



Fort Ord Reuse Authority

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BOARD OF DIRECTORS MEETING

Friday, September 16, 2011

3:30 p.m. Carpenters Union Hall

910 2nd Ave, Marina (on the former Fort Ord)

MINUTES

1. CALL TO ORDER AND ROLL CALL

Chair/Supervisor Potter called the September 16, 2011 Board of Directors meeting to order at 5:05 p.m.

Voting members present (Quorum present at call to order)

Mayor Pendergrass (City of Sand City)
Mayor ProTem Kampe (City of Pacific Grove)
Councilmember Brown (City of Marina)
Supervisor Parker (County of Monterey)
Mayor McCloud (City of Carmel-by-the-Sea)
Councilmember Selfridge (City of Monterey)

Councilmember Oglesby (City of Seaside)
2nd Vice Chair/Mayor Pro-Tem O'Connell
(City of Marina)
Mayor Donohue (City of Salinas)
Mayor Bachofner (City of Seaside)
Mayor Edelen (City of Del Rey Oaks)

Ex-Officio members present:

Vicki Nakamura (Monterey Peninsula College ("MPC")), Bill Collins (Base Realignment and Closure ("BRAC")), COL Clark (United States Army), Dan Albert, Jr., (Monterey Peninsula Unified School District), Mike Gallant (Monterey Salinas Transit), Kenneth Nishi (Marina Coast Water District ("MCWD")), Nicole Charles (27th State Assembly District), Kevin Saunders (California State University Monterey Bay ("CSUMB")), Debbie Hale (Transportation Agency for Monterey County ("TAMC")).

Absent: Representation from the 17th Congressional District, 15th State Senate District and University of California Santa Cruz.

- #### 2. ACKNOWLEDGEMENTS/ANNOUNCEMENTS/CORRESPONDENCE
- Chair Potter requested a moment of silence for Gordon Nakagawa in his memory. Executive Officer Houlemard announced that there would be an Open House for the new location of FORA offices, Friday October 14, 2011 at 3:00 p.m. prior to the next Board meeting. Mr. Houlemard also apologized for the email and USPS mail interruptions in service during the time of the recent move. Mr. Houlemard acknowledged Steve Endsley's acceptance of the position as FORA's Assistant Executive Officer as of September 1, 2011. Mr. Houlemard also acknowledged the changes to the minutes in the title of Mr. Nishi.
- #### 3. PUBLIC COMMENT PERIOD
- LeVonne Stone reminded the Board that the graduates of the Fort Ord Job Training initiative program held last year are still looking for work. She said that she would like to hear more about job creation in our local communities.
- #### 4. CONSENT AGENDA
- June 10, 2011 FORA/MCWD Joint Board meeting minutes
 - July 8, 2011 FORA/MCWD Joint Board meeting minutes
 - August 12th, 2011 FORA Board meeting minutes
- Mayor Bachofner abstained from the vote since he did not attend the July 8, 2011 meeting and asked that the minutes be corrected as such. **Upon a motion made by Supervisor Parker to accept the items on the consent agenda with noted corrections and seconded by Mayor ProTem Kampe, the motion carried.**

5. OLD BUSINESS

- a. Preston Park – Assistant Executive Officer Steve Endsley gave a brief report regarding the Preston Park rental structure. At the July board meeting the rental rates were discussed and the board approved that the rates remain. Secondly the Board requested a tour of the Preston Park. Four members of the Board toured Preston Park and FORA staff also attended. Alliance and the City of Marina coordinated the effort. There was a mix of the property facilities, maintenance, and condition of the property, and residents were met. Next steps requested by the Board are: 1.) Alliance distribute the accumulated excess revenue from last two fiscal years and that what is left in the reserve account is split 50/50 FORA/City of Marina. 2) Once the walkthrough took place and the reserve account accounting was completed that we would be able to entertain any capital improvement requests having been better informed as to the condition of the property. The audit is in progress. Mr. Houlemard confirmed that the next mediation date has been scheduled for either October 6 or 7. Jan Shriner commented that she has a concern regarding the City of Marina's ability to produce revenue for housing development stating that the City's largest portion of revenue comes from Preston Park. She said she understands that FORA is making a voluntary \$ 21.7M contribution to the water systems of our region. She asked the Board to consider forgoing making that contribution and instead pay off the \$19M debt on Preston Park in order to allow the City of Marina to continue receiving the revenue. Supervisor Potter said staff could provide comments at a later date since this was an informational item.
- b. California Central Coast Veterans Cemetery – Mr. Houlemard reported that we are still moving ahead with the MOU between County of Monterey, City of Seaside, FORA, Central Coast Cemetery and yet to be considered by the County Board of Supervisors. The FORA Board has already approved the MOU. Nicole Charles reported that Governor Brown signed AB 629 on September 7th and it will be enacted into law January 2012. Ms. Charles also thanked the Board members for their support and letters. Chair Potter thanked Assemblymember Monning and his staff for their efforts stating that it will lower costs, local efficiency effort, construction of the project, and produce jobs for the region. Supervisor Parker stated there are concerns from the Veterans Advisory Committee steering group that it would be helpful to lay out next steps as FORA moves forward documenting the responsibilities. She requested that FORA staff develop an implementation plan that includes costs and timelines to ensure accuracy. Chair Potter stated that FORA staff is prepared to do that. Ms. Charles stated that the CDVA (California Department of Veterans Affairs) needs to work with the Department of Finance and the Department of General Services. LeVonne Stone commented that she was surprised that the cemetery project has taken so long to develop. Mayor Bachofner stated that Seaside voted unanimously approved the most recent version of the MOU.

6. NEW BUSINESS - none

7. EXECUTIVE OFFICER'S REPORT

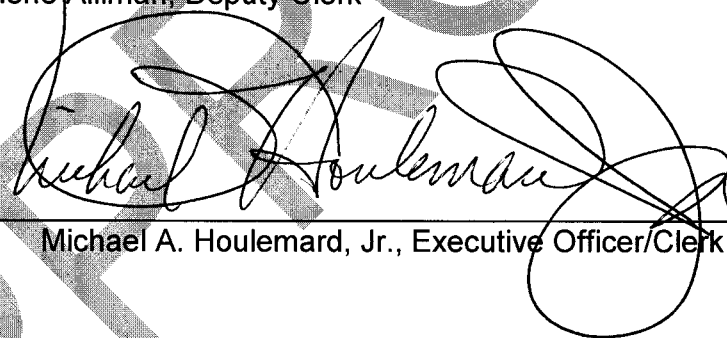
Executive Officer Houlemard stated that the items were for informational purposes and highlighted the following: Item 7a Outstanding Receivables – the Del Rey Oaks payment is current, City of Marina owes TI 08/09 and 07/08 referred to Legal Counsel, and City of Seaside is also current. Item 7b Administrative Committee – Mr. Houlemard stated that the Administrative Committee is continuing to work hard on behalf of the jurisdictions. Item 7c. Habitat Conservation Plan (HCP) – Mr. Endsley reported that the consultants are intending to submit the final document (Administrative #3) October 31 to the regulatory agencies. He said the document is being circulated to the jurisdictions and they have been given until September 30 to provide final comment on the HCP EIR/EIS (Environmental Impact Report/Environmental Impact Statement) and implementing documents to FORA staff. Item 7d. Fort Ord Reuse Authority extension – Mr. Houlemard gave a PowerPoint presentation (*copy attached*) regarding the background of the Fort Ord Reuse Authority stating that its mission was to oversee the financing and planning of the Former Fort Ord when the base closed. He stated that there was a loss of revenue to the region, jobs and housing from when the base was fully active. At the time there were 36,000 soldiers, civilians, and families associated with Fort Ord. He said that State legislation was proffered to create a Board of Directors with the authority essential to completing the reuse of the 28,000 acres – 45 square miles of the former Fort Ord and to work with the local jurisdictions, agencies, military and others with a sunset date of June 30, 2014. The Authority Act sets forth that either the authority would be dissolved when 80% of the work be accomplished. He said at this time we are not beyond 40% in terms of projects constructed OR June 30, 2014 whichever is the earlier. He said the local LAFCO then becomes responsible for the transfer of FORA's obligations and assets. He reported that many of these obligations run past the June 30, 2014 deadline. Lastly Mr. Houlemard stated that Extension to 2020 allows FORA to meet fixed-term obligations and then presented a timeline of the process for either the transition to LAFCO or the extension of FORA. Mr. Houlemard said that at the Board's pleasure, Assemblymember Monning has indicated he would carry

legislation to extending FORA. Formal actions would need to be taken in December 2011 and ready for the Governor's signature by September 2012. Absent actions taken toward legislation the Board would need to give the Executive Officer the authority to begin the dissolution process with LAFCO beginning October 2012. Chair Potter stated he thought it important that this issue be addressed now and entertained questions from the Board. Bill Collins asked if FORA was not extended who would take care of the munitions and explosives removal on the Fort Ord. Mr. Houlemard said that the Army and the regulators would need to approve FORA's successor. Mayor McCloud asked when congress would have to approve for future funding, staffing, etc. Mr. Houlemard said that if the extension is under the current terms the same powers and the same financing authority would exist and continue to be in place, it is currently a state law. Jan Shriner asked about the building removal in the City of Marina and not give entitlements until the buildings are removed. Mr. Houlemard stated that was a jurisdictional decision and FORA's responsibility is to determine consistency with the Base Reuse Plan. LeVonne Stone commented about the building removal near CSUMB caused dust and the projects needs to be overseen and that safe standards be established for the public. Debbie Hale said that she was interested to see that the FORA CFD special tax ends when FORA ends and she would have to research the TAMC regional fees to verify if Fort Ord would be covered by TAMC's fees in a situation where FORA is not extended. Item 7e. Executive Officer's Travel Report - Mr. Houlemard reported that he will be attending the EPA's Leadership Federal Facility Cleanup dialogue in Washington, DC.

8. **ITEMS FROM MEMBERS** – Vicki Nakamura announced the Grand Opening of the new MPC facility on the former Fort Ord at 1:00 p.m. on September 26th.
9. **CLOSED SESSION** – Builder's Exchange vs. FORA – threatened litigation
10. **REPORT OUT OF CLOSED SESSION** – Counsel reported that there was no liability therefore authority nor direction was required.
11. **ADJOURNMENT** - Chair Potter adjourned the meeting at 5:56 p.m.

Minutes prepared by Daylene Alliman, Deputy Clerk

Approved by



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