



FORT ORD REUSE AUTHORITY

BOARD OF DIRECTORS REGULAR MEETING MINUTES

2:00 p.m. - Friday, January 10, 2014

Carpenters Union Hall - 910 2nd Avenue, Suite A, Marina, CA 93933

1. **CALL TO ORDER**

Chair Edelen called the meeting to order at 2:03 p.m.

2. **PLEDGE OF ALLEGIANCE**

Mayor Pendergrass led the Pledge of Allegiance.

3. **CLOSED SESSION** - The Board adjourned into closed session at 2:05 p.m.

a. **Conference with Legal Counsel - Existing Litigation, Gov Code 54956.9(a) – 3 Cases**

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

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

iii. **The City of Marina v. Fort Ord Reuse Authority, Case Number: M11856**

b. **Public Employee Performance Evaluation – Gov Code 54957**

Executive Officer - Contract Terms and Conditions

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

The Board reconvened into open session at 2:33 p.m. Authority Counsel Jon Giffen announced no reportable action was taken on items ai-aiii. He noted that item aii would come off of the agenda and item b would be agendized for open session consideration at the next Board meeting.

5. **ROLL CALL**

Voting Members Present: (**alternates*)

Chair/Mayor Edelen (City of Del Rey Oaks)

Supervisor Calcagno (County of Monterey)

Councilmember Beach (City of Carmel-by-the-Sea)

Mayor Kampe (City of Pacific Grove)

Councilmember Morton (City of Marina)

Supervisor Parker (County of Monterey)

Mayor Pendergrass (City of Sand City)

Supervisor Potter (County of Monterey)

Mayor Pro-Tem Oglesby (City of Seaside)

Mayor Rubio (City of Seaside)

Councilmember Selfridge (City of Monterey)

Absent: Mayor Gunter (City of Salinas), Mayor ProTem O'Connell (City of Marina)

Ex-officio (Non-Voting) Board Members Present: Nicole Charles* (17th State Senate District), Erica Parker* (29th State Assembly District), Graham Bice* (University of California, Santa Cruz), Eduardo Ochoa (California State University, Monterey Bay), Walter Tribley (Monterey Peninsula College), Dan Albert, Jr. (Monterey Peninsula Unified School District), Debbie Hale (Transportation Agency for Monterey County), Pamela Von Ness (US Army), Bill Collins (Fort Ord BRAC Office), and Director Moore (Marina Coast Water District).

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

Executive Officer Michael Houlemard stated that representatives from the US Department of Veterans Affairs and the California Department of Veterans Affairs had been in town that week to conduct a site visit and discuss the schedule for the California Central Coast Veterans Cemetery. All indications were that construction would begin in fall.

7. CONSENT AGENDA

a. Approve December 13, 2013 Board Meeting Minutes

MOTION: Supervisor Potter moved, seconded by Mayor Pro-Tem Oglesby, to approve the December 13, 2013 Board meeting minutes with the following amendments: 1) add additional language to identify motions requiring a second vote for passage, and 2) amend the minutes to reflect that Mayor Pendergrass was not present.

MOTION PASSED: unanimous

8. OLD BUSINESS

a. 2nd Vote: Preston Park Management Agreement Extension with Alliance Communities, Inc.

ORIGINAL MOTION (from 12/13/13 1st Vote): Mayor Rubio moved, seconded by Supervisor Parker, to authorize the Executive Officer to extend the Alliance/FORA Preston Park Management Agreement for one year.

2nd VOTE PASSED: Ayes: Beach, Calcagno, Edelen, Kampe, Oglesby, Parker, Pendergrass, Potter, Rubio, Selfridge. Noes: Morton.

b. Consider Concurrence in the 2010 Monterey County General Plan Consistency Determination

Chair Edelen recommended the item be postponed due to outstanding questions regarding noticing procedures.

MOTION: Supervisor Calcagno moved, seconded by Mayor Rubio, to continue the item to the February 14, 2014 Board meeting.

MOTION PASSED: unanimous

c. Pollution Legal Liability (PLL) Insurance Policy

i. Presentation - Barry Steinberg (Kutak Rock LLP)/Kathy Gettys (Marsh)

ii. Consider Insurance Coverage Options

Mr. Houlemard provided a brief summary of the item and introduced Barry Steinberg and Kathy Gettys. Mr. Steinberg provided an overview of the existing PLL Insurance Policy and the need for jurisdiction/stakeholder input in selecting a new policy. Ms. Gettys discussed current market conditions and answered questions regarding different policy alternatives. Several Board members noted the quality of the presentation by Mr. Steinberg and Ms. Gettys.

