



# Fort Ord Reuse Authority

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## BOARD OF DIRECTORS BOARD MEETING

Friday, May 11, 2012 at 3:30 p.m.

910 2<sup>nd</sup> Ave, Marina (Carpenter's Union Hall)

### Minutes

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

Chair Potter called the Board Meeting to order at 3:30 p.m.

#### Voting Members Present:

Chair/Supervisor Potter (County of Monterey)  
Mayor Burnett (City of Carmel by the Sea)  
Mayor ProTem O'Connell (City of Marina)  
Councilmember Brown (City of Marina)  
Councilmember Selfridge (City of Monterey)  
Nick Chiulos (County of Monterey)

Supervisor Parker (County of Monterey)  
Councilmember Lutes (City of Salinas)  
Mayor Pendergrass (City of Sand City)  
Mayor Bachofner (City of Seaside)  
Councilmember Oglesby (City of Seaside)

#### Absent:

1<sup>st</sup> Vice Chair Mayor Edelen (City of Del Rey Oaks), Supervisor Calcagno (Monterey County), Mayor Donahue (City of Salinas), Mayor ProTem Kampe (City of Pacific Grove)

#### Ex-Officio Members Present:

Alec Arago (17<sup>th</sup> Congressional District)  
Hans Poschman (15<sup>th</sup> State Senate District)  
Nicole Charles (27<sup>th</sup> State Assembly District)  
Dr. Margon (University of California)  
Kevin Saunders (CSUMB)  
Dianne Harrison (CSUMB)  
Dr. Garrison (MPC)

Dan Albert, Jr. (Monterey Peninsula Unified School District)  
Debbie Hale (Transportation Agency of Monterey County)  
COL Clark (US Army)  
Bill Collins (Fort Ord BRAC Office)  
Howard Gustafson (Marina Coast Water District)

#### 2. PLEDGE OF ALLEGIANCE

CSUMB President Dianne Harrison led the Pledge of Allegiance.

#### 3. ACKNOWLEDGEMENTS/ANNOUNCEMENTS, AND CORRESPONDENCE

Executive Officer Michael Houlemard encouraged members of the public wishing to address the Board to complete a Public Comment Form, noting completion was voluntary. He announced that the meeting was being recorded by Access Monterey Peninsula (AMP) Media and was tentatively scheduled to broadcast on the Seaside and Marina local government channels (channel 25) on Monday evening. Chair Potter welcomed Mayor Burnett to his first FORA Board meeting. Mayor Burnett stated that he was looking forward to working with the FORA Board and staff. Supervisor Parker discussed the May 10, 2012 Mid-Peninsula Housing Coalition Manzanita Place project groundbreaking ceremony.

##### a. Resolution of Appreciation for CSUMB President Dianne Harrison

Mr. Houlemard read the resolution into the record. Dianne Harrison thanked the FORA Board for their continued support of the University's growth. She stated that CSUMB was on a positive trajectory and expressed confidence that the relationship between CSUMB and FORA would continue under her successor.

**MOTION:** Supervisor Parker moved, seconded by Mayor Bachofner, and the motion passed unanimously to adopt Resolution 12-4, in appreciation of CSUMB President Dianne Harrison.

#### 4. PUBLIC COMMENT

LeVonne Stone discussed issues related to unemployment on the Monterey Peninsula.

#### 5. CONSENT AGENDA

##### a. April 13, 2012 FORA Board Meeting Minutes

**MOTION: Supervisor Parker moved, seconded by Mayor Pro-Tem O'Connell, and the motion passed to approve the minutes as written. Abstentions: Mayor Burnett and Councilmember Brown**

#### 6. OLD BUSINESS

##### a. University of California, Santa Cruz Monterey Bay Education, Science, and Technology Center Visioning Principles Letter

Mr. Houlemard presented item, noting it had already been reviewed and approved by many of the signatories. He explained that the visioning process anticipated a stronger program and increased coordination between the various stakeholders. The letter presented an opportunity for the stakeholders to show their support for implementing that vision. Supervisor Parker requested confirmation that the letter was meant to serve as a strategy for moving forward with University of California (UC) properties and did not seek modification to the Base Reuse Plan. Chair Potter stated that was correct.

LeVonne Stone discussed the lack of employment for local university educated youth.

Chair Potter stated he found the visioning process to be very useful and hoped that all stakeholders would remain dedicated to the vision for a more aggressive utilization of the UC properties.

**MOTION: Councilmember Oglesby moved, seconded by Supervisor Parker, and the motion passed to authorize the Chair of the Board to execute the University of California, Santa Cruz Monterey Bay Education, Science, and Technology Center Visioning Group Principles Letter.**

##### b. Base Reuse Plan Reassessment Update

###### i. Status Update

###### ii. Review Modified Scope of Work with EMC Planning

Associate Planner Darren McBain explained that staff had received requests from the Board and members of the public to increase the level of public outreach included in the reassessment process. In response, staff proposed a modified Scope of Work that would add a fifth workshop, jointly hosted by FORA and the City of Seaside, and would employ targeted stakeholder outreach to include traditionally underrepresented segments of the population. Mr. McBain emphasized that since additional funding was unavailable for these activities, they would be funded by deferring portions of the EMC Planning contract to FY 2013, additional funds would be requested for this purpose. He stated that staff would provide a progress report to the Board in June regarding the additional outreach.

