



FORT ORD REUSE AUTHORITY

BOARD OF DIRECTORS REGULAR MEETING MINUTES

Friday, October 9, 2015 at 2:00 p.m.

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

1. **CALL TO ORDER**

Chair 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. **CLOSED SESSION**

Conference with Legal Counsel - Existing Litigation, Gov. Code 54956.9(a)-1 Case *Keep Fort Ord Wild v. Fort Ord Reuse Authority (FORA)*, Case Number: M114961

The Board adjourned into closed session at 2:02 p.m. Chair O'Connell requested public to leave meeting area in order to expedite the closed session meeting.

No public comment was received.

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

The Board reconvened into open session at 2:06 p.m.

Authority Counsel, Jon Giffen, announced there was no reportable action taken by Board.

No public comment was received.

ROLL CALL

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

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

Ex-officio (Non-Voting) Board Members Present: Dr. Eduardo Ochoa (CSUMB), Erica Parker (29th Assembly Dist); Donna Blitzer (UCSC), Andre Lewis, (CSUMB) *AR*, Lisa Rheinheimer* (Monterey-Salinas Transit), Hugh Hardin (U.S. Army), Bill Collins (Fort Ord BRAC Office), Director Le (Marina Coast Water District), Erica Parker (CA Assembly member Stone), and PK Diffenbaugh (MPUSD).

Absent: Nicole Charles (CA Senator Monning); Alec Arago (20th Congressional Dist.); and Vicki Nakamura (Monterey Peninsula College) and Debbie Hale (TAMC).

5. **ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE**

- Sale of Preston Park to City of Marina

Mr. Houlemard announced the sale of Preston Park and City of Marina being the owner of Preston Park Housing. He also noted CSUMB's Request for a Letter of Support for EDA i6 Grant. He said a copy of the I6 Grant Letter of Support sent to CSUMB was distributed to Board members. He added that FORA had a visit from Cal Environmental Protection Agency and Grant Copeland and Arsenio Mataka were the representatives. Copies of communications received were a letter from Tony Lombardo sent to the Board and an email from Ron Chesshire regarding Item 8c.

There was no public comment.

6. CONSENT AGENDA

- a. Approve September 11, 2015 Minutes
- b. Base Reuse Plan (BRP) Post-Reassessment Report
Categories 1 and 2 Consultant Recommendation
- c. Environmental Services Cooperative Agreement Quarterly Update
- d. Ad Hoc Advisory Task Force to Review & Recommend Authority Counsel Requests Policy
- e. Economic Development Progress Report.

MOTION: Mayor Rubio moved, seconded by Councilmember Lucius to approve all Consent Agenda items as presented.

MOTION PASSED UNANIMOUSLY.

Board received no comments from the public.

7. BUSINESS ITEMS

- a. Water Augmentation Program Planning Update
Steve Endsley provided a presentation to Board and answered questions of board questions. Mr. Endsley said FORA was asked by Monterey Regional Water Pollution Control Agency (MRWPCA) to authorize the 3-party augmentation planning process. He said joining this process would allow agency to obtain additional funding options. He asked Board to endorse the Pure Water Project and note the timeline to sensitive items and added that two resolutions were included to endorse pure water project and the second for a planning process. Paul Sciuto, general manager for MRWPCA, answered Board member questions and said his board approved the final EIR.

A request for information showing broader water planning process that includes water being used, different water supply options and financing was asked by a board member. Mr. Endsley responded that Staff could bring this information on a monthly basis, if Board requests it.

Board was requested to approve each motion individually.

MOTION#1: Mayor Rubio moved, seconded by Mayor Edelen, to approve the Pure Water Monterey Groundwater Replenishment Project Resolution (8a ii) as presented.

MOTION PASSED UNANIMOUSLY.

MOTION #2: Mayor Rubio moved, seconded by Supervisor Phillips, to authorize the resolution for FORA's participation in three-party joint water augmentation planning process (8a iii) as presented.

