



**FORT ORD REUSE AUTHORITY  
BOARD OF DIRECTORS REGULAR MEETING MINUTES**

Friday, March 11, 2016 at 2:00 p.m.  
910 2nd Avenue, Marina CA (Carpenters Union Hall)

**1. CALL TO ORDER**

Chair O'Connell called the meeting to order at 2:00 p.m.

**2. PLEDGE OF ALLEGIANCE**

Pledge of Allegiance was led by Chair O'Connell.

**3. CLOSED SESSION**

- a. Conference with Legal Counsel - Existing Litigation, Gov. Code 54956.9(a):  
Keep Fort Ord Wild v. Fort Ord Reuse Authority (FORA), Case No.: M114961  
The Board adjourned into closed session at 2:01 p.m.  
No public comment was received.

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

The Board reconvened into open session at 2:22 p.m.  
Authority Counsel, Jon Giffen, announced there was no reportable action taken by Board.  
No public comment was received.

**5. ROLL CALL**

**Voting Members Present:**

Councilmember Beach (City of Carmel-by-the-Sea)  
Mayor Pro Tem O'Connell (City of Marina)  
Councilmember Morton (City of Marina)  
Mayor Edelen (City of Del Rey Oaks)  
Vice Mayor Haffa (City of Monterey)  
Supervisor Potter (County of Monterey)  
Supervisor Phillips (County of Monterey)  
Councilmember Lucius (City of Pacific Grove)  
Mayor Rubio (City of Seaside)  
Mayor Pendergrass (City of Sand City)  
Mayor Pro Tem Oglesby (City of Seaside)  
Mayor Gunter (City of Salinas)

**Ex-officio (Non-Voting) Board Members Present:**

Vicki Nakamura (Monterey Peninsula College, alternate), Lisa Rheinheimer (Monterey-Salinas Transit, alternate), Eduardo Ochoa (CSUMB), Col. Fellingner (U.S. Army), Bill Collins (Fort Ord BRAC Office).

**Absent:**

**(Voting)** Supervisor Parker (County of Monterey)

**(Non-Voting)** Congressman Farr (20<sup>th</sup> Congressional District), Senator Monning (17<sup>th</sup> State Senate District), Assembly member Stone (29<sup>th</sup> State Assembly District) Donna Blitzer (University of California Santa Cruz), PK Diffenbaugh (Monterey Peninsula Unified School District), Debbie Hale (Transportation Agency of Monterey County), Howard Gustafson (Marina Coast Water District).

**6. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE**

- a. Council member Gail Morton, Mayor Pro Tem Ian Oglesby and Executive Officer Michael Houlemard presented a Resolution of Appreciation and Commendation to FORA Controller Ivana Bednarik honoring for her twenty-one years of service to Fort Ord closure recovery.
- b. Mayor Edelen read a Resolution declaring 2016 the Fort Ord Year of the Veteran in Monterey County and presented a copy to James Bogan, Veterans Issues Advisory Committee (VIAC) member representing Disabled American Veterans and the United Veterans Council.

MOTION: Mayor Rubio moved, seconded by Mr. Oglesby, to accept the two Resolutions.  
MOTION PASSED UNANIMOUSLY. The Board did not receive public comments.

Chair O'Connell announced that any member of the public who wishes to have a document put up on the screen for the Board to view should deliver it to Jen Simon, FORA Communications/IT Coordinator, before the start of the meeting.

**7. CONSENT AGENDA**

**a. Committee Appointment Corrections/Recommendations**

MOTION: Mayor Potter moved, seconded by Supervisor Phillips, to accept committee appointment corrections.  
MOTION PASSED UNANIMOUSLY. The Board did not receive public comments.

**8. BUSINESS ITEMS**

**a. Second Vote: FORA Prevailing Wage Program**

Mr. Houlemard presented letters from Jane Haines and Eric Rood, Assistant Labor Commissioner of California Department of Industrial Relations (DIR).

The Board received public comments.

MOTION (First Vote on 2/12/16): Mayor Rubio moved and Mayor Pro Tem Oglesby seconded to approve the staff recommendation adopting the Prevailing Wage Compliance Program Option A.

MOTION APPROVED. Ayes: Beach, O'Connell, Edelen, Potter, Gunter, Haffa, Pendergrass, Rubio, Oglesby. Nays: Morton, Phillips, Lucius. *Absent:* Parker.

**b. Second Vote: FORA Fiscal Year 2015-16 Mid-Year Budget**

Mr. Houlemard introduced Helen Rodriguez, incoming Controller, to the Board.

MOTION (First Vote on 2/12/16): Mayor Gunter moved, seconded by Supervisor Phillips, to accept the 2015-16 Mid-Year Budget.

MOTION PASSED UNANIMOUSLY.

The Board did not receive public comments.

