



Fort Ord Reuse Authority

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Minutes

Friday, January 11, 2013

Meeting of the Fort Ord Reuse Authority Board of Directors
910 2nd Ave, Marina (Carpenter's Union Hall)

APPROVED

1. CALL TO ORDER AND ROLL CALL

Chair Potter called the meeting to order at 3:00 p.m.

Voting Members Present: (**alternates*)

Chair/Supervisor Potter (County of Monterey)
Mayor Edelen (City of Del Rey Oaks)
Mayor ProTem O'Connell (City of Marina)
Mayor Burnett (City of Carmel-by-the-Sea)
Councilmember Morton (City of Marina)
Councilmember Selfridge (City of Monterey)
Mayor Gunter (City of Salinas)

Supervisor Parker (County of Monterey)
Councilmember Cohen (City of Pacific Grove)*
Mayor Pendergrass (City of Sand City)
Mayor Rubio (City of Seaside)
Mayor Pro-Tem Oglesby (City of Seaside)

Voting Members Absent:

Supervisor Calcagno (County of Monterey) *joined the meeting during closed session*

2. CLOSED SESSION (FORA Conference Room)

Chair Potter asked for public comments regarding closed session items. None were received and the Board adjourned to closed session at 3:02 p.m.

a. Conference with Legal Counsel - Existing Litigation, Gov Code 54956.9(a) – Four Cases

i. **Keep Fort Ord Wild v. Fort Ord Reuse Authority, Case Numbers: M114961, M116438, M119217**

ii. **The City of Marina v. Fort Ord Reuse Authority, Case Number: M118566**

b. Public Employee Performance Evaluation – Authority Counsel, Gov Code 54957

3. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION (Carpenters Union Hall)

The Board reconvened into open session at 3:44 p.m. Authority Counsel Jerry Bowden stated that the Board had received reports from legal counsel on each of the closed session items under 2a and had authorized Authority Counsel to defend Rabobank in an action by The City of Marina against the FORA/Rabobank. He announced no reportable action in relation to item 2b.

The following ex-officio Board members were present when the Board reconvened into open session: Alec Arago (20th Congressional District), Nicole Charles (15th State Senate District), Erica Parker (29th State Assembly District), Graham Bice (University of California), Eduardo Ochoa (California State University), Walter Tribbley (Monterey Peninsula College), Dan Albert, Jr. (Monterey Peninsula School District), Mike Gallant (Monterey Salinas Transit), Debbie Hale (Transportation Agency of Monterey County), COL Clark (United States Army), Gail Youngblood (Fort Ord BRAC Office), Thomas Moore (Marina Coast Water District).

4. PLEDGE OF ALLEGIANCE

Chair Potter led the Pledge of Allegiance.

5. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

Chair Potter thanked everyone for their understanding and cooperation the previous several weeks, while FORA coped with the passing of Administrative Assistant Charlotte Ellsworth and the temporary absences of several other staff members who recently lost family members. Chair Potter welcomed Director Tom Moore and Mayor Rubio back to the Board and welcomed new Board members

Councilmember Gail Morton, Mayor Joe Gunter and Dr. Walter Tribley to their first Board meeting. He stated that item 5a would be postponed and taken out of order later in the meeting.

6. CONSENT AGENDA

- a. **Approval of the December 14, 2012 Board Meeting Minutes**
- b. **Denise Duffy & Associates Contract Amendment #6**

MOTION: Mayor Pro-Tem O'Connell moved, seconded by Mayor Edelen, to approve the consent calendar, provided that the written comments distributed at the December 14, 2012 Board meeting by Mayor Pro-Tem O'Connell and Authority Counsel Jerry Bowden be attached to the minutes.

MOTION PASSED: unanimous

7. OLD BUSINESS

- a. **Post Reassessment Policy Options Consideration – Workshop**
 - i. **Scheduling/format**
 - ii. **Workshop facilitator Authorization**

Executive Officer Michael Houlemard and Associate Planner Darren McBain presented the item. The Board reviewed the proposed three-workshop schedule and outline, discussed alternative workshop approaches, and received comments from members of the public.

