



FORT ORD REUSE AUTHORITY

BOARD OF DIRECTORS REGULAR MEETING MINUTES

2:00 p.m. - Friday, October 11, 2013

910 2nd Avenue, Marina, CA 93933 (Carpenter's Union Hall)

1. **CALL TO ORDER AND ROLL CALL**

Chair Edelen called the meeting to order at 2:01 p.m.

2. **CLOSED SESSION** - The Board adjourned into closed session at 2:03 p.m.

a. **Conference with Legal Counsel - Existing Litigation, Gov Code 54956.9(a) – 7 Cases**

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

ii. **Bogan v. Houlemard, Case Number: M122980**

iii. **The City of Seaside v. Valenzuela, Case Number: M124499**

iv. **The Fort Ord Access Alliance v. Houlemard, Case Number: M124709**

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

3. **ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION**

The Board reconvened into open session and Authority Counsel Jon Giffen announced he had received approval for resolution of case number M116438.

4. **PLEDGE OF ALLEGIANCE**

Sid Williams led the Pledge of Allegiance.

5. **ROLL CALL**

A roll call was conducted by the Deputy Clerk and a quorum was confirmed.

Voting Members Present: (**alternates*)(*AR: entered after roll call*)

Chair/Mayor Edelen (City of Del Rey Oaks)

Councilmember Alan Cohen* (City of Pacific Grove)

Councilmember Edwards* (City of Seaside)

Mayor Gunter (City of Salinas)

Councilmember Morton (City of Marina)

Mayor ProTem O'Connell (City of Marina)

Mayor Pro-Tem Oglesby (City of Seaside)

Supervisor Parker (County of Monterey)

Mayor Pendergrass (City of Sand City)

Supervisor Potter (County of Monterey)

Supervisor Salinas (County of Monterey)

Councilmember Selfridge *AR* (City of

Monterey)

Voting Members Absent: Councilmember Beach (City of Carmel-by-the-Sea)

Ex-officio (Non-Voting) Board Members Present: Nicole Charles* (17th State Senate District), Erica Parker* (29th State Assembly District), Graham Bice* (University of California), Andre Lewis (California State University), Walter Tribbley (Monterey Peninsula College), Bill Collins (Fort Ord BRAC Office), and Director Moore (Marina Coast Water District).

6. **ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE**

Bill Collins stated the Army was hopeful they would be able to complete prescribed burns on their former Fort Ord property in the near future, adding that notices would be filed ahead of any burns.

a. California State University, Monterey Bay/FORA Co-hosted Base Reuse Implementation Colloquia (scheduled for December 11-13, 2013)

Andre Lewis discussed the upcoming Colloquium, confirming the dates as December 12-13, 2013 and noting that the event would conclude with a meeting of the FORA Board at CSUMB. The event schedule was not yet final, but save the dates would be sent within the week. Councilmember Morton emphasized the importance of jurisdictional planning staff attendance.

Chair Edelen announced that the November Board meeting had been rescheduled from November 15th to November 8th.

b. US Department of Defense/Department of Veterans Affairs William Gourley Clinic Groundbreaking

Executive Officer Michael Houlemard announced that the Clinic ground breaking would be held on November 11, 2013 at 1 p.m. in the City of Marina. He provided update on CCCVC and stated that all 19 required pieces of documentation had been completed over the course of the previous ten days and submitted in time to allow the David and Lucile Packard Foundation grant and loan funding to reach the state ahead of the October 15, 2013 deadline. Nicole Charles discussed Senate Bill 232 and thanked the community and FORA for helping to orchestrate local funding efforts.

7. CONSENT AGENDA

a. Approval of the September 13, 2013 Board Meeting Minutes

MOTION: Mayor Gunter moved, seconded by Councilmember Morton, to approve the September 13, 2013 Board Meeting Minutes, as presented.

MOTION PASSED: unanimous

8. NEW BUSINESS

a. Marina Coast Water District (MCWD) Financial Plan and Rate and Fee Study

Assistant Executive Officer Steve Endsley provided a brief overview of the item and introduced MCWD General Manager Brian Lee. Mr. Lee presented the item and introduced a representative from Carollo Engineers, the District consultant responsible for preparing the Rate and Fee Study. The consultant addressed several comment letters submitted to the FORA Board prior to the meeting and took comments from members of the Board and public.

Chair Edelen noted that the Administrative Committee would discuss many of the issues brought up by the public at their next meeting the following Wednesday.

Councilmember Oglesby asked that the record reflect his ongoing concerns regarding lack of representation on the MCWD Board for Seaside Highlands residents and MCWD's outstanding contractual obligation to provide a water augmentation system for the former Fort Ord. The Board directed the Administrative Committee to consider those issues.

MOTION: Supervisor Potter moved, seconded by Councilmember Oglesby, to receive the report.

MOTION PASSED: unanimous.

b. Alliance Management Performance Evaluation

Principal Analyst Robert Norris presented the item. He described his workplan for performing the evaluation and reviewed the results of his analysis. The Board received comments from members of the public.

MOTION: Supervisor Potter moved, seconded by Mayor Gunter, to accept the management report.

MOTION PASSED: Ayes: Cohen, Edelen, Edwards, Gunter, Oglesby, Parker, Pendergrass, Potter, Selfridge, Salinas. Noes: Morton, O'Connell

c. CONSISTENCY DETERMINATION: 2010 Monterey County General Plan

Chair Edelen stated the Board had received several public comment letters on the item in the previous 48 hours. He suggested that, as there were clearly outstanding issues to be resolved, the item be referred back to the Administrative Committee and return to the Board at its November meeting.

MOTION: Councilmember Selfridge moved, seconded by Councilmember Edwards, to refer the item to the Administrative Committee and continue it to the November 8, 2013 Board meeting.

MOTION PASSED: unanimous

10. OLD BUSINESS

a. Contract for Legal Services - Jerry Bowden (2nd Vote)

ORIGINAL MOTION (September 13, 2013 Board meeting): Mayor Rubio moved, seconded by Mayor Pro-Tem Oglesby, to authorize the Executive Officer to execute an "on-call" contract for legal services with Jerry Bowden through FY 2013-14, not to exceed \$50,000.

SECOND VOTE PASSED: Ayes: Cohen, Edelen, Edwards, Gunter, Oglesby, Pendergrass, Potter, Salinas. Noes: Morton, O'Connell, Parker, Selfridge

b. Environmental Services Cooperative Agreement (ESCA) Update

ESCA Program Manager Stan Cook provided an update on remediation activities and land transfers on the former Fort Ord. Staff responded to questions from the public regarding the impact of the federal government (particularly Environmental Protection Agency) shutdown on the timetable for regulatory closure and transfer.

MOTION: Supervisor Parker moved, seconded by Councilmember Morton, to receive the report.

MOTION PASSED: Unanimous

8. PUBLIC COMMENT PERIOD

The Board received comments from members of the public.

9. EXECUTIVE OFFICER'S REPORT

- a. Outstanding Receivables**
- b. Habitat Conservation Plan Update**
- c. Administrative Committee**
- d. Water/Wastewater Oversight Committee**
- e. Post Reassessment Advisory Committee**
- f. Travel Report**
- g. Public Correspondence to the Board**

Mr. Houlemard reported on his recent participation in the Association of Defense Communities Base Redevelopment Summit in Portland, Maine.

10. ITEMS FROM MEMBERS

None.

11. ADJOURNMENT

Chair Edelen adjourned the meeting at 4:30 p.m.