

**ACTION MINUTES
OF THE
FORT ORD REUSE AUTHORITY
BOARD OF DIRECTORS' MEETING
Fort Ord Reuse Authority Conference Facility/Bridge Center
April 11, 2008**

1. CALL TO ORDER AND ROLL CALL AT 3:00 PM

Chair/ Mayor Joe Russell called the meeting to order at 3:07 p.m. and requested a roll call.

Voting members present:

Chair/Mayor Joe Russell (Del Rey Oaks)
Mayor Sue McCloud (Carmel)
Dave McCall (Marina)
Councilmember Dan Davis (Pacific Grove)
Supervisor Ila Mettee-McCutchon
(Monterey County)

Mayor Ralph Rubio (Seaside)
Mayor Gary Wilmot (Marina) Councilmember
Mayor Chuck Della Sala (Monterey)
Mayor Pendergrass (Sand City)
Councilmember Tom Mancini (Seaside)

Arriving after the meeting was called to order were Supervisor Lou Calcagno (Monterey County), Councilmember Janet Barnes (Salinas), and Jim Cook (Monterey County), alternate for Supervisor Dave Potter.

Ex-Officio members present:

Congressman Sam Farr (17th Congr. District)
James Main (CSUMB)
Gail Youngblood (BRAC)
Assembly Member John Laird (27th Assembly
District)

Graham Bice (UCSC)
Vicki Nakamura (MPC)
Kenneth Nishi (MCWD)

Arriving after the meeting was called to order were Brandon Gesicki (15th State Senate District), Dr. Marilyn Shepherd (MPUSD), and COL Pamela Martis (U.S. Army). Absent was a representative from TAMC. Dr. Douglas Garrison (MPC) arrived at 3:25 and replaced Ms. Nakamura at the board table. Michael Gallant represented Monterey-Salinas Transit as an observer.

Also present were Bill Ritz, Sr., representing Senator Jeff Denham (12th State Senate District), and Aline Sanchez, representing Assembly Member Anna Caballero (28th State Assembly District).

With a quorum present, Chair Russell opened the meeting.

2. PLEDGE OF ALLEGIANCE

Chair Russell asked Mayor Wilmot, who agreed, to lead the Pledge of Allegiance.

3. ACKNOWLEDGEMENTS

Chair Russell acknowledged the presence of newly appointed Supervisor Ila Mettee-McCutchon, Councilmember Dave McCall, and John Arriaga, principal of JEA & Associates and FORA's legislative representative in Sacramento.

4. LEGISLATIVE SESSION PRESENTATIONS

- (1) Assembly Member John Laird (27th State Assembly District) opened the Legislative Session opened by reporting he had filed a letter with the State Water Board's Proposed Cease and Desist Order ("C&DO") regarding pumping from the Carmel River, calling attention to one agency's slowness of responding resulting in another agency's penalizing residents of Monterey for the delay. He said he is working to resolve this problem. His second presentation point concerned the Light Brown Apple Moth, which has brought him more public comments than any other item since he's been in office. He said he is supporting legislation that will require the listing of all state pests that are major and invasive and a public process in place in advance of the problems. He said that over 600 people had reported health problems after the spraying, but there is no procedure to assess health impacts. A publicized study drew conclusions from only the 50 people who sought medical help. He said legislation that includes third party review of health impacts must be a priority. His third topic was the state budget. He said the initially reported shortfall was \$14.5 billion, which resulted in mid-year cuts and some payment deferrals. A month later, the deficit had increased to \$16 billion, and the Governor recommended a 10% cut across the board. He said the impacts in Monterey County would be significant. He estimated another \$8 billion in reductions would have to be made and stated there is no way to do responsible borrowing at this time, adding that some temporary tax increases and new revenue sources make the most sense in this economic climate, which the Governor is beginning to realize. The May Revise and decisions made during the next six weeks will be a crucial piece to the overall financial picture.
- (2) Congressman Sam Farr (15th Congressional District – California) opened by stating that the reuse of a military base involves a tripartite effort, consisting of federal, state and local efforts, and it is time for the local communities to petition back for a one-stop place for information on inclusionary, affordable housing. He reported that Fannie Mae and Freddie Mac are now allowed to buy loans up to \$729,750 now. If current proposed legislation passes, the federal housing programs will be expanded. He urged all to apply for the tax rebates recently passed by Congress, which start at \$300 and can be as high as \$1,200. He described other measures to keep home-owners facing foreclosure in their homes, such as accessing financial counseling and the passage of the proposed anti-predatory lending bill making its way through Congress. He said the efforts are focused on keeping people in their homes. Mr. Farr noted the latest "early" ESCA payment to FORA (\$10 million) and said another \$28 million was being scheduled for June 2009. He said he is urging the Army to hasten its cleanup of the Bureau of Land Management ("BLM") property and transfer it to the receiving jurisdiction as soon as it is certified clean. Mr. Farr reminded all that state cemetery grant funds are available and encouraged FORA to keep the local efforts moving forward, while he keeps the California project on the federal priority list. Mr. Farr provided an update on the active duty military dependent health care program, which will be joined with the veterans' health care, in a new enlarged facility in the Residential Communities Initiative (RCI) complex. He reminded all to attend the Army's groundbreaking and demolition ceremony for their new housing project in the military footprint on former Fort Ord, tentatively planned for June 2; this project includes affordable housing for the military, civilians and qualified locals. Supervisor Mettee-McCutchon asked for assistance

