

City of Richmond – POINT MOLATE COMMUNITY ADVISORY COMMITTEE

Multi-Purpose Room
440 CIVIC CENTER PLAZA

MINUTES

MONDAY, DECEMBER 17, 2012, 6:30 PM

1. CALL TO ORDER

Chair Garrett called the meeting to order at 6:30 p.m.

2. ROLL CALL

Present: Committee Members Beyaert, Christian (6:33), Garrett, Gilbert, Hite, Martinez, Puleo, Smith, C., Smith, N., Stello, Whitty.

Absent: Committee Member Kortz, Rosing, Sundance.

Staff Present: None

3. WELCOME AND MEETING PROCEDURES

Garrett welcomed audience, explained meeting procedures, and discussed the Speaker Card process.

4. AGENDA REVIEW AND ADOPTION

Garrett reviewed Agenda items and briefed PMCAC on the Agenda order and speakers. Whitty made motion to adopt the Agenda, Beyaert seconded. Passed unanimously.

5. ANNOUNCEMENTS THROUGH THE CHAIR

Chair summarized Mayor and a Staff Liaison would not be able to attend due to medical items. Beyaert introduced visitor Mr. Vincent from North and East Neighborhood.

6. OPEN FORUM

Cordell Hindler briefed PMCAC on idea for a 1940 themed event for Pt Molate at East Bay Center for Performing Arts.

7. PRESENTATIONS, DISCUSSION & ACTION ITEMS

- A. Presentation of remediation costs to date and projected, and released documentation as presented to Insurer by Terraphase.

Garrett introduced Bill Carson of Terraphase. Mr. Carson indicated that he just received permission today for the Insurer information and also IR Site 4 and can be ready to present next PMCAC. Carson summarized budget items on each of the IR Sites and upcoming schedule.

- B. Discussion with George Leyva from San Francisco Regional Water Quality Control Board on status and recommendations for remediation goals, work plans and related progress for former NFD Point Molate.

George Leyva introduced himself and he has been Pt Molate Case Manager since 2005. George reviewed clean up standards for reuse of the land and discussed specifically Site 3. Feasibility Study Remedial Action Plan (FSRAP) is expected from Terraphase to protect water, maintain management and still have use of the property. Garrett indicated that Committee reviewed and agreed to Commercial for that locale and questions who has asked for residential at this site. Leyva indicated that Water Board was asked to clean up to unrestricted use. Puleo asked who asked for this use and Leyva indicated it was a discussion with Carlos Privat in City Attorney Office about 2 ½ months ago just prior to meeting with Terraphase. Beyaert inquired why site requires a Waste Management Unit. Leyva indicated it is Water Board requirements and to control ground water so it doesn't get to the San Pablo Bay. Leyva indicated that Water Board will not allow residential on top of a Waste Management Unit and can't say a Waste Management Unit is unrestricted.

Leyva summarized the status for the Committee the installations at the site and looking forward to FSRAP for site to see system that will work for the site.

Charles Smith made motion to have the Clean Up and Restoration Sub Committee arrange a meeting with City Officials (Lindsay, Murray, Privat, other requested City Staff) to discuss IR Site 3 cleanup and land use change ideas and why PMCAC was bypassed in this important change of direction for the Site since this item was discussed with the Water Board on November 30th, seconded by Martinez. Beyaert proposed a friendly amendment that the Sub Committee should not be tasked with this item, but should be a matter of a representation of the PMCAC. Whitty seconded, passed unanimously.

- C. Consideration of submission of letter to Chevron in support of City Council Resolutions regarding repair/reconstruction of pipeline destroyed in August 5, 2012 fire.

Garrett summarized that Kortz requested Committee put forth a letter to support City Council Resolutions. Puleo noted that there will be a meeting on December 19. Beyaert motioned to table this item in support of City Council Resolutions regarding repair and reconstruction of the pipeline destroyed in the August 5, 2012 fire. N.Smith seconded, passed with 8-0-2 vote with 2 abstentions (Garrett and Martinez).

