

Most of the Osprey have migrated or dispersed, but there are still a few around, seldom on the nests though. For example, I have lately been seeing one perched on posts on the Brooks Island breakwater near the former location of the Caspian Tern colony. I suspect it is the male from the Whirley Crane nest. Pretty soon we will only be seeing winter visitors. The returnees will begin arriving early-mid February 2016.

Regards,
Tony

2015 SF Bay Osprey Nest Summary

			Max # of Nestlings	Number Fledged ¹	Final Status
Vallejo-Mare island					
1	Lemon St. Dolphin	Piling Structure			Active
2	Vallejo Mills	Roof Structure	3	3	Successful
3	Maritime Academy	Light Structure	3	3	Successful
4	Hwy 37 & Walnut	Platform on utility pole	1		Active
5	Crane B-2	Crane	3	3	Productive
6	Ship Building Way	Steel structure	3	3	Successful
7	Crane D-4	Crane			Active
8	Blue "Nuclear" Crane	Crane	2	2	Successful
9	XKT Engineering	Box on pole	1	1	Successful
10	CS Marine Crane	Crane			Active
11	Army Reserve Pier 21	Light Structure	3	3	Successful
12	Meseda Rd Palm	Broken Palm	3	3	Successful
13	CG Pier 34 North	Light Structure	3	3	Successful
14	CG Building	Building roof	3	3	Successful
15	CG Pier 34 South	Light Structure	3	3	Successful
16	Jennings Rd Pier 35	Light Structure	2	2	Successful
17	SP Bay Radar Target	Offshore structure			Occupied
18	Mare I. Channel Marker	Fixed Channel Marker			Occupied
19	Mare I. Marsh Dolphin	Piling Structure			Active
Rodeo					
20	Rodeo 2	Platform on utility pole	1		Active
21	Rodeo 1	Utility pole	2	2	Successful
San Rafael					
22	Dutra Quarry - Pt. San Pedro	Quarry Conveyer	2	2	Successful
Richmond					
23	Terminal 4 - Pt. San Pablo	Utility Pole			Active
24	Chevron Marina - Pt. San Pablo	Pair only-No Nest			Occupied
25	Chevron Firing Range	Utility pole	2	2	Successful
26	Point Orient Pier	Light Structure	3	2	Successful
27	Point Orient Pier #2	Building roof			Occupied
28	Point Orient Platform	Platform on utility pole	2	2	Successful
29	Point Molate	Platform on utility pole	3	3	Successful
30	Point Molate Pier	Light Structure	2	2	Successful
31	Castro Point	Utility pole			Occupied
32	R-SR Bridge ²	Nest Platform on pole			Occupied ²
33	Chevron Long Wharf	Platform on utility pole	2	2	Successful
34	Port of Richmond Crane	Crane			Active
35	Point Potrero	Crane			Active
Oakland-Alameda					
36	Oakland Middle Harbor	Light Structure	3	3	Successful
37	Brooklyn Basin	Light Structure	2	2	Successful
38	Alameda Point	Light Structure			Occupied
San Francisco					
39	Hunter's Point	Light Structure	2	2	Successful

	2012	2013	2014	2015
Occupied Nests	≥16	26	28	38
Active Nests	≥16	23	26	32
Successful Nests	15	17	21	23
Fledglings	30	44	40	56
Fledged/Occupied	n.d.	1.69	1.43	1.47
Fledged/Successful	2.00	2.59	1.90	2.43

¹ Considered fledged 45 days after hatching (Steenhof & Newton, 2007)

² Not included in totals since paired after breeding season

CITY OF RICHMOND, CALIFORNIA

Tom Butt
Mayor

Office of the Mayor

"We Can Do It!"
Office: 510.620.6503



August 24, 2015

Hon. Assembly Member Marc Levine
California State Capitol, Room 2137
Sacramento, CA 94249

Re: Temporarily Opening Additional Automobile, Bicycle, and Pedestrian Lanes on Richmond-San Rafael Bridge

Dear Assembly Member Levine:

I am pleased that Assembly Bill 9 as introduced August 17, 2015 recognizes the need for the temporary bidirectional bicycle and pedestrian lane on the north side of Interstate 580 between Marine Street and Stenmark Drive as a concomitant of the temporary eastbound third running lane on Interstate 580 pending implementation of the permanent Richmond-San Rafael Bridge Access Improvement Project. However, portions of the bill are inconsistent with the added Streets and Highways Code Sec. 30910.8 (a)(2) language regarding the temporary bidirectional bicycle and pedestrian lane.

For consistency, the bill should be amended to add "and pedestrian" between "bicycle" and "lane" in the following Code Sections: 30910.8 (b), 30910.8 (c)(2) in both lines 2 & 5 and 30910.8 (d). Also, it will be absolutely essential to have a barrier separating car and truck traffic from the temporary bidirectional bicycle and pedestrian lane on the north side of Interstate 580 between Marine St. and Stenmark Drive. Therefore, please consider amending the second sentence of Code Section 30910.8 (c) (2) to read as follows: "The department shall place a temporary barrier between the temporary bidirectional bicycle and pedestrian lane and the automobile lanes."

