



# FORT ORD REUSE AUTHORITY

## SPECIAL MEETING

### FORT ORD REUSE AUTHORITY (FORA) BOARD OF DIRECTORS

Friday, September 28, 2018 at 2:00 p.m. | 910 2<sup>nd</sup> Avenue, Marina, CA 93933 (Carpenters Union Hall)

## AGENDA

**ALL ARE ENCOURAGED TO SUBMIT QUESTIONS/CONCERNS BY NOON SEPTEMBER 27, 2018.**

### 1. CALL TO ORDER

### 2. PLEDGE OF ALLEGIANCE *(If able, please stand)*

### 3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

### 4. CLOSED SESSION

- a. Conference with Legal Counsel – Gov. Code §54956.9(a), (d)(1): Keep Fort Ord Wild v. Fort Ord Reuse Authority. Monterey County Superior Court Case No.: 17CV004540, Pending Litigation.
- b. Conference with Legal Counsel – Gov. Code §54956.9(a), (d)(1): Marina Community Partners, LLC v. Fort Ord Reuse Authority, Monterey County Superior Court Case No.: 18CV000871, Pending Litigation.
- c. Conference with Legal Counsel - Potential Litigation, Gov. Code §54956.9(d)(4)

### 5. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

### 6. ROLL CALL

*FORA is governed by 13 voting members: (a) 1 member appointed by the City of Carmel; (b) 1 member appointed by the City of Del Rey Oaks; (c) 2 members appointed by the City of Marina; (d) 1 member appointed by Sand City; (e) 1 member appointed by the City of Monterey; (f) 1 member appointed by the City of Pacific Grove; (g) 1 member appointed by the City of Salinas; (h) 2 members appointed by the City of Seaside; and (i) 3 members appointed by Monterey County. The Board also includes 12 ex-officio non-voting members.*

### 7. CONSENT AGENDA

### INFORMATION/ACTION

*CONSENT AGENDA consists of routine information or action items accompanied by staff recommendation. Information has been provided to the FORA Board on all Consent Agenda matters. The Consent Agenda items are normally approved by one motion unless a Board member or the public request discussion or a separate vote. Prior to a motion, any member of the public or the Board may ask a question or make comment about an agenda item and staff will provide a response. If discussion is requested, that item will be removed from the Consent Agenda and be considered separately at the end of the Consent Agenda.*

- a. Approve August 10, 2018 Meeting Minutes  
**Recommendation:** Approve August 10, 2018 meeting minutes.
- b. Administrative Committee  
**Recommendation:** Receive a report from the Administrative Committee.
- c. Legislative Committee  
**Recommendation:** Receive a report from the Legislative Committee.
- d. Executive Officer's Report  
**Recommendation:** Receive a report and the Board approved Executive Officer's fiscal year 2018-2019 goals.
- e. Economic Development Report  
**Recommendation:** Receive an Economic Development Report.
- f. Public Correspondence to the Board  
**Recommendation:** Receive public correspondence to the Board.

## 8. BUSINESS ITEMS

## INFORMATION/ACTION

*BUSINESS ITEMS are for Board discussion, debate, direction to staff, and/or action. Comments from the public are **not to exceed 3 minutes** or as otherwise determined by the Chair.*

- a. Consistency Determination (CD): City of Seaside Zoning Code – 2d Vote  
**Recommendation:** Take a 2<sup>nd</sup> vote to approve the City of Seaside Zoning Code CD.
- b. Building Removal Program – 2d Vote  
**Recommendation:** Take a 2<sup>nd</sup> vote to complete remaining base wide building removal.
- c. University of California (UC) Monterey Bay Education, Science and Technology Center Update  
**Recommendation:** Receive an UC Monterey Bay Education, Science, and Technology Center update from UC Santa Cruz Chancellor George Blumenthal.
- d. Regional Urban Water Augmentation Project  
**Recommendation:** Authorize the Executive Officer to execute a Reimbursement Agreement with Monterey One Water for the shared pipeline facilities not to exceed \$2.3M in Fiscal Year 2018-2019 for the M1W share of the New Pipeline Facilities.
- e. Transition Planning Process Update  
**Recommendation:**
  1. Review attached Transition Plan resolution;
  2. Provide direction to staff on Local Agency Formation Commission jurisdiction issue to either:
    - a) Reach Agreements on all matters of assignment and succession prior to December 1, 2018 and well in advance of the June 30, 2020 statutory sunset; and/or
    - b) Secure any needed legislative amendment/clarification; and/or
    - c) Seek Court interpretation (i.e. declaratory relief) of authority/jurisdiction question.
  3. Provide direction to staff about Community Facilities District/Capital Improvement Program financing issue and any related legislative action requests needed to implement an approved transition plan.
  4. Provide direction to staff on the likely successor (either the City of Seaside or the County of Monterey) to the Environmental Services Cooperative Agreement contract and its associated contractual obligations and assets.
  5. Provide direction to staff on policy and/or other revisions to the Transition Plan and/or consider adoption;
  6. Take other actions as may be required to comply with state law requiring submitting a Transition Plan (based on the approved resolution) to LAFCO by December 2018.
    - a) Authorize the Executive Officer to prepare and execute the LAFCO Indemnification Agreement;
    - b) Authorize the Executive Officer to submit an approved Transition Plan to LAFCO;
    - c) Direct staff to begin working with all the jurisdictions on approved Transition Plan Implementation Agreements and return to report in January 2019 with status on Implementation Agreements;
    - d) Direct staff to work with Senator Monning to implement components or alternatives to items as approved in the Transition Plan.

## 9. PUBLIC COMMENT PERIOD

## INFORMATION

*Members of the public wishing to address the Board on matters within its jurisdiction, but **not on this agenda**, may do so for up to 3 minutes or as otherwise determined by the Chair and will not receive Board action. Whenever possible, written correspondence should be submitted to the Board in advance of the meeting, to provide adequate time for its consideration.*

## 10. ITEMS FROM MEMBERS

## INFORMATION

*Receive communication from Board members as it pertains to future agenda items.*

## 11. ADJOURNMENT

**NEXT REGULAR MEETING: October 12, 2018 AT 2:00 P.M.**

Persons seeking disability related accommodations should contact FORA 48 hours prior to the meeting. This meeting is recorded by Access Monterey Peninsula and televised Sundays at 9 a.m. and 1 p.m. on Marina/Peninsula Channel 25. The video and meeting materials are available online at [www.fora.org](http://www.fora.org).