

CITY OF RICHMOND
Pt. Molate Community Advisory Committee

Monday, April 15, 2013 6:00 PM
Multi-Purpose Room, 440 Civic Center Plaza

AGENDA

Members:

Bruce Beyaert
Vice-Chair

Joan Garrett
Chair

Paul Carman

Dorothy Gilbert

Jim Hite

Jeanne Kortz

Eduardo Martinez

Joseph Puleo

Charles T. Smith

Nina G. Smith

Pam Stello

Mary H. Sundance

Eileen Whitty

1. **Call to Order** (1 min.)
2. **Roll Call** (1 min.)
3. **Welcome and Meeting Procedures** (1 min.)

Individuals who would like to address the committee on matters not listed on the agenda may do so under Open Forum. Please file a speaker's card with the note taker prior to the commencement of Open Forum. Individuals who want to comment on an individual item, please file a speaker's card before the item is called. The standard amount of time for each speaker will be three minutes.

At 8:30 PM, any items remaining on the agenda that require immediate attention may be taken out of turn, as necessary. All other items will be continued to another or the following committee meeting in order to make fair and attentive decisions. This meeting adjourns at 9:00 PM. The meeting may be extended by a majority vote of the committee.

4. **Agenda Review and Adoption** (2 min.)
The order in which items will be heard may be adjusted at this time. In addition, items may be removed from or placed on the Consent Calendar at this time.

5. **Announcements through the Chair** (6 min.)
 - a. Presidio Trust – 5/20/13
 - b. CalTrans I-580 Scofield Ave. and Western Drive Bridge Decks Replacement Project
 - c. Baykeeper Marine Debris CleanUp at Pt Molate Beach Park Status

6. **Open Forum** (3 minutes per person limit)

7. **Presentations, Discussion & Action Items** (70 min.)

- a. Costing Estimates for cleanup of all of former NFD Pt. Molate to unrestricted use standards, including expenditures to date – Presentation by Bill Carson for Terraphase. (20 min.) Q&A (5 min.)
- b. Proposal of Thermal Desorption IR Site 3 – Presentation by Kirk Shellum of NER (30 min.) Q&A (15 min.)

8. **Staff Reports** (3 min.)

Following discussion of each item, the Committee may vote to make recommendations to staff or to the City Council.

- a. Review of fund balances for Pt. Molate General Fund budget and Navy Escrow Account – (2 min.)
- b. Committee Log for PMCAC inquiries to staff, contractors – (1 min.)

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9. Consent Calendar (2 min.)

Items on the consent calendar are considered matters requiring little or no discussion and will be acted upon in one motion

- a. APPROVE – PMCAC meeting minutes of February 11, 2013
- b. APPROVE – PMCAC meeting minutes of March 18, 2013

10. Future Agenda Items (5 min.)

11. City Council Liaison Reports (7 min.)

- a. Report by Councilmember/Mayor McLaughlin regarding recent issues in Richmond relevant to the Advisory Committee. (5 min.)
- b. PMCAC appointment status – TBD (2 min.)

12. Chair and Sub-Committee Reports (21 min.)

Following discussion of each item, the Committee may vote to make recommendations to staff or to the City Council.

a. Clean-Up and Restoration (12 min.)

- Synopsis of UST Management Plan*
- Synopsis of QMRs for 1) USTs* 2) IR Site 1* 3) PGWTP*

(*Note these documents are too large for the agenda packet. Documents are available for review in the remediation document repository: https://drive.google.com/?authuser=0#folders/0B9WXrZeb_72MjNiN2MxOTctMmRmNC00ZDJlLTlkMTUtMDVmNTEwNzQ5ZTM0)

b. Community Outreach (5 min.)

- Arts Night Status

c. Grant Development (2 min.)

- Grant App. Status

d. Legal (1 min.)

- Court Document Availability (Documents can be found in PMCAC repository)

e. Chair (1 min.)

- Identification of pending schedule conflicts

13. Adjournment of PMCAC regular meeting

14. Assemblage of PMCAC Standing Sub-Committees

Scheduled Meetings

Committee Meeting - Monday, May 20, 2013, 6:30pm

This meeting is held in a building that is accessible to people with disabilities. Persons with disabilities, who require auxiliary aids of services using city facilities, services or programs or would like information of the city's compliance with the American Disabilities Act (ADA) of 1990, contact: Rochelle Monk, City of Richmond (510) 620-6511 (voice).

Pt. Molate Community Advisory Committee Staff Liaison Contact: Craig K. Murray (510) 307-8140, craig_murray@ci.richmond.ca.us. Agenda and minute information on the PMCAC can be found on the City Clerk's web location: <http://ca-richmond2.civicplus.com/index.aspx?NID=2442>

Additional correspondence can be directed to PtMolateCAC@gmail.com



TRAFFIC ADVISORY

Date: April 10, 2013

District: 4 - Oakland

Contact: Allyn Amsk

Phone: 510/286-5445

FOR IMMEDIATE RELEASE

Interstate 580 Scofield Avenue and Western Drive Bridge Decks Replacement Project Construction Begins Tonight

Contra Costa County – Construction is beginning for the Interstate 580 Scofield Avenue and Western Drive Bridge Decks Replacement Project. For the next few weeks, lane closures are scheduled for westbound and eastbound Interstate 580, in the vicinity of the Richmond-San Rafael Bridge Toll Plaza. At least one lane in each direction will remain open at all times. Drivers should expect delays and allow extra time in their daily commute.

- Tonight, April 10, from 7 p.m. to 6 a.m., Caltrans will restripe lanes for eastbound I-580, just east of the Richmond-San Rafael Bridge, from Western Drive to Canal Blvd. In addition, from 8 p.m. to 5 a.m., there will be brief closures of the eastbound I-580 Western Drive on-ramp. A flagger will direct traffic during these temporary on-ramp closures.
- Sunday, April 14, from 9 a.m. to 9 p.m. Caltrans will pave the shoulder of westbound I-580, between the Castro Street on-ramp and the Western Drive Undercrossing. From 9 p.m. to 6 a.m., there will be various lane closures while Westbound I-580 is restriped. **Note:** When this work is completed, westbound I-580 traffic will be reduced from three lanes to two lanes, between the Castro Street on-ramp and the Western Drive Undercrossing. The right lane will remain the cash lane for the toll plaza. FasTrak and carpools should take the left lane.
- Tuesday night, April 16, k-rail will be installed on the shoulder of eastbound I-580, and the eastbound I-580 bike lane will be closed. Phone numbers will be posted at the construction site for a free shuttle service to transport bicyclists through the construction zone.
- Wednesday night, April 17, and Thursday evening, April 18, from 9 p.m. to 6 a.m., k-rail will be installed on the shoulder of westbound I-580. The westbound bike lane will be closed the evening of April 17. Phone numbers will be posted at the construction site for a free shuttle service to transport bicyclists through the construction zone.





TRAFFIC ADVISORY

This work is weather dependent. If it is delayed due to weather conditions, work will be rescheduled. Please drive cautiously through the construction zone and leave a safe traveling distance between your vehicle and the vehicle ahead of you. Please remember to "Slow for the Cone Zone."

Caltrans plans to begin replacement of the westbound bridge decks in early June 2013. During construction of the westbound bridge decks, the eastbound Western Drive on-ramp will be closed for approximately 90 days. Passenger vehicles that are 3/4 ton or less will use the existing bicycle facility that runs underneath I-580. During the hours between 5:30 a.m. and 9:30 p.m., there will be a flagger at the entrance of the bicycle path, and a pilot vehicle will lead vehicles to eastbound I-580. The pilot vehicle will then return to the entrance to the bike facility where the flagger is stationed. Larger vehicles and trucks, however, will travel westbound across the Richmond-San Rafael bridge, exit at the San Quentin interchange, turn left at the end of the off-ramp, and turn left at the on-ramp to eastbound I-580. The detour across the bridge and back is about 9 miles long, and the extra travel time will be about 10 minutes, regardless of the time of day.