To be clear, I believe the timely construction of a permanent bicycle-pedestrian access from Marine Street to Stenmark Drive and the toll plaza is the highest priority, and the conversion of the third westbound lane of the Richmond-San Rafael Bridge as a bicycle and pedestrian lane is the second highest priority.

I believe that the recent congestion on the bridge in both directions, while obviously a function of increased traffic, is due more to conditions at the approaches to the bridges than to the number of lanes on the bridge, and these should be reviewed in more detail.

Home of Rosie the Riveter WWII Home Front National Historical Park

450 Civic Center Plaza, Richmond, CA 94804 | www.RichmondCAMayor.org

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On the east end of the bridge, the morning backup, when it occurs, is exacerbated by a merge from the Richmond Parkway that begins at the intersections on the Richmond Parkway prior to the on-ramp. There are three Richmond Parkway lanes (one northbound and two southbound) that merge into a single on-ramp lane along with a fourth lane from Canal Boulevard via a flyover. That is four lanes merging into a single lane before even reaching the three Interstate 580 westbound lanes east of the toll plaza. If you add Stenmark Drive, that is a fifth lane, although it contributes little traffic at present. The backup is further exacerbated as vehicles westbound on Interstate 580, including those from the five-to-one merge, have to weave right to get into the toll lane, and vehicles from the Richmond Parkway have to weave left for the FasTrak lane. This backup problem could be partially mitigated by eliminating cash toll collection, as on the Golden Gate Bridge.

Once on the bridge, the westbound traffic typically moves well in two lanes, and leaving the bridge at the west end, there are only two lanes, not counting the San Quentin and Sir Francis Drake exits. Adding a third vehicle lane westbound on the bridge would eventually result in a bottleneck at the west end of the bridge.

On the west end, there are only two lanes on the Interstate 580 bridge approach eastbound, so there will still be a two-lane bottleneck no matter how many lanes are on the bridge. The lane from Sir Francis Drake adds a third lane of traffic eastbound that gets squeezed into the two lanes of Interstate 580, adding another bottleneck. The location where a third lane could be is taken up by the San Quentin exit. Untangling this bottleneck will take more than a third lane on the bridge. Even a third lane will take up much of the time with maintenance equipment and work. What is now the shoulder lane eastbound is largely closed off currently with K-rails and has massive amounts of maintenance equipment. Like the westbound lane, once on the bridge, traffic usually flows well in the existing two lanes.

Some experts believe that opening the third eastbound lane will simply transition the Marin County backup to become a Contra Costa County backup, and that the limited vision at the curve coming off the bridge will create a safety hazard until the retaining wall is moved back. We may be simply moving congestion from one point to another or trading a congestion problem for a safety problem.

Ultimately, solving the congestion may take more creative and long-term solutions than adding lanes. I would hope that Marin County would exercise the same creative aggressiveness in solving this problem as it showed in creating California's first and largest community choice aggregation organization, Marin Clean Energy.

We all know that adding capacity is growth-inducing and simply generates more use. It is ultimately self-defeating. Improving the jobs/housing balance for what are now commuters could go a long way. Creating more affordable housing in Marin County, or exporting Marin County jobs to Contra Costa County, would reduce the number of people commuting across the bridge. Converting one lane to a carpool/bus lane or instituting congestion pricing for tolls might change commuting patterns. Adding bicycle capacity could eliminate motor vehicles. Ferry service – back to the future – could also take cars off the bridge.

Please do not hesitate to contact me if I can be of further assistance.

Sincerely,



Tom Butt
Mayor of Richmond

CC: Hon. Senator Loni Hancock
Hon. Assembly Member Tony Thurmond

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[City], [State]

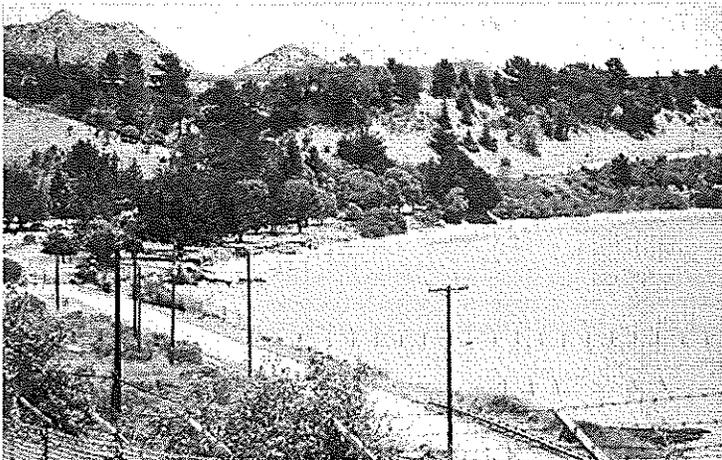


LINKS

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Future Holds Promises and Challenges for Point Molate

Over the last two issues, we have explored the colorful history and recent activity at Richmond's Point Molate.



Point Molate Beach Park is located just north of the Richmond-San Rafael Bridge on Stenmark Drive and consists of slightly over 11 acres of parkland along a 1/3-mile stretch of shoreline. Photo by Joel Williams

By BC Staff

Over the last two issues, we have explored the colorful history and recent activity at Richmond's Point Molate. In this last installment of the series, we will explore what the future could hold for this 413-acre waterfront site with 1.4 miles of unobstructed shoreline just north of the Richmond-San Rafael Bridge.