MOTION: Mayor Rubio moved, seconded by Supervisor Parker, to authorize Insurance Broker Kathy Gettys, Marsh, to distribute a Request for Proposals for a new PLL Insurance Policy.

MOTION PASSED: unanimous

d. Environmental Services Cooperative Agreement (ESCA) Update

ESCA Program Manager Stan Cook provided a quarterly update on ESCA activities.

e. Multi-modal Transit Corridor - Presentation by Transportation Agency for Monterey County

Debbie Hale, Transportation Agency for Monterey County (TAMC), introduced the item. Ariana Green, TAMC, provided a history of the project and discussed current transit needs, the opportunities and constraints of the potential routes, and the proposed project schedule. The Board heard from members of the public and provided input to TAMC. Chair Edelen deemed report received.

9. NEW BUSINESS

a. Accept Fiscal Year 12-13 FORA Annual Financial Report (Audit Report)

Mr. Houlemard stated that Moss, Levy & Hartzheim issued an unmodified opinion, finding that FORA staff had implemented all of the previous year's recommendations. There were no findings/questionable costs in the FY 12-13 financial audit concerning FORA internal control structure. Finance Committee Chair Mayor Kampe noted the Auditor's recommendation to change how FORA accounts for the Preston Park asset.

MOTION: Mayor Kampe Rubio moved, seconded by Mayor Rubio, to receive the Moss, Levy & Hartzheim Certified Public Accountants Fort Ord Reuse Authority Fiscal Year 12-13 Annual financial Report.

MOTION PASSED: unanimous

b. Elect 2014 FORA Board Officers

i. Receive Nominating Committee Report

Mayor Edelen stated that the FORA Nominating Committee, which had consisted of himself, Mayor Pendergrass, Mayor Rubio, Mayor Pro-Tem O'Connell, and Supervisor Parke, met on January 2, 2014. The Committee recommended, by a 4-1 vote (Parker dissenting), that the Board reelect the current Board Officers and Executive Committee members to one additional one year term, expiring in February 2015.

ii. Conduct Election

MOTION: Mayor Rubio moved, seconded by Mayor Pendergrass, to elect the following slate to serve until February 2015:

Chair:	Del Rey Oaks Mayor Jerry Edelen
1 st Vice Chair:	Marina Mayor Pro-Tem Frank O'Connell
2 nd Vice Chair:	Seaside Mayor Ralph Rubio
Past Chair:	Monterey County Supervisor Dave Potter
Member-at-Large:	Sand City Mayor David Pendergrass
Ex-Officio (Non-Voting) Member:	CSUMB President Eduardo Ochoa

MOTION PASSED: Ayes: Calcagno, Rubio, Edelen, Pendergrass, Potter, Oglesby. Noes: Kampe, Selfridge, Beach, Morton, Parker.

Several members of the Board expressed a desire to reevaluate FORA election protocol and Executive Committee organization. Chair Edelen indicated that the Executive Committee would discuss the item at their next meeting and report back to the full Board in February.

10. PUBLIC COMMENT PERIOD

Members of the public addressed the Board.

11. EXECUTIVE OFFICER'S REPORT

a. Outstanding Receivables

b. Habitat Conservation Plan (HCP) Update

Mr. Houlemard stated that FORA was on schedule for public document review in 2014 and that jurisdiction staff had until January 24, 2014 to submit their comments. He noted that discussions will also begin in 2014 regarding the creation a Joint Powers Authority to oversee the implementation of the HCP.

c. Administrative Committee

d. Finance Committee

e. Post Reassessment Advisory Committee (PRAC)

f. Veterans Issues Advisory Committee (VIAC)

Mr. Houlemard stated that both the PRAC and VIAC are scheduled to expire in January 2014, but that Chair Edelen and Staff felt that outstanding issues under Committee purview warranted an extension. Mr. Houlemard indicated that Chair Edelen intended to submit a request to the Board at the next meeting to extend both the PRAC and the VIAC for an additional year.

g. Water/Wastewater Oversight Committee

h. Travel Report

i. Public Correspondence to the Board

The Board deemed the Executive Officer's report accepted.

12. ITEMS FROM MEMBERS

Councilmember Beach stated that she would like the PRAC to convene prior to the next Board meeting to discuss post-Colloquia items.

13. ADJOURNMENT

Chair Edelen adjourned the meeting at 4:32 p.m.