Caltrans plans additional outreach to the Point Molate Community Advisory Committee, the Point Richmond Neighborhood Council, and residents on Western Drive. For more information about the project, please visit the Caltrans webpage at <http://www.dot.ca.gov/dist4/580scofieldave/>

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Pt. Molate FY2012-13 Budget

Department	Account	Item	Vendor	Budget	Actual	Balance
City Attorney's Office	01151014-400206	Legal Services	Morrison Foerster	\$ 70,000	\$ -	\$ 70,000
Public Works	01231031-400218	Security	DP Security	\$ 253,331	\$ 161,951	\$ 91,380
Public Works	01233631-400537	Landscape	D&H Landscaping	\$ 99,000	\$ 60,000	\$ 39,000
				<u>\$ 422,331</u>	<u>\$ 221,951</u>	<u>\$ 200,380</u>

As of April 8, 2013

Pt. Molate Remediation Budget Report
As of May 4, 2012

Project / Program Name: Pt. Molate Remediation Oversight				
Project Description: Pt. Molate				
		Point Molate		
		Site Remediation		
		Capital Budget		
Sources of Funds:		Navy Funds	Interest	Total
Navy Funds		\$ 28,500,000.00		
		Expenditures	Revenues	Balance
Transactions	Date	As of 2/5/2013	As of 2/5/2013	As of 2/5/2013
City of Richmond	4/16/2010	\$ 630,000.00		\$ 27,870,000.00
Alliant Insurance Services, Inc - Insurance Payment	4/20/2010	\$ 4,130,000.00		\$ 23,740,000.00
First American Fund Control (FAFC) Setup Fee	4/20/2010	\$ 1,000.00		\$ 23,739,000.00
Upstream Point Molate - Remediation Work	4/30/2010	\$ 170,000.00		\$ 23,569,000.00
Savings Interest - April 2010	5/10/2010		\$ 1,989.85	\$ 23,570,989.85
Savings Interest - April 2010	5/12/2010		\$ 3,218.95	\$ 23,574,208.80
Savings Interest - May 2010	6/11/2010		\$ 2,712.51	\$ 23,576,921.31
Savings Interest - May 2010	6/11/2010		\$ 4,521.30	\$ 23,581,442.61
Arcadis US Inc.	7/15/2010	\$ 165,343.93		\$ 23,416,098.68
Contra Costa County	7/15/2010	\$ 1,264.00		\$ 23,414,834.68
Savings Interest - June 2010	7/26/2010		\$ 493.14	\$ 23,415,327.82
Savings Interest - June 2010	7/26/2010		\$ 493.14	\$ 23,415,820.96
FAFC Bank Charge	7/26/2010	\$ 20.00		\$ 23,415,800.96
FAFC Bank Charge	7/26/2010	\$ 20.00		\$ 23,415,780.96
Savings Interest - June 2010	7/26/2010		\$ 2,852.41	\$ 23,418,633.37
Savings Interest - June 2010	7/26/2010		\$ 5,330.73	\$ 23,423,964.10
Savings Interest - July 2010	8/11/2010		\$ 732.37	\$ 23,424,696.47
Savings Interest - July 2010	8/11/2010		\$ 732.37	\$ 23,425,428.84
Savings Interest - July 2010	8/11/2010		\$ 2,409.34	\$ 23,427,838.18
Savings Interest - July 2010	8/11/2010		\$ 4,830.04	\$ 23,432,668.22
FAFC Fee Slip - May - July 2010	8/16/2010	\$ 900.00		\$ 23,431,768.22
City of Richmond - MoFo Reimbursement	8/20/2010	\$ 4,016.25		\$ 23,427,751.97
Transfer August Maintenance Fee	9/13/2010		\$ -	\$ 23,427,751.97
FAFC Fee Slip - August 2010	9/13/2010	\$ 300.00		\$ 23,427,451.97
Savings Interest - August 2010	9/15/2010		\$ 773.33	\$ 23,428,225.30
Savings Interest - August 2010	9/15/2010		\$ 773.33	\$ 23,428,998.63
Savings Interest - August 2010	9/15/2010		\$ 2,564.97	\$ 23,431,563.60
Savings Interest - August 2010	9/15/2010		\$ 5,136.59	\$ 23,436,700.19
FAFC Fee Slip - September 2010	10/7/2010	\$ 300.00		\$ 23,436,400.19
City of Richmond - MoFo Reimbursement	10/18/2010	\$ 15,503.75		\$ 23,420,896.44
Arcadis US Inc.	10/18/2010	\$ 121,923.17		\$ 23,298,973.27
Contra Costa County	10/18/2010	\$ 632.00		\$ 23,298,341.27
Savings Interest - September 2010	10/20/2010		\$ 725.31	\$ 23,299,066.58
Savings Interest - September 2010	10/20/2010		\$ 725.31	\$ 23,299,791.89
Savings Interest - September 2010	10/20/2010		\$ 2,405.12	\$ 23,302,197.01
Savings Interest - September 2010	10/20/2010		\$ 4,817.12	\$ 23,307,014.13
First American Fund Control	11/1/2010	\$ 2,704.15		\$ 23,304,309.98
FAFC Fee Slip - October 2010	11/8/2010	\$ 300.00		\$ 23,304,009.98
State Water Resources Control Board	11/10/2010	\$ 796.00		\$ 23,303,213.98
City of Richmond - MoFo Reimbursement	11/10/2010	\$ 9,766.50		\$ 23,293,447.48
Savings Interest - October 2010	11/17/2010		\$ 696.94	\$ 23,294,144.42
Savings Interest - October 2010	11/17/2010		\$ 2,322.38	\$ 23,296,466.80
Savings Interest - October 2010	11/17/2010		\$ 4,647.05	\$ 23,301,113.85
Contra Costa County - Refund	11/19/2010	\$ -	\$ 158.00	\$ 23,301,271.85