Mayor Pro-Tem O'Connell appreciated that the objections to the original workshop schedule had been considered and inquired as to the times of the various workshops.

Supervisor Parker asked for confirmation that the modified Scope of Work did not require allocation of additional funds at this time, but would in the next fiscal year. Mr. McBain stated that was correct. Supervisor Parker asked several clarifying questions relating to the Scope of Services document, specifically requesting information on the difference between lands classified as "developed" and "disturbed." Mr. McBain replied that the terms were used to

distinguish between visibly developed areas of the former base areas and those areas that were less visibly impacted by human activities, but still required significant clean-up and remediation. Supervisor Parker asked that a description of current habitat areas be included. She inquired as to whether EMC would be completing a full traffic study or relying on data compiled by the Transportation Agency of Monterey County (TAMC). Mr. McBain stated that a full traffic study was not anticipated. Ralph Rubio, Carpenters Local 605, remarked that ecotourism was an emerging industry on the former Fort Ord. He stated he would like to see an analysis of how many jobs a fully developed ecotourism industry could bring to the region. LeVonne Stone, Fort Ord Environmental Justice Network, asked whether the original community plan would be included in the reassessment process. She also inquired as to how the composition of the Board would change to become more inclusive. Mr. Houlemard stated that ecotourism was a component of the job creation analysis to be conducted during the reassessment process. He noted that the original community plan became part of background documentation for the 1994 and 1997 Base Reuse Plans. In that regard, the original community plan continued to be a part of the process. He noted that modification of the Board's composition would not be a part of the reassessment process. Debbie Hale stated she looked forward to coordinating with FORA regarding existing TAMC traffic analysis resources.

**MOTION: Supervisor Parker moved, seconded by Councilmember Brown, to approve the Base Reuse Plan Reassessment Scope of Work modification, with the removal of "classification of lands as previously developed, disturbed, or undisturbed; and" from section 2.4 of the document.**

Supervisor Parker stated she was uncomfortable with the terms "disturbed" and "undisturbed" because labeling previously undeveloped lands as "disturbed" could potentially provide rationale for future development. Alec Arago stated that any type of activity would be far less likely on land labeled as being associated with unexploded ordinance. Chair Potter stated that the Board required a more thorough explanation on the item and suggested that the item be continued to the next Board meeting. Supervisor Parker agreed.

**INCOPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER: That "classification of lands as previously developed, disturbed, or undisturbed; and" from section 2.4 not be removed from the document, but returned for discussion at the June Board meeting.**

Mayor Pro-Tem O'Connell stated that he would also like to see his comments regarding the workshops addressed at the next Board meeting.

**VOTE: Unanimous**

**c. California Central Coast Veterans Cemetery Update – AB 1842**

Mr. Houlemard stated that AB 1842 had passed through the Assembly Governance and Finance Committee several days prior and was expected to receive unanimous support on the Senate floor. Supervisor Parker stated that the bill would provide FORA the opportunity to take a more direct financing role in the Veterans Cemetery project. Chair Potter deemed the report received without exception. Nicole Charles offered appreciation on behalf of Assemblymember Bill Monning for FORA's support of AB 1842 and the Veterans Cemetery project.

**d. FORA Extension Update – AB 1614**

Mr. Houlemard announced that the legislation would likely appear before a Senate policy committee in June, but that the specific date had not been determined. Chair Potter deemed the report received without exception.

**e. Fort Ord National Monument Update**

Mr. Arago stated that a public National Monument dedication ceremony was likely to take place on the afternoon of May 19, 2012, but that the date had yet to be officially confirmed. LeVonne Stone stated that the public should be allowed to participate in the event.

**7. NEW BUSINESS**

**a. FY 12-13 Capital Improvement Program (CIP) Review**

Assistant Executive Officer Steve Endsley stated that for the last few years, staff had been holding a Board workshop in May to provide background information regarding the CIP. As such, he provided an overview of the purpose and history of the FORA CIP. Mayor Pro-Tem O'Connell inquired as to the amount of outstanding loan debt held by FORA. Controller Ivana Bednarik stated that FORA currently had \$18.7 million in loans. LaVonne Stone asked for a copy of the Mr. Endsley's presentation, which Mr. Houlemard agreed to provide. Supervisor Parker requested that future CIPs be presented to the Board more than a month before adoption to permit time for review and discussion prior to the June adoption date. Mr. Endsley and Mr. Houlemard agreed that the annual CIP could be presented to the Board prior to the May meeting, with the understanding that it would include some items not yet reviewed by the Finance Committee. Supervisor Parker stated that would be helpful. Ms. Hale stated that TAMC had not had as significant a role in the development of the CIPs transportation program as they would have liked, and indicated that they looked forward to the opportunity more actively contribute in the future. Chair Potter deemed the report received without exception.

