



FORT ORD REUSE AUTHORITY

BOARD OF DIRECTORS REGULAR MEETING MINUTES

Friday, July 10, 2015 at 2:00 p.m.

910 2nd Avenue, Marina, CA 93933 (Carpenters Union Hall)

1. **CALL TO ORDER**

Mayor O'Connell called the meeting to order at 2:00 p.m.

2. **PLEDGE OF ALLEGIANCE**

Pledge of Allegiance was led by Chair O'Connell.

3. **ROLL CALL**

Voting Members Present: (**alternates*) (*AR: entered after roll call*)

Mayor Edelen (City of Del Rey Oaks)	Councilmember Morton (City of Marina)
Mayor Rubio (City of Seaside)	Councilmember Pacheco (City of Seaside)
Mayor Pro-Tem Beach (City of Carmel) <i>AR</i>	Councilmember Oglesby (City of Seaside) <i>AR</i>
Councilmember Haffa (City of Monterey)	Supervisor Parker (County of Monterey)
Councilmember Lucius (City of Pacific Grove)	Mayor Pendergrass (City of Sand City)

Absent: Mayor Gunter (City of Salinas), Supervisor Phillips (County of Monterey), Supervisor Potter (County of Monterey)

Ex-officio (Non-Voting) Board Members Present: Donna Blitzer (UCSC), Vicki Nakamura (Monterey Peninsula College) *AR*, Andre Lewis, (CSUMB) *AR*, Lisa Rheinheimer* (Monterey-Salinas Transit), Col. Fellingner *AR* (U.S. Army), Lyle Shurtleff (Fort Ord BRAC Office), Erica Parker (CA Assembly member Stone), and Nicole Charles (CA Senator Monning).

Councilmember Dave Pacheco took seat at meeting for alternate Councilmember Oglesby.

4. **CLOSED SESSION**

a. Public Employment, Gov Code 54959.7(b) - Executive Officer

The Board adjourned into closed session at 2:03 p.m.

Mayor Pro-Tem Beach arrived after roll call and joined the closed session. Councilmember Oglesby arrived after roll call/joined the closed session (replaced Councilmember Pacheco).

No public comment was received.

5. **ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION**

The Board reconvened into open session at 2:24 p.m.

Authority Counsel, Jon Giffen, announced that there was no reportable action taken by Board. No public comment was received.

Board member Oglesby joined meeting; alternate board member, Dave Pacheco, joins audience.

6. **ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE**

Chair O'Connell asked if staff for any announcements. Executive Officer, Michael Houlemard, said several requests for announcements were received:

Erica Parker, from Assembly member Mark Stone's office, announced upcoming workshop for small business owners scheduled July 22nd, 10:00 a.m., at the Oldemeyer Center, Seaside. The goal is to connect local businesses to the services from the Governor's office such as the tax credit program and other types of assistance offered through Gobyz for small businesses. Ms. Parker indicated a flyer was available at the table with the information.

Nicole Charles from Senator Monning's office, announced a joint effort through offices of Senator Stone, Senator Monning, Cal Vets and Monterey County Veterans Affairs, an Informational Town Hall meeting regarding the Veterans Cemetery is scheduled July 21st from 4:30 – 6:00 p.m. at the Carpenter's Hall, Marina. The goal is to help Veterans by providing information about the process of internment and registration for the columbarium at the Veterans Cemetery. She said a Flyer was released and requested FORA's assistance by adding info in its website.

Mr. Houlemard announced the U.S. Army scheduled quarterly free tours of Former Ord on July 18th at 10:00 a.m. and of meeting location Building 4522 at Ord Military Community. This is the United States Army's ongoing efforts regarding munitions cleanup at former Fort Ord.

Mr. Houlemard said as follow-up to the Cemetery announcement, the Environmental Services Cooperative Agreement (ESCA) work and the process underway for the Land Use Covenant (LUC) will be implemented. This program will be addressed at the next Administrative Committee meeting due to a detonation at site for Veterans Cemetery on July 9.th He adds a reminder about the Land Use covenants pertaining to live munitions remaining at former Ft. Ord base. This detonation required the joint efforts of Presidio of Monterey Fire Department, City of Marina Fire Department and U.S. Air Force Bomb Squad. He reiterated that contrary to public opinion that is "safe," it is not safe.

