



APPROVED

FORT ORD REUSE AUTHORITY
BOARD OF DIRECTORS REGULAR MEETING MINUTES
2:00 p.m., Thursday, March 12, 2020 | Carpenters Union Hall
910 2nd Avenue, Marina, CA 93933

1. CALL TO ORDER

Chair Supervisor Jane Parker called the meeting to order at 2:01 p.m.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Dr. Eduardo Ochoa of California State University Monterey Bay (CSUMB).

3. CLOSED SESSION

- a. Conference with Legal Counsel -- Gov. Code §54956.9(a), (d)(1): Fort Ord Reuse Authority v. All Persons Interested in the Matter of the Issuance and Sale of Bonds by the Fort Ord Reuse Authority and the Tax Increment Revenue Pledged To, and to be Used for, the Repayment of Such Bonds. Monterey County Superior Court Case No.: 20CV000381, Pending Litigation.
- b. Conference with Legal Counsel -- Gov. Code §54956.9(d)(2): Anticipated Litigation, Significant Exposure to Litigation, one potential case.
- c. 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.: 20CV000771, Pending Litigation.

Time Entered: 2:04 p.m.

Time Exited: 2:48 p.m.

4. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

Authority Counsel Jon Giffen reported the following actions taken in closed session:

Item 3a: This morning, Judge Villareal granted FORA's application for validation and entered a judgement for validation of the bond issuance and the payment of tax increment stream that will repay the bonds. FORA will be going forward with the bond issuance project.

Item 3b: The Board heard from counsel. Nothing to report.

Item 3c: The Board heard from counsel. Nothing to report.

5. ACKNOWLEDGMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

Executive Officer Joshua Metz announced the following:

- FORA is working closely with Marina Community Partners on their effort to begin building demolition of the CDEC Hill. It should begin in the next week or so.
- AB 1486 Survey- FORA staff is formulating a response and will circulate when prepared. Members may submit responses as well.
- Correspondence to the Board received since the last Board meeting:
 - Peter Le, a letter regarding Pure Water Monterey proposed expansion.
 - Land Watch, a letter regarding HCP/EIR considerations, including a letter from Professor Fred Watson of CSUMB.

- 10 items of correspondence received from the veteran's community regarding requests for post-FORA funding.
- FORA will sunset in 110 days and so far has held 27 Board and Committee meetings this year.
- FORA has begun instituting some measures to protect the safety and well-being of its staff and visitors
- Governor Newsom's office released Executive Order N25-20, which establishes certain new protocols related to the Brown Act and Bagley-Keene Act and significantly enhancing our ability to provide people an opportunity to self-quarantine while still conducting meetings.
- Mr. Metz reviewed the new Brown Act requirements for use in the future, should health and safety concerns prohibit participation in person. He noted that there is still a requirement that a single location be provided for members of the public to observe and offer public comment.
- Dr. Ochoa announced CSUMB will be suspending all classes starting March 13, until March 19. Classes will be resumed March 20 – April 24 using alternative delivery methods such as Zoom. CSUMB has also cancelled all campus visits and tours from March 13 – April 24.

6. ROLL CALL

Voting Members Present:

Supervisor Jane Parker (County of Monterey), Supervisor John Phillips (County of Monterey), Mayor Pro-Tem Gail Morton (City of Marina), Supervisor Mary Adams (County of Monterey), Councilmember Frank O'Connell (City of Marina), Mayor Ian Oglesby (City of Seaside), Councilmember Jon Wizard (City of Seaside), Councilmember Cynthia Garfield (City of Pacific Grove), Councilmember John Gaglioti (Del Rey Oaks), Jan Reimers (City of Carmel)

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

Dr. Eduardo Ochoa (California State University, Monterey Bay), Steve Matarazzo (University of California, Santa Cruz), Colonel Gregory Ford (United States Army), Bill Collins (Base Realignment and Closure), Dr. P.K. Diffenbaugh (Monterey Peninsula Unified School District), Debbie Hale (Transportation Agency of Monterey County), Keith Van Der Maaten (Marina Coast Water District)

