



# FORT ORD REUSE AUTHORITY

## AMENDED MEETING

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

Friday, December 13, 2019 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 DECEMBER 12, 2019.**

#### 1. CALL TO ORDER

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

#### 3. CLOSED SESSION

- a. Conference with Legal Counsel – Gov. Code §54956.9(a), (d)(1): Resource Environmental, Inc v. Fort Ord Reuse Authority. Monterey County Superior Court Case No.: 19CV004499, Pending Litigation
- b. Conference with Legal Counsel—Anticipated Litigation—Initiation of litigation pursuant to ¶ (4) of subdivision (d) of CA Gov't Code §54956.9—one potential case
- c. Public Employment, Government Code section 54959.7(b) – Personnel – Executive Officer Succession Planning Report

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

#### 5. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

- a. Adopt Resolution 19-XX Acknowledging Michael A. Houlemard, Jr.
- b. Fiscal Year 2018-19 Audit

#### 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 November 8, 2019 Meeting Minutes (p.1)  
**Recommendation:** Approve November 8, 2019 Meeting Minutes.
- b. Administrative Committee (p.5)  
**Recommendation:** Receive a report from the Administrative Committee.
- c. Water/Wastewater Oversight Committee (p.13)  
**Recommendation:** Receive an update from the Water/Wastewater Oversight Committee (“WWOC”).

- d. Habitat Conservation Plan Update (p.43)  
**Recommendation:** Receive a Fort Ord Multi-Species Habitat Conservation Plan (“HCP”) report regarding United States Fish and Wildlife Service (“USFWS”) HCP and California Department of Fish and Wildlife (“CDFW”) 2081 Incidental Take Permit (“ITP”) developments.
- e. Environmental Services Cooperative Agreement/Base Realignment and Closure Headquarters Meeting Report (p.45)  
**Recommendation:** Receive a report on the November 18, 2019 FORA trip to Washington, DC to meet with US Army (“Army”) Base Realignment and Closure (“BRAC”) Head Quarters (“HQ”) and US Department of Defense (“DoD”) Office of Economic Adjustment (“OEA”) to discuss Environmental Services Cooperative Agreement (“ESCA”) status and ESCA Successor requirements.
- f. Economic Development Report (p.53)  
**Recommendation:** Receive an Economic Development (“ED”) Report.
- g. Local Agency Formation Commission of Monterey County (“LAFCO”) Indemnification Agreement (p.57)  
**Recommendation:** Authorize Executive Officer to execute attached Indemnification Agreement with LAFCO.
- h. 2020 Fort Ord Reuse Authority Board Meeting Calendar (p.61)  
**Recommendation:** Approve the 2020 FORA Board meeting schedule.
- i. Public Correspondence to the Board (p.63)  
**Recommendation:** Receive Public Correspondence to the Board.

## 8. BUSINESS ITEMS

## INFORMATION/ACTION

<p><i>BUSINESS ITEMS are for Board discussion, debate, direction to staff, and/or action. Comments from the public are <b>not to exceed 3 minutes</b> or as otherwise determined by the Chair.</i></p>
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- a. Review Building Removal Bond Legal Status (p.64)  
**Recommendation:**
  - i. Receive an update and report on the status of issuing bonds and related documentation required to finance remaining building removal and related activities.
  - ii. Adopt resolution 19-XX Authorizing the Issuance and Sale of Bonds in a Principal Amount Not to Exceed \$55,000,000 to Finance Building Removal and Related Costs, Approving the Form and Authorizing the Execution of an Indenture of Trust, Authorizing Judicial Validation Proceedings Relating to the Issuance of Such Bonds and Authorizing Actions Related Thereto.
- b. 2018 Transition Plan and Draft Implementing Agreements Status Report (p.77)  
**Recommendation:**
  - i. Receive a Fort Ord Reuse Authority (“FORA”) Transition Plan Implementing Agreements Progress Report.
  - ii. Receive a Habitat Conservation Plan (“HCP”) – Joint Powers Authority (“JPA”) Formation Progress Report.
- c. Eucalyptus Road Storm Water Infiltrator Repair (p.90)  
**Recommendation:** Authorize the Executive Officer (“EO”) to execute all bidding requirements and associated contracts for the completion of Eucalyptus Road infiltrator repairs not to exceed a project budget of \$1,082,500.

*Persons seeking disability related accommodations should contact FORA 48 hours prior to the meeting. This meeting is recorded by Access Media Productions 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)*

**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 MEETING: January 10, 2020 AT 2:00 P.M.**

Persons seeking disability related accommodations should contact FORA 24 hrs. 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 Chanel 25. The video and meeting materials are available online at [www.fora.org](http://www.fora.org).