**c. Resolution Fixing the Employer Contribution under the Public Employees' Medical and Hospital Care Act**

Mr. Houlemard said this is a Ministerial Act required by PERS in order to formalize the motion made by the Board (Item 8b). Councilmember Lucius asked whether the increase is for employer or employee, and Council member Morton asked whether the contribution ratio is being changed. Mr. Houlemard said that PERS increased premiums but FORA did not adjust its share; Ms. Bednarik said that the contribution will not cover all of the cost and this will return the ratio roughly to the same as when approved in 2013.

MOTION: Vice Mayor Haffa moved, seconded by Councilmember Lucius, to accept fixing the employer contribution under the Public Employees' Medical and Hospital Care Act.

MOTION PASSED UNANIMOUSLY.

The Board did not receive public comments.

**d. Water Augmentation: 3-Party Pipeline Financing**

Project Specialist Peter Said made a PowerPoint presentation on the current status of a three-way effort to secure a shared pipeline through former Fort Ord that would provide advance-treated recycled water to Ord communities and the peninsula. Chair O'Connell clarified that the action requested is to continue negotiations but not yet enter into contract. Mr. Houlemard confirmed that to be the case. Mr. Said used a map to show lateral lines from the major pipeline will connect all jurisdictions to the new resource. Paul Sciuto, General Manager of Monterey Regional Water Pollution Control Agency (MRWPCA) gave an overview of the Pure Water Monterey project (PWM) to explain the water pipeline will be the source for the Regional Urban Water Augmentation Project (RUWAP) and the water to go through it will be PWM, shared to save overall costs.

Assistant Executive Officer Steve Endsley continued the PowerPoint to explain the 3-party planning is divided into two two-party agreements and how the FORA-Marina Coast Water District (MCWD) agreement will link to Capital Improvement Program water augmentation funding as well as milestones for the Scope of Work for both agreements.

Mr. Sciuto and Mr. Endsley received questions from members of the Board. Council member Morton asked if the Memorandum of Understanding (MOU) would be returned to the Board for a vote when negotiations are complete. She shared concern that the Environmental Impact Report (EIR) for PWM did not provide water for former Fort Ord, and that new CEQA will be required. She asked when that would occur. Mr. Sciuto said that within the MRWPCA-MCWD negotiated agreement, they plan to include an amendment to the EIR to increase recycled water by the amount of water by 600 Acre-Feet per Year (AF-Y) initially and increase water accordingly to serve the Ord Communities. Council member Morton asked if that agreement would be final

before the MOU with FORA comes before the Board. Mr. Sciuto said that the timeline for all the MCWD-MRWPCA provisions is longer than the MOU timeline and some may not all be in place at the time of the FORA-MRWPCA signing. Council member Morton said the budget up to \$6 million might be better scheduled year by year, since historically our projections have not been met. Mr. Houlemard said that this year FORA's CIP is above projection, and there is anticipation for greater increase but there is no crystal ball. He also said that all agreements that depend on CIP budget are subject to our ability to collect the funds.

Dr. Ochoa asked why there was a \$1 million discrepancy in the PowerPoint slide, "FORA Cash Flow" for remaining budget in water augmentation after \$6 million is used for pipeline financing. Councilmember Lucius also addressed the question of the \$6 million figure, since the pipeline project is projected to cost \$4 million to build. Mr. Endsley said the negotiations would continue up to \$6 million. Mr. Houlemard said the multiple options of mitigation requirements are being pursued, so the remainder of CIP funds could go to other options. Council member Lucius questioned the use of "direct construction costs" in the Board Report, while the presentation called the use "mitigation." Mr. Houlemard said the Board Report's phrase was too constraining, and would be facilities, design and other implementation components of the project. Council member Lucius asked why FORA doesn't negotiate directly with MRWPCA. Mr. Endsley explained that FORA has a Facilities Agreement with MCWD and MCWD has a right to an amount of water from MCWPCA, but FORA does not have water rights or a Facilities Agreement with MCWPCA. So without ownership rights to the water, FORA is negotiating to get the water to Ord communities through this combination of events.

The Board did not receive public comments.

MOTION: Mayor Rubio moved, seconded by Mayor Pendergrass, to allow the Executive Officer to negotiate the pipeline financing agreement, with a friendly amendment from Council member Morton amendment confirming that staff return to the Board with a formal approval action.

MOTION PASSED UNANIMOUSLY.

Comment by Mayor Rubio commending collaboration of all parties. Supervisor Phillips also commended all parties and said it makes environmental and economic sense. Mayor Pendergrass said it has been a long difficult frustrating journey with the drought, City of Salinas a great help, and the time for this is now. Mayor Pro Tem Oglesby said elected official involvement got this to move forward. Council member Morton said that CEQA must be complied with on this project, and the title of the MOU agreement has the potential to confuse the public.