Pt. Molate Remediation Budget Report
As of May 4, 2012

Transactions	Date	Expenditures	Revenues	Balance
		As of 2/5/2013	As of 2/5/2013	As of 2/5/2013
State Water Resources Control Board	12/3/2010	\$ 3,553.88		\$ 23,297,717.97
Savings Interest - November 2010	12/15/2010		\$ 5,110.49	\$ 23,302,828.46
Savings Interest - November 2010	12/15/2010		\$ 760.49	\$ 23,303,588.95
Arcadis US Inc.	1/5/2011	\$ 105,245.30		\$ 23,198,343.65
RORE, Inc.	1/5/2011	\$ 31,581.00		\$ 23,166,762.65
Terraphase Engineering, Inc.	1/5/2011	\$ 37,142.09		\$ 23,129,620.56
Winehaven Partners, LLC	1/5/2011	\$ 5,418.11		\$ 23,124,202.45
Contra Costa Environmental Health	1/5/2011	\$ 474.00		\$ 23,123,728.45
City of Richmond - MoFo Reimbursement	1/5/2011	\$ 446.25		\$ 23,123,282.20
FAFC Fee Slip - November 2010	1/5/2011	\$ 300.00		\$ 23,122,982.20
Savings Interest - December 2010	1/26/2011		\$ 654.76	\$ 23,123,636.96
Savings Interest - December 2010	1/26/2011		\$ 4,621.71	\$ 23,128,258.67
Savings Interest - December 2010	1/26/2011		\$ 4,951.46	\$ 23,133,210.13
FAFC Fee Slip - December 2010	2/8/2011	\$ 300.00		\$ 23,132,910.13
FAFC Fee Slip - January 2011	2/8/2011	\$ 300.00		\$ 23,132,610.13
Terraphase Engineering, Inc.	2/16/2011	\$ 63,617.92		\$ 23,068,992.21
Winehaven Partners, LLC	2/16/2011	\$ 2,753.49		\$ 23,066,238.72
Contra Costa Environmental Health	2/16/2011	\$ 474.00		\$ 23,065,764.72
Savings Interest - January 2011	2/28/2011		\$ 567.29	\$ 23,066,332.01
Savings Interest - January 2011	2/28/2011		\$ 2,056.91	\$ 23,068,388.92
Savings Interest - January 2011	2/28/2011		\$ 4,918.91	\$ 23,073,307.83
Savings Interest - February 2011	3/1/2011		\$ 1,795.24	\$ 23,075,103.07
Bank Charges - February 2011	3/2/2011	\$ 35.00		\$ 23,075,068.07
Savings Interest Adjustment - February 2011	3/3/2011		\$ 411.38	\$ 23,075,479.45
Savings Interest - February 2011	3/3/2011		\$ 504.17	\$ 23,075,983.62
Savings Interest - June 2010	3/7/2011		\$ (493.14)	\$ 23,075,490.48
Bank Charge	3/7/2011		\$ 20.00	\$ 23,075,510.48
Savings Interest - July 2010	3/7/2011		\$ (732.37)	\$ 23,074,778.11
Savings Interest - August 2010	3/7/2011		\$ (773.33)	\$ 23,074,004.78
Savings Interest - September 2010	3/7/2011		\$ (725.31)	\$ 23,073,279.47
Savings Interest	3/7/2011		\$ 2,704.15	\$ 23,075,983.62
Savings Interest - February 2011	3/28/2011		\$ -	\$ 23,075,983.62
Savings Interest - February 2011	3/28/2011		\$ 4,435.35	\$ 23,080,418.97
Bank Charges - February 2010	3/28/2011	\$ 35.00		\$ 23,080,383.97
Savings Interest - March 2011	4/11/2011		\$ 1,150.69	\$ 23,081,534.66
Savings Interest - March 2011	4/11/2011		\$ 1,150.69	\$ 23,082,685.35
Terraphase Engineering, Inc. c/o Bookkeeping	4/18/2011	\$ 168,063.37		\$ 22,914,621.98
Winehaven Partners, LLC	4/18/2011	\$ 2,680.76		\$ 22,911,941.22
State Water Resources Control Board	4/18/2011	\$ 7,765.81		\$ 22,904,175.41
FAFC Fee Slip - Feb. to April 2011	4/18/2011	\$ 900.00		\$ 22,903,275.41
Bank Charges - March 2011	4/25/2011	\$ (35.00)		\$ 22,903,310.41
Savings Interest - March 2011	4/25/2011		\$ 4,904.82	\$ 22,908,215.23
Savings Interest - March 2011	4/25/2011		\$ 430.34	\$ 22,908,645.57
Savings Interest - March 2011	4/25/2011		\$ 82.19	\$ 22,908,727.76
FAFC Fee Slip - May 2011	5/6/2011	\$ 300.00		\$ 22,908,427.76
Savings Interest - April 2011	5/18/2011		\$ 4,575.58	\$ 22,913,003.34
Savings Interest - April 2011	5/18/2011		\$ 1,024.62	\$ 22,914,027.96
Savings Interest - April 2011	5/18/2011		\$ 1,025.75	\$ 22,915,053.71
Savings Interest - April 2011	5/18/2011		\$ 415.61	\$ 22,915,469.32
Savings Interest - March 2011	5/25/2011		\$ 2,058.59	\$ 22,917,527.91
Savings Interest - April 2011	5/25/2011		\$ 2,180.76	\$ 22,919,708.67
Terraphase Engineering, Inc	6/6/2011	\$ 78,656.54		\$ 22,841,052.13
Winehaven Partners, LLC	6/6/2011	\$ 362.75		\$ 22,840,689.38
FAFC Fee Slip - June 2011	6/6/2011	\$ 300.00		\$ 22,840,389.38
Savings Interest - May 2011	6/22/2011		\$ 1,710.88	\$ 22,842,100.26
Savings Interest - May 2011	6/22/2011		\$ 5,027.83	\$ 22,847,128.09

Pt. Molate Remediation Budget Report
As of May 4, 2012

Transactions	Date	Expenditures As of 2/5/2013	Revenues As of 2/5/2013	Balance As of 2/5/2013
Savings Interest - May 2011	6/22/2011		\$ 427.76	\$ 22,847,555.85
Savings Interest - May 2011	6/22/2011		\$ 523.78	\$ 22,848,079.63
Savings Interest - May 2011	6/22/2011		\$ 1,049.53	\$ 22,849,129.16
Savings Interest - May 2011	6/22/2011		\$ 1,049.53	\$ 22,850,178.69
Difference between staff calculations and FAFC balance	6/30/2011		\$ 8.63	\$ 22,850,187.32
Terraphase Engineering, Inc. c/o Bookkeeping	7/7/2011	\$ 66,639.77		\$ 22,783,547.55
Winehaven Partners, LLC	7/7/2011	\$ 4,352.37		\$ 22,779,195.18
Savings Interest - June 2011	7/18/2011		\$ 7,000.65	\$ 22,786,195.83
Savings Interest - June 2011	7/18/2011		\$ 419.20	\$ 22,786,615.03
Savings Interest - June 2011	7/20/2011		\$ 2,034.00	\$ 22,788,649.03
Terraphase Engineering, Inc. c/o Bookkeeping	7/29/2011	\$ 37,573.67		\$ 22,751,075.36
Winehaven Partners, LLC	7/29/2011	\$ 574.96		\$ 22,750,500.40
State Water Resources Control Board	7/29/2011	\$ 8,397.38		\$ 22,742,103.02
FAFC Fee Slip - July 2011	7/29/2011	\$ 300.00		\$ 22,741,803.02
Terraphase Engineering, Inc. c/o Bookkeeping	8/23/2011	\$ 99,184.28		\$ 22,642,618.74
Winehaven Partners, LLC	8/23/2011	\$ 221.78		\$ 22,642,396.96
Contra Costa Environmental Health	8/23/2011	\$ 474.00		\$ 22,641,922.96
FAFC Fee Slip - August 2011	8/23/2011	\$ 300.00		\$ 22,641,622.96
Savings Interest - July 2011	8/24/2011		\$ 7,096.07	\$ 22,648,719.03
Savings Interest - July 2011	8/24/2011		\$ 2,097.56	\$ 22,650,816.59
Savings Interest	9/1/2011		\$ 8,047.46	\$ 22,658,864.05
City of Richmond - MoFo Reimbursement	9/8/2011	\$ 3,098.75		\$ 22,655,765.30
City of Richmond - Nichols Reimbursement	9/8/2011	\$ 9,655.72		\$ 22,646,109.58
FAFC Fee Slip - September 2011	9/8/2011	\$ 300.00		\$ 22,645,809.58
Terraphase Engineering, Inc. c/o Bookkeeping	9/14/2011	\$ 109,635.96		\$ 22,536,173.62
Winehaven Partners, LLC	9/14/2011	\$ 89.96		\$ 22,536,083.66
Savings Interest - August 2011	9/19/2011		\$ 2,090.17	\$ 22,538,173.83
Savings Interest - September 2011	10/12/2011		\$ 6,224.06	\$ 22,544,397.89
Terraphase Engineering, Inc. c/o Bookkeeping	10/21/2011	\$ 51,791.39		\$ 22,492,606.50
Winehaven Partners, LLC	10/21/2011	\$ 136.55		\$ 22,492,469.95
City of Richmond - MoFo Reimbursement	10/21/2011	\$ 7,505.00		\$ 22,484,964.95
Morrison & Foerster LLP	10/21/2011	\$ 3,520.00		\$ 22,481,444.95
Nichols Consulting Engineers, CHTD	10/21/2011	\$ 6,234.50		\$ 22,475,210.45
State Water Resources Control Board	10/21/2011	\$ 30,340.20		\$ 22,444,870.25
PG&E	10/21/2011	\$ 6,626.33		\$ 22,438,243.92
Savings Interest - September 2011	10/26/2011		\$ 1,997.61	\$ 22,440,241.53
Bank Saving Charge	11/1/2011	\$ 20.00		\$ 22,440,221.53
Savings Interest - October 2011	11/1/2011		\$ 1,265.06	\$ 22,441,486.59
Terraphase Engineering, Inc. c/o Bookkeeping	11/14/2011	\$ 71,065.26		\$ 22,370,421.33
Winehaven Partners, LLC	11/14/2011	\$ 127.23		\$ 22,370,294.10
Contra Costa Environmental Health	11/14/2011	\$ 474.00		\$ 22,369,820.10
Morrison & Foerster LLP	11/14/2011	\$ 1,933.75		\$ 22,367,886.35
Savings Interest - October 2011	11/21/2011		\$ 2,030.42	\$ 22,369,916.77
Terraphase Engineering, Inc. c/o Bookkeeping	12/8/2011	\$ 158,309.56		\$ 22,211,607.21
Winehaven Partners, LLC	12/8/2011	\$ 127.36		\$ 22,211,479.85
Morrison & Foerster LLP	12/8/2011	\$ 5,305.00		\$ 22,206,174.85
Nichols Consulting Engineers, CHTD	12/8/2011	\$ 4,845.00		\$ 22,201,329.85
State Water Resources Control Board	12/8/2011	\$ 36,003.36		\$ 22,165,326.49
PG&E	12/8/2011	\$ 3,016.85		\$ 22,162,309.64
FAFC Fee Slip - November & December 2011	12/8/2011	\$ 600.00		\$ 22,161,709.64
Savings Interest - November 2011	12/12/2011		\$ 1,955.50	\$ 22,163,665.14
Terraphase Engineering, Inc.	1/25/2012	\$ 110,282.57		\$ 22,053,382.57
Winehaven Partners, LLC	1/25/2012	\$ 127.42		\$ 22,053,255.15
Morrison & Foerster LLP	1/25/2012	\$ 297.50		\$ 22,052,957.65
State Water Resources Control Board	1/25/2012	\$ 11,195.00		\$ 22,041,762.65
Contra Costa Health Services	1/25/2012	\$ 395.00		\$ 22,041,367.65

