

## Lena Spilman

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**From:** Haines Jane [envirlaw@mbay.net]  
**Sent:** Tuesday, January 08, 2013 9:04 AM  
**To:** board  
**Subject:** Re: question and request  
**Attachments:** FORANominations.pdf; ATT00001.htm

On Jan 8, 2013, at 8:55 AM, "Bill Kampe" <[bill@billkampe.org](mailto:bill@billkampe.org)> wrote:

Hello Jane,

You raise excellent points on the process. Would you please copy the full board: [board@fora.org](mailto:board@fora.org)

Thanks,  
Bill Kampe

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**From:** Haines Jane [mailto:[envirlaw@mbay.net](mailto:envirlaw@mbay.net)]  
**Sent:** Tuesday, January 08, 2013 8:24 AM  
**To:** Kampe Bill  
**Subject:** question and request

Dear Bill:

I and others are concerned that the FORA Nominating Committee appears to have been unaware of applicable provisions in Master Resolution Section 2.01.040, paragraph (a), when it nominated David Pendergrass for his fifth term as Member-at-Large, and paragraph (b) when it nominated Ralph Rubio for 2nd Vice Chair rather than nominating a voting member of the Board who has not yet served as an officer. Section 2.01.040 is attached. Paragraph (a) limits officers' terms to a maximum of two years and paragraph (b) states that it is the policy of the Board to rotate officers on a regular basis.

My understanding is that David Pendergrass has previously served for four consecutive years as Member-at-Large and Ralph Rubio has previously served as Chair of FORA's Board. As far as I know, there are several Board members who have not yet served as officers.

In light of the fact that the Final Reassessment Report states that only 21% of Base Reuse Plan programs (overall) have been completed (Final Report, pg. 3-122), and for other reasons, it seems pretty obvious that past Board members have been lax in their oversight of FORA's adherence to adopted standards. I and others who hope for improvement do not believe that former officers of the FORA Board have demonstrated commitment to the 1997 Plan and other applicable standards, including in this case Section 2.01.040 of the Master Resolution.

If the Nominating Committee was not apprised of Section 2.01.040, would you please reconvene the Committee to have it reconsider its nominations? I realize that would be quite awkward for you to do, however I and others believe that until FORA sheds its lax oversight and replaces it with rigorous commitment to enforcing applicable programs and policies, FORA's long-time practice of disregarding the BRP and other standards will continue.

Yours sincerely,

before the Board member, alternate, or ex-officio member may participate in Authority Board meetings.

**2.01.040. SELECTION OF OFFICERS.**

(a) The Authority's officers will be elected from the Board and will serve a term of one year and may be reelected for no more than one consecutive additional term in the same office. Election of officers takes place at the close of the Authority's first regular January meeting.

(b) The officers of the Authority will be a Chair, a First Vice-Chair, and a Second Vice-Chair. It is the policy of the Board that the officers of the Authority rotate on a regular basis among the members of the Board with the First Vice-Chair succeeding the Chair and the Second Vice-Chair succeeding the First Vice-Chair as vacancies occur. Such other officers as may be deemed necessary may be appointed by the Authority Board.

**2.01.050. AUTHORITY OF CHAIR AND VICE-CHAIRS.**

The Chair presides at all meetings of the Authority Board and may make or second any motion and present and discuss any matter as a member of the Board. If the Chair is absent or unable to act, the First Vice-Chair will serve until the Chair returns or is able to act and has all of the powers and duties of the Chair. If both the Chair and First Vice-Chair are absent or unable to act, the Second Vice-Chair will serve until the Chair or First Vice-Chair returns or is able to act and has all of the powers and duties of the Chair. If the Chair, First Vice-Chair, and Second Vice-Chair are absent or unable to act, Board will choose one of its number as the presiding officer.

**2.01.060. ADDITIONAL DUTIES.**

The officers of the Authority may perform such other duties as may be required by resolution or other action of the Authority.

**Article 2.02. MEETINGS OF THE AUTHORITY BOARD**

**2.02.010. MEETINGS – TIME AND PLACE.**

(a) The regular meetings of the Authority Board are held on the second Friday of each and every month at the Authority Offices, commencing at the hour of 3:30 pm, except as otherwise provided in this section.

