



**FORT ORD REUSE AUTHORITY (FORA)
BOARD OF DIRECTORS REGULAR MEETING MINUTES**

Friday, November 4, 2016 at 2:00 p.m.
910 2nd Avenue, Marina, CA 93933 (Carpenters Union Hall)

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

Chair O'Connell led the pledge of allegiance.

3. CLOSED SESSION

- a. *Conference with Legal Counsel – Existing Litigation, Gov. Code 54956.9: Keep Fort Ord Wild v. Fort Ord Reuse Authority (FORA), County of Monterey Superior Court Case No.: M114961*
- b. *Conference with Legal Counsel – Pending Litigation, Gov. Code 56956.9: Successor Agency to Redevelopment Agency of the County of Monterey v. Michael Cohen, in his official capacity as Director of the State of California Department of Finance (DOF), etc. County of Sacramento Superior Court Case No.: 34-2016-800002403*

4. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

Closed session was conducted between 2:05 – 2:13 p.m. Jon Giffen, Authority Counsel advised that there were no items to report from the closed session.

5. ROLL CALL

Present

Mayor Joe Gunter (City of Salinas)
Council member Alan Haffa (City of Monterey)
Mayor David Pendergrass (City of Sand City)
Mayor Pro-Tem Ian Oglesby (City of Seaside)
Council member Janet Reimers (City of Carmel)
Mayor Pro-Tem Frank O'Connell (City of Marina)
Council member Casey Lucius (Pacific Grove)

Mayor Ralph Rubio (City of Seaside)
Mayor Jerry Edelen (City of Del Rey Oaks)
Council member Gail Morton (City of Marina)
Supervisor Dave Potter (County of Monterey)
Supervisor John Phillips (County of Monterey)

Ex-officio (Non-Voting) Board Members Present: Dr. Eduardo Ochoa (CSUMB), Tom Moore (MCWD), Bill Collins (Ft Ord BRAC Office), Col. Lawrence Brown (US Army), Vicki Nakamura (MPC), Donna Blitzer (UCSC), Erica Parker (29th State Assembly District), Nicole Charles (17th State Senate District), Dr. PK Diffenbaugh (MPUSD), Dr. Scott Brandt (UCSC), Lisa Rheinheimer (MST).

Absent: Alec Arago (20th Congressional District), Supervisor Jane Parker (County of Monterey)

6. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

FORA Executive Officer, Michael A. Houlemard Jr. announced the great success of the Prevailing Wage Jurisdictional Training that was held November 1st, 2016. Also, Mr. Houlemard provided notice that the FORA offices would (potentially) be closed on November 10th for staff training/development retreat in preparation for 2017 and also on November 11th in observance of Veteran's Day.

Public comment was opened, there were no comments received.

7. CONSENT AGENDA

Chair O'Connell reviewed the items on the consent agenda and made mention of corrections to the minutes that were provided in advance of the meeting.

- a. October 14, 2016 Board Meeting Minutes
- b. Administrative Committee
- c. Veterans Issues Advisory Committee
- d. Water/Wastewater Oversight Committee
- e. Travel Report
- f. Public Correspondence to the Board

MOTION: *On motion by Board member Rubio and seconded by Board member Edelen and carried by the following vote the Board approved Consent Agenda items 6a-6f with amendments to item 6a – 10/14 Board Meeting minutes to reflect corrections submitted by TAMC.*

MOTION PASSED UNANIMOUSLY

8. BUSINESS ITEM

a. Eastside Parkway Environmental Review Contract 2d Vote

Jonathan Brinkmann, Principal Planner, reviewed the recommendation for the item and the motion presented during the first vote. Mr. Brinkmann also informed the Board that further communications were received on the item on November 3rd after business hours (evening). Public comment was opened, there were no comments received.

MOTION: *On motion by Board member Rubio and seconded by Board member Edelen and carried by the following vote, the Board authorized the Executive Officer to negotiate and execute a professional services agreement FC-05102010 for the oversight and completion of the Eastside Parkway Environmental Review, not to exceed \$568,100 in additional funding and allow the Executive Officer to work with Whitson Engineering on the final structure of the environmental review based on the 90% design work already completed.*

NOES: *Morton, O'Connell, Haffa*

MOTION PASSED

b. UC Monterey Bay Education Science and Technology Center Status Update

Josh Metz, Economic Development Manager, introduced Dr. Scott Brandt, University of California Santa Cruz, Vice Chancellor. Dr. Brandt provided an update about the partnerships and efforts of UCMBEST, FORA and Monterey County representatives. Mr. Metz informed the Board that the meetings being held were/are informal, staff level exchanges.

Public comment was opened - no comments were received. This item was information only.

c. Consistency Determination: Del Rey Oaks Monument RV Resort

Mr. Brinkmann provided a brief presentation on the item and reminded the Board and informed the public that on October 21, 2016 Del Rey Oaks submitted the RV Resort for consistency determination and was distributed in the Administrative Committee packet. Del Rey Oaks adopted the Monument RV Resort Initiative Measure at its May 24, 2016 City Council meeting. Per the California Elections Code sections 9215 and 1405(b), it allows jurisdictions to adopt General Plan and Zoning amendments through initiative measures which also makes these projects exempt from the California Environmental Quality Act (CEQA). Staff recommended the Board conduct a public hearing regarding the City of Del Rey Oaks General Plan and Zoning Code amendments, the recreational vehicle park development entitlements, and their consistency with the Base Reuse Plan.

Staff answered questions from the Board regarding the initiative measure process. Del Rey Oaks Attorney, Brian Finegan provided information about exemptions that initiative measures provide.

