



Fort Ord Reuse Authority

920 2nd Avenue, Suite A, Marina, CA 93933
Phone: (831) 883-3672 • Fax: (831) 883-3675 • www.fora.org

Minutes

Friday, November 16, 2012

Meeting of the Fort Ord Reuse Authority Board of Directors
910 2nd Ave, Marina (Carpenter's Union Hall)

APPROVED

1. CALL TO ORDER AND ROLL CALL

Vice-Chair Edelen called the meeting to order at 3:00 p.m. (Chair Potter Absent)

Voting Members Present: (*alternates)

Vice-Chair/Mayor Edelen (City of Del Rey Oaks)
Councilmember Selfridge (City of Monterey)
Councilmember Kampe (City of Pacific Grove)
Mayor ProTem O'Connell (City of Marina)

Councilmember Brown (City of Marina)
Mayor Pendergrass (City of Sand City)
Mayor Burnett (City of Carmel-by-the Sea)
Supervisor Parker (County of Monterey)
Nick Chiulos (County of Monterey)*

Voting Members Absent:

Supervisor Potter (County of Monterey)
Supervisor Calcagno (County of Monterey)
Mayor Donahue (City of Salinas)

Councilmember Oglesby (City of Seaside)
Mayor Bachofner (City of Seaside)

2. CLOSED SESSION (FORA Conference Room)

Vice-Chair Edelen asked for public comments regarding closed session items. None were received and the Board adjourned to closed session at 3:04 p.m.

a. Conference with Legal Counsel - Existing Litigation, Gov Code 54956.9(a) – Four 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
- iii. Keep Fort Ord Wild v. Fort Ord Reuse Authority, Case Number: M119217
- iv. The City of Marina v. Fort Ord Reuse Authority, Case Number: M118566

b. Conference with Legal Counsel – Anticipated Litigation, Gov Code 54956.9(b) – One Case

3. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION (Carpenters Union Hall)

The Board reconvened into open session at 3:42 p.m. Authority Counsel Jerry Bowden announced no reportable action taken. Vice-Chair Edelen requested a second roll call.

Voting Members Present (*alternates)

Vice-Chair/Mayor Edelen (City of Del Rey Oaks)
Mayor Burnett (City of Carmel-by-the-Sea)
Mayor ProTem O'Connell (City of Marina)
Councilmember Selfridge (City of Monterey)
Councilmember Oglesby (City of Seaside)
Councilmember Kampe (City of Pacific Grove)

Councilmember Brown (City of Marina)
Supervisor Parker (County of Monterey)
Nick Chiulos (County of Monterey)*
Mayor Donahue (City of Salinas)
Mayor Pendergrass (City of Sand City)
Mayor Bachofner (City of Seaside)

Voting Members Absent:

Chair/Supervisor Potter (County of Monterey)
Supervisor Calcagno (County of Monterey)

Ex Officio Members Present:

Debbie Hale (TAMC)
Howard Gustafson (MCWD)
Doug Garrison (MPC)
Dan Albert, Jr. (MPUSD)

Mike Gallant (MST)
COL Clark (US Army)
Bill Collins (Fort Ord BRAC Office)

4. PLEDGE OF ALLEGIANCE

Colonel Clark led the Pledge of Allegiance.

5. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

None

6. CONSENT AGENDA

- a. **Approval of October 12, 2012 Board Meeting Minutes**
- b. **Approval of October 30, 2012 Board Meeting Minutes**
- c. **Authorize Extension of the Capital Improvement Program On-Call Professional Services Agreement**

Councilmember Selfridge and Nick Chiulos recused themselves.

MOTION: Mayor Bachofner moved, seconded by Mayor Burnett, and the motion passed to approve the consent agenda. **MOTION PASSED:** Ayes: Councilmember Brown, Supervisor Parker, Mayor Pro-Tem O'Connell, Councilmember Oglesby, Mayor Burnett, Mayor Edelen, Mayor Pendergrass, Mayor Bachofner, Mayor Donahue, Councilmember Kampe. Abstentions: Councilmember Selfridge, Nick Chiulos.

7. OLD BUSINESS

a. Environmental Services Cooperative Agreement (ESCA) Status Report

Executive Officer Michael Houlemard briefly discussed the purpose of the item and introduced Barry Steinberg, Special FORA Counsel for the ESCA. Mr. Steinberg presented information regarding the history of the ESCA, FORA's role in base reuse, and FORA's responsibilities and goals. He responded to questions from the Board the Board received comments from members of the public. Mr. Steinberg announced that he would be available in the FORA conference room after his presentation to meet with members of the public for as long as was necessary to answer all questions.

b. Preston Park Fiscal Year ("FY") 2012/13 Capital Expenditure Budget - Continued

Mayor Pro-Tem O'Connell stated he had misspoken at the previous Board meeting when he claimed not to have received answers from FORA staff to previously asked questions. FORA Principal Analyst Robert Norris presented item.

MOTION: Mayor Pro-Tem O'Connell moved, seconded by Councilmember Brown, to seek a modification of Option B, as described in the staff report, approving the Capital Improvement Program subject to advance notice and consent by the City of Marina prior to the commencement of improvements and rejecting the rental increase for in-place residents.