8. STAFF REPORTS

- A. Review FY 2010-2011 Single Audit Findings regarding Navy Grant for Point Molate Cleanup

Garrett summarized information related to the Escrow Fund and due in March will be next audit. Garrett pointed out elements of particular concern such as \$630,000. In Administrative Fees by City such as for Janet Schneider and \$170,000 for Upstream and don't know if it is coming out of Escrow Fund. Garrett inquired if Finance Sub Committee should review and City demonstrate to PMCAC that these costs can be removed per Early Transfer Agreement and per OMB as raised by Auditor Maze and Associates. Beyaert suggested to start with LaShonda Wilson in City Manager Office as the contact. Puleo noted to contact Wilson. Garrett noted to C.Smith that the audit document can be found online at the City Finance Department. Garrett noted that the LDA, Early Transfer Agreement and Remediation Agreement can be found at link on the PMCAC Agenda.

- B. Review DP Security quarterly incident/status reports

Garrett noted that she asked Murray to now provide regular Security Reports. Garrett noted that most frequent incident is unknown breach of property and it is most usually at Pt Molate Beach Park. Garrett noted one incident of wire theft. Hite inquired if this comes out of Escrow and four people working per shift and more than need. Garrett noted gone up to four full time Security on Graveyard and can bring this up in future.

- C. Committee Log for PMCAC inquiries to staff, contractors

Garrett noted received information from Terraphase and audit and now closing out some of items. Garrett noted that two items in August and November sent to Carlos Privat and still not received. Beyaert noted that he and Gilbert attended Ethics AB 1234 Training and learned that anyone can put forward a Public Information Act request.

N.Smith moved to submit a Public Records Act request for the two items on the Committee Log from August and October 2012 that are shown as incomplete. Martinez seconded, passed unanimously.

9. CONSENT CALENDAR

Garrett moved to adopt Consent Calendar, C.Smith seconded. Passed unanimously.

10. FUTURE AGENDA ITEMS

Garrett noted Engineering Review of Power Plant and discussion of DP Security Staffing Size. Beyaert noted Baykeeper Report if they completed their clean up. Hite noted the UC Students presentation. Carson will bring the monthly insurance report.

11. CITY COUNCIL LIAISON REPORTS

- A. REPORT BY COUNCILMEMBER/MAYOR MCLAUGHLIN REGARDING RECENT ISSUES IN RICHMOND RELEVANT TO THE ADVISORY COMMITTEE
- B. PMCAC APPOINTMENT STATUS

Garrett read Mayor statement on Litigation from Upstream and Tribe against City.

12. CHAIR AND SUB-COMMITTEE REPORTS

- a. Clean-Up and Restoration:
 - 1. Synopsis of Terraphase October 2012 Monthly Status Reports
 - 2. Synopsis of Terraphase November 2012 Monthly Status Reports

Whitty provided summary of Terraphase actions found in the summaries of the Monthly October and November, 2012 Status Reports. Carson added additional information on 104 well closures and IR Site 4.

- b. Community Outreach Hite provided information on the UC Berkeley student team and summarized efforts of the work from the students of UC Berkeley as part of their outreach curriculum. Hite noted that he attended the team presentation at UC Berkeley. Garrett inquired about demographic research and Hite noted that he can forward that to the PMCAC and it can be used to support grant requests. Hite noted that he was not sure if students would be available to present in January.
- c. Grant Development Garrett noted that Stello is missing meeting to work on Grant on conservation and education and that she would need to go soon too. Garrett noted that there could be demonstration area and water runoff and its effects from the Watershed. It will be a one for one matching with non-profits.
- d. Pt Molate Beach Martinez advised on visit from Garrett and Martinez to Parks and Rec. Committee. Martinez noted that some of the Committee Members against opening up the Beach Park are now for it and thought it was good to have PMCAC representation to make interactions.
- e. Chair Garrett asked if any Committee member sees any conflict with the next meeting date of January 14 to work around the Martin Luther King Jr. holiday. No comments received.

13. ADJOURNMENT

N.Smith moved to adjourn the meeting at 8:32 pm, seconded by Garrett. Passed unanimously.

14. Assemblage of PMCAC Standing Sub-Committees

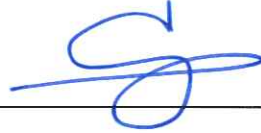
Adjourned to Sub-Committee Meetings.

15. SCHEDULED MEETINGS

Committee Meeting – .

Monday, January 14, 2012, 6:30 p.m., Multi-Purpose Room, 440 Civic Center Plaza

Minutes respectfully submitted by:

A handwritten signature in blue ink, consisting of a stylized 'S' or 'M' shape with a horizontal line through it, positioned above a solid black horizontal line.

Craig K. Murray, PMCAC Staff Liaison