(b) If any regular meeting day falls upon a holiday, the regular meeting of the Board will be held at the same place on the next Friday, which is not a holiday commencing at the same hour, in which event all hearings, applications, petitioners, and other matters before the Board are deemed to be and are automatically continued to the same hour on such Friday which is not a holiday.

(c) All meetings of the Authority Board are held in places accessible to persons, including persons with physical handicaps or disabilities.

exclusion will be effected by an appropriate peace officer upon being so directed by the Chair.

**2.02.070. NOTICE OF ABSENCE.**

If any member of the Board is unable to attend a meeting, that Board member will, if possible, notify the Executive Officer prior to the meeting.

**2.02.080. VACATION PERIOD.**

The Authority Board determines by resolution each calendar year vacation periods during which no regular meetings will be held.

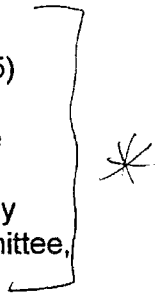
**Article 2.03. COMMITTEES**

**2.03.010. PURPOSE.**

Committees and subcommittees may be established, as the Authority may deem appropriate to provide the Board with options, critique, analysis, and other information as the Board may request from time to time.

**2.03.020. EXECUTIVE COMMITTEE.**

The Executive Committee is comprised of not more than five (5) members of the Board. The Committee is comprised of the Chair, First Vice-Chair, Second Vice-Chair, a Past Chair, and one representative member appointed by the Board. If the Past Chair position is vacant, the Board may appoint another representative. The Executive Committee will provide such duties as the Board may assign. If any designated representative is unable to serve on the Executive Committee, the Board may fill such vacancy with another member of the Board.



**2.03.021. EXECUTIVE COMMITTEE DUTIES.**

The Executive Committee meets on a date and time the Committee determines is convenient or necessary. The Executive Officer and Authority Counsel attends the meetings of the Executive Committee. The duties of the Executive Committee are:

- (a) Review and approve all agendas of all regular and special meetings of the Board of Directors;
- (b) Provide initial performance evaluation of the Executive Officer and make recommendations to the Board of Directors regarding employment and personnel matters relating to the Authority staff; and
- (c) Perform such other duties as the Board of Directors may direct.

**2.03.030. ADMINISTRATIVE COMMITTEE.**

The chief administrative officer, county administrative officer, or city manager of each member agency, or designee, may serve on an administrative subcommittee to the Board to provide advice, analysis and recommendations to the

## Lena Spilman

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**From:** Lena Spilman  
**Sent:** Friday, January 11, 2013 10:39 AM  
**To:** board  
**Cc:** Michael Houlemard; Steve Endsley; Jonathan Garcia  
**Subject:** FW: FORA Board meeting 1-11-13  
**Attachments:** re Traffic & Circulation, Fort Ord.doc

FORA Board members,

I am distributing the attached correspondence at the request of Mr. Weaver (below).

Lena Spilman  
Deputy Clerk/Executive Assistant  
Fort Ord Reuse Authority (FORA)  
920 2nd Avenue, Suite A | Marina, CA 93933  
(831) 883-3672 | Fax: (831) 883-3675  
[www.fora.org](http://www.fora.org)

-----Original Message-----

From: Michael Weaver [<mailto:michaelrweaver@mac.com>]  
Sent: Friday, January 11, 2013 10:29 AM  
To: Rosalyn Charles  
Subject: FORA Board meeting 1-11-13

FORA Board  
for the FORA Board meeting 1-11-13  
c/o Rosalyn Charles

January 11, 2013

Hello Rosalyn Charles,

Attached please find a letter for the FORA Board for their meeting today.  
Please distribute this to the FORA Board and staff as well as making it a part of the FORA Administrative Record.

If for some reason the attachment will not open, please contact me and I can fax it to you.

Thank you,  
Mike Weaver  
(831) 484-6659

**Monterey County Board of Supervisors  
Fort Ord Committee**

Monterey County Government Center  
168 W. Alisal St.  
Salinas, CA 93906  
Monterey Conference Room, 2<sup>nd</sup> Floor

Wednesday, January 9, 2013, 10:00 a.m.