SUBSTITUTE MOTION: Mayor Bachofner moved, seconded by Mayor Burnett, to approve Option A, as described in the staff report.

The Board received comments from members of the public.

SUBSTITUTE MOTION PASSED (Second Vote Required): Noes: Councilmember Selfridge, Councilmember Brown, Supervisor Parker, Mayor Pro-Tem O'Connell. Ayes: Councilmember Oglesby, Mayor Burnett, Mayor Edelen, Nick Chiulos, Mayor Pendergrass, Mayor Bachofner, Mayor Donahue, Councilmember Kampe.

c. Base Reuse Plan Reassessment – Receive Final Reassessment Document

Michael Groves, EMC Planning, provided a brief overview regarding the Reassessment document and the overall process. Associate Planner Darren McBain discussed the process the Board would use to address the topics included in the Reassessment document in 2013.

MOTION: Councilmember Oglesby moved, seconded by Mayor Burnett, to continue the meeting past 5:30 p.m. **MOTION PASSED:** Unanimous

The Board discussed the item and received comments from members of the public.

MOTION: Mayor Donahue moved, seconded by Councilmember Kampe, to receive the Final Reassessment Report. **MOTION PASSED (Second Vote Required):** Noes: Councilmember Selfridge, Councilmember Brown, Supervisor Parker, Mayor Pro-Tem O'Connell. Ayes: Councilmember Oglesby, Mayor Burnett, Mayor Edelen, Nick Chiulos, Mayor Pendergrass, Mayor Bachofner, Mayor Donahue, Councilmember Kampe.

MOTION: Supervisor Parker moved, seconded by Councilmember Brown, to direct staff to close public comment as of the end of the meeting and present a comprehensive Final Reassessment Report to the Board at next Board meeting. **MOTION PASSED:** Unanimous.

a. Veterans Cemetery Parcel Land Use Designations

Senior Planner Jonathan Garcia presented a brief overview of the item and answered questions from the Board. The Board received comments from members of the public.

MOTION: Mayor Burnett moved, seconded by Mayor Bachofner, to approve of Option 2, as described in the staff report. **MOTION PASSED:** unanimous

d. Adjustment to FY 2012/13 Budget – Legal Expenses

Mr. Bowden presented the item.

MOTION: Mayor Burnett moved, seconded by Councilmember Oglesby, to approve additional funding for required legal expenses. **MOTION PASSED:** unanimous

Mayor Burnett requested staff agendaize a closed session public employee performance evaluation of Authority Counsel for the next Board meeting. Vice-Chair Edelen stated the item would be agendaized for Executive Committee consideration at their next meeting.

8. NEW BUSINESS

a. 2013 FORA Legislative Agenda

Mr. Houlemard presented the item.

MOTION: Mayor Burnett moved, seconded by Councilmember Oglesby, to approve the 2013 Legislative Agenda with following changes: 1) expand Section E to include additional language that addresses basewide impacts, 2) modify Section A to include "continue to work with federal agencies and the 17th Congressional District to secure language adjustments that would enable additional federal funding and/or status for the California Central Coast Veterans Cemetery.

MOTION PASSED: unanimous

10. EXECUTIVE OFFICER'S REPORT

- a. Outstanding Receivables**
- b. Legislative Committee**
- c. Administrative Committee**
- d. CIP Status Report**
- e. Public Correspondence to the Board**

f. Habitat Conservation Plan Update
There was no discussion of this item.

11. ITEMS FROM MEMBERS

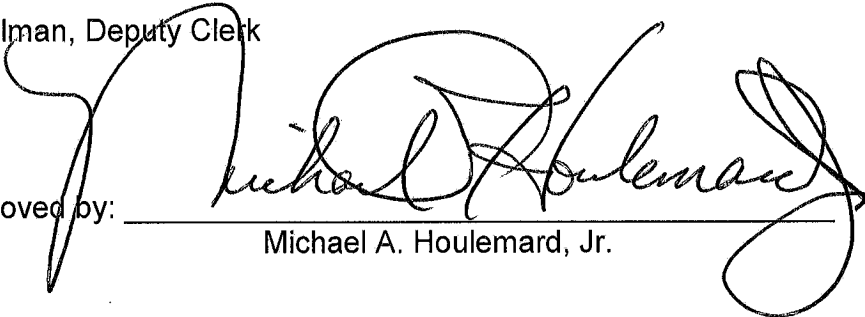
Vice-Chair Edelen announced that the *Ad-hoc* Committee had received forensic audit the previous day and found it to be very thorough. They planned to distribute the audit to Board members on Monday, November 19, 2012. The Executive Committee planned to review the document at their next meeting at prepare recommendations for the Board. Councilmember Kampe provided a brief summary of the audit findings.

Councilmember Kampe requested modification to the current Board room set-up.

12. ADJOURNMENT

Vice Chair Edelen adjourned the meeting at 7:20 p.m.

Minutes prepared by Lena Spilman, Deputy Clerk

Approved by: 
Michael A. Houlemard, Jr.