MOTION: Mayor Edelen moved, seconded by Mayor Pro-Tem O'Connell, to 1) adopt the three workshop schedule as currently proposed by staff, incorporating comments from Councilmember Morton and Supervisor Parker, and 2) to authorize the Executive Officer to procure professional facilitation services for three workshops (not to exceed \$15,000).

MOTION PASSED: unanimous

The Board considered agenda item 5a:

5. a. **Adopt Resolution Acknowledging Gail Youngblood**

Alec Arago presented Gail Youngblood with a resolution acknowledging her years of service.

MOTION: Mayor Edelen moved, seconded by Mayor Pendergrass, to adopt a resolution acknowledging Gail Youngblood.

MOTION PASSED: unanimous

Mr. Arago also presented Ken Ellsworth with a text of the recognition that was read into the Unites States Congressional Record by Congressman Sam Farr in honor of Charlotte Ellsworth.

The Board returned to agenda item 7:

- b. **Capital Improvement Program Review – Phase II Study**
 - i. **Consider Additional Clarifying Language to Resolution 12-5**
 - ii. **Consider Additional Clarifying Language to Amendment #1 to the FORA-Jurisdictions Implementation Agreements**
 - iii. **Implementing Formulaic Approach - Update**

Senior Planner Jonathan Garcia presented the item. He noted that EPS was currently working on their fee calculation for the FORA Community Facilities District Special Tax and that staff anticipated returning to the Board in February or March with recommendations, noting that the FORA Administrative Committee recommended that the Board reject the proposed resolution.

MOTION: Supervisor Parker moved, seconded by Mayor Edelen, to 1) adopt Resolution 13-02, which adds clarifying language to previously adopted resolution 12-5 under sections 1.2.1 and 2.1.2, and 2) authorize the Executive Officer to execute Amendment #1 to the FORA-jurisdictions Implementation Agreements (Amendment #1 to the IA) with additional clarifying language under sections 1.2.1 and 2.1.2.

MOTION PASSED: unanimous

8. NEW BUSINESS

a. Elect 2013 FORA Board Officers

- i. **Receive Nominating Committee Report**
- ii. **Conduct Election**

Mr. Houlemard introduced the item, briefly discussing the written comments provided by Mayor Kampe, Nominating Committee Chair.

MOTION: Mayor Gunter moved, seconded by Mayor Pro-Tem Oglesby, to approve the Nominating Committee recommendations, as presented.

NOMINATION FOR SECOND VICE-CHAIR: Supervisor Parker moved, seconded by Mayor Pro-Tem O'Connell, to nominate herself to serve as Second Vice-Chair to the FORA Board of Directors.

ELECTION: *Mayor Rubio: 8 votes, Supervisor Parker: 5 votes*

NOMINATION FOR EXECUTIVE COMMITTEE MEMBER-AT-LARGE: Councilmember Morton moved, seconded by Councilmember Selfridge, to nominate Mayor Burnett to serve as Member-at-Large to the FORA Executive Committee.

ELECTION: *Mayor Pendergrass: 8 votes, Mayor Burnett: 5 votes*

MOTION PASSED: unanimous

Supervisor Potter passed the gavel to Chair Edelen.

b. Veterans Issues *Ad Hoc* Task Force

Mr. Houlemard presented the item, stating that all proposed committee meetings would be properly noticed and open to the public. Sid Williams, United Veterans Council, addressed the Board urging support for the proposed Committee.

MOTION: Supervisor Potter moved, seconded by Mayor Pro-Tem O'Connell, to approve the establishment of a Veterans Issues *Ad Hoc* Task Force (a.k.a. Veterans Issues Advisory Committee), the members of which will be appointed by the Chair and reported back to the Board as an informational item.