Pt. Molate Remediation Budget Report
As of May 4, 2012

Transactions	Date	Expenditures	Revenues	Balance
		As of 2/5/2013	As of 2/5/2013	As of 2/5/2013
Savings Interest - Decemberr 2011	1/30/2012		\$ 2,005.79	\$ 22,043,373.44
Savings Interest - January 2012	2/22/2012		\$ 1,997.55	\$ 22,045,370.99
FAFC Fee Slip - January & February 2012	2/29/2012	\$ 600.00		\$ 22,044,770.99
FAFC Fee Slip - March 2012	3/8/2012	\$ 300.00		\$ 22,044,470.99
FAFC Fee Slip - October 2011	3/8/2012	\$ 300.00		\$ 22,044,170.99
Savings Interest - February 2012	3/14/2012		\$ 1,860.86	\$ 22,046,031.85
Terraphase Engineering, Inc.	3/15/2012	\$ 61,726.26		\$ 21,984,305.59
Terraphase Engineering, Inc.	3/15/2012	\$ 145,489.51		\$ 21,838,816.08
Momison & Foerster LLP	3/15/2012	\$ 5,801.25		\$ 21,833,014.83
State Water Resources Control Board	3/15/2012	\$ 48,269.05		\$ 21,784,745.78
PG&E	3/15/2012	\$ 3,026.91		\$ 21,781,718.87
FAFC Fee Slip - April 2012	4/16/2012	\$ 300.00		\$ 21,781,418.87
Terraphase Engineering, Inc.	4/23/2012	\$ 121,263.22		\$ 21,660,155.65
Winehaven Partners, LLC	4/23/2012	\$ 137.42		\$ 21,660,018.23
Winehaven Partners, LLC	4/23/2012		\$ 127.42	\$ 21,660,145.65
Morrison & Foerster LLP	4/23/2012	\$ 1,611.25		\$ 21,658,534.40
Savings Interest - March 2012	4/30/2012		\$ 1,979.63	\$ 21,660,514.03
FAFC Fee Slip - May 2012	5/18/2012	\$ 300.00		\$ 21,660,214.03
Terraphase Engineering, Inc.	5/18/2012	\$ 154,907.80		\$ 21,505,306.23
Momison & Foerster LLP	5/18/2012	\$ 297.50		\$ 21,505,008.73
Savings Interest - April 2012	5/21/2012		\$ 1,900.11	\$ 21,506,908.84
FAFC Fee Slip - May 2012	6/7/2012	\$ 290.00		\$ 21,506,618.84
Savings Interest - May 2012	6/18/2012		\$ 1,950.31	\$ 21,508,569.15
Terraphase Engineering, Inc.	7/9/2012	\$ 129,899.78		\$ 21,378,669.37
Morrison & Foerster LLP	7/9/2012	\$ 1,041.25		\$ 21,377,628.12
City of Richmond - MoFo Reimbursement	7/9/2012	\$ 10,614.35		\$ 21,367,013.77
AT&T	7/9/2012	\$ 34.16		\$ 21,366,979.61
State Water Resources Control Board	7/9/2012	\$ 40,507.27		\$ 21,326,472.34
City of Richmond - Single audit Reimbursement	7/9/2012	\$ 10,234.00		\$ 21,316,238.34
Nichols Consulting Engineers, CHTD	7/9/2012	\$ 22,670.75		\$ 21,293,567.59
Savings Interest - June 2012	7/16/2012		\$ 1,879.15	\$ 21,295,446.74
Terraphase Engineering, Inc.	7/20/2012	\$ 133,279.02		\$ 21,162,167.72
Savings Interest - July 2012	8/22/2012		\$ 1,929.33	\$ 21,164,097.05
Terraphase Engineering, Inc.	8/29/2012	\$ 70,585.19		\$ 21,093,511.86
Contra Costa Health Services	8/29/2012	\$ 632.00		\$ 21,092,879.86
Savings Interest - August 2012	9/12/2012		\$ 1,923.15	\$ 21,094,803.01
Terraphase Engineering, Inc.	9/19/2012	\$ 68,665.72		\$ 21,026,137.29
FAFC Fee Slip - May 2012	10/1/2012	\$ 900.00		\$ 21,025,237.29
FAFC Fee Slip - May 2012	10/9/2012	\$ 300.00		\$ 21,024,937.29
Savings Interest - September 2012	10/15/2012		\$ 1,853.35	\$ 21,026,790.64
Terraphase Engineering, Inc.	10/30/2012	\$ 103,672.81		\$ 20,923,117.83
Contra Costa Health Services	10/30/2012	\$ 316.00		\$ 20,922,801.83
State Water Resources Control Board	10/30/2012	\$ 31,116.76		\$ 20,891,685.07
Savings Interest - October 2012	11/16/2012		\$ 1,911.44	\$ 20,893,596.51
State Water Resources Control Board	12/6/2012	\$ 11,195.00		\$ 20,882,401.51
Nichols Consulting Engineers, CHTD	12/6/2012	\$ 12,945.00		\$ 20,869,456.51
Terraphase Engineering, Inc.	12/6/2012	\$ 174,878.31		\$ 20,694,578.20
FAFC Fee Slip - November 2012	12/11/2012	\$ 300.00		\$ 20,694,278.20
FAFC Fee Slip - December 2012	12/11/2012	\$ 300.00		\$ 20,693,978.20
Savings Interest - Novemeber 2012	12/19/2012		\$ 1,838.75	\$ 20,695,816.95
Nichols Consulting Engineers, CHTD	12/21/2012	\$ 2,016.64		\$ 20,693,800.31
Terraphase Engineering, Inc.	12/21/2012	\$ 269,077.05		\$ 20,424,723.26
FAFC Fee Slip - January 2013	1/7/2013	\$ 300.00		\$ 20,424,423.26
Savings Interest - December 2012	1/23/2013		\$ 1,885.68	\$ 20,426,308.94
Nichols Consulting Engineers, CHTD	1/29/2013	\$ 1,905.00		\$ 20,424,403.94
FAFC Fee Slip - February 2013	2/8/2013	\$ 300.00		\$ 20,424,103.94
Terraphase Engineering, Inc.	2/12/2013	\$ 281,577.64		\$ 20,142,526.30
Contra Costa Health Services	2/12/2013	\$ 316.00		\$ 20,142,210.30
Savings Interest - January 2013	2/13/2013		\$ 3,340.54	\$ 20,145,550.84
FAFC Fee Slip - March 2013	3/4/2013	\$ 300.00		\$ 20,145,250.84
Savings Interest - February 2013	3/18/2013		\$ 3,040.52	\$ 20,148,291.36
Terraphase Engineering, Inc.	4/2/2013	\$ 202,972.88		\$ 19,945,318.48
State Water Resources Control Board	4/2/2013	\$ 23,492.08		\$ 19,921,826.40
Current as of 2/5/2013		\$ 8,767,502.28	\$ 189,328.68	
Remaining Balance				\$ 19,921,826.40