Mr. Houlemard also announced receipt of a letter from attorneys for Carpenters' Union and that the Board also received a communication from Davis Collin Bough. He said copies are available on the table outside the meeting hall.

a. New Staff Introductions

Executive Officer gave an update on personnel recruitment efforts and announced Maria Buell as the new Deputy Clerk/Executive Assistant and Ted Lopez as new Assistant Planner. Mr. Lopez will join FORA on July 16th.

Mr. Houlemard requested Lena Spilman's assistance at the podium. Chair O'Connell introduced an "Urgent" agenda item change: adding a Proclamation recognizing Lena Spilman for her work at FORA. Chair O'Connell asked for a motion to accept the Proclamation.

MOTION: Mayor Rubio moved, seconded by Mayor Edelen to adopt Proclamation.

MOTION PASSED UNANIMOUSLY.

7. CONSENT AGENDA

Chair O'Connell introduced Consent Agenda items. Michael Houlemard said letter referenced in Item 7c was sent to Department of Industrial Relations on July 10. Councilmember Morton expressed her concerns on Item 7c and the letter sent by Staff because she wanted to review it prior to it being sent and that she objects to Staff's erroneous interpretations of SB 854. Mr. Houlemard responded that letter was sent to DIR pursuant to Board's request, that DIR is independently reviewing its applicability to FORA's public projects.

Chair O'Connell asked if Board wanted to pull any of the Consent agenda items. Mr. Houlemard then provided a very comprehensive historical summary of prevailing wage policy at FORA; and that minor

adjustments have been made. He added that Board, earlier this year, looked at 3 options: 1. enforcement by jurisdictions; 2. FORA does the enforcement; or 3. SB 854 can uniformly apply the compliance of prevailing wage in California. More discussion followed on this item regarding FORA and applicability of SB 854 from Board members. A member of the public requests pulling Item 7c from Consent Agenda.

- a. Approve June 12, 2015 Board Meeting Minutes
- b. Environmental Services Cooperative Agreement Quarterly Update
Mr. Houlemard introduced this item. Principal Planner, Jonathan Garcia made a power point presentation to Board, responded to their questions, and received comments from the public.

Chair O'Connell requested a motion to approve Consent Agenda Items 7a and 7b.

MOTION: Mayor Rubio moved, seconded by Mayor Edelen to approve Items 7a and 7b of Consent Agenda as presented.

MOTION PASSED UNANIMOUSLY.

- c. Prevailing Wage Status Report
Mr. Houlemard presented the item by stating that prevailing wage has been an ongoing discussion at Board since 1994 at the legislative level. He further added that debates and adjustments have taken place on this issue but that compliance still remains an issue; FORA can do enforcement of prevailing wages on construction projects; and that all first generation construction projects (private and public) must comply with prevailing wages policy.

Councilmember Oglesby asked Chair for a motion to accept Item 7c as presented for approval.

MOTION: Councilmember Oglesby moved, seconded by Mayor Edelen to approve Items 7c of Consent Agenda as presented.

MOTION PASSED UNANIMOUSLY.

Board received comments from the public.

8. BUSINESS ITEMS

- a. 2nd Vote: Approval of FORA FY 2015-16 Capital Improvement Program Revisions.
Principal Planner provided a presentation to the Board summarizing the process and the need for a second vote because a unanimous vote was not given at the June 12 meeting; he said Board requested additional information on water augmentation and that this information was provided. Board members had no questions.

Public comments were received.

MOTION: Mayor Edelen moved, seconded by Mayor Rubio, to approve the FORA FY 2015-16 Capital Improvement Program Revisions as presented.

MOTION PASSED UNANIMOUSLY.

- b. Transportation Agency for Monterey County (TAMC)-FORA 2016 Fee Reallocation Study Update Agreement

Jonathan Garcia, made a presentation regarding Base Reuse requirements, previous Ft. Ord transportation study and TAMC FY 2016 fee and requests Board to Authorize Executive Officer to execute Agreement with TAMC not to exceed \$127,000 and that FORA and TAMC would jointly select consultant for these services.

Councilmember Morton asked if Monterey Downs is part of the Seaside's current General Plan. Principal Planner responded that it is not, but that it is currently review and pending approval by 2016. Councilmember stated its erroneous description.

Comments from public were received.

