



**FORT ORD REUSE AUTHORITY
BOARD OF DIRECTORS REGULAR MEETING MINUTES**

Friday, February 12, 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.

The Board received no public comment.

2. PLEDGE OF ALLEGIANCE

Board member Morton led the pledge of allegiance.

3. CLOSED SESSION

Conference with Legal Counsel - Existing Litigation, Gov. Code 54956.9(a) – 1 Case
i. *Keep Fort Ord Wild v. Fort Ord Reuse Authority (FORA)*, Case No.: M 114961

Chair O'Connell introduced the item to Board before going to closed session.

The Board adjourned into closed session at 2:04 p.m. Chair O'Connell asked for public comment.
No public comment was received.

4. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

The Board reconvened into open session at 2:41 p.m.

Authority Counsel, Jon Giffen, announced there was no reportable action taken by Board.
No public comment was received.

5. ROLL CALL

Mayor Rubio (City of Seaside)	Supervisor Potter (County of Monterey)
Mayor Pendergrass (City of Sand City)	Supervisor Phillips (County of Monterey)
Mayor Gunter (City of Salinas)	Supervisor Parker (County of Monterey)
Mayor Pro-Tem Oglesby (City of Seaside)	Council member Haffa (City of Monterey)
Mayor Pro-Tem O'Connell (City of Marina)	Mayor Kampe (City of Pacific Grove)
Council member Clark (City of Del Rey Oaks)	Council member Morton (City of Marina)
Council member Beach (City of Carmel)	

Ex-officio (Non-Voting) Board Members Present: Dr. Ochoa (CSUMB), Walter Tribley (MPC), Donna Blitzer (UCSC), Bill Collins (Ft Ord BRAC Office), Nicole Charles (CA Senator Monning) ^{AR}, Alec Arago (20th Congressional Dist.) ^{AR}, Vicki Nakamura (MPC), Lisa Reinheimer (MST), PK Diffenbaugh, (MPSUD), and Howard Gustafson (MCWD).

Absent: Erica Parker (CA Assembly member Stone), Col Fellingner* (U.S. Army), Debbie Hale, (TAMC).

6. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

a. Adopt Resolution Acknowledging John Dunn

Mr. Houlemard recognized John Dunn's contributions to FORA and read the resolution to Board.

MOTION: Mayor Rubio moved, seconded by Mayor Pro-Tem Oglesby to approve the resolution as presented.

MOTION PASSED UNANIMOUSLY.

Mayor Rubio and Mayor Pro-Tem Oglesby commented on Mr. Dunn's great work and his accomplishments for the City of Seaside. Mr. Dunn stated it was a great honor to have served on FORA's committee and complimented their work. He added his appreciation for all work done for City of Seaside.

Mr. Houlemard, Nancy Kotowski and Mayor Pendergrass announced on behalf of the Monterey Peninsula Chamber of Commerce the selection of the 2015 Public Official of the Year to Mayor Rubio. Ms. Kotowski stated Mr. Rubio is a distinguished public servant in our community, one who pours heart and soul in representing the public. The awards dinner was scheduled for March 12, 2016. Mayor Rubio said he appreciated the honor bestowed on him and complimented his colleagues for the great work done in the community.

CSU Monterey Bay President Ochoa provided information on a roundabout project at CSUMB. President Ochoa said that construction is scheduled on 8th Avenue and InterGarrison Road and that a portion of this work is on FORA's land. He requested entering into a reimbursement agreement with FORA. Mr. Houlemard responded FORA would coordinate this work with CSUMB and added if costs are exceed \$25,000 the Board would have to provide its approval.

7. CONSENT AGENDA

Chair O'Connell introduced the items on the Consent agenda and that on Item 7e, Board member Haffa is unable to attend PRAC meetings and he is joining the Finance Committee.