guaranteeing federal funds for BLM's habitat management plan obligations, and Mr. Farr said he would work on resolving this issue.

- (3) Brandon Gesicki, representing Senator Abel Maldonado (15th State Senate District) distributed a handout of the Senator's 2008 bill package and summarized SB 1230, 1278, 1463, 1588, and SCA 23. He said that the senator has opposed any cuts in the State Parks system and has opposed some of what the Governor proposed in his 10% across-the-board cuts. Executive Officer Houlemard commented that when an entity accepts federal property under a Public Benefit Conveyance, funding for development must be available. Congressman Farr noted that the City of Seaside has allocated \$2.2 million/year to fund the park. Mr. Gesicki remarked that the State Parks cuts could be re-funded in the May Revise. Dr. Bruce Margon asked what the senator is doing to give equal attention to finding new revenue sources, and Mr. Gesicki responded that (1) the state auditor has been asked to identify waste and loophole; (2) more paperless transactions; and (3) the need to hear from constituents to help break the two-party division of interests that blocks passage of important legislation, such as the budget.
- (4) Bill Ritz, Sr., representing Senator Jeff Denham (12th State Senate District) said there had been a foreclosure workshop last night in Salinas, which had been attended by Supervisors Calcagno and Armenta. Some 600 people and Department of Real Estate officials attended. The workshop was deemed a success. Mr. Ritz said the senator was pleased to meet with the FORA delegation last month in Sacramento to discuss his legislation and FORA's requests for assistance. Mr. Ritz reported the senator's support for the veterans' cemetery and summarized several bills in his bill package, including SB 1347 (allowing use of school properties to be utilized for recreational purposes by allowing lower liability requirements in those areas), a change in the processing of waste tire recycling (which amends the public resources code), and six bills proposing budget reforms (SCA 14, 15, and 16; SCR 68 and 69; and SB 1456).
- (5) Aline Sanchez, representing Assembly Member Anna Caballero (28th State Assembly District) distributed a handout and summarized some of the bills on the 2007-08 legislation authored by the assembly member, including support for affordable housing (AB 2182, AB 2187, 2494 and 2513), ground water protection (AB 2222), local government (AB 2176, 1263, 2484, 2239, 2243, and 2411), youth violence (AB 1028 and 2019), disaster relief (AB 2327), and investing in California (AB 1261, 1767 and 2173). Ms. Sanchez agreed with Mr. Ritz' assessment of the foreclosure workshop last night that it was very successful. Mayor Rubio expressed gratitude for AB 2239, which makes technical changes to the state law governing redevelopment agencies' authority to address blight. Executive Officer Houlemard reminded all that the Legislative Committee will be meeting on April 28th to review FORA's legislative matrix and make recommendations to the FORA Board on May 9th to either support, oppose, change or watch the bills.

The legislative presentations ended at 4:20 p.m.

5. PUBLIC COMMENT PERIOD

LeVonne Stone, Executive Director of the Fort Ord Environmental Justice Network ("FOEJN"), said she appreciated the legislative reports and expressed her continuing concern for more affordable housing in Monterey County. She distributed copies of invitations to FOEJN's "Environmental Health Challenges for the 21st Century" forum being held on May 31st. Ron

Chesshire presented the Board with the list of graduates from the first pre-apprentice program class, which qualifies them to be put on a list for employment opportunities at former Fort Ord. He announced that applications for the second class are now being accepted.

Mayor Rubio requested that an item in the form of a resolution be added to the agenda. **Motion to add a resolution of appreciation and commendation to Ron Chesshire to the agenda was made by Supervisor Mettee-McCutchon, seconded by Councilmember Mancini, and carried.** Mayor Rubio read the resolution. **A second motion to present Ron Chesshire with this resolution from FORA on the occasion of his retirement (effective April 1st) from the United Carpenters and Joiners of America, was made and seconded by a number of board members and carried.** Mayor Rubio presented the framed original to Mr. Chesshire, who said he had no goodbyes, because “you’ll be seeing me later.” He also invited all to attend his retirement party at his home on April 25th.