Point Molate's historic buildings, waterfront location, unobstructed Bay views, expansive open space and recreational opportunities make it an ideal site for development. That being said, the costs and management challenges of converting the former military site to other uses are significant.

The San Pablo Peninsula, where Point Molate is located, is zoned for community and recreational uses, with the exception of marine or light industrial uses for Terminal 4 and Chevron's Point Orient. The majority of property remains vacant, except for Building 123, but efforts to remediate and restore the site continue.

The Point Molate Community Advisory Committee (PMCAC) was formed in 2011 to work with the Richmond City Council, citizen advisory boards and commissions to provide oversight on Point Molate matters. The committee's work has included advising the city council on environmental remediation, land use planning and financial management.

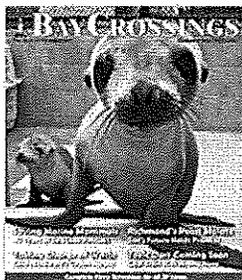
Among other things, intensive industrial use over the last half-century by the U.S. Navy resulted in extensive environmental contamination of the groundwater and soil at Point Molate. The City of Richmond oversees cleanup efforts at Point Molate with advisory assistance from the PMCAC.

Shoreline

Point Molate Beach Park is located just north of the Richmond-San Rafael Bridge on Stenmark Drive and consists of slightly over 11 acres of parkland along a 1/3-mile stretch of the site's shoreline. The park originally opened to the public in the mid-1970s as a popular recreational destination until its closing in 2003.

The park reopened in October 2013 after volunteers led by Citizens for a Sustainable Point Molate restored the beach and the City of Richmond invested \$115,000 for park improvements and upgrades. The city has maintained the park since 2013. However, the beach is experiencing significant shoreline erosion, with accelerated losses in the past two years of over one foot of bluff line. A combination of storm-driven and seasonal tides along with wakening from the Vallejo ferry has scalloped the shoreline from Point Molate Beach Park to Point Orient.

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Another distinctive feature of the shoreline is the 1,450-foot pier that extends into San Francisco Bay at a depth of 18 feet. The pier was built in 1942 and has been periodically restored.

[A September to Remember at Jack London Square](#)

Bay Trail

There have been discussions with the San Francisco Bay Trail Project about pedestrian and bicycle accessibility, and about linking the Bay Trail around Point Molate along the shoreline area. A 50-foot-wide railroad right-of-way crosses the property along the shoreline and continues north around the Point San Pablo Peninsula. The Southern Pacific rail line is no longer in use and is in disrepair.

» [Photography and the Art of Chance](#)

As part of the I-580 Access Improvement Project, the shoulder on the eastbound I-580 exit lane will be converted to a third travel lane. The project will upgrade the current bicycle access to Point Molate and the shoreline with a separate bicycle-pedestrian path on the north side of I-580 adjacent to westbound traffic. The project is expected to be completed in 2018. Additionally, in 2014, Chevron donated a 0.9-mile easement to East Bay Regional Park District to continue the Bay Trail from the Richmond-San Rafael Bridge along the shoreline to Point Molate Beach Park.

» [WATERFRONT ACTIVITIES September 2015](#)

» [Around the Bay in September 2015](#)

Infrastructure

Point Molate's crumbling infrastructure is insufficient at the present time to support any new development or build-out. A general overview of the current state of the system:

- All water is supplied by East Bay Municipal Utility District (EBMUD) through one 12-inch water main along Stenmark Drive from the Potrero and Richmond reservoirs. The water pumping and distribution system is inadequate to meet the capacity needs of a large build-out or development and would require substantial repair and upgrading.
- Power is a significant problem. The power plant servicing Point Molate is broken down, power lines are disabled and the transformers are dated. Any new development would require substantial new power infrastructure.
- Currently, there is no collection system for sewage. A sewage treatment plant for the Naval Fuel Depot was later replaced by a smaller, portable treatment plant that now treats groundwater. The current system is inadequate to serve large-scale development. Furthermore, it would be a massive undertaking to build a collection system to connect the property to the sewage treatment plant at Point Richmond.

A Navy assessment in 1999 estimated infrastructure replacement costs at \$18 million. In the intervening years as the property has remained vacant, homeless encampments appeared and vandals stripped the plumbing and copper wiring in the Winehaven winery, winemaster's residence, Building 6 and the cottages in that area. The property's crumbling infrastructure and associated costs could serve as significant deterrents to marketing and developing the property.

Access

Another major barrier to developing Point Molate is poor vehicular access. Stenmark Drive, located between I-580 and Terminal 4, provides the only public access to Point Molate. This two-lane road lacks sidewalks and lighting and is only accessible to westbound I-580 traffic from the Western Drive/Point Molate exit. There is no direct access from eastbound I-580.

Drivers travelling eastbound on I-580 must take the exit past the toll gate, cross under the freeway, get back on I-580 and continue west to the Stenmark Drive/Point Molate exit. The City of Richmond owns and maintains a 40-foot-wide right-of-way adjacent to the road. Secondary roads throughout the site are narrow and steep, full of potholes and poorly maintained.

