

## Craig Murray

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**From:** Butt, Tom <tom.butt@intres.com>  
**Sent:** Thursday, April 28, 2016 4:36 PM  
**To:** Shana Bagley; Craig Murray; Duncan, Charles  
**Cc:** Richard Mitchell; Bill Lindsay; Mayors Office  
**Subject:** Point Molate - For Review and Comment  
**Attachments:** Bylaws Clean Copy Versin 2.0 4-28-16.docm

Corrected copy attached. I think we are looking for review and comment from the PMCAC, as well as recommendations for action if the PMCAC is so inclined.

The Urban Land Institute recommended the following for Point Molate (<http://www.pointrichmond.com/pointsanpablo/pdfs/ULI-TA-PointMolate.pdf>):

- *City's annual cost of maintaining Point Molate is approximately \$500,000*
- *Trust Could move maintenance costs away from the City*
- *Presidio Trust model: Federal Government's initial financial support and the physical and economic resources of the Presidio make it unique –The City could "right size" a structural and governance structure by assisting in the creation of a separate non-profit corporation to assist in planning, implementing, and financing maintenance and development at Point Molate*

### *Trust Recommendations*

- *Work with the Trust for Public Land to establish a 501c3 non-profit with a working title of 'Point Molate Trust' (PMT) Governed by a five-person board with the following representation:*
  - *City Council members*
  - *Two Richmond citizens*
  - *Chevron*
  - *East Bay Regional Park District*

*Seek funding from Chevron, Veolia, other charitable sources, and government (State/Federal sources)–Assist the City in planning and fundraising for maintenance and development of Point Molate Note: City may not be completely liberated from the maintenance costs of Point Molate, but long range goal will be to create an alternative philanthropic source of funds for maintaining and enhancing Point Molate*

I thought the Treasure Island model was a better fit, but if someone wants to draft a model based on the Presidio Trust, then that could be done. I haven't seen one. The unique characteristic of the Presidio Trust, different from point Molate, is that even though it is a public-private partnership, it was also funded substantially by the federal government. Treasure Island is also a public-private partnership, but it had to make it on its own without a substantial nest egg provided by the feds.

It has come to my attention that, according to a PMWG member, "the Pt. Molate Working Group (PMWG) has been working on the formulation of a trust for Pt. Molate for well over a year and has thoroughly researched a variety of trust formats. The PMWG was formed to foster a fruitful partnership with the Trust for Public Land (TPL) and to provide a non-partisan consensus building forum for key Pt. Molate stakeholders to collaboratively build a vision, operating plan, and governance structure for Pt. Molate. The PMWG has already reviewed both the Presidio format and TI format. The PMWG has already developed a mission statement and set of principles for a Pt. Molate Trust. The PMWG has already developed a best practices structure format for the trust. The PMWG in conjunction with TPL was responsible for the market study performed by Sedway, and for organizing the ULI-TAP."

It is important to clarify that the TPL, Sedway and the ULI were working for the City of Richmond, not the PMWG. The PMWG is a well-intentioned group of volunteers but has no official standing and no authorization to contract with or direct the efforts of consultants such as TPL, Sedway and the ULI. The PMCAC is the only body authorized by the City Council to provide "advice and input" on Point Molate matters (Resolution 8-11) and is also authorized to:

- (1) Serve as the primary conduit for residents to provide input on all Point Molate matters, including but not limited to the Point Molate clean-up, restoration, sustainable development and uses;*
- (2) Work with the City Council, staff and other citizen advisory boards and commissions as appropriate to provide advice and input on all Point Molate matters;*
- (3) Review proposed Point Molate development budgets with City staff and make Point Molate development expenditure recommendations, in conjunction with staff, to the City Council; all major decision-related documents shall be submitted to the Committee for review and recommendations, when feasible, before being presented to the City Council. Informational items may be submitted to the Committee and the City Council simultaneously.*
- (4) Organize, with the help of staff, processes by which residents can provide input into programs and studies undertaken on all matters related to the Point Molate area of Richmond, including but not limited to clean-up, restoration, sustainable development and use of Point Molate; the City Manager shall assign a City department to provide staff support to the Committee.*
- (5) Interact and cooperate with other governmental jurisdictions on all matters related to the Point Molate area of Richmond, including but not limited to clean-up, restoration, sustainable development and use of Point Molate;*
- (6) The first task and priority of the Committee shall be to prepare, with the help of staff, a report to the City Council that