6. CONSENT AGENDA

There were three items on the Consent Agenda: Item 6a (February 8, 2008 board meeting minutes), Item 6b (FORA/Carpenters’ Site Grading Reimbursement Agreement), and Item 6c (Environmental Services Cooperative Agreement Contract Change Order #3). Councilmember Mancini called attention to an error in the minutes, namely that Mayor Wilmot’s father had died, not his mother. **Motion to approve all three items, including the correction to the minutes, was made by Mayor Pendergrass, seconded by Councilmember Mancini, and carried.** Mayor Rubio abstained from voting on Item 6b due to a conflict of interest.

7. OLD BUSINESS

Item 7a – Habitat Conservation Plan (“HCP”) approval process: Director of Planning and Finance Steve Endsley reported that Executive Officer Houlemard and Mayors Russell and Rubio had met with California Resources Agency Secretary, Mike Chrisman, in Sacramento and their message was the Fort Ord HCP is “95% there. The remaining issues consist primarily of the scale of funding, which require assistance from Mr. Chrisman and the legislators. Mr. Endsley said that the U.S. Fish & Wildlife Service is now requesting the local entities to help fund the federal obligations. He emphasized the importance of dialogue between the state and federal agencies. Councilmember Davis asked how realistic FORA’s current draft of the timing schedule is, and Mr. Houlemard responded it is very realistic, assuming federal funding of federal obligations can be secured. Supervisor Calcagno asked if the Coastal Conservancy funds, which are administered by the CA Coastal Commission, have been considered (not yet). Dr. Garrison asked if it were possible to change the terms of conveyance so that those entities that are willing and able to fulfill their obligations are not impeded by those unable to do so; Mr. Houlemard responded that previous attempts to do that have been unsuccessful. Dr. Garrison urged that all options be considered now.

Item 7b - Environmental Service Cooperative Agreement (“ESCA”) - update: Executive Officer Michael Houlemard, FORA-ESCA Program Manager Stan Cook, LFR Team ESCA Remediation Program Manager Kristie Reimer, and Weston Solutions Remediation Program Manager Linda Temple gave an overview of the FORA ESCA project in the form of a PowerPoint presentation. Each covered topics relevant to their particular responsibilities. The update on the Seaside 1-4 field operations included photos of debris, structure, asphalt and concrete removal, vegetation cutting, new fencing, soil scraping activities, and the visual/instrument-aided inspection component. A list and photos of the MEC items recovered to date were shown, along with the

sifting plant operations and equipment. The presenters reported that the roadway work would be completed in June, which will allow work on the road itself to begin. Mr. Houlemard added that coordination with the regulators is "going well."

Item 7c – Water Augmentation Program – Regional Plenary Oversight Group (REPOG) proposal endorsement: Executive Officer Houlemard provided a brief update on the project. Mayor McCloud distributed copies of the resolution Carmel had adopted, supporting the memorandum of understanding for the REPOG plan, providing it included an Environmental Impact Report in the analysis. Representatives from the cities of Pacific Grove and Del Rey Oaks, as well as the Monterey Regional Water Pollution Control Agency, have also endorsed the proposed project. **Motion was made by Mayor Rubio and seconded by Councilmember Mancini to endorse the Division of Ratepayer Advocates Regional Plenary Oversight Group's proposal, as presented by Lyndel Melton from RMC Water & Environment on February 8, 2008, on the condition that an Environmental Impact Report be part of the project.** There were no public comments. **The motion carried.**

8. NEW BUSINESS

Item 8a - Request for interim use of water resources: **Motion to pull this item for further consideration by the Administrative Committee was made by Mayor Rubio, seconded by Supervisor Calcagno, and carried.**

Item 8b – Confirmation of the Chair's appointment to the Legislative Committee: **Motion to confirm the Chair's appointment of Mayor Gary Wilmot to serve on the Legislative Committee was made by Supervisor Mettee-McCutchon, seconded by Mayor Rubio, and carried.**

9. EXECUTIVE OFFICER'S REPORT

There were five items in this report: Item 9a (Administrative Committee report), Item 9b (Executive Officer's travel report), Item 9c [Distribution of FORA Master Resolution (updated February 8, 2008)], Item 9d (Environmental Services Cooperative Agreement - Quality Assurance Oversight Professional contract), and Item 9e [2008 State Legislative Mission to Sacramento (March 27-28)]. All reports were informational. Executive Officer Houlemard called attention to the amended Executive Officer's travel report, which included additional travel information for him and Director of Planning and Finance Steve Endsley. There was no discussion about any of the items.

10. ANNOUNCEMENTS AND CORRESPONDENCE - none

11. ADJOURNMENT

There being no further business, Chair Russell adjourned the meeting at 5:13 p.m.

Minutes prepared by Linda Stiehl, Deputy Clerk.

Approved by _____
Michael A. Houlemard, Jr., Executive Officer/Clerk

Approved