**Regarding: AGENDA**

4. Fort Ord Reuse Plan - Circulation Improvements. Consider traffic improvement related to Inter-Garrison Road.

**RECOMMENDATIONS:**

- a) Recommend that the Board of Supervisors approve changing the speed limit on Reservation Road.
- b) Recommend that the Board of Supervisors accept East Garrison improvements to Inter-Garrison Road and activate the traffic signal at Reservation Road.
- c) Direct staff to hold off a full opening of Inter-Garrison Road pending completion of Eastside Parkway and/or 8<sup>th</sup> Street.

Dear Monterey County Supervisors,

It has just come to my attention that traffic circulation changes are being proposed in Monterey County, and that you are being asked to make specific recommendations regarding these. These changes have implications for State Highway 68. These changes have implications for the Laguna Seca County Park.

Further, these changes have implications for the new Fort Ord National Monument. My understanding of the President's proclamation dedicating the area as a National Monument called for a comprehensive traffic and circulation plan. No such plan has been created. No environmental review has been done.

These proposed changes are not being done on a regularly scheduled Supervisors Board Tuesday meeting agenda, but on a special meeting held on a Wednesday morning, with you Supervisors as a "committee".

We don't recall seeing any studies regarding these changes, even though we try to follow all such things affecting or possibly affecting State Highway 68. You may know that my prior Public Records Request for any items pertaining to an "Eastside Parkway" turned up very little. You may also know that the Highway 68 Coalition has been following issues on former Fort Ord since its closure. We participate in and comment on Fort Ord issues including transportation and circulation issues.

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We also note that the extensive email list announcing this meeting and agenda item number 4 does not include anyone at CalTrans, District 5.

This agenda item is a potential Brown Act violation.

We ask that the agenda item #4 be continued until such time as board packet material, and any studies, reports related to this agenda item can be reviewed by interested public members and also California State Departments if they wish.

Respectfully,

Mike Weaver  
Chair, The Highway 68 Coalition  
(831) 484-6659

## Lena Spilman

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**From:** Jennifer McNary [mcnary@stamplaw.us]  
**Sent:** Friday, January 11, 2013 1:23 PM  
**To:** board  
**Cc:** Molly Erickson  
**Subject:** January 11, 2013 Agenda Item 8b -- Veterans Issues Ad Hoc Task Force  
**Attachments:** FORA.ltr.to.13.01.11.re.agenda.item.8b.pdf

Good afternoon,

The attached letter is regarding an item on today's agenda. Please distribute the letter to the Board prior to today's meeting.

Thank you.

Jennifer McNary  
Law Offices of Michael W. Stamp  
479 Pacific Street, Suite One  
Monterey, CA 93940  
tel: 831-373-1214  
fax: 831-373-0242

LAW OFFICES OF  
**MICHAEL W. STAMP**

Michael W. Stamp  
Molly Erickson  
Olga Mikheeva  
Jennifer McNary

479 Pacific Street, Suite One  
Monterey, California 93940

Telephone (831) 373-1214  
Facsimile (831) 373-0242

January 11, 2013

Dave Potter, Chair  
Board of Directors  
Fort Ord Reuse Authority  
920 2nd Avenue, Suite A  
Marina, CA 93933

Re: January 11, 2013 Agenda Item 8b – Veterans Issues Ad Hoc Task Force

Chair Potter and Members of the FORA Board of Directors:

This Office represents Keep Fort Ord Wild. FORA Board agenda item 8b proposes to create a Veterans Issues Ad Hoc Task Force to "identify, discuss, evaluate, and advise regarding the development of Fort Ord issues." KFOR asks the FORA Board to direct any newly created Veterans Task Force to comply with the Brown Act.

The Veterans Task Force Should Comply with the Brown Act

As proposed, the Task Force is not exempt from the Brown Act. The Brown Act defines a "legislative body" as "A commission, committee, board, or other body of a local agency, whether permanent or temporary, decision-making or advisory, created by charter, ordinance, resolution, or formal action of the legislative body." (Gov. Code, § 54952(b).) The Task Force would be a body created by formal action of the FORA Board to act with regard to development on Fort Ord.