PMCAC Inquiry Register and Tracking

Item	Description	Requester	Submitted On	Submitted To	Assigned To	Dept.	Subject	Response Delivered	Response Summary	Status
1	Request direct interface to Finance dept. for providing ongoing financial updates	Garrett	11/29/2011	Mayor	Jim Goins	Finance	FINANCE	12/5/2011	Andrea Miller assigned as finance dept. liaison	Closed
2	Request posting of .mp3 files of PMCAC meeting transcripts to PMCAC web page	Garrett		KCRT			MINUTES	2/28/2012	KCRT has posted .mp3 files of PMCAC meeting audio transcripts on City's web site	Closed
3	RLO - Applicability of clause 720 in Remediation Agreement to PMCAC	Garrett	12/19/2011	C. Murray	B. Goodmiller	Legal	FINANCE			Open
4	Determination of who at City receives copies of monthly reports required under Cost Cap Insurance Policy	Beyaert	12/19/2011	C. Murray		City Mgr.	COMPLIANCE	1/30/2012	Answer: Monthly reports are sent to Bill Lindsay, Bruce Goodmiller and Craig Murray. PMCAC will also be copied	Closed
5	Secure copies of the quarterly remediation progress reports submitted by Upstream as per Section 301 (A) (3) of the Remediation Agreement: Section 301. (3) Developer shall make reasonable progress toward performing Environmental, CLARIFY IF THIS OBLIGATION IS SATISFIED WITH THE MONTHLY ACTIVITY REPORTS, Services and shall provide quarterly progress reports to the City.	Beyaert	1/4/2012	C. Murray		City Mgr.	COMPLIANCE		Answer: monthly reports	Closed
6	Submit proposed agenda to Terraphase for 1/10/12 meeting with the PMCAC C&R Sub-committee	Beyaert	1/4/2012	C. Murray	B. Goodmiller	City Mgr.	REMEDIATION	1/5/2012	Proposed agenda approved	Closed
7	Request copies of back-up invoices for all charges to Navy Grant Fund by Terraphase and Arcadis	Garrett	1/4/2012	A. Miller		Finance	FINANCE	Some invoices received on 3/15/2012	Information provided by Lashonda Wilson	Closed
8	RLO - Must every document, spreadsheet, .ppt, image, etc. that is displayed/used in support of individual agenda items on the PMCAC agenda be included in the agenda packet? And must that agenda packet (whether containing all of the used/portrayed materials or not) be posted by the same deadline as the deadline for posting of PMCAC meeting agendas?	Garrett	1/13/2012	C. Murray		Legal	BROWN ACT			Open
9	Secure copies of monthly remediation status reports submitted by Terraphase/Arcadis since inception	Garrett	1/13/2012	C. Murray		City Mgr.	REMEDIATION	1/25/2012	Terraphase monthly remediation reports will be sent to all PMCAC members and posted on PMCAC repository	Closed
10	Secure copies of all drafts of proposed plans, studies, surveys, and other submissions required by the Water Board - as submitted by Terraphase/Arcadis/Upstream	Beyaert	1/13/2012	C. Murray		City Mgr.	REMEDIATION	6/30/2012	Terraphase with agreement by City Mgr. will supply copies of all drafts prior to presentation to the Water Board	Closed

B.B.1

	Beyaert	1/13/2012	C. Murray		City Migr.	REMEDIATION	2/10/2012	Information supplied by Terraphase to CallTrans	Closed
11	Request from Terraphase a rough & conservative estimate of the size and number of trucks, and no. of truck trips/day required for removing contaminated soil from Pt. Molate, as well as same for hauling clean replacement soil, and any anticipated additional costs involved with trucking out of Pt. Molate via proposed detour during Scofield deck replacement of traveling westbound across S.A./Richmond bridge and returning eastbound.		C. Murray						Closed
12	Interpretation of Upstream obligations if any under item 6 contained in Appendix II of the FEIR as cited: 6 Program Management Upstream will provide overall project management including but not limited to subcontractor procurement and management, monthly progress reporting, monthly Clean-up Cost Progress Reports to the Insurer, real time schedule and budget tracking, assist in public outreach and public meetings, maintenance of a public repository of environmental documentation, site field office, site equipment storage, and financial project management.	1/13/2012	C. Murray		Legal	COMPLIANCE			Open
13	Secure full details of sums paid and purpose for additional \$1.1M of charges associated with the cost cap insurance premium above and beyond the initial \$3M premium	1/20/2012	C. Murray			REMEDIATION	3/13/2012	Invoices for additional premiums were provided.	Closed
14	Secure copy of the presentation given by Terraphase to C&R S-C on 1/10/12 as initially prepared for a city council study session on plans for compliance with the December water board order.	1/20/2012	C. Murray	W. Carson		COMPLIANCE	4/12/2012	Copy of Presentation received and posted to Repository	Closed
15	Provide all documents contained in the bibliography on pages 8-10 of the January 2012 Monthly Remediation Status Report	2/16/2012	C. Murray	W. Carson		COMPLIANCE	4/12/2012	Several appendices received and posted to Repository. Some appendices from 2011 and earlier remain outstanding	Partially Open
16	Provide copy of Maze & Assoc. audit of Pt. Molate from Dec 2010 and copy of 2011 annual audit as required under terms of the Navy transfer	3/21/2012	C. Murray	L. Wilson		FINANCE			Closed
17	Provide copy of Pollution Liability Ins. Policy #G2488958001 from Alliant Insurance Services	3/21/2012	C. Murray	R. Kain	Risk	INSURANCE	4/6/2012	Policy provided and posted to Repository	Closed
18	Copy of Appendices to 12/19/11 Draft Investigation Restoration Site 3 Feasibility Study/Remedial Action Plan (FS/RAP) submitted to RWQCB by Terraphase	3/21/2012	C. Murray	W. Carson		REMEDIATION	4/12/2012	Appendices received and posted to Repository	Closed
19	Copy of Draft of the Internal Review of the proposed Fact Sheet as required by RWQCB for Site 3 FS/RAP	3/21/2012	C. Murray	W. Carson		REMEDIATION			Open
20	Copy of Proposed draft plan for RWQCB Order Task #2: Management of soils and groundwater as required by RWQCB by March 15, 2012	3/21/2012	C. Murray	W. Carson		REMEDIATION	4/12/2012	GW and soil fuel level plans received and posted to Repository	Closed
21	Draft of internal review of proposed wetlands mitigation and monitoring plan	3/21/2012	C. Murray	W. Carson		REMEDIATION			Open
22	Copy of 2011 annual UST closure monitoring report submitted to RWQCB.	3/21/2012	C. Murray	W. Carson		REMEDIATION	4/12/2012	2011 Annual UST Monitoring report received and posted to repository	Closed

B.B.2

23	Site 4 Drum Lot 2 Interim Remedial Action Plan approved by RWQCB.	Beyert	3/21/2012	C. Murray	W. Carson	REMEDIATION	4/12/2012	Received copies of RWQCB's Notes on proposed plan. Final approval remains.	Closed
24	RLO - Clarify city's obligations under section 710 of the ETCa: Section 710. Change of Circumstances Each party will promptly notify the other party of any legal impediment, change of circumstances, pending litigation, or any other event or condition that may adversely affect such party's ability to perform this Agreement.	Garrett	3/27/2012	C. Murray	B Goodmiller	Legal COMPLIANCE			Open
25	Copies of recently provided billings from Terraphase indicate that the "total authorized budget" for Terraphase engineering for Pt. Molate was \$498,200 on 1/30/11, \$1,290,918 on 7/5/11 and \$2,036,188 on 12/16/11. Please clarify if this is simply a total sum of billing amounts to date or an actual budget number. If the latter, please advise process for establishing the budget, and amending the budget, as well as budget numbers for 2012 through 2014.	Puleo	3/22/2012	C. Murray	A. Miller	Finance FINANCE			Open
26	Payments to Arcadis per the escrow account detail as of 1/31/12 total \$392,512.40. We have received copies of Arcadis invoice totalling \$164,990. Please provide copies of invoices for the remaining \$227,612.40.	Puleo	3/22/2012	C. Murray	A. Miller	Finance FINANCE			Open
27	We have received a copy of the work product detail associated with Arcadis invoice #0341250 in the amount of \$59,744.78 dated 9/21/10. Please provide work product detail for all other Arcadis invoices.	Puleo	3/22/2012	C. Murray	A. Miller	Finance FINANCE			Open
28	PM/CAC has been supplied copies of Terraphase invoices #110,111,112 and 113 totalling \$37,142. Please supply copies of all other Terraphase Invoices	Puleo	3/22/2012	C. Murray	A. Miller	Finance FINANCE			Closed
29	Arcadis billed \$30,579.43 under invoice 0344586 for preparation of an FS/RAP for Site 3. Terraphase has been budgeted \$77,000 for this same task and has charged \$50,993 under their invoices 137 and 144 for the same task. What is the authorized budget for developing an FS/RAP for site 3.	Garrett	3/27/2012	C. Murray	A. Miller	Finance FINANCE			Open
30	Provide FY 2013 Pt. Molate Budget (general fund vs. escrow fund)	Garrett	7/13/2012	C. Murray	A. Miller	Finance FINANCE			Closed
31	Provide copies of all Morrison Foerster invoices	Garrett	7/13/2012	C. Murray	L. Wilson and A.	Finance FINANCE			Closed
32	Request to City Attorney's Office for copies of all court documents available on docket for Guidiville v. US and City of Richmond	Garrett	3/18/2013	C. Murray	C. Privat	Legal LITIGATION	3/22/2013	Two CD's with all documents delivered	Closed
	Items outstanding for >30 days are indicated in								
	Items newly added since last submission of tracker are indicated in								
	Indicates status as partially complete								

