

**ACTION MINUTES
OF THE
FORT ORD REUSE AUTHORITY
BOARD OF DIRECTORS' MEETING
Fort Ord Reuse Authority Conference Facility/Bridge Center
September 12, 2008**

1. CALL TO ORDER

Chair/ Mayor Joe Russell called the meeting to order at 3:30 p.m. and requested a roll call:

Voting members:

Chair/Mayor Russell (City of Del Rey Oaks)	1 st Vice Chair/Mayor Rubio (City of Seaside)
Mayor McCloud (City of Carmel-by-the-Sea)	Mayor Wilmot (City of Marina)
Councilmember Mancini (City of Seaside)	Jim Cook (County of Monterey)
Supervisor Calcagno (County of Monterey)	Supervisor Mettee-McCutchon (County of Monterey)
Councilmember Davis (City of Pacific Grove)	Mayor Pendergrass (City of Sand City)

Arriving after the roll call was Mayor Della Sala (City of Monterey). Alternate Jim Cook was substituting for Supervisor Potter. Councilmember Barnes (City of Salinas) and Councilmember McCall were absent.

Ex-officio members:

Dr. Bruce Margon (UC Santa Cruz)	James Main (CSUMB)
COL Pamela Martis (U.S. Army)	Vicki Nakamura (Monterey Peninsula College)
Gail Youngblood (BRAC)	

Arriving after the roll call were Alec Arago (17th Congressional District), Dr. Marilyn Shepherd (Monterey Peninsula Unified School District), Hunter Harvath (Monterey-Salinas Transit), Debbie Hale (Transportation Agency for Monterey County) and Kenneth K. Nishi (Marina Coast Water District). There were no representatives from the 15th State Senate District and the 27th State Assembly District.

With a quorum present, Chair Russell opened the meeting.

2. PLEDGE OF ALLEGIANCE

Chair Russell asked COL Martis, who agreed, to lead the Pledge of Allegiance.

3. ACKNOWLEDGEMENTS

Chair Russell recognized COL Martis, who was attending her last FORA Board meeting. She had distributed Commanders' Certificates of Excellence and the June 2nd Army commemoration token to each of the FORA cities prior to the meeting. She expressed her gratitude for the support and hard work the FORA board members had given her during her tour of duty here. Mayor Rubio complimented her for her willingness to engage the communities, adding that she had "raised the bar for subsequent commanders". He joined others wishing her well in her new assignment in Afghanistan.

4. PUBLIC COMMENT PERIOD - none
5. CONSENT AGENDA

There were three items on the Consent Agenda: Item 5a (August 8, 2008 FORA board meeting minutes), Item 5b (Contract for legal services: Lombardo & Gilles, LLP), and Item 5c (Selection of Fort Ord Reuse Authority auditor). Assistant Executive Officer Jim Feeney, representing Executive Officer Michael Houlemard in the latter's absence, reported that the Finance Committee had met at 3:15 and recommended pulling Item 5c for a brief update. There were no public comments. **Motion to approve Items 5a and 5b on the Consent Agenda was made by Mayor Rubio, seconded by Councilmember Mancini, and carried.** FORA Controller Ivana Bednarik reported that the Finance Committee had voted to support the staff recommendation to select Marcello & Company to conduct the FY 2007-08 FORA audit. There were no public comments. **Motion to authorize the Executive Officer to execute a professional services contract with Marcello & Company for a period of up to five years (a three-year contract with two one-year renewal options) was made by Supervisor Mettee-McCutcheon, seconded by Mayor Rubio, and carried.**

6. OLD BUSINESS

Item 6a - Habitat Conservation Plan ("HCP") approval process: Director of Planning and Finance Steve Endsley reported that the September 9th meeting with Jones and Stokes, FORA's environmental consultant, had resulted in answers to a number of questions. The next conference call with the regulators, scheduled for September 16th, will include another review of the draft document. He said all major chapters are essentially completed now and only a few remaining budget issues need to be resolved. He said the draft HCP document and the environmental document are on target for release by the end of 2008. There were two clarifying questions from board members and no public comments.

7. NEW BUSINESS

Item 7a – Marina Coast Water District capacity charges – update: Assistant Executive Officer Jim Feeney reported that several meetings had been held and the capacity charges item is on target for a recommendation by the Administrative Committee in time for the October board meeting. He said that the developers have shown particular interest in these charges. Comparisons between the Marina Coast Water District's ("MCWD's) 2005-06 Capital Improvement Program ("CIP") figures and those in the currently proposed CIP will be discussed at the September 17th and October 1st Administrative Committee meetings. Several board members requested copies of FORA's corrected resolution regarding the approval of the Ord Community budgets and rates that were approved at the August board meeting. Following board discussion, including several questions about the possibility of deferring projects in the MCWD CIP, Mr. Feeney remarked that careful pre-planning would be necessary if projects were deferred to lower costs but he added that it was essential for the infrastructure to be in place before the first phase of MCWD's projects were begun. He added that this is the "type of detail we need to get our arms around." Councilmember Davis asked if the capacity charges could come down over time and Mr. Feeney responded that the charges might level off over time. Chair Russell opened the discussion to the public, and Thom Gamble, representing Marina Community Partners and several other FORA builders, remarked that there were no development fees in 2003 and in 2005, "the system was in trouble." He asked that the developers have time to review and analyze the fees and charges before they are approved and requested meeting with Mr. Feeney and others on the FORA staff. He reported that a letter had been sent to the Executive Committee detailing the developers' concerns.