MOTION PASSED: unanimous

c. Presentation – Local Business/Employment

Mr. Houlemard and LeVonne Stone, Fort Ord Environmental Justice Network, provided presentations regarding regional economic growth and local employment opportunities on the former Fort Ord.

MOTION: Supervisor Parker moved, seconded by Councilmember Morton, and the motion passed unanimously to extend the meeting beyond 5:30 p.m., to a time certain of 6:00 p.m.

MOTION PASSED: unanimous

MOTION: Mayor Pro-Tem Oglesby moved, seconded by Supervisor Potter, to receive the report and direct staff to include the topic in the upcoming Board workshops.

MOTION PASSED: Unanimous.

MOTION: Supervisor Potter moved, seconded by Supervisor Parker, to extend the meeting to 6:30 p.m.

MOTION PASSED: unanimous

d. Approve Veterans Cemetery Record of Survey Budget

Mr. Houlemard presented the item and Senior Project Manager Jim Arnold responded to questions from the Board and public.

MOTION: Supervisor Potter moved, seconded by Supervisor Parker, to 1) approve the Veterans Cemetery Record of Survey Budget line items, not to exceed \$56,000, and 2) authorize the Executive Officer to select and enter into contract with a surveyor team for completion of the survey work line item, not to exceed \$30,000.

MOTION PASSED: unanimous

e. Approve Preston Park Management Contract with Alliance

Principal Analyst Robert Norris presented the item.

MOTION: Supervisor Potter moved, seconded by Mayor Pro-Tem Oglesby, to 1) authorize the Executive Officer to execute a new Alliance/FORA Preston Park Management Agreement, and 2) approve and direct staff to follow up on complaints voiced by a member of the public and report back next month.

MOTION PASSED (second vote required): Ayes: Edelen, Potter, Pendergrass, Rubio, Oglesby, Burnett, Gunter, Cohen. Noes: O'Connell, Parker, Selfridge, Morton.

MOTION: Mayor Pro-Tem Oglesby moved, seconded by Councilmember Selfridge, to extend the meeting for an additional 15 minutes, in order to allow for public comment.

MOTION PASSED: unanimous

9. PUBLIC COMMENT PERIOD

The Board received comments from members of the public.

10. EXECUTIVE OFFICER'S REPORT

a. Outstanding Receivables

b. Administrative Committee

c. Public Correspondence to the Board

d. Habitat Conservation Plan Update

e. Administrative Consistency Determination For Entitlement: Marina's Veterans Affairs Monterey Health Care Center Project

Mr. Houlemard briefly discussed upcoming trip to Sacramento. Chair Edelen deemed the reports received without exception.

11. ITEMS FROM MEMBERS

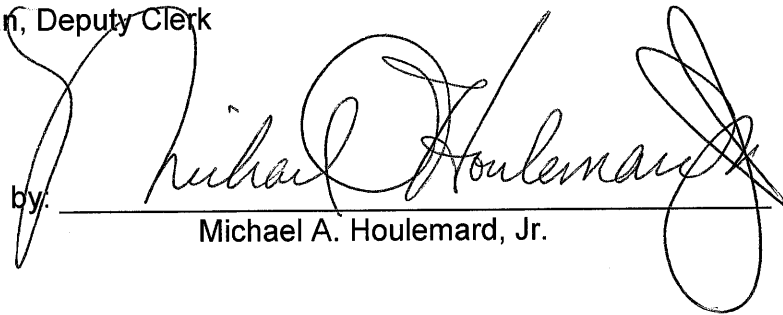
Justin Wellner announced that CSUMB's Annual Economic Impact Report had been issued and agreed to distribute the Report to all Board members. He also introduced CSUMB's new Director of Government Relations, Andre Lewis.

Alec Arago discussed Congressman Farr's concerns with the Guiding Principles document.

12. ADJOURNMENT

Chair Edelen adjourned the meeting at 6:21 p.m.

Minutes prepared by Lena Spilman, Deputy Clerk

Approved by: 
Michael A. Houlemard, Jr.