A Substitute Motion was presented by Supervisor Parker:

SUBSTITUTE MOTION: Moved by Supervisor Parker, seconded by Councilmember Morton, to defer action on this item and not commit any monies until there is clarity on water rights issues, water agreements and information on other sources of water to benefit Fort Ord be brought back in January.

Board unanimously approved calling for the question on substitute motion.

ROLL CALL WAS TAKEN:

Ayes: Beach, Haffa, Morton, Parker

Noes: O'Connell, Lucius, Edelen, Gunter, Oglesby, Pendergrass, Phillips, Potter, Rubio:

Abstentions: None.

MOTION FAILED.

ROLL CALL WAS TAKEN ON MOTION #2:

Ayes: O'Connell, Edelen, Gunter, Oglesby, Pendergrass, Phillips, Potter, Rubio

Noes: Parker, Beach, Haffa, Lucius, Morton.

Abstentions: None.

MOTION RECEIVED MAJORITY APPROVAL (2ND VOTE REQUIRED at next meeting):

Board member Haffa proposed a separate motion. Chair O'Connell recommended that it be brought at next meeting.

b. MCWD/FORA Facilities Agreement Dispute Resolution – 2nd Vote

Authority Counsel recommends given the variety of options out there for Board to consider and direct Executive Officer and Authority Counsel that discussion of this item be moved to a future agenda meeting under closed session.

The Board received comments from other board members.

MOTION: Supervisor Potter moved, seconded by Mayor Gunter, matter be continued to a future item under a closed session return this item at future meeting and the Executive Committee also consider it under closed session.

MOTION PASSED UNANIMOUSLY.

c. Fort Ord Reuse Authority Prevailing Wage Program

Executive Director introduced this item. Robert Norris presented information and responded to Board questions. Mr. Houlemard added that FORA already asks jurisdictions (through Master Resolution) to abide by this and that to implement enforcement would be at a considerable cost. He also noted receipt of the email from Mr. Chesshire.

The Board received comments from other board members expressing concern with FORA has an obligation in taking away from other agencies on the prevailing wage compliance and that it should be agencies' obligations.

MOTION: Mayor Rubio moved, seconded by Supervisor Potter to approve the List (Attachment B to staff report) pending further investigation on the compliance manager in question.

MOTION PASSED UNANIMOUSLY.

The Board received public comments.

d. Caretaker Costs Policy

Jonathan Garcia provided a presentation to Board d and answered questions of Board. He said approval of an allocation of \$150,000 out of CIP funds was requested, but any allocation not used would be used for other requestors who might need additional funds. Mr. Houlemard stated that adjustments requested by Administrative Committee, City of Seaside's comments, jurisdictions and Board members were addressed and adjusted as received from all jurisdictions.

MOTION: Mayor Rubio moved, seconded by Councilmember Oglesby to approve the item as presented.

MOTION PASSED UNANIMOUSLY.

The Board received no public comments.

8. PUBLIC COMMENT PERIOD

The Board received comments from the public.

Member Oglesby requested a closed session be added at next Board meeting addressing the complaint.

9. EXECUTIVE OFFICER'S REPORT

Mr. Houlemard reminded Board members of the Annual Report they received. He also added the conference at Anchorage Alaska he and Josh Metz attended where important information was provided regarding regional economic growth. He added the other items listed under the Executive Officer's are for information only. Board accepted the reports.

- a. FY 2014/15 Annual Report
- b. Outstanding Receivables
- c. Habitat Conservation Plan Update
- d. Administrative Committee
- e. Post Reassessment Advisory Committee
- f. Regional Urban Design Guidelines Task Force
- g. Veterans Issues Advisory Committee
- h. Travel Report
- i. Public Correspondence to the Board

10. ITEMS FROM MEMBERS

None.

11. ADJOURNMENT

Chair O'Connell adjourned the meeting at 4:02 pm.