Fort Ord development is within FORA's jurisdiction and of significant public interest and controversy. Veterans' issues at Fort Ord will be ongoing for the foreseeable future of FORA. These issues should not be discussed in secret. It is the intent of the Brown Act that actions be taken openly and deliberations be conducted openly. (Gov. Code, § 54950.)

The Task Force's responsibilities would be broad and far reaching. The Task Force's charge would be to "provide input regarding organizational, policy, financial, and technical elements in processing these projects and others as may be assigned by the FORA chair." (Staff report, Item 8b, Attach. A.)

The Task Force would be supported by FORA staff. FORA staff is part of FORA's regional governance structure. (Gov. Code, §§ 67671, 67657.) Public tax dollars should not go to pay FORA staff to enable secret meetings that do not comply with the Brown Act.



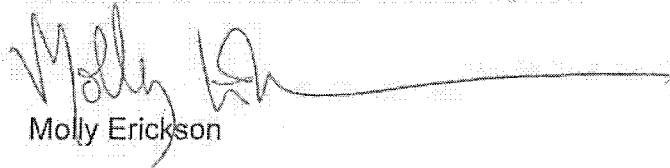
Dave Potter, Chair  
Board of Directors  
Fort Ord Reuse Authority  
January 11, 2013  
Page 2

Request

Decisions made by FORA and its advisory bodies should not be made in secret. Under the law, the proposed Task Force is subject to the Brown Act. We request that the Board direct that the proposed Task Force, if approved, fully comply with the Brown Act.

Very truly yours,

LAW OFFICES OF MICHAEL W. STAMP

A handwritten signature in black ink, appearing to read "Molly Erickson", with a long horizontal line extending to the right from the end of the signature.

Molly Erickson

## Lena Spilman

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**From:** Beverly Bean [beverlygb@gmail.com]  
**Sent:** Saturday, January 12, 2013 1:45 PM  
**To:** dellasal@ci.monterey.ca.us; sollecito@ci.monterey.ca.us; downey@ci.monterey.ca.us; Councilmember Selfridge; haffa@ci.monterey.ca.us  
**Cc:** board; district1@co.monterey.ca.us; Supervisor Calcagno; district3@co.monterey.ca.us; district4@co.monterey.ca.us; Supervisor Potter; Bruce Delgado; Mayor Pro-Tem O'Connell; Councilmember Morton; nancyamadeo@gmail.com; davidwaynebrown@aol.com; rrubio@ci.seaside.ca.us; Mayor Pro-Tem Oglesby; dalexander@ci.seaside.ca.us; aedwards@ci.seaside.ca.us; dpacheco@ci.seaside.ca.us; cityhall@delreyoaks.org  
**Subject:** LWVMP Letter regarding FORA and Agenda item #11 for Tuesday, January 15, 2013  
**Attachments:** LWVMP-FORA Guiding principles1-12-13.pdf

Dear Mayor Della Salla and Council Members,

Please consider the attached letter as you prepare for the January 15 City Council meeting.

Thank you

Beverly Bean, President  
League of Women Voters of the Monterey Peninsula



THE LEAGUE  
OF WOMEN VOTERS  
*of the Monterey Peninsula*

January 12, 2013

Mayor Chuck Della Salla and City Council Members  
City of Monterey, Monterey City Hall  
580 Pacific Street  
Monterey, CA. 93940

Dear Mayor and City Council Members,

The League of Women Voters of the Monterey Peninsula (LWVMP) supports regional governance and the formation by the State of regional bodies for growth management planning and control in matters of more than local concern. This is particularly important as it relates to the FORA Board which is responsible for assuring that development on land owned by the public is consistent with the Base Reuse Plan.

Additionally, our principles state that democratic government depends upon the informed and active participation of its citizens and requires that governmental bodies protect the citizen's right to know by giving adequate notice of proposed actions, holding open meetings and making public records accessible.

We strongly object to the recent actions by the administrative committee of the Fort Ord Reuse Authority (FORA) in formulating new guiding principles which apparently were developed in violation of the Brown Act and which are inconsistent with existing FORA legislation. These revised guidelines were not only developed outside of the reassessment process, the City of Monterey's staff participated in their formulation.

We urge the City to assure that its representative to the FORA Board supports existing FORA legislation and supports transparency in the decision-making process. Nancy Selfridge meets these requirements, and she should be retained as the City's representative. We urge that the FORA Board of Directors cease any consideration of the new guiding principles developed without any public participation in the process.