- a. Approve January 8, 2016 Board Meeting Minutes
- b. Receive Industrial Hygienist Contract
- c. Economic & Planning Systems, Inc. (EPS) Contract Amendment #10 for Biennial Formulaic Fee Review
- d. Inner City Fund International (ICF) Contract Amendment #7
- e. Chair 2016 Committee Appointments
 - i. Confirm Appointments
 - ii. Confirm Committee/Ad-Hoc appointments

MOTION: Mayor Rubio moved, seconded by Mayor Pro-Tem Oglesby to approve the full Consent Agenda (Items 7a-7e) as presented. Abstentions: Mayor Kampe.

MOTION PASSED UNANIMOUSLY.

Chair O'Connell asked for public comment. No public comment was received.

8. BUSINESS ITEM

- a. Fort Ord Reuse Authority Prevailing Wage Program

Mr. Houlemard said Board requested that Finance Committee review this item first. Mr. Norris provided a power point presentation showing latest updates on labor/public works law and pointed out that the monies are already allocated on the Capital Improvement Program budget and the duration would be for a period of up to 5 years. He added FORA is the enforcement agency for contracts to which FORA is a direct party and member jurisdictions are responsible for enforcement of all other contracts.

The Board received comments from Board members requesting clarification as to whether FORA is the awarding entity on public works contracts; how does this fulfill the redaction of public information; would other jurisdictions utilize the software FORA is acquiring; the process to access those records; and how would FORA check with jurisdictions to see if they are complying with reporting requirements.

Authority Counsel responded that FORA is not the awarding agency. Mr. Norris added that members of the public can ask for certain levels of public information. If a complaint arises, the party can go directly to that company, etc. to request full access for the information. If a complaint is brought to FORA then we will help by providing a centralized system and the best support to be provided to jurisdictions to fulfill their responsibilities given their lack of resources. Mr. Houlemard acknowledged communications from the labor council and Ms. Haines. He said FORA continues to communicate with DIR and hopes to receive some information in the next two weeks and that hiring a compliance officer would be extremely helpful to all jurisdictions.

Chair O'Connell said this is the first vote on this Item and it requires an unanimous vote. He then invited the public for comments.

The Board received public comment.

MOTION: Mayor Rubio moved, seconded by Councilmember Haffa, to approve staff's recommendation of Option A and up to \$200,000 funding.

MOTION WAS NOT UNANIMOUS. This item will return to next meeting for second vote.

Board member Haffa said that if a prevailing wage contract happens to be outside FORA, would access be given to those jurisdictions. Mr. Houlemard responded that FORA membership (jurisdictions) would have access. Chair O'Connell asked Board members to submit any comments pertaining this Item.

b. Fort Ord Reuse Authority Fiscal Year 2015-16 Mid-Year

Chair O'Connell said the Finance Committee was not able to review this item at their February 3 meeting due to illnesses and absences of Executive committee members. Mr. Houlemard introduced this item and Ivana Bednarik provided a summary. Mr. Houlemard added that FORA did not get the grant to assist with Industrial Hygienist work but the close of escrow on Preston Park brought additional funds. A request for additional expenses was included due to a higher cost of employer contribution in PERS and the retention of staff is important. A new salary survey could be done to bring wages to a comparable standard.

Chair O'Connell asked Board and members of public for comments. There were no comments from Board members. The Board received public comment.

MOTION: Moved by Councilmember Morton, seconded by Supervisor Parker, to approve FY 2015-16 Mid-year budget (Slide 2 of Power point presentation) and to exclude any allocation for prevailing wage or salary adjustments.

MOTION DID NOT PASS UNANIMOUSLY.

A Substitute motion was moved by Councilmember Haffa and seconded by Mayor Gunter to approve staff's recommendation as presented. Board member Haffa questioned the need for separating the request and he agreed with staff's recommendation. Board member Morton said the reason to break it down is that Finance Committee sees them as separate items. Ms. Bednarik responded that these items were included in the mid-year budget presented to Finance Committee and they are not separate requests.

Mayor Kampe asked if the substitute motion overrides an original motion. Authority Counsel responded this process is appropriate and a substitute motion replaces the original motion. A call for the motion was made.

VOTE WAS NOT UNANIMOUS. Noes: Mayor Kampe. This item will return to next meeting for second vote.