Attempts to broaden or modify Stenmark Drive would be difficult, if not impossible. Chevron property abuts Stenmark Drive and the underlying infrastructure of the Richmond-San Rafael Bridge makes widening the road financially and structurally prohibitive. There is no public transit, designated bicycle lanes nor pedestrian paths linking Point Molate to surrounding areas.

Funding

One of the greatest constraints on redeveloping Point Molate is the lack of capital or a dedicated funding source. The City of Richmond's financial capabilities are limited, and a military base reuse project—traditionally administered through a redevelopment agency and funded through tax increment financing—is no longer a viable option.

Securing funding for infrastructure and historic preservation, as well as ensuring financial sustainability, will ultimately determine the success of Point Molate. The site needs a management structure that will address these funding needs and help guide future implementation decisions. A number of management options for Point Molate have been proposed over the years, each with its own benefits and limitations. Those options include:

1. Private Developer Acquires All or Part of Point Molate

The City of Richmond has traditionally pursued development projects through a master developer or developer to lease or purchase the property and could follow a similar strategy for Point Molate. Under this model, the city seeks a developer to develop all or part of the site.

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2. Chevron Purchases Point Molate

In 2004, Chevron submitted a proposal to purchase Point Molate for \$80 million and convert it to open space with some light industrial and commercial use. The proposal included \$1 million per year to the city for 25 years for site maintenance. Given that Chevron has coveted Point Molate as a security buffer, the company assumedly maintains interest in purchasing the property and may submit a similar proposal.

3. Point Molate Left Undeveloped as Open Space and Park Lands

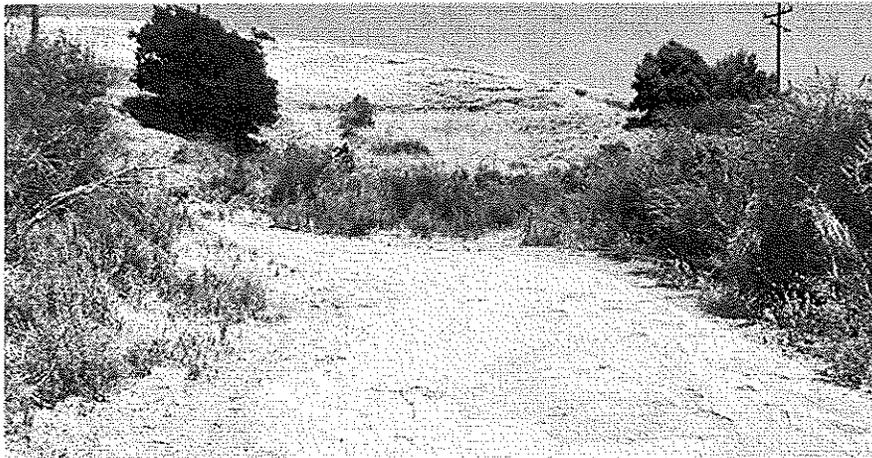
Given the city's financial constraints, this model assumes Richmond would partner with East Bay Regional Park District or some other public or nonprofit entity in developing and preserving open space and parkland. The property could be transferred under a Public Benefit Conveyance. This model would require a partner with experience in developing and leasing historic assets and would most likely involve a collaboration with a land trust or conservancy as a primary fundraising partner to ensure financial sustainability.

4. Management Entity Oversees Point Molate Redevelopment

Under this model, a management entity (such as a trust, public/private partnership, agency or nonprofit corporation) would oversee the marketing and management of Point Molate. The entity would be structured similarly to a nonprofit organization, where proceeds from the property are reinvested back into the development and maintenance of the site. Primary responsibilities would include real estate development and leasing of existing assets, and to a lesser extent environmental remediation, planning, community engagement, advocacy and partnership development. This model assumes partnership with a conservancy or land trust that would provide fundraising support.

Whether Point Molate is successfully developed will ultimately also depend on the ability to build a solid, sustainable financial foundation, one that will support the restoration, rehabilitation, conservation and redevelopment of the site. Furthermore, any capital investment would need to be independent of City of Richmond funding. A management entity, independent of but accountable to the city, could oversee that effort while maintaining all or some of the site for public use.

Funding to support the redevelopment of Point Molate could be generated through land sales, a partnership with a fundraising organization or through other funding sources. Like at the Presidio, leasing revenue from commercial and residential space at Point Molate could be reinvested back into restoring the site and its structures. The establishment of a management entity for Point Molate places the City of Richmond in the best position to proceed with the redevelopment of the property and its transformation into a first-class regional waterfront recreational resource.



One major barrier to developing Point Molate is the poor conditions of the roads that have been poorly maintained over the years. Photo by Joel Williams

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City of Richmond – POINT MOLATE COMMUNITY ADVISORY COMMITTEE

Multi-Purpose Room
440 CIVIC CENTER PLAZA

**PROPOSED MINUTES
MONDAY, July 20, 2015, 6:30 PM**

1. CALL TO ORDER

Chair Duncan called the meeting to order at 6:39 p.m.