City of Richmond – POINT MOLATE COMMUNITY ADVISORY COMMITTEE

Multi-Purpose Room
440 CIVIC CENTER PLAZA

**PROPOSED MINUTES
MONDAY, February 11, 2013, 6:30 PM**

1. **CALL TO ORDER**
Chair Garrett called the meeting to order at 6:37 p.m.
2. **ROLL CALL**
Present: Committee Members Garrett, Gilbert (6:47), Hite, Kortz (7:01), Martinez, Puleo, Smith, C., Smith, N., Stello (7:01), Sundance, Whitty (6:53).
Absent: Committee Member Beyaert.
Staff Present: Gayle McLaughlin, Mayor; Craig K. Murray, Staff Liaison, Development Project Manager II
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. Martinez made motion to adopt the Agenda, Puleo seconded. Passed unanimously.
5. **ANNOUNCEMENTS THROUGH THE CHAIR**
Chair provided information on the updated schedule for the replacement of the Scofield Drive/Richmond San Rafael Bridge; discussed the written summary provided by Parks Superintendent Chris Chamberlain on details in reopening the Pt Molate Beach Park and the need to get this to City Council by next week; advised PMCAC that Committee Member Otheree Christian has auto-resigned; noted that the current session of the PMCAC will end on May, 2013 and that reapplications need to be in front of City Council prior to PMCAC restarting a new session in June, 2013.
6. **OPEN FORUM**
No Speakers.
7. **PRESENTATIONS, DISCUSSION & ACTION ITEMS**
 - A. Presentation by University of California (UC) Berkeley Graduate School of Landscape, Architecture and Environmental Planning, Community Outreach Course Project for PMCAC. Findings and Recommendations.

Garrett introduced Jim Hite. Hite introduced other members of the Outreach Subcommittee and reviewed areas that the UC students developed. Hite walked Committee through Power Point presentation of the Outreach work and student report that included demographics report, identification of stakeholders, creation of a tool kit to work with stakeholders, and creation of a marketing brochure. Chair reviewed survey work and training of Outreach SubCommittee in giving the presentation and provided a Community Engagement Plan. Hite reported that this work was part of the students PhD program and also provided a Facebook page. Other discussion areas included surveys at St. Cornelius, Marina Bay and Richmond Mall and survey response areas. Chevron was noted as a Stakeholder and China Camp State Park was compared to Pt Molate. Hite noted that the presentation will be given, a brochure given and then a survey in engaging the community. Hite noted next that will be trained in operation of PowerPoint and has a script to go with the presentation and noted that Martinez will do the Facebook. Garrett noted that Gmail account is still available as well.

B. Draft Outline of proposed 2011-2013 First Session Report.

Garrett presented draft report and noted that this is a quick guidebook for City Council. Garrett reviewed topical areas with PMCAC and asked for each Committee Member's review if there are any other areas that should be included. This document will additionally create a map for those involved in Committee for the second session. Garrett reviewed detail areas including remediation, finance, regulatory and guiding documents, litigation and land use, property management, sub-committees and outreach, goals for second term.

8. STAFF REPORTS

A. Security Contract for Pt. Molate

Garrett reviewed the security reports for December, 2012 and January, 2013. An extract of the amended Security contract was also reviewed with detail that makes up the individual hourly rate for a guard on a 24 hour, 7 day a week basis. Puleo inquired source of funds and Garrett explained it is General Fund. Stello and Kortz noted issues with Security on contacting Chevron. Garrett noted that this would be an area to put in First Session Report regarding security protocols. Puleo inquired that why is it considered trespassing if parking along Western Drive and it is a public road. Garrett noted that it will be important when the Beach Park opens in Summer to show where one can park.

B. Committee Log for PMCAC inquiries to staff, contractors

Garrett noted that there are no changes and one of the outstanding items is with City Attorney items on why public documents are considered confidential.

9. CONSENT CALENDAR

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

10. FUTURE AGENDA ITEMS

Garrett noted that an upcoming presentation in regards to the Presidio Trust is being sought and they should be available for March. Garrett noted that surveys of the south and north section of the Trail area have been taken. Murray indicated that Jeff Martin of Nichols Engineering is willing to present once he meets with his client East Bay Regional Parks. Garrett indicated that it would be great to get artwork here and perhaps the May PMCAC meeting be a social meeting to celebrate the artists and perhaps consider to move meeting to showcase area. Garrett referenced that with public speaker Hindler on Winters Building/East Bay Center for Performing Arts could be great project for Outreach Subcommittee. Garrett provided details on how to conduct meeting and details. Garrett noted that future the first two meetings of year should be moved to the week after the regular third Monday rather than week before to help compile the Agenda packet.

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

Mayor stated that she checked with Legal staff and there is no new items to discuss and still waiting for clean up issues. Mayor met with Chairs of PMCAC with Carlos Privat of City Attorney and City Manager of Bill

9.B.2

Lindsay. Mayor indicated when item comes forward to City Council that she will inform the PMCAC. Mayor commented on the PMCAC Outreach Committee and the UC Student's outreach work. Mayor stated that she could schedule a Study Session to hear the Pt Molate report rather than just a written report to City Council. C.Smith inquired about developer presenting Housing development at Pt Molate. Mayor indicated that Chair can provide details of that meeting and Garrett indicated it is covered in item 12 e.

12. CHAIR AND SUB-COMMITTEE REPORTS

- a. Clean-Up and Restoration: Synopsis of 2012 Dry Season Groundwater Monitoring Report published on January 31, 2013.

Garrett summarized report by looking at map of wells in question and noted that it is loaded up on repository now. Garrett noted that it is about a 400 page report with the laboratory report. Wells are monitored for free product amount that is visible, detectable total hydrocarbons including Diesel, Bunker and Jet Fuel and measure for volatile organic compounds (VOCs). Overall, throughout the property the level of contaminants are reducing. Dry season concentrations tend to be higher. Garrett summarized some of the areas that are above reporting levels, such as the TCE column and those within Drum Lot 2, and these are being watched but noted that they are getting to non-detectable levels. Stello inquired who is checking Terraphase. Garrett indicated that there is a chain of custody and third party lab validation.

- b. Community Outreach: Grant Development.

Stello indicated no report.

- c. Finance: Status: Response to Audit comments re: Pt. Molate from FY 2010-2011 Single Audit

Puleo indicated that he spoke with LaShonda White and information is pending. Puleo further clarified that if information is not available to Auditors then it may be answered in the March, 2014 report.

- d. Chair:

Garrett reported on meeting on January 17 with Vice Chair Beyaert, Mayor, City Manager and Carlos Privat of City Attorney's Office. Questions were asked where impetus is coming from to drive IR Site 3 to residential clean-up and how to get log jam broken on information to clean up IR Site 3 because the IR Site 3 FS RAP presentation is about a year late. City of Richmond is pressuring cleanup of all Pt Molate to residential cleanup because it does not want a de facto land use designation due to clean up in order and to keep site as marketable as possible. Garrett indicated that US Navy already created de facto use. Garrett noted that opinion of City Manager is that Water Board is not stressed in terms of timeline. Push is for Terraphase to clean up to these levels. Garrett noted that PMCAC issued letter in February 7 that both Terraphase and NER come in with costing on complete proposal so City and PMCAC can determine if can do with funding available. Garrett noted that it didn't seem that City Manager was not aware of, perhaps because he has no one technical on his staff, that there are some areas commercial and some areas residential and combination of clean up goals in IR Site 3. Puleo noted that cost overrun policy will not pay to clean up to unrestricted use. Garrett noted that we are self-insured for \$29m with cost overrun \$24.5 m and City would have to eat the difference of \$4-5m and policy is based on early transfer goals established with the US Navy. Garrett cautioned that at any time insurance carrier, with review of each monthly report, could at any time state that Terraphase is going beyond goals. Garrett stated that the plan now is to stay within the ceiling and clean to the highest possible level and hard numbers for the clean-up are needed to prove out to get to the highest possible level. Stello inquired if we switch to NER is a new EIR required. Garrett noted that EIR policy was established in working with US Navy and stated that City had to get a tremendously egregious insurance policy so that the US Navy would never be on any further clean