MOTION: Mayor Rubio moved, seconded by Mayor Edelen, to approve TAMC-FORA 2016 Fee Reallocation Study Update Agreement as presented.

Under discussion, Chair O'Connell made a substitute motion: "To conditionally approve this subject to Authority Counsel meeting with Executive Officer related to point made by Ms. Morton and concerns regarding wording on obligations under "terms of agreement;" and that Executive Officer and Authority Counsel meet with Councilmember Morton and TAMC representatives, if necessary." Mayor Rubio, as maker of the motion, suggested instead of substituting his motion, that he accepted the amendment as part of his original motion.

Debbie Hale offered that TAMC could go over the items of concern (paragraphs 4a and b) after the conclusion of Board meeting. Chair responded that to be consistent with Motion made, that process must be followed.

Councilmember Oglesby asked about all names referenced and requests to check why they were included. Councilmember Morton requests that the erroneous description be addressed.

Mayor Rubio was asked to restate his motion. Chair O'Connell, restated it as follows:
"Motion to approve the item as a conditional approval subject to EO and AC meeting and discussing the wording on Paragraph 4 (Terms of Agreement) and member Morton's reference to inaccurate item related to Monterey Downs and that EO/AC look into other agencies and jurisdictions to ensure it accurately discloses and explains the obligations and what will be covered by this agreement; and; finally if necessary to meet with TAMC related to all of this."
Councilmember Morton seconds the revised Motion.

Councilmember Oglesby was concerned about Monterey Downs being stricken from Agreement, and that it might cause a delay of another 30 days.

MOTION PASSED UNANIMOUSLY.

- c. Marina Coast Water District (MCWD)
 - i. FY 2015-16 Ord Community Budget Report
 - ii. Recycled Water Planning Update

Chair O'Connell said these items were information items only. Mr. Houlemard said Staff anticipated possibility of additional info from MCWD but was not received and that Staff's ongoing effort continue regarding meetings with them regarding conservation of water efforts. He added MCWD had not made a budget adjustment yet. Chair O'Connell said he was informed by phone that MCWD would respond to FORA's letter and copies of this response would be made available.

Public comments were received.

Board members provided comments regarding ongoing solutions to water problems.

- d. Economic Development 100-Day Plan Presentation
Executive Director, Michael Houlemard said Board approved Josh Metz as the new Economic Development Coordinator. The 100-Day Plan was presented to Administrative Committee; his work will benefit all jurisdictions from Carmel to Salinas. Mr. Metz said he has been 3-weeks at this job; he thanked CSUMB and other communities he has met; and, responded to Board questions and received comments from the public.

Board members provided comments regarding this item and asked for more data regarding job opportunities on all sectors covered.

Public comment was received.

9. PUBLIC COMMENT PERIOD

The Board received comments from members of the public.

10. EXECUTIVE OFFICER'S REPORT

Mr. Houlemard said these Items are informational. He highlighted the meetings held in (Item 10g) Sacramento with Department of Fish and Wildlife and made reference to written comments by Councilmembers Lucius and Morton regarding their attendance at Association of Defense Communities National Summit.

- a. Outstanding Receivables
A report was provided to Board on this item.
- b. Habitat Conservation Plan Update
A report was provided to Board on this item.
- c. Administrative Committee
A report was provided to Board on this item.
- d. Post Reassessment Advisory Committee
A report was provided to Board on this item.
- e. Regional Urban Design Guidelines Task Force
A report was provided to Board on this item.
- f. Veterans Issues Advisory Committee
A report was provided to Board on this item.
- g. Travel Report
A report was provided to Board on this item.
- h. Public Correspondence to the Board
A report was provided to Board on this item.

11. ITEMS FROM MEMBERS

Col. Paul Fellingner introduced new Deputy Commander Hugh Hardin to the Garrison of Presidio of Monterey coming to Monterey from Boston. He will attend board meetings.

Mayor Edelen added to Mr. Houlemard's report on trip to Sacramento. He said Veterans Cemetery needs additional fundraising efforts for Donor wall in Phase 1 of construction. He added Department of Veterans Affairs spent funds on a soils analysis and hopes that future coordination efforts with FORA can be achieved.

Mayor Pro-Tem Beach thanked the RUDG group team (Item 10e), for their hard work and good working synergy.

12. ADJOURNMENT

Chair O'Connell adjourned the meeting at 4:08 pm.