**e. University of California Monterey Bay Education Science and Technology Status Report**

Mr. Houlemard introduced Dr. Scott Brandt, Vice Chancellor of UCSC Systems Research Laboratory, leader of University of California Monterey Bay Educational Science and Technology Center (UCMBEST), to present development status of University of California Santa Cruz (UCSC) development parcels. Mr. Houlemard said he met with Chancellor Blumenthal, Mayor Edelen, and Dr. Brandt in December 2015 and Dr. Brandt has met with FORA Economic Development Coordinator Josh Metz and Monterey County Economic Development Director Dave Spaur since that meeting.

Dr. Brandt presented a brief history of the development issues that UCSC has faced in the fulfillment of research development in the 500 acres set aside for that purpose since the 2010 visioning process with FORA. The blockades he spoke of are limited water availability, past

difficulties communicating about project plans with City of Marina, and lack of market support for development during the last decade. Despite these limitations, Dr. Brandt listed five areas that UCSC has accomplished since the visioning process. Dr. Brandt said that he and FORA and Monterey County Economic Development staff are working on a draft MOU marketing plan to develop the north-central campus for research and development. Dr. Brandt took questions from the Board.

Mayor Edelen and Supervisor Potter asked him to make quarterly reports to the FORA Board. Mr. Houlemard said a Memorandum of Agreement (MOA) among UCSC, County of Monterey and FORA will come to the Board in thirty or sixty days.

The Board received public comments.

**f. Resolution Supporting Draft Trails Concept**

Principal Planner Jonathan Brinkmann presented the milestones of the Base Reuse Plan (BRP) section 3.6, Trails as it has come forward to the current status as a draft concept which is ready for hand-off to TAMC for regional trail implementation and construction. Mr. Metz elaborated on the Working Group process of last year and the key questions about feasibility and barring agreements that jurisdictional staff supported FORA in answering for all sections of the trail concept. He indicated that the Post Reassessment Advisory Committee (PRAC) reviewed the concept as did the Administrative Committee, and both committees moved to present the concept to the Board for a resolution of support.

Supervisor Phillips commented on the widths of the trails in the BRP. Council member Beach commented on the trail concept as part of the Regional Urban Design Guidelines. Mayor Gunter commented on Transportation Agency of Monterey County's (TAMC's) \$15-20 million dollar tax proposal for trails.

The Board received public comments.

MOTION: Council member Morton moved, seconded by Council member Beach, to approve the resolution in support of the Draft Trails Concept.

MOTION PASSED UNANIMOUSLY.

Comments from the Board were that the trail map must remain "in concept only." Council member Lucius asked what the next step is. Mr. Houlemard said the next step is a complete handoff to other agencies, and if the TAMC tax passes in the upcoming election, then the project will be funded for implementation to begin. There will be opportunity for jurisdictions to work with TAMC regarding specific routing and other details. If it doesn't pass, these are lines on a map. Mayor Rubio commented that trail user groups should be more specifically clarified, not leaving equestrian use with pedestrian and bicycle. Council member Morton said the economic analysis that informs the work of the PRAC promoted the trail system for economic growth and this fulfills the PRAC directive. Vice Mayor Haffa commented in support of the motion.

**g. Regional Urban Design Guidelines (RUDG) Adoption Schedule**

Mr. Metz gave a brief update to the Board on the next steps of the RUDG. He asked for feedback on the current draft at [ordforward.com](http://ordforward.com). Mr. Metz said the staff are clarifying policy application language, developing a checklist, and strengthening the definitions section. Content gaps remain in Landscape, Wayfinding and Road/trails graphics. He said the RUDG Task Force is

scheduled to meet March 23<sup>rd</sup> and proposed a final draft can be reviewed in late April, with a 15-day public review period. Council member Lucius asked for clarification on what would happen between meetings, mentioning that she prefers not to have a special Board meeting. Council member Morton asked for the date of the RUDG Task Force to be changed.

The Board received public comments.

MOTION: Council member Morton moved, seconded by Supervisor Potter, that the Task Force hold the next meeting at a time that is convenient to members to continue with the additional work on the RUDG draft and that the matter be set for the May Board meeting, public review to proceed that meeting.

MOTION PASSED UNANIMOUSLY.

**9. PUBLIC COMMENT PERIOD**

The Board received public comments.

**10. EXECUTIVE OFFICER'S REPORT**

- a. Habitat Conservation Plan Update
- b. Administrative Committee
- c. Post Reassessment Advisory Committee
- d. Regional Urban Design Guidelines Task Force
- e. Veterans Issues Advisory Committee
- f. Water/Wastewater Oversight Committee
- g. Travel Report
- h. Public Correspondence to the Board

Mr. Houlemard did not highlight items from these reports.

**11. ITEMS FROM MEMBERS**

None.

**12. ADJOURNMENT**

Chair O'Connell adjourned the meeting at 4:31 p.m.