7. CONSENT AGENDA

- a. Approve February 13, 2020 Meeting Minutes
- b. Approve February 13, 2020 Special Meeting Minutes
- c. Administrative Committee
- d. Veterans Issues Advisory Committee
- e. Habitat Working Group Ad-Hoc Committee
- f. Finance Committee
- g. Reassignment of Escrow Holding Company – South Boundary Road Project
- h. Transition Process Update
- i. Public Correspondence to the Board

**Chair Parker requested to pull item 7g.*

**Sid Williams of the Veterans Issues Advisory Committee ("VIAC") requested to pull item 7d.*

The Board heard from Directors and members of the public on Item 7d. Chair Parker stated the VIAC request for funds will be presented with the mid-year budget at the March 23, 2020 Finance Committee meeting. The Board heard from the Directors on Item 7g. Staff and consultants responded to questions and comments from Board members and noted the transfer of funds will occur at the time of FORA's closure.

MOTION: On motion by Board member Phillips and seconded by Board member Adams and carried by the following vote, the Board moved to approve the March 12, 2020 consent agenda.

MOTION PASSED UNANIMOUSLY

8. BUSINESS ITEMS

a. 2nd Vote - Habitat Conservation Plan (“HCP”)/Environmental Impact Report (“EIR”)

Options

Mr. Metz and Regional Government Services consultant Kendall Flint reviewed the item and the motion being considered for a second vote. Staff and consultants responded to questions and comments from Board members and the public. A robust discussion took place between members of the Board. Public comment was heard on the item.

<i>Item 8a: Motion</i>			
<i>Director Parker</i>	<i>NO</i>	<i>Director Reimers</i>	<i>AYE</i>
<i>Director Garfield</i>	<i>AYE</i>	<i>Director Phillips</i>	<i>AYE</i>
<i>Director O’Connell</i>	<i>NO</i>	<i>Director Gaglioti</i>	<i>AYE</i>
<i>Director Morton</i>	<i>NO</i>	<i>Director Wizard</i>	<i>AYE</i>
<i>Director Adams</i>	<i>NO</i>	<i>Director Oglesby</i>	<i>AYE</i>
<i>Director Carbone</i>	<i>AYE</i>		

Motion Passed by Majority (7 AYES; 4 NOES)

b. 2018 Transition Plan Proposed Amendments

Ms. Flint started off the item and discussed proposed amendments to the following sections in the 2018 Transition Plan Implementing Agreement (TPIA):

- 2.1.3: Litigation Reserve Funds;
- 2.1.4: Habitat Funds;
- 2.1.5: Capital Improvement Funds;
- 2.1.9: Real Property;
- 4.1: Transition Plan Implementing Agreements.

Ms. Flint discussed proposed removal of the following sections:

- 1.3: Revenue Sharing and Financial Contribution;
- 1.4: Reuse Plan and Master Resolution;
- 1.5: Funding of Habitat Protection;
- 2.2.6: Transportation and Transit.

Ms. Flint and FORA staff responded to questions from members of the Board. Public comment was received on the item. Board members discussed whether they should vote on the item during the meeting or wait until other parts of the TPIA are brought forward. Director Parker noted that she felt that staff had received direction and that she would consider this item received and discussed, and that it be closed it for the day.

MOTION: On motion by Board member Morton and seconded by Board member Phillips, and carried by the following vote, the Board moved to continue to meeting past 5:00 p.m. to hear public comment.

MOTION PASSED UNANIMOUSLY

9. PUBLIC COMMENT

Public comment was received.

10. ITEMS FROM MEMBERS

There were no items from members.

11. ADJOURNMENT at 5:05 p.m.

Minutes Prepared by:
Harrison Tregenza
Deputy Clerk

Approved by:

Joshua Metz Executive Officer