



# Fort Ord Reuse Authority

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## BOARD OF DIRECTORS REGULAR MEETING Friday, April 12, 2013 at 3:30 p.m. 910 2<sup>nd</sup> Avenue, Marina, CA 93933 (Carpenter's Union Hall)

### REVISED AGENDA

#### 1. CALL TO ORDER AND ROLL CALL

#### 2. CLOSED SESSION

- a. Conference with Legal Counsel - Existing Litigation, Gov Code 54956.9(a) – Four Cases
  - i. Keep Fort Ord Wild v. Fort Ord Reuse Authority, Case Numbers: M114961, M116438, M119217
  - ii. The City of Marina v. Fort Ord Reuse Authority, Case Number: M118566
- b. Conference with Legal Counsel – Anticipated Litigation, Gov Code 54956.9(b) – Two Cases
- c. Public Employee Appointment: Authority Counsel – Gov Code 54957

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

*(Open session will begin at the later of: a) 4:15 p.m. or b) immediately following closed session)*

#### 4. PLEDGE OF ALLEGIANCE

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

- a. May 2-3, 2013 Fort Ord Prevailing Wage Training Conference

#### 6. CONSENT AGENDA

- a. Consider Letter of Support for AB 946 (Assemblymember Mark Stone) (pg. 1-5) ACTION
- b. Consider Letter of Support for SB 106 (Senator Bill Monning) (pg. 6-9) ACTION
- c. Approval of the March 15, 2012 Board Meeting Minutes (pg. 10-13) ACTION
- d. Approval of the March 22, 2012 Board Meeting Minutes (pg. 14-16) ACTION

#### 7. OLD BUSINESS

- a. FORA Pollution Legal Liability Insurance Presentation/Report (pg. 17) INFORMATION
- b. Environmental Services Cooperative Agreement (ESCA) Update (pg. 18-19) INFORMATION
- c. FORA Legal Representation ([distributed under separate cover – see additional materials on FORA website](#))
  - i. Authorize the Executive Officer to Execute a Contract with the Law Offices of Alan Walter, not to exceed \$24,950, for Review of Base Reuse Plan (BRP) Actions ACTION
  - ii. Authorize the Executive Officer to Execute a Contract with Jon Giffen of Kennedy, Archer, and Giffen to Serve as Authority Counsel ACTION
- d. Base Reuse Plan Post-Reassessment Follow-Up: “Category I” (pg. 21-40) INFORMATION/ACTION
- e. Fort Ord Reuse Authority Master Resolution (pg. 41-63)
  - i. Review Fort Ord Reuse Authority (FORA)/Ventana Chapter of the Sierra Club (Sierra Club) Settlement Agreement Requirements/Notification Process INFORMATION
  - ii. Consider Sierra Club's 23 Proposed Chapter 8 Typographical Corrections ACTION
  - iii. Consider Sierra Club's Request to Remove Sections 8.02.020(t) And 8.02.030(a)(8) ACTION
  - iv. Consider Section 2.09.020 (FORA Conflict-of-Interest Code) Modifications ACTION
- f. Capital Improvement Program Review – Phase II Study (pg. 64-72)
  - i. Receive FORA Fees Calculation Report INFORMATION

ii. Review/Consider Draft Resolution to Implement Fee Adjustment      INFORMATION/ACTION

**8. NEW BUSINESS**

- a. Veterans Cemetery Agreement and Budget (pg. 73-103)
  - i. Consider Approval of Seaside-FORA Cemetery Agreement      ACTION
  - ii. Consider Approval of \$4,000 FY 2012-13 Budget Increase for Veterans Cemetery Consultants      ACTION
  - iii. Consider Authorizing a \$30,000 Check to California Department of General Services for Land Acquisition Services      ACTION

**9. PUBLIC COMMENT PERIOD**

*Members of the audience wishing to address the Fort Ord Reuse Authority (“FORA”) Board on matters within the jurisdiction of FORA, but not on this agenda, may do so during the Public Comment Period. Public comments are limited to a maximum of three minutes.*

**10. EXECUTIVE OFFICER’S REPORT**

- a. Outstanding Receivables (pg. 104)      INFORMATION
- b. Administrative Committee (pg. 105-109)      INFORMATION
- c. Finance Committee (pg. 110-111)      INFORMATION
- d. Post-Reassessment Advisory Committee (pg. 112)      INFORMATION
- e. Veterans Issues Advisory Committee (pg. 113-116)      INFORMATION
- f. Water and Wastewater Oversight Committee (pg.117-119)      INFORMATION
- g. Habitat Conservation Plan Update (pg. 120-124)      INFORMATION
- h. Travel Report (pg. 125)      INFORMATION
- i. Public Correspondence to the Board (pg. 126)      INFORMATION
- j. Notice of Requirement Regarding Items Received from the Public for Reproduction and Distribution at Board/Committee Meetings (distributed under separate cover – see additional materials on FORA website)      INFORMATION

**11. ITEMS FROM MEMBERS**

**12. ADJOURNMENT**

**NEXT REGULAR BOARD MEETING: MAY 10, 2013**

*Persons seeking disability related accommodations should contact FORA 24 hours prior to the meeting.*  
This meeting is recorded by Access Monterey Peninsula (AMP) to be televised Sundays at 9:00 a.m./Sundays at 1:00 p.m. on Marina/Peninsula Chanel 25. The video and full Agenda packet are available online at [www.fora.org](http://www.fora.org).