2. ROLL CALL

Present: Committee Members Bagley, Beyaert, Brubaker, Duncan, Garrett, Hanson, Howe, McNeil, and Stello.

Absent: Ruk

Staff Present: Craig K. Murray, Staff Liaison, Development Project Manager II; City Councilmember and PMCAC Liaison Eduardo Martinez

3. WELCOME AND MEETING PROCEDURES

Duncan presented.

4. AGENDA REVIEW AND ADOPTION

Duncan reviewed. Beyaert called for motion to approve Agenda.

Action: Committee approved (M/S Beyaert/Howe 9-0-1-0) to adopt the Agenda.

AYES: Bagley, Beyaert, Brubaker, Duncan, Garrett, Hanson, Howe, McNeil, and Stello.

NOES: None

ABSENT: Ruk

ABSTAIN: None

5. ANNOUNCEMENTS THROUGH THE CHAIR

Duncan announced that the PMCAC has a new member. Jim Hanson introduced himself and discussed his background with the Pt Molate Community Advisory Committee.

6. OPEN FORUM

No Speakers.

7. PRESENTATIONS, DISCUSSION & ACTION ITEMS

1. Presentation: Initial Market Study of Pt. Molate

Lynn Sedway, Sedway Consultants, Real Estate and Urban Economics presented the Initial Market Study of Pt Molate. Councilmember McLaughlin introduced Trust for Public Land employees Kelley Hart and Jennifer Isacoff. Hart noted that she handled planning and legal matters for the Trust for Public Land and provided an introduction of Sedway. Sedway reviewed her prior experience such as with Carvalho Point and other base closure properties. Sedway additionally provided information on related projects and how they relate to Point Molate. Speaker David Helvarg spoke and read from a Book Golden Shore by David Helvarg. Paul Carman provided public comment. Sedway received questions such as how infrastructure needs will be financed.

2. Presentation: Report on IR Site 3, Environmental Remediation

Jeff Raines of Terraphase reported. Raines provided historical information and perspective on IR Site 3. Raines answered questions of the Pt Molate Community Advisory Committee such as what activities was the

Navy engaged in during the time to contaminate the site. Beyaert inquired about the seed mix proposed for the site and Raines provided general information relating to Storm Water Protection, soil erosion and characteristics of other seed types such as native seeds.

3. Action Item: By Law Review and Amendment To Move PMCAC Meeting Dates from the Third Monday of each Month to the Second Monday of each Month

Discussion to change the Committee By Laws to allow for meetings to be held on the second Mondays of each month.

Action: Committee approved (M/S Beyaert/Garrett 9-0-1-0) to amend the Committee By Laws to move Committee meetings from the third to the second Monday of each month.

AYES: Bagley, Beyaert, Brubaker, Duncan, Garrett, Hanson, Howe, McNeil, and Stello.
NOES: None
ABSENT: Ruk
ABSTAIN: None

Action: Committee approved (M/S Beyaert/Garrett 9-0-1-0) to amend the Committee By Laws to not hold a Committee meeting in August of each year and to hold a recess in month of August similar to City Council and other Committees.

AYES: Bagley, Beyaert, Brubaker, Duncan, Garrett, Hanson, Howe, McNeil, and Stello.
NOES: None
ABSENT: Ruk
ABSTAIN: None

4. Discussion: Sub Committees for PMCAC 3rd Term

Garrett indicated that current Committee is not ready to approach this and requested that this item be held over until its September meeting.

8. STAFF REPORTS

A. PROJECT MANAGER'S STAFF REPORT INCLUDING

1. EXPENDITURES AND BALANCE FROM THE NAVY ESCROW FUND
2. EXPENDITURES AND BALANCE FROM THE GENERAL FUND
3. INSURANCE REPORT FILINGS
4. LEASE/OCCUPATION STATUS FOR ALL PT MOLATE USERS
5. MONTHLY SUMMARY OF SECURITY INCIDENTS
6. MONTHLY SUMMARY OF AUTHORIZED ENTRIES
7. CARETAKER SUMMARY
8. BEACH PARK
9. IR SITE 3 REMEDIATION AND ABATEMENT PROJECT BID
10. OTHER

Murray reported on project reports found in the Agenda packet. Garrett requested legal and financial updates. Beyaert requested an exhibit map. Garrett discussed D&H Landscaping.

9. CONSENT CALENDAR

- A. APPROVE –PMCAC MEETING MINUTES OF MAY 18, 2015**
- B. APPROVE –PMCAC MEETING MINUTES OF JUNE 15, 2015**

STELLO LEFT MEETING AT 8:14 PM.

Action: Committee approved (M/S Garrett/Bagley 8-0-2-0) to approve the Committee Minutes of May 18 and June 15, 2015

AYES:	Bagley, Beyaert, Brubaker, Duncan, Garrett, Hanson, Howe, McNeil, and Stello.
NOES:	None
ABSENT:	Ruk
ABSTAIN:	None

10. PMCAC QUARTERLY REPORT TO CITY COUNCIL

- A. APPROVE – PMCAC Annual Report to City Council

No Report.

11. FUTURE AGENDA ITEMS

Discussion to have Terraphase and NCE speak at next Committee meeting. Discussion on why the Youth Council is being invited to speak. Garrett noted that the Richmond Youth Council is involved in other areas in the City and it is desirable to have younger interest in Pt Molate.

