

MINUTES
of the
FORT ORD REUSE AUTHORITY
BOARD OF DIRECTORS' MEETING
Fort Ord Reuse Authority Conference Facility/Bridge Center
August 14, 2009

1. CALL TO ORDER AND ROLL CALL AT 3:00 P.M.

Chair Ralph Rubio called the regular meeting of the Fort Ord Reuse Authority to order at 3:32 p.m. and requested a roll call.

Voting members present:

Chair/Mayor Rubio (City of Seaside)	Supervisor Parker (County of Monterey)
Mayor McCloud (City of Carmel)	Mayor Russell (City of Del Rey Oaks)
Councilmember Gray (City of Marina)	Councilmember Mancini (City of Seaside)
Councilmember Kampe (City of Pacific Grove)	Mayor Pendergrass (City of Sand City)
Jim Cook (alternate for Supervisor Calcagno)	Councilmember Downey (City of Monterey)
Councilmember Barnes (City of Salinas)	

Absent was Supervisor Potter (County of Monterey). Councilmember McCall (City of Marina) arrived during the discussion of Item 8e.

Ex-Officio members present:

An McDowell (27 th State Assembly District)	Jim Main (CSUMB)
COL Darcy Brewer (U.S. Army)	Gail Youngblood (BRAC)
Kenneth Nishi (Marina Coast Water District)	Dan Albert, Jr. (MPUSD)

Arriving after the roll call were Vicki Nakamura (Monterey Peninsula College) and Hunter Harvath (Monterey-Salinas Transit). Absent were representatives from the 17th Congressional District, the 15th State Senate District, UC Santa Cruz, and TAMC.

With a quorum present Chair Rubio called the meeting to order.

2. PLEDGE OF ALLEGIANCE

Chair Rubio asked COL Darcy Brewer, who agreed, to lead the Pledge of Allegiance.

3. ACKNOWLEDGEMENTS AND ANNOUNCEMENTS

Chair Rubio introduced and welcomed the new city manager of Del Rey Oaks, Daniel Dawson. Executive Officer Houlemard provided additional information about the three items listed on the agenda: FORA staff member Rick Hofer's recent retirement, recent property transfer activity, and completion of ESCA Change Order #2 and FORA's refund of \$358,000.

4. PUBLIC COMMENT PERIOD - none

5. CONSENT AGENDA

There were two items on the Consent Agenda: Item 5a (June 12, 2009 board meeting minutes) and Item 5b (Denise Duffy and Associates – contract amendment to provide impact analysis for Habitat Conservation Plan documents). Ms. Downey abstained from voting on the June minutes due to absence. **Motion to approve Items 5a and 5b was made by MayorMcCloud, seconded by Councilmember Barnes, and carried.**

6. OLD BUSINESS

Item 8a – Rabobank debt consolidation refinancing: Director of Planning and Finance Steve Endsley provided a brief update on the recent developments and noted that the bank's completion of its review of the appraisal was the next step. FORA and Marina staffs will then conduct their own reviews. When the ad hoc committee meets again to discuss the appraisal, the subject of Marina's buy-out of Preston Park could be considered. Councilmember Gray asked if the same members of the ad hoc committee would evaluate the appraisal and also make a recommendation to the Board regarding approval of the loan before proceeding with the buy-out negotiations. Executive Officer Houlemard replied that appointment of a negotiating committee is a board decision, because it is a separate action. Chair Rubio said it would be appropriate for the committee members to review the appraisal and maybe formulate a recommendation to the Board as to the selection of a negotiating committee that could be tasked with any other ancillary actions the Board may want to take. Executive Officer Houlemard clarified that the Board had approved moving forward with the loan, unless there was some impact on Marina's 50% share of the revenues. He said that FORA staff would be happy to consult with the committee members, if necessary or requested. Chair Rubio asked that an item be placed on the next board meeting agenda to clarify the negotiating process and any details that should be added. Councilmember Downey asked who the appraiser was, and Mr. Houlemard responded that the bank had selected a firm from San Jose of whose name he was unaware.

