 Preliminary Budget**, Controller Ivana Bednarik stated that the Finance Committee held its first meeting and expected to meet again on May 23, 2011 to review the fiscal year 2011-12 budget and present to the Executive Committee for Board approval at the June meeting. Mr. Houlemard stated there was a slight increase made in reserves to cover six months of operating expenses noting that the last one made was nine years ago. Item 9b - Land Use Covenants fiscal year 09-10 report, Mr. Houlemard presented the item to the Board, stating the report is included for informational purposes only and FORA jurisdictions are responsible for completing individual annual reports and for reimbursing the California Department of Toxic Substances Control (DTSC) for their annual oversight costs.
10. **EXECUTIVE OFFICER'S REPORT - Executive Officer Houlemard stated that Item 10b - Administrative Committee report**, stood as an information item and Item 10c - Finance Committee report, had been reported under New Business Item 9a. Item 10a. - Outstanding Receivables, Mr. Houlemard reported that the City of Del Rey Oaks reported to the Executive Committee its ability to pay however the City of Marina is disputing the collection of the CFD fee tax increment. **Motion to accept was made by Mayor Bachofner, seconded by Mayor Pro Tem Kampe and carried.** Item 10d - Travel Report, Mr. Houlemard gave a brief overview of the travel for his and Senior Planner Jonathan Garcia's trip to Sacramento in support for the hearing regarding AB 629 and issues regarding the HCP; Assistant Executive Officer Feeney's trip to Seattle to meet with the Economic Development Administration ("EDA"); and travel for Stan Cook to participate in the ESCA team meeting in San Francisco. Additionally, Mr. Houlemard requested an increase in the travel budget authority to cover any other legislative coordination issues that may surface. **Motion to approve a \$2000.00 increase was made by Supervisor Parker, seconded by Mayor Edelen and carried unanimously.** Item 10e - Legislative Committee report, Mr. Houlemard gave an overview of the legislation reviewed by the Legislative Committee and noted the support positions are for bills 629 and 343. Mr. Houlemard asked for concurrence with the state legislation positions recommended. **Motion to approve was made by Supervisor Parker, seconded by Councilmember Barrera and carried.**
11. **ITEMS FROM MEMBERS - none**
12. **REPORT OUT OF CLOSED SESSION - Mr. Houlemard gave a status report of the Preston Park sale negotiations and parties have agreed to schedule mediation. The Board gave the Chair authorization to send a letter to the City of Marina regarding Neeson Road.**
13. **ADJOURNMENT - Chair Potter adjourned the meeting at 5:45 p.m.**

Minutes prepared by Daylene Alliman, Deputy Clerk

Approved by \_\_\_\_\_

  
Michael A. Houlemard, Jr., Executive Officer/Clerk