up hook. Garrett noted that City did not have to get an Insurance Policy for clean up and could Bond and NER is completely willing to Bond. If go with NER, can there be a reduction of the premium that was all prepaid up front and the insurance policy might refund some things back. On the trigger of CEQA, Garrett noted that the EIR outlines two elements: 1. Clean Up itself and exposure and mitigation plan; 2. Construction of the mitigation plan. Remediation discussed in certified EIR was for soil excavation and not thermal desorption. Garrett noted that the Clean-Up SubCommittee needs to look at this if there is a change in clean up remediation techniques, will there be a trigger of CEQA and need to be a change with the environmental document. Mayor referenced Zeneca site is different and highly toxic, more than Pt Molate, and it required a clean-up of unrestricted use and this discussion was noted during the Pt Molate meeting with Senior Staff. Mayor noted that in this meeting, the plan for Pt Molate was discussed that parts of Pt Molate will be cleaned to just commercial standards.

13. ADJOURNMENT

Puleo moved to adjourn the meeting at 8:08 pm, seconded by Martinez. Passed unanimously.

14. Assemblage of PMCAC Standing Sub-Committees

Adjourned to Sub-Committee Meetings.

15. SCHEDULED MEETINGS

Committee Meeting – .

Monday, March 18, 2013, 6:30 p.m., Multi-Purpose Room, 440 Civic Center Plaza

Minutes respectfully submitted by:

Craig K. Murray, PMCAC Staff Liaison

City of Richmond – POINT MOLATE COMMUNITY ADVISORY COMMITTEE

Multi-Purpose Room
440 CIVIC CENTER PLAZA

**PROPOSED MINUTES
MONDAY, March 18, 2013, 6:30 PM**

1. CALL TO ORDER

Chair Garrett called the meeting to order at 6:32 p.m.

2. ROLL CALL

Present: Committee Members Beyaert, Garrett, Gilbert, Hite, Kortz, Martinez (6:41), Puleo, Smith, C., Smith, N., Stello (6:58), Sundance, Whitty.

Absent: None

Staff Present: Gayle McLaughlin, Mayor; Bill Lindsay, City Manager; Craig K. Murray, Staff Liaison, Development Project Manager II

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. N.Smith made motion to adopt the Agenda, Puleo seconded. Passed unanimously.

5. ANNOUNCEMENTS THROUGH THE CHAIR

Chair provided information on the renewal of terms for Committee Members and to have applications in to City Clerk by middle of April. Vice Chair reported on trip to Pacific Grove and shoreline access to the beach area.

6. OPEN FORUM

Cordell Hindler spoke in regards to an Arts Night at the Performing Arts Center.

7. PRESENTATIONS, DISCUSSION & ACTION ITEMS

- a. Open Discussion – Cleanup goals and future land uses for Pt. Molate with Bill Lindsay, City Manager.

Garrett introduced and thanked City Manager Bill Lindsay for attending PMCAC meeting. Lindsay spoke in regards to cleanup goals and the future of Pt. Molate. Lindsay noted a recent and very good meeting with Chair, Vice Chair, Mayor and a City Attorney Office representative. Lindsay stated that the issue in broad Policy terms is related to clean up goals and felt that the environmental condition of dirt should not impair City Council in the reuse of that particular property. Lindsay noted that City Council should be unfettered in development objectives and the general plan rather than restrictions that state you can't do certain land uses or limit areas such as industrial. Lindsay stated that there is not a Development Plan now and it is simpler to determine during a development plan review and with something in mind to develop. Lindsay reflected on the South Shoreline Area and that the City Council as a Statement of Policy and it has adopted a Resolution stating that the condition of the dirt will not affect their land use decision and that the responsible party does cleanup the property so the City Council can make an informed decision and an unfettered land use decision. Lindsay noted that Pt. Molate is in active litigation and the development plans are undetermined. Lindsay stated that the City has been receiving a lot more inquiries regarding properties throughout the City and feels that the Economy is improving and if it were not for the unique situation with Pt. Molate then it would be more active as well.

Hite inquired why City couldn't clean to the lower level and if later a developer came in then they could clean to that development's higher standard. City Manager agreed that it is practical but it the regulatory standards

9.B.5

would need to be reviewed as it relates to various standards and what a developer could develop would be something the City Council could take a look at. Garrett noted that in the General Plan there is the intent that a developer would come in and clean to a higher standard. Lindsay noted that first stage development would not want to be left if it is economically unfeasible for a developer to come in and finish the site remediation. Puleo stated the Terraphase reported to clean up to unrestricted level and questioned if City is working towards this goal. Lindsay stated that this would depend on what land use goals are met and desired by City Council. Puleo further inquired if it would be unrealistic to ask the US Navy for additional funds. Lindsay noted that the Navy Escrow funds were negotiated during different circumstances and asking the Navy to be a responsible property owner is certainly something the City could request. Martinez expressed concern of fund spent on costs other than clean up and wants to do as much cleanup as possible as quickly as possible. Lindsay stated that no one has stated it is moving too slowly but can check on progress and agrees that everyone benefits as soon as it will happen. Beyaert expressed concern of fees spent in quarterly monitoring reports and fund reports on County, Water Board and consultants. Beyaert further noted that unrestricted use of IR Site 3 is a challenge. Lindsay noted that he can review and is interested as well to determine if Site 3 is languishing and should be moved along. Garrett noted that when group met with City Manager in January was a request from Terraphase and NER to provide numbers of what it would cost to clean to a reliable, unrestrictive use. Garrett stated that a formal request should be made to receive these cost proposals from NER and Terraphase. Garrett noted that \$2.76M has been paid to Terraphase to date, \$229,000 has been paid to Water Board, and then PG&E, monthly administrative bills and other payments have been made that costs are adding up and it is about a year late to comply with Water Board on the Site 3 FS RAP. This has added another \$400,000 coming out of the Escrow Fund. Garrett further noted that the Escrow Fund is down to about \$20M and most recent report filed with Insurance Carrier by Terraphase noted that the most recent est. is it will be \$25M so there is now a difference of about \$5M between what is projected and what remains in the Escrow Account. Garrett inquired about the policy aspect of development marketing and what it will take to get an amendment to the General Plan. Garrett asked what are plans to market property and are there plans to put forth a RFP. Lindsay noted that City has several good properties and now getting unsolicited offers and Pt Molate may as well but concern is issue with remediation, and as of the moment no unsolicited proposals have been received for Pt. Molate. Further information from Terraphase on Site 3 makes sense. Lindsay noted that he was advised that General Plan Amendment processing during litigation was not a good idea. Whitty noted that Site 3 and 4 are only real cleanup areas if all else is unrestricted. Whitty asked what will do with EIR on a lower level of cleanup. Lindsay provided development scenarios and indicated that can do addendum or supplemental depending on how much is different. Beyaert noted public space uses between Building 6 and Shoreline. Mayor noted Reuse Plan was clearly in agreement with and believes it is within the General Plan. Mayor questioned why the unrestricted determination for this area. Lindsay noted that City Council as Land Use Authority should not be told what it can't do based as dictated by the cleanup plan. Lindsay noted that Zoning and General Plan could change and until there is a development plan then don't know what expectation is. Lindsay noted that don't think want to do clean-up on the cheap and it is something less than what is wanted. C.Smith inquired about developer Jim Levine, if there was meetings at Water Board and is there a plan to develop housing. Lindsay noted that he did not know. Garrett thanked City Manager for attending and welcomed him to attend anytime in the future.

Public Speaker Hindler stated he was concerned about the waste at Pt Molate and all the toxics need to be removed and at the beach. Public Speaker Don Gosney spoke on Site 3 and 4 and noted that Site 3 is the real problem and noted that the US Navy spent nearly \$17M to a minimal standard between Building 6 and the Shoreline and now the Water Board wants more and the problem is getting to it. It needs to be cleaned up once you get down there, clean it up, this is what RAB told the Navy, and no developer will pay for these costs. Gosney further noted that the insurance policy would cover items is not known but problem is that funds are being frittered away with consultant reports and the Water Board and strongly doubts that the Navy will provide more funds. C.Smith inquired how City will get more funds. Gosney indicated over time the Administrative Costs such as PG&E, Consultants will take funds and have Navy funds for 3 years and need to find creative ways and think be more creative to spend funds and it is like CalTrans.

b. Proposed Bay Trail segments: Pt. Molate, routing, easements, scope.