7. NEW BUSINESS - none

8. EXECUTIVE OFFICER'S REPORT

There were five items in this report: Item 8a (Administrative Committee report), Item 8b (Fort Ord Reuse Authority FY 2008-09 Annual Report), Item 8c [Report from Legislative Mission to Sacramento (June 25-26)], Item 8d (Status update of outstanding receivables), and Item 8e (Habitat Conservation Plan ("HCP") approval process). **Re Item 8c:** Executive Officer Houlemard said that Chair Rubio and Mr. Endsley had joined him for the meetings in Sacramento. He reported that the meeting with Resources Secretary Mike Chrisman was positive and productive. Mr. Chrisman had appointed Tina Bartlett, the chief of the Habitat Conservation Branch in the CA Department of Fish and Game, to take a leadership role in the current negotiations with FORA. He added that he, Ms. Bartlett and Diane Noda, field supervisor in the Ventura office of the U.S. Fish and Wildlife Service ("FWS"), have been having regular telephone conversations about every two weeks to work out issues and keep them on a track toward finalization of the HCP. He said the Bureau of Land Management was continuing to support recent HCP efforts with FWS. During the meeting with Maziar Movassaghi, director of the Department of Toxic Substances Control, discussion about the idea that former Fort Ord might be a suitable site where the ESCA cleanup work could be featured in the national arena, which might result in a small amount of Brownfield funding. Mr. Movassaghi also indicated possible assistance with the HCP planning process, because of newly granted authority involving HCP matters. He said meetings with staff members

of Assemblymember Monning and Senator Maldonado were also productive. **Re Item 8d-1:** Executive Officer Houlemard said FORA staff has been working closely with County staff to resolve the East Garrison Partners' interest payments default. He reported that there is movement for new ownership of the East Garrison project, which appears to include bringing the outstanding debt current, which Jim Cook confirmed. **Re Item 8d-3:** Executive Officer Houlemard reported that there are positive indications that AMBAG (Association of Monterey Bay Area Governments) and MCWD (Marina Coast Water District) will reach agreement in MCWD's offer to purchase the AMBAG parcel and pay off AMBAG's debts owed on their parcel in the Imjin Office Park. **Item 8d-2:** Executive Officer Houlemard reported that FORA is hopeful that the Del Rey Oaks' ("DRO's") developer will send the Pollution Legal Liability ("PLL") insurance premiums owed before the September 11th board meeting. If not, he will recommend that the Executive Committee and Finance Committees consider withdrawing DRO's coverage and making it available to others. DRO Mayor Russell said DRO is highly concerned about this delinquency and is doing all possible to rectify it. **Re Item 8e:** Chair/Mayor Rubio and Executive Officer Houlemard gave oral reports about their participation in the recent Association of Defense Communities ("ADC") Annual Conference, commenting that it was well attended, offered a full array of informational panels, and had excellent participation by the military and the private sector. Mr. Houlemard announced that next year's annual conference would be held in San Francisco. **Re Item 8b:** Executive Officer Houlemard called attention to FORA's annual report for FY 2008-09, which was included in the meeting packet. He said additional copies are available by calling the FORA office. He commented on one impact of the current economic downturn by noting that 4,000 housing units had been anticipated on former Fort Ord by 2012. That number is now estimated at only 700 units.

Chair Rubio adjourned the meeting to Closed Session at 4:09 p.m.

9. CLOSED SESSION

There were three items on the Closed Session calendar: **Item 9a – Conference with Real Property Negotiators regarding the outstanding land payment due from AMBAG on its Imjin Office Park parcel;** **Item 9b – Conference with Legal Counsel (existing litigation) related to the City of Marina v. CSU Trustees case;** and **Item 9c - Conference with Real Property Negotiators regarding the price, terms and conditions of sale of Marina's request to buy out FORA's 50% interest in the Preston Park housing complex.**

10. Authority Counsel Bowden reported out of Closed Session that the voting board members had heard advice and given direction to staff on Items 9a and 9b, and Item 9c had been canceled.

11. ADJOURNMENT

Chair Rubio adjourned the meeting at 4:26 p.m.

Minutes prepared by Linda Stiehl, Deputy Clerk

Approved by _____

Michael A. Houlemard, Jr., Executive Officer/Clerk

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