Public comment was opened and there were no comments received.

MOTION: On motion by Board member Rubio and second by Board member Edelen the Board voted to certify the RV Resort as consistent with the Fort Ord Base Reuse Plan.

AYES: O'Connell, Gunter, Haffa, Pendergrass, Oglesby, Reimers, Lucius, Rubio, Edelen, Phillips, Potter

NOES: Morton

A second vote will be conducted at the next Board meeting.

d. Transition Task Force Committee Recommendation

Steve Endsley, Assistant Executive Officer, provided a presentation on the background and work of the Transition Task Force (TTF) since its formation in April 2016. Sheri Damon, Prevailing Wage Coordinator, provided details regarding the obligations and cost in a power point presentation. As presented and recommended through the Administrative and Executive Committees, the Board was asked to recommend legislative extension through 2037 by initiating the legislative amendment process and continue 2020 transition planning.

Public comment was received on the item.

MOTION: On motion by Board member Rubio and seconded by Board member Haffa to authorize the Executive Officer to explore options with the State Legislation offices for considering and initiating the extension of the Fort Ord Reuse Authority through 2037 and sustain through 2020 transition planning, risk financial analysis, and identify resource options.

SUBSTITUTE MOTION: On motion by Board member Morton and seconded by Board member O'Connell and carried by the following vote, the Board authorized the Executive Officer to coordinate and seek support from the State Legislator (17th State Senate District and 29th State Assembly District) to assure post FORA funding for jurisdictions following FORA sunset on or before June 30, 2020 in compliance with Title 7.85 of the California Government Code entitled Fort Ord Reuse Authority Act and the pursuing of a FORA extension for a reasonable period of time but not to a date beyond June 30, 2037 and secondly, to reconvene the Transition Task Force to commence the steps necessary for a transition plan in compliance with Title 7.85 of the California Government Code.

The Board provided comments on the item and the motions made.

The chair received a call for the question, which has to be accepted by a majority vote. All Ayes for a call for the question. **MOTION PASSED UNANIMOUSLY**

Vote on the Substitute Motion:

AYES: Morton, O'Connell

NOES: Gunter, Haffa, Pendergrass, Oglesby, Reimers, Lucius, Rubio, Edelen, Phillips

ABSENT: Potter (only at time of vote)

Vote on the Motion:

AYES: Gunter, Haffa, Pendergrass, Oglesby, Reimers, Rubio, Edelen, Phillips

NOES: Morton, O'Connell, Lucius

ABSENT: Potter (only at time of vote)

A second vote will be conducted at the next scheduled Board meeting.

e. Authorize Industrial Hygienist Professional Services Solicitation

(moved to item 8f for discussion)

Stan Cook, Senior Program Manager, provided a presentation overview of the building removal solicitation status on "Surplus II" in Seaside and the "Stockade" in Marina. Per the October 2016 FORA Board report

on Building Removal, staff prepared an open solicitation for professional Industrial Hygienist services that includes sampling, testing, characterizing hazardous materials and removal at the Stockade. Staff is requesting authorization to allow the Executive Officer to solicit, negotiate and execute a Professional Services contract for an Industrial Hygienist to support the former Fort Ord Stockade building removal not to exceed \$110,000.

MOTION: On motion by Board member Morton and seconded by Board member Rubio and carried by the following vote, the Board authorized the Executive Officer to solicit, negotiate and execute a Professional Services contract for an Industrial Hygienist to support the former Fort Ord Stockade building removal not to exceed \$110,000.

Public comment was opened and none were received.

MOTION PASSED UNANIMOUSLY

f. 2017 Legislative Agenda (Moved to item 8e for discussion)

Mr. Houlemard reviewed the legislative agenda and pointed out that the revised draft 2017 Legislative Agenda sent to the Board members (and available for public review) was different from the one included in the packet and presented to the Legislative Committee. The revised draft agenda was the product of the Legislative Committee meeting held on October 31st.

The following corrections were noted on the final 2017 Legislative Agenda:

- Public Safety Officer Training item is label "I."
- Item J – Legislative Coordination Regarding FORA Transition Issues – the proposed position adopted by the Legislative Committee indicates "Coordinate and seek support from State Legislature (17th State Senate District and 29th State Assembly District) to assure post-FORA funding for jurisdictions and reuse obligations."
- Item E – Augmented Water Supply – added a specific coordination item for potential Monterey Bay Region water bond funding and FORA augmentation needs.
- Item C – Economic Recovery Support – add additional discussion about adding creative financing for building removal.

Public comment was opened and none was received.

MOTION: On motion by Board member Edelen and seconded by Board member Rubio to adopt the 2017 Legislative Agenda.

SUBSTITUTE MOTION: On motion by Board member Morton and seconded by O'Connell and carried by the following vote the Board moved to adopt the Legislative Agenda with change to the proposed position of the "Legislative Coordination Regarding FORA Transition Issues," to read "coordinate and seek support from State Legislature (17th State Senate District and 29th State Assembly District) to assure post-FORA funding for jurisdictions following FORA sunset on June 30, 2020 in compliance with Title 7.85 of the California Government Code entitled "Fort Ord Reuse Authority Act" and pursuing of a FORA extension for a reasonable period of time, but not for a date beyond June 2037."

SUBSTITUTE MOTION PASSED UNANIMOUSLY

9. PUBLIC COMMENT PERIOD - Public comment was opened and no comments were received.

10. ITEMS FROM MEMBERS

Board member Lucius announced that this would be her last FORA Board meeting.

11. ADJOURNMENT - The meeting adjourned at 4:09 p.m.