Action: Committee approved (M/S Beyaert/Duncan 9-0-0-0) to move the regular Terraphase report from Section 13 in the Agenda to Section 7 commencing at the August meeting.

AYES:	Bagley, Beyaert, Brubaker, Duncan, Garrett, Howe, McNeil, Ruk and Stello.
NOES:	None
ABSENT:	None
ABSTAIN:	None

12. CITY COUNCIL LIAISON REPORTS

- A. REPORT BY COUNCILMEMBER MARTINEZ REGARDING RECENT ISSUES IN RICHMOND RELEVANT TO THE ADVISORY COMMITTEE

Martinez reported on the Upstream Development litigation.

- B. PMCAC APPOINTMENT STATUS

COUNCILMAN MARTINEZ REPORTED THAT DOROTHY GILBERT, PAUL CARMAN AND JEAN KORTZ WILL BE APPOINTED TO THE COMMITTEE.

13. CHAIR AND SUB-COMMITTEE REPORTS

- a. Clean-Up and Restoration:
 - 1. Weekly IR Site 3 Progress Reports
 - 2. May 2015 Monthly Status Report
 - 3. June 2015 Monthly Status Report

Jeff Raines of Terraphase reported on IR Site 3.

- b. Chair: Identification of pending schedule conflicts

Duncan inquired if there were any schedule conflicts.

14. ADJOURNMENT

Bagley moved to adjourn the meeting at 8:20 pm, seconded by Garrett. Passed unanimously.

15. Assemblage of PMCAC Standing Sub-Committees

Adjourned to Sub-Committee Meetings.

SCHEDULED MEETINGS

Committee Meeting –

Monday, October 12, 2015, 6:30 p.m., Multi-Purpose Room, 440 Civic Center Plaza

Minutes respectfully submitted by:

Craig K. Murray, PMCAC Staff Liaison

Craig Murray

From: Joan Garrett ~~XXXXXXXXXXXXXXXXXXXX~~
Sent: Wednesday, September 09, 2015 11:10 AM
To: charlesgduncan ~~XXXXXXXXXXXX~~; shana ~~XXXXXXXXXXXXXXXXXXXX~~; Craig Murray
Subject: Procedural - Updated PMCAC Bylaws
Attachments: BYLAWSAmendments 7-21-15.docx

Hi folks -

Something for the consent calendar for the 9/14/15 meeting. In the July 20th PMCAC meeting the committee voted - with the required 2/3 majority voted to:

- Change the meeting date for PMCAC from the third to the second Monday of each month
- Provide for telephonic attendance when required

The written bylaws have been amended (see attached) to reflect these changes. (Also some spellings, formatting and other items have been cleaned up). As a formality the written amendments need approval. This can be placed on the consent calendar.

Thanks!

Joan Garrett

~~XXXXXXXXXXXXXXXXXXXX~~

PT. MOLATE COMMUNITY ADVISORY COMMITTEE

BYLAWS

INTRODUCTION

These by-laws were adopted by the Point Molate Community Advisory Committee (PMCAC) on October 17, 2011 with amendments of September 14, 2015

Section 1: Purpose and Duties of the PMCAC

The PMCAC is a 19-member committee of Richmond residents authorized by City Council Resolution 8-11 adopted January 18, 2011. Its purpose is to advise the City Council as well as city staff, boards and commissions on all Point Molate matters, including but not limited to the appropriate clean-up, restoration, sustainable development and use of Point Molate. Committee members are appointed by the Mayor with the concurrence of at least three members of the City Council.

Section 2: Meetings

2.1: Regular Meetings

Regular meetings of the PMCAC will be held in the Multi Purpose room at City hall on the ~~third~~second Monday of every month beginning at 6:30 PM.

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2.2: Cancellation of Regular Meetings

A future regular meeting can be canceled or rescheduled by a majority present at any meeting if:

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- there is no business scheduled,
- the future meeting falls on a public holiday
- there is other good reason for cancelation.

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In the event of an emergency any meeting or session can be canceled by the Chair ~~P~~erson or, if the Chair ~~P~~erson is unavailable, the Vice Chair ~~P~~erson. Any matters which were to be heard at the canceled meeting will be moved to the top of the agenda for the next regular meeting unless set for hearing on another date by the committee.

2.3: Change of Location or Starting Time of Regular Meetings

The location or starting time of a regular meeting may be changed from time to time by providing the new starting time and/or location in the notice and agenda distributed by city staff in advance of the meeting or session in accordance with the governing law. In addition, the location of the meeting may be changed due to an emergency or pre-emption of the regular meeting location by other government business. In such event, the new location of the meeting shall be posted on the door of the regular site of the meeting at least one-half hour before the meeting time.

2.4: Special Meetings

Special meetings and hearings of the Committee may be called by the Chairperson or by any ten members of the Committee and shall be held within the City of Richmond. Written notices of special meetings of the Committee shall be given in accordance with governing law and, in accordance with law, the Committee may not consider any business at the special meeting other than that which appears in the notice.

2.5: Public Nature of Meetings

All meetings of the PMCAC shall be open to the public.