**b. FORA FY 2012-13 Preliminary Budget (Action in June)**

Mr. Houlemard stated that a copy of the draft FY 2012-13 Budget had been provided for review and was intended for Board action at the June meeting. He noted that because the future of FORA's tax increment revenue was still unclear, it had not been included in the Budget. The Finance Committee had directed staff to incorporate only 50% of the revenue projected in the development forecasts received from developers and jurisdictions into the budget. The Budget included revenue from the sale of Preston Park, which staff was currently pursuing at the direction of the Board. He stated that the budget was projected to be balanced. Supervisor Parker indicated that her request for earlier review of the CIP applied also to the preliminary Budget. Chair Potter deemed the report received without exception.

**8. EXECUTIVE OFFICER'S REPORT**

**a. Outstanding Receivables**

**b. Administrative Committee**

**c. Finance Committee**

**d. Legislative Committee**

**i. Review Minutes**

**ii. SB 1094 and AB 1827 – Consider Support and Inclusion in the FORA Legislative Agenda**

Mr. Houlemard stated that two bills had surfaced since formal Board adoption of the legislative agenda. He provided an overview of SB 1094 and AB 1827, explaining that both bills would directly benefit FORA's efforts.

**MOTION: Councilmember Oglesby moved, Seconded by Mayor Pro-Tem O'Connell, and the motion passed unanimously to approve support for SB 1094 and AB 1827 and inclusion of the bills in the current legislative agenda.**

**e. Water/Wastewater Oversight Committee**

**f. Habitat Conservation Plan**

**g. Executive Officer's Travel**

Chair Potter deemed the report received without exception.

**9. ITEMS FROM MEMBERS**

Mr. Houlemard provided a report on the 2012 Annual Federal Legislative Mission to Washington, D.C. Chair Potter stated that FORA partnered with TAMC while there to assist in advocating for their TIGER Grant application.

**10. CLOSED SESSION – the Board adjourned into closed session at 5:09 p.m.**

**a. Conference with Legal Counsel - Existing Litigation (Gov Code 54956.9) – 2 Cases**

- i. Keep Fort Ord Wild v. Fort Ord Reuse Authority, Case Number: M116438
- ii. Keep Fort Ord Wild v. Fort Ord Reuse Authority, Case Number: M114961

**b. Public Employee Performance Evaluation – Executive Officer (Gov Code 54957)**

**Public Comment – Closed Session Items**

Gayle Martin, Fort Ord Rec Users, discussed Item A on the closed session agenda and expressed her desire that the Board consider development of a written records retention policy in open session. Jason Campbell, City of Seaside resident, stated that the Board should discuss the issue of records retention in open session. He also discussed issues related to the ARCADIS ESCA insurance policy. A member of the public agreed that FORA should discuss the records retention issue in open session and expressed concern over FORA’s lack of transparency. LaVonne Stone inquired as to how the National Monument would benefit veterans.

Mayor Pro-Tem O’Connell stated that the Board would only discuss the records retention policy in closed session as it pertained to existing litigation. Authority Counsel Jerry Bowden stated that was accurate. Supervisor Parker indicated a desire to see FORA develop a written policy, which would be discussed in an open session. Chair Potter stated there had not been time to add the item to the current Board agenda, but the issue of records retention would be discussed in open session at the next Board meeting. Councilmember Oglesby clarified that the Board had no intention of discussing policy matters in closed session. Chair Potter concurred.

**11. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION – the Board readjourned into open session at 5:25 p.m.**

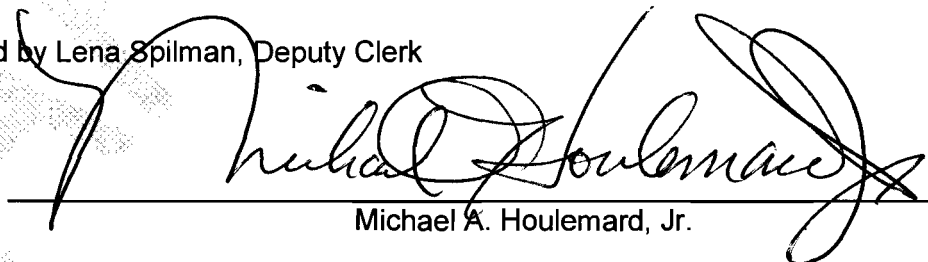
Authority Counsel Jerry Bowden announced no reportable action taken.

**12. ADJOURNMENT**

Chair Potter adjourned the meeting at 5:25 p.m.

Minutes prepared by Lena Spilman, Deputy Clerk

Approved by:




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Michael A. Houlemard, Jr.