Beyaert reviewed pictures as provided by Nichols Consulting Engineers and provided background on the SF Bay Trail. Bay Trail is planned 500 mile hiking, biking trail within the Nine County Bay Area Region with 340 miles completed and Richmond has built the most miles in the Bay Area. Beyaert reviewed gaps that link to Pt Molate at Castro and Tewksbury and it is important because it will create a destination for the trail. Beyaert noted 2009 State Lands Commission determination in regards to Chevron Long Wharf Lease Extension that has allowed for easements to the SF Bay Trail. Pictures were reviewed for this Castro Point railway alignment. Beyaert noted that it will take approximately four years for East Bay Regional Park District to complete design and construction of this section of the trail.

8. STAFF REPORTS

a. Phase I Implementation Plan for Pt. Molate Beach

Garrett presented slides that Park Superintendent Chris Chamberlain prepared for the Pt Molate Beach Park renovation plan. Various improvements to access, barbeques and picnic tables were discussed. Improvements will cost approximately \$74,000. Restroom will be a porta-potty and it will not come from the Cosco Busan settlement funds.

b. Review of fund balances for Pt. Molate General Fund budget and Navy Escrow Account

Garrett noted finance document with funds spent of \$2.7M with Terraphase and noted that City needs caution on the expenditure of these funds. Garrett also noted the ACE insurance report and pending information from Finance Dept. Public Speaker Don Gosney said it concerns him as a citizen that 37% of the funds are spent and believes all interest goes to the US Navy. It is \$186,000. (3/4 of 1% interest) and over three years should be getting more for those funds. Gosney asked Committee to ask Council. Hite noted \$4M of funds spent was for Insurance.

c. Committee Log for PMCAC inquiries to staff, contractors

Garrett noted that there are no changes and only item is secondary advisories and requests and a copy of the letter to Mr. Lindsay is enclosed and it requests final analysis of cleaning to unrestricted status. Garrett asked Bill Carson of Terraphase how much it will cost. Carson noted that Draft FS Site 3 Alt.6 is \$30M unless there is some restriction it is digging it all up. Garrett inquired how to break impasse with Water Board and believed costing of full unrestricted use of IR Site 3 and 4 and in discussion with Carson now don't have. Carson stated looking at Site 3 and Site 4. Garrett asked if Carson can present in April Committee meeting.

9. CONSENT CALENDAR

Whitty requested that February minutes be held over to the April Committee meeting. Item moved to next regularly scheduled meeting.

10. FUTURE AGENDA ITEMS

Garrett noted that on the Regional Water Quality Control Board attendance request that it may be better that Cleanup and Restoration Committee talk to George Leyva and this may save several hours of billings. Garrett noted that Terraphase costing and schematic information could be placed on the next Agenda. Beyaert requested thermal desorption information and Carson indicated that he could provide comparison

Information.

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

Mayor provided a copy of a city attorney email to the committee members and noted that it will be delivered tomorrow to city council. Mayor read statement on lawsuit against city as breach of land disposition agreement. Mayor read that it did not violate terms of the land disposition agreement and noted the premise of this case. Mayor believes since items are starting to move that items may be a little more intense. N.smith inquired on the discovery phase.

Mayor introduced paul carman and he has a pending application. Mayor encourages all on the current committee to submit their re-appointment applications. Mayor also noted that steve rosing will also be reapplying. General discussion was held on the rolling 12 months and absence periods. Mayor clarified that date of reappointment the clock starts and every year start over with allowance of up to three misses. N.smith advised that she will not be reapplying.

12. CHAIR AND SUB-COMMITTEE REPORT

- a. Clean-Up and Restoration: Synopsis of Terraphase Monthly Status report of February 2013, Synopsis of QMRs for 1) USTs, 2) IR Site 1, 3) PGWTP.

Garrett noted that it is 8:30 and reviewed pending items. Whitty moved to extend meeting one-half an hour, Hite seconded, passed unanimously. Carson noted monthly report has regular items such as monitoring tanks, running the treatment system, Task 3a feasibility of industrial waste area and within that assessment for different costs to be presented next meeting. Carson further reviewed tasks and derived injection waste processing and disposal actions. Carson noted that Water Board should review following the current review by Nichols that will, with Water Board authorization, will allow the City that it will no longer need to further monitor tanks. Site wide groundwater monitoring and wide scale abandonment of over 100 wells by Contra Costa County standards recently occurred and was a lot of the costs the last months that passed through to Terraphase. Garrett noted that QMRs will be held over.

- b. Community Outreach:

Garrett recounted that Committee was looking at a final arts display for the final PMCAC meeting in May, 2013, to get a special last session event away from the multi-purpose room in the basement of the 440 Civic Center Plaza building and goal was to determine at this meeting if this would move forward. Garrett noted that would like to connect to Pt Molate Beach opening but that may not happen until July, 2013.

There was also some discussion to take the display to several other locations. Garrett and C.Smith and others summarized their review of various venues such as Richmond Art Center, Bermuda Room and East Bay Center for Performing Arts. C.Smith indicated can probably get the Bermuda Room just give them a date. Garrett summarized her review of the Richmond Museum of History, Richmond Art Center and East Bay Center for Performing Arts. Garrett noted that Richmond Art Center would love to have this exhibit but is not available until October, 2013. Garrett discussed scheduling and thought 6-8pm Wednesday to Friday night but not Monday night but this also needs to be determined. Beyaert indicated that Building 1 at Pt. Molate would be a draw. C.Smith thought there are two different audiences one for arts and one that would actually go to Pt Molate and suggested to do a special barbeque and indicated should be doing both events. C.Smith thought

get Bermuda Room and if can't get then hold it over. Hite indicated that he spoke with a representative at the Bridge Arts Space and also indicated that there needs to be an Art Curator to organize show. Hite indicated that he can organize the event if necessary. Garrett indicated that she could not manage this event. Beyaert indicated that City Art Coordinator Michelle Seville could help. C.Smith questioned about Brown Act with emails, discussions. Garrett noted that Outreach Committee communication is fine if under seven Committee members.

c. Grant Development:

Stello noted that she has not heard from Wells Fargo on the Pt Molate Beach grant request and safe to say that this grant request was not received. Stello noted on the Urban Greening Grant, it funded the Greenway, and that Chris Chamberlain is on Committee that will decide which grant requests go forward. There are approximately five Richmond City based grants in play for these grant fund. Stello noted PMCAC will be applying for a grant that Garrett found a Raymond C. Anderson Environmental Grant for \$5,000 to \$25,000 and Baykeeper Eel Grass bed grant. Stello will meet with the National Fish and Wildlife Foundation person in charge of the Wells Fargo Grant and see what else is out there. Garrett noted she found a West Marine grant has a \$500 to \$5,000 for marine conservation and improvement of fish habitat.

d. Legal: Court Document Request

Garrett noted the four pages in the Agenda Packet list documents that Garrett sent a tracker interest request for public documents via a Public Records Act request to Murray and noted that City has resources to find and make available copies of these documents.

e. Chair:

Garrett asked if any conflicts next month. N.Smith inquired Hite involvement with outreach that Monday night and Garrett asked if want to reschedule PMCAC. Hite suggested that need to be at SARA between 7:00 – 7:30 pm and need only one person to go. Garrett suggested start at 6:00pm.

Puleo moved to change next regular scheduled PMCAC meeting of April 15 with start time up one-half hour earlier to 6:00pm, seconded by C.Smith. Committee voted in favor with Beyaert abstaining.

13. ADJOURNMENT

C.Smith moved to adjourn the meeting at 9:10 pm, seconded by Sundance. Passed unanimously.

14. Assemblage of PMCAC Standing Sub-Committees

Adjourned to Sub-Committee Meetings.

15. SCHEDULED MEETINGS

Committee Meeting – .

Monday, May 20, 2013, 6:30 p.m., Multi-Purpose Room, 440 Civic Center Plaza

Minutes respectfully submitted by:

Craig K. Murray, PMCAC Staff Liaison

9.B.9