2.6: Quorum

A majority of the Committee -- shall constitute a quorum for the conduct of business and if a quorum is present, a majority of votes cast is sufficient to carry any motion that is in order unless otherwise required by law or these by-laws. Committee members who expect to be absent from a regular meeting shall notify the city staff or the Chairperson at the earliest opportunity. City staff shall notify the Chairperson in the event the projected absences will result in a lack of a quorum.

2.7: No Quorum

Whenever less than a quorum attends a regular or special meeting of the Committee, the Chairperson (or acting chairperson) shall adjourn the meeting to the next regular meeting unless, following a motion, a majority of those present vote to adjourn the meeting to some other specific time: Other than the foregoing, no business shall be conducted when no quorum is present.

2.8: Agenda

The City staff shall deliver a copy of the agenda for each regular meeting of the Committee to each member and post for the public not later than seventy-two (72) hours prior to such meeting.

2.9: Consent Calendar

Prior to consideration of the consent calendar by the Committee, the Chairperson shall ask if any Committee member, staff member or member of the public wishes to remove any item or items from the consent calendar. All requests for removal of an item from the consent calendar

for purposes of discussion shall result in the item removed being heard and acted upon in its regular numerical order on the agenda.

After all requests for removal have been honored, any Committee member may move that the remaining consent calendar items be adopted. The Committee's adoption of the consent calendar means that those items have been acted upon by the Committee collectively by a single motion adopting the recommendations contained in the agenda packet. Any requirement for a public hearing shall be deemed satisfied by this process so long as no one has requested to speak on the item prior to the adoption of the consent calendar.

2.10: Order of Business

The order of business for regular meetings of the Committee shall be as follows except that, with the consent of a majority of the Board, matters may be taken out of order:

Call to Order

Roll Call

Approval of Agenda

Brown Act Forum

New Items – Discussion and Action Items

Held Over items

Staff Reports

Approval of Minutes

Consent Calendar

Future Agenda Items

— Held Over items

- New Items

Other

Reports of Officers, Committees and Staff

— Brown Act Forum

Adjournment

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2.11: Rules of Order

Rosenberg's Rules of Order shall govern the Committee in all cases. The Chair shall act as the parliamentarian for the Committee and his or her ruling shall be deemed final.

2.12: Manner of Voting and Reporting on Votes

The vote on all questions coming before the Committee shall be by roll call or by vote tabulator and the yeas, nays and abstentions shall be entered upon the minutes of the meeting and set forth in any reports to the City Council on any action taken by the Committee.

2.13: Motion To Continue a Portion of the Agenda

At any time during a regular meeting of the Committee, any Committee member may move to continue a portion of the agenda to the next regular meeting of the Committee or to a special meeting of the Committee, based upon their estimation that the Committee will not have sufficient time in which to complete the entire agenda at a reasonable hour. Approval by a two-thirds majority of members present shall be necessary to adopt such a motion. The motion shall: 1) Identify the numbers of the agenda items proposed to be heard at the current meeting; 2) specify the numbers of the agenda items to be continued; and 3) propose that public hearings to be continued be opened and then continued to a specific future meeting of the Committee where they will be given priority as "Held Over" items. The purpose of this motion is to benefit members of the public attending or viewing the meeting by providing information, as early as possible in the evening, as to what matters will be continued to a later date

2.14: Adjournment

The Committee shall adjourn any regular or special meeting at the posted time, this following reports of officers and committee staff and any other agenda items deemed compelling. Any unfinished items of business appearing on the agenda which have not been acted upon shall be continued to the next regular meeting. Upon adjourning with unfinished items on the agenda, the Chairperson or acting chairperson shall announce to the public the date and place to which said unfinished agenda items are continued. Notwithstanding the above, the Committee may pass a motion to extend any regular or special meeting beyond the posted finish time by majority vote.

SECTION 3: PUBLIC HEARINGS

3.1: Function

The function of a public hearing is to enable the public to present information and opinions which are relevant to the items under consideration by the Committee. Hearings shall be conducted in an orderly and impartial manner which brings out the pertinent viewpoints. In addition, it is the purpose of the public hearing to inform the interested public about the specific details of the proposal under consideration.

3.2: Notice

Hearings conducted by the Committee shall be held at such times and places as shall be fixed by the Committee and shall be called, noticed, conducted and reported as required by law. A hearing before the Committee that, for any reason, cannot be completed at the time and place originally noticed, may be continued to a later date and the announcement at the hearing of the time and place to which such hearing is continued shall constitute a sufficient notice to all parties concerned.

3.3: Time Limits

Time limits shall be three minutes for public items, hearings and open forums announced by the Chairperson before the hearing begins in accordance with law. The Chairperson may request groups to select a representative to present the viewpoint of the group and may adjust the time limit downward if there are a large number of people wishing to speak in order to assure the greatest number of speakers are heard by the committee.