Item 7b – Multi-Modal Transit Corridor (“MMTC”) realignment Memorandum of Agreement (“MOA”): (1) Receive an update and (2) Provide direction to staff:

Item 7b(1) – Receive an update: Assistant Executive Officer Feeney described the “old” Multi-Modal Transit Corridor, as noted in the Base Reuse Plan, and the reasons for the changes that have resulted in the realignment. Director of Planning and Finance Steve Endsley called attention to the current draft of the MOA, which the Board was seeing for the first time, and said that the Administrative Committee and the special working group have been working on resolving the remaining concerns. He reported that the MOA is close to bringing it to the Board for approval. Board comments included the following: (1) Councilmember Davis asked if all the stakeholders had been notified of the changes, and Mr. Endsley responded yes, that about 10 meetings had been held to date. (2) Graham Bice, a participant at the meetings, confirmed the detailed discussions and said UCSC has been working with the Army to bring about the transfer of the habitat easement needed for the realigned MMTC. (3) Hunter Harvath, the Monterey-Salinas Transit (“MST”) representative, indicated MST’s support and said the MST board would be voting on approval in October. (4) Mayor McCloud asked where the Environmental Impact Report (“EIR”) to the document was, and Mr. Feeney responded that when the project is constructed, a project level document would address the environmental issues. Mayor McCloud requested that everyone impacted by the realignment be notified of the MOA in advance, including those in Marina and the residents of the condo association on Reservation Road between Blanco and Davis Roads. She also asked if there would be a way to change the realignment after FORA sunsets in 2014; Mr. Feeney replied that there might be an opportunity for others to revisit the realignment and that much would depend on who owns the real estate and the costs to purchase the “new” rights of way. There were no public comments.

Item 7b(2) - Provide direction to staff: With the exception of Mayor McCloud’s recommendations, the board did not provide any additional direction to staff at this time.

Item 7c - Regional Plenary Oversight Group: Water for Monterey County project – status report: Director of Planning and Finance Steve Endsley reported that the CA Public Utilities Commission is currently evaluating this project. An environmental analysis will be the next step in the process. He added, however, that funding is on hold at this time, but that a request has been sent out to the regional water and sewer agencies. Management of the project would be the next phase, which is yet unclear. Mr. Endsley remarked that discussions of a regional project had brought many people together in the same room to discuss what might benefit everyone, especially by lowering capital costs. He said FORA staff would continue to keep the Board informed on project developments. There were no board or public comments.

Item 7d - California State University Monterey Bay 2007 Master Plan: Recirculated Draft Environmental Impact Report (RDEIR) dated July 2008: Assistant Executive Officer Jim Feeney reported that all comments to the RDEIR had been received, including FORA’s, remarking that many had focused on transportation. He said the CSU Trustees are expected to act on the document in November. CSU has initiated a series of meetings with FORA and its members to work through the remaining issues. Jim Main, CSUMB’s board representative, expressed appreciation to all who had been involved in the meetings and stated that good progress addressing the issues had been made. There were no additional board or any public comments.

8. EXECUTIVE OFFICER’S REPORT

There were three items in this report: Item 8a (Administrative Committee report), Item 8b (Executive Officer’s travel report), and Item 8c (Association of Defense Communities (ADC) Annual Conference)

report). Assistant Executive Officer Jim Feeny noted that all items were informational. There were no board or public comments.

9. ANNOUNCEMENTS AND CORRESPONDENCE

There were two items: Item 9a (Media coverage report for FORA's August 12, 2008 signing ceremony) and Item 9b (California Local Governments "Green Purchasing" seminar). No additional comments were made on these items.

Supervisor Mettee-McCutchon reported that the Fort Ord Veterans Cemetery Citizens Advisory Committee voted yesterday to continue the approval process of the final draft of the cemetery Master Plan, which will go next to the City of Seaside and then to the County Board of Supervisors in October. She said the final Master Plan pre-application would be submitted to the state by year's end. She reported that Tom Johnson, CA Secretary for Veterans' Affairs, had complimented the committee, saying that the group had done much of his department's work, which should smooth the road to final approval. Councilmember Mancini said the presentation to the City of Seaside was scheduled for next Thursday between 7:00 and 7:30 p.m. Vicki Nakamura, Monterey Peninsula College's representative, announced that the college would be celebrating the groundbreaking for the public safety officers' program classrooms on COL Durham Road in Seaside on Thursday, October 9th, with more details to follow.

10. ADJOURNMENT

There being no further business, Chair Russell adjourned the meeting at 4:10 p.m.

Minutes prepared by Linda Stiehl, Deputy Clerk.

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