- c. Water Augmentation Program: Three Party Planning Report
 - i. Program Overview: Recycled Project and Secondary Project
 - ii. Recommendation of Pure Water Monterey to California Public Utilities Commission

Mr. Houlemard introduced this item and Steve Endsley provided a brief summary to Board. Mr. Endsley explained how the water augmentation program had 2 silo's. First MRWPCA, FORA and MCWD are collaborating to produce a single cost effective pipeline for water augmentation to all the jurisdictions. The second silo was a tripartite planning effort. He then introduced both General Managers, Keith Van Der Maaten for the Marina Coast Water District (MCWD) and Paul Sciuto from Monterey Regional Water Pollution Control Agency (MRWPCA). Mr. Van Der Maaten gave a summary of the previously approved RUWAP Pipeline project and showed the end-users to be public agencies, golf courses and future homeowners associations. He also highlighted the collaboration with MRWPCA and FORA as being crucial to the success of the program for the entire area. Paul Sciuto stated the Pure Water Monterey project was envisioned to supply Advanced Treated Water in a cost-effective manner by treating water from agricultural wash water dumped in the Blanco drainage ditch, Salinas River and storm water runoff. Further, MRWPCA would supply Advanced Treated Water to MCWD which would be supplied by MCWD's RUWAP Pipeline. Steve Endsley followed the presentation with figures on the pipeline implementation and how the cost of one pipeline could be decreased by involvement of all parties. He added Board's support of the Pure Water Monterey project is needed so that it can be sent to California Public Utilities Commission (CPUC). The Board was asked to adopt the resolution supporting the Pure Water Monterey project to the CPUC. Finally, staff will bring a Memorandum of Understanding to the Board in April addressing the second silo of the water augmentation program and includes the hiring of a consultant to perform a feasibility and economic analysis with recommendation for a secondary program.

The Board received questions and comments from members about the acre feet per year (AFY) costs and whether grants are available. Paul Sciuto responded that there is a capacity in

existing facility and that as to projected costs, a number of variables exist that could change but based on current scenarios the cost is 1850/AFY, if grants can be acquired. MCWD's numbers are different as the processes is different for each agency. Keith Van Der Maaten estimated a \$1500-1600/AFY and as cost effective and comparable to potable, as possible.

Chair O'Connell opened this item for public comment. The Board received public comment.

MOTION: Mayor Pendergrass moved, seconded by Mayor Gunter, to accept the report and adopt a resolution recommending the Pure Water Monterey Project to California Public Utilities Commission as presented.

MOTION PASSED UNANIMOUSLY.

Board members Potter, Phillips and Clark left board room before vote.

9. PUBLIC COMMENT PERIOD

The Board received public comments.

10. EXECUTIVE OFFICER'S REPORT

Chair O'Connell introduced these items as information only except for 10h. Mr. Houlemard reiterated all items are self-explanatory and for information only, excepting Item 10h requested by City of Marina.

- a. Habitat Conservation Plan Update
- b. Administrative Committee
- c. Finance Committee
- d. Post Reassessment Advisory Committee
- e. Regional Urban Design Guidelines Task Force
- f. Water/Wastewater Oversight Committee
- g. Veterans Issues Advisory Committee
- h. Administrative Consistency Determination for Entitlement: City of Marina's Dunes Specific Plan Fast Casual Restaurant Project
- i. Travel Report
- j. Public Correspondence to the Board

Mr. Houlemard said Item 10h is a project that was approved by the City of Marina Design Review Committee and that on February 11, it received the approval of its Planning Commission. He added FORA Staff determined this entitlement project is consistent with FORA's Base Reuse Plan, no appeals were received to-date and that any board member can appeal this action. Mayor Rubio congratulated City of Marina for this approval and offered City of Seaside's assistance.

Chair O'Connell opened this item for public comment. The Board received public comments.

11. ITEMS FROM MEMBERS

The Board received comments from Board members.

12. ADJOURNMENT

The meeting adjourned at 4:38 p.m.