3.4: Public Hearing Procedures

Public hearings before the Committee shall be conducted in accordance with the procedure and rules set forth on each agenda. ~~prior~~ ~~Prior~~ to ~~Commencing~~ ~~commencing~~ the first public hearing on the agenda, the Chairperson shall ~~refer~~ the public to the information on public hearings on the agenda. In conducting each hearing, the Committee shall: (a) provide interested or affected individuals or organizations a fair opportunity to be heard; (b) hear comments with an open mind; (c) discuss Committee observations and the facts and opinions presented; (d) ask questions to solicit additional needed information; (e) be guided in reaching a decision by the public interest and the purposes of the proposal; and (f) discourage all comments that are off the record or off the subject.

3.5: Action Upon Matters Heard

The following rules apply:

- a) After a public hearing has been closed, the matter heard may be decided and ruled upon at that time or may be taken under advisement for decision at a subsequent meeting within 60 days
- b) In case of a tie vote, the motion fails.

SECTION 4: MEMBERSHIP

4.1: Appointment

Members shall be appointed by the Mayor with the approval of the City Council for a term of two years and serve without compensation. No member shall serve for more than four consecutive two-year terms.

4.2 Meeting Attendance

Members shall attend Committee meetings in person. In circumstances where the member is travelling or ill, members may attend and participate fully telephonically.

4.23: Automatic Resignation

The absence of any member from more than three (3) regularly scheduled meetings in a one year period shall constitute an automatic resignation from the Committee. Nonattendance due to requirements of other City business shall not constitute an absence.

4.34: Duties of Committee Members

It is the duty of members to become informed to the best of their ability on each item that comes before the Committee for action, to form an opinion on every question that is brought to and vote and to express this opinion by his or her vote unless the member has a possible conflict of interest or other justifiable basis.

4.45: Conflict of Interest

No member of the Committee shall participate in a discussion or vote upon any matter with respect to which he or she may have a conflict of interest, as defined by applicable California law. Instead, the member shall excuse himself or herself from the proceedings, stating for the minutes the basis for doing so, and shall leave the room while the matter is being discussed and/or acted upon.

If a member of the Committee is challenged in regard to a conflict of interest in a particular matter and does not choose to excuse himself/herself from the proceedings, the Chairperson shall ask the Committee's legal counsel for a ruling. If the Committee's legal counsel determines that there appears to be a conflict of interest, the challenged member shall refrain from participating on that particular item in compliance with the conflict of interest provisions of these Procedural Rules. If a member does not comply with this requirement after a ruling by the Committee's legal counsel, the City Council shall be so advised by the City Attorney's Office.

4.56: Staff Assistance

The committee may call upon city staff for technical or clerical assistance in connection with the committee's performance of its duties. The committee may also request funding for a written report from an expert consultant in matters pertaining to the Committee's work.

SECTION 5: SUBCOMMITTEES

5.1: Subcommittees

The Chairperson of the Committee may create sub committees, define their powers and duties, and appoint the members and chairs thereof.

5.2: Terms of Subcommittee Members

Subcommittee members shall serve a term of one year on each committee to which they are appointed.

SECTION 6: OFFICERS

6.1: Designation of Officers

The officers of the Committee shall consist of a Chairperson and Vice Chairperson

6.2: Election of Officers

Officers shall be elected by a majority of a committee quorum present. In the event of more than two candidates for officer positions and no candidate receives a majority of the quorum present, then a runoff vote will be held between the two top vote getters.

6.3: Terms of Officers and Removal of Officers

Officers shall serve a term of one year.. Officers may be removed from office with a two thirds vote of the committee (either the committee as a whole or those present) at a regular or special meeting.

6.4: Special Election of Officers

If any vacancy occurs in any office by reason of death, resignation, removal of any officer or other reason, such vacancy shall be promptly filled for the remainder of its term, from the ranks of the Committee by means of a special election conducted by the members of the Committee. At the request of the Chairperson of the Committee, the Nominating Subcommittee shall meet and recommend a candidate to fill the open officer position. In addition, any member of the Committee may nominate any member of the Committee for the vacant office at or prior to the special election.

6.5: Powers and Duties of Officers

- a) Chairperson. The Chairperson shall preside at all meetings of the Committee, shall appoint all subcommittees and subcommittee chairs, and shall have all the powers and duties conferred by law, and shall perform such other duties as may from time to time be prescribed by the Committee
- b) Vice Chairperson. The Vice Chairperson shall have all of the powers and perform all of the duties of the Chairperson in the case of the Chairperson's absence or inability of the Chairperson to act. The Vice Chairperson shall have all the powers and duties conferred by law, and shall perform such other duties as may from time to time be prescribed by the Committee.
- c) Acting Chairperson. In the absence of the Chairperson and Vice Chairperson, then the members of the Committee present at the meeting shall elect an Acting Chairperson who shall preside over and conduct the meeting if there is a quorum

present or who shall set a date for continuing the agenda if there is not a quorum present.

6.6: Additional Officers and Personnel

The Committee may from time to time by resolution appoint such additional officers or assistant officers as it may deem necessary or desirable and may define their duties.

SECTION 7: AMENDMENTS

These Bylaws may be adopted, amended or repealed by the affirmative vote of two-thirds of the total members of the Committee at any regular or special meeting, provided that any proposed amendment to be voted on shall be included in the notice of the meeting. Such amendments must be in conformity with the general intent specified in the basic enabling legislation and applicable provisions of state law.