Thank you for your consideration.

Beverly Bean, President

cc: Dave Potter, Chair, FORA Board of Directors and the FORA Board  
Jerry Edelen, Mayor, City of Del Rey Oaks and the City Council  
Ralph Rubio, Mayor, City of Seaside and the City Council  
Bruce Delgado, Mayor of Marina and the City Council  
Dave Potter, Chair, Monterey County Board of Supervisors and the Board Members  
State Senator Bill Monning

P.O. BOX 1995, MONTEREY, CALIFORNIA 93942      831•648•VOTE

## Lena Spilman

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**From:** Jennifer McNary [mcnary@stamlaw.us]  
**Sent:** Friday, January 18, 2013 3:59 PM  
**To:** Michael Houlemard; Lena Spilman  
**Cc:** board; Molly Erickson  
**Subject:** Request to Preserve Records  
**Attachments:** FORA.13.01.18.ltr.to..pdf

Mr. Houlemard and Ms. Spilman:

Please see the attached correspondence on behalf of Keep Fort Ord Wild. Please contact this Office with any questions.

Thank you.

Jennifer McNary  
Law Offices of Michael W. Stamp  
479 Pacific Street, Suite One  
Monterey, CA 93940  
tel: 831-373-1214  
fax: 831-373-0242

LAW OFFICES OF  
**MICHAEL W. STAMP**

Michael W. Stamp  
Molly Erickson  
Olga Mikheeva  
Jennifer McNary

479 Pacific Street, Suite One  
Monterey, California 93940

Telephone (831) 373-1214  
Facsimile (831) 373-0242

January 18, 2013

Michael A. Houlemard, Jr., Executive Officer  
Lena Spilman, Deputy Clerk  
Fort Ord Reuse Authority  
920 2nd Avenue, Suite A  
Marina, CA 93933

Re: Request to Preserve Records

Dear Mr. Houlemard and Ms. Spilman:

This is a request on behalf of Keep Fort Ord Wild that FORA take all steps to preserve all records for January 11, 2013 FORA Board agenda items 7a (Post Reassessment Policy Options Consideration – Workshop) and 8a (Elect 2013 FORA Board Officers). There are open and unresolved issues regarding possible Brown Act violations by FORA for each of these agenda items.


Please preserve all records until these issues are fully resolved. FORA has a duty to preserve public records. FORA's Records Retention and Management Policy states that "Regardless of retention requirements, email and all other electronic or paper documents pertaining to threatened or actual legal proceeding must be retained until the litigation is concluded." Unauthorized destruction of public records is a crime. (Gov. Code, §§ 6200, 6201.)

The public records that should be preserved include, for example, meeting notes, records of public comments, video and audio recordings of the hearing, ballots and other materials for each of the agenda items.

Please ensure that a proper litigation notification is issued and a litigation hold implemented. Please contact me if you have any questions. Thank you.

Very truly yours,

LAW OFFICES OF MICHAEL W. STAMP



Molly Erickson

cc: FORA Board of Directors

## Lena Spilman

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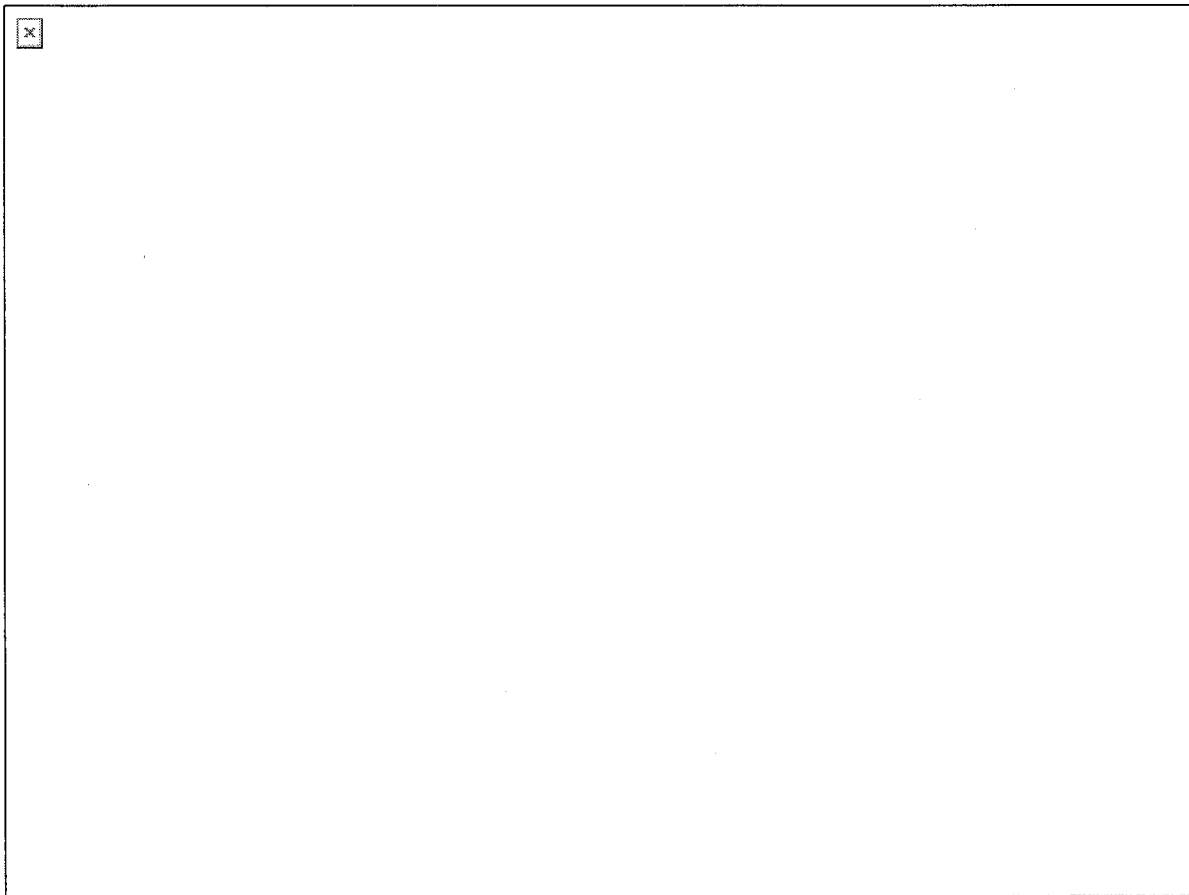
**From:** Brian Light [blight1@comcast.net]  
**Sent:** Wednesday, January 23, 2013 9:22 AM  
**To:** board  
**Subject:** RE: Buildings for Sale?

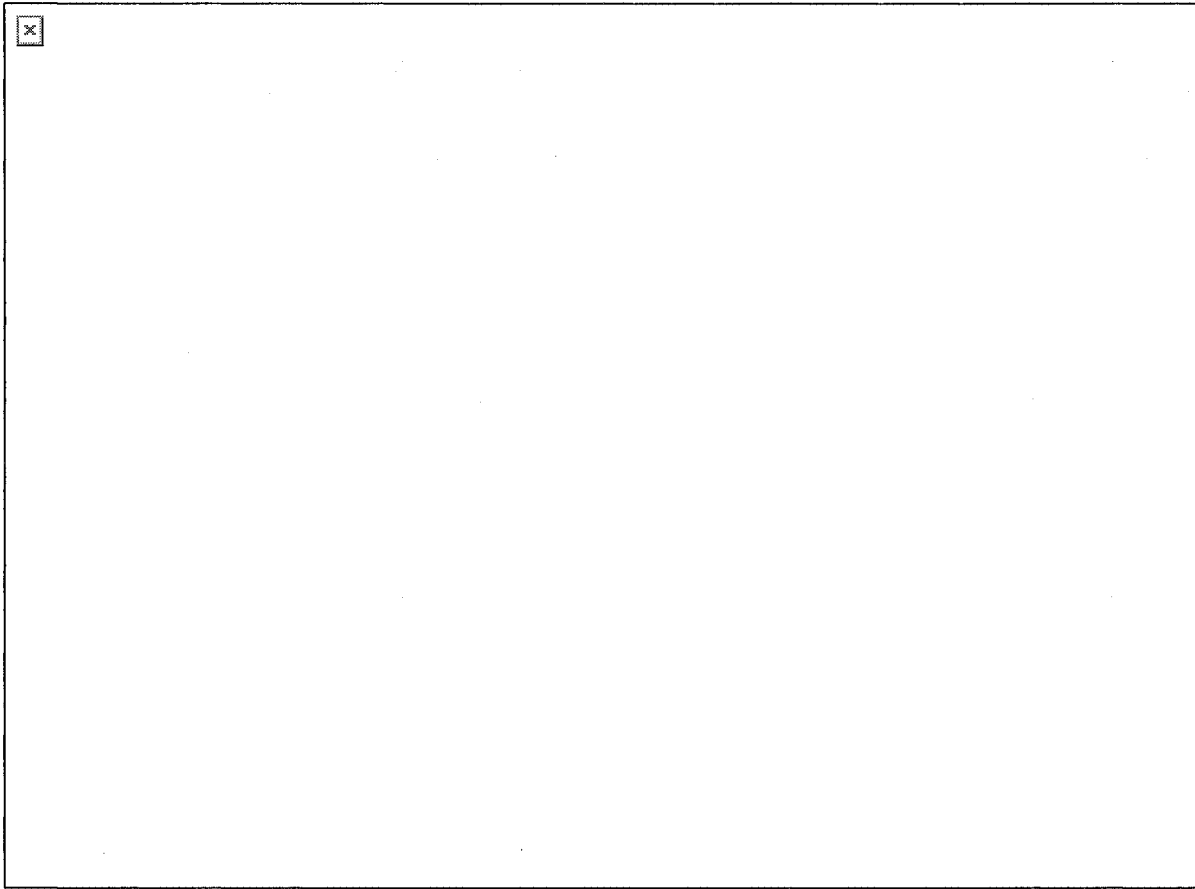
Hello,

I am curious if any of the old military buildings on Fort Ord property are for sale?

I'm interested in a brick warehouse (Engineer Depot) adjacent to the new Best Buy. It appears to be in very good condition, especially compared to many of the wooden structures on the base.

Here's a Google Earth photo of the building location, and a completion photo from July 1942:





Is there any interest in selling this old building or any others that may be similar?  
My interest would be for hobby use, particularly for classic & antique vehicle restoration & storage.

Sincerely,

Brian Light  
Salinas, CA  
235-5113

## Lena Spilman

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**From:** Casey De Fremery [capitalproductions@yahoo.com]  
**Sent:** Thursday, January 24, 2013 9:45 PM  
**To:** board  
**Subject:** Filming at Fort Ord

Hello,

I wasn't sure who to contact about this but I intend to film an independent feature length film this year and was wondering what the policies are regarding filming at various places at Fort Ord. i've seen it used in other films and TV shows and wished to get more information about how to film there and what forms and documentation are required.

Thanks!



## Lena Spilman

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**From:** david turner [turner@mail2dave.com]  
**Sent:** Thursday, January 31, 2013 2:44 PM  
**To:** board  
**Subject:** david turner employment? self employment  
**Attachments:** Stubbed Attachments.htm

This message's contents have been archived by the Barracuda Message Archiver.  
good pic david smile bridge to Cave Nat Mon.JPG (2.7M)

To whom this may concern,  
RE: relocation fort org employee

I was sending legal information 31st Jan 2013 morning and heard someone drive Hwy 1 southbound by Moss Landing stating that he remembered me from Ok, USA. In 1983 David called the base in OK, where I reported jerry Whithworth John Walker spy ring. Bruce Turner was in army and also shared this information. This was important as he said this was your place to go, this must be from the last trip to Laquna S race track (bicycles) several years ago, some bldgs on the side which would be easy for him to find but gas cost. I heard the same remark years ago... I think he sounded with respect as to offer 2013?, as no one knows I called from TX hospital... which was primitive. I would only accept employment but open to emails [turner@mail2dave.com](mailto:turner@mail2dave.com) (805) 403- 6317 message only ans once week?  
thanks david turner

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Get the Free email that has everyone talking at <http://www.mail2world.com>  
Unlimited Email Storage – POP3 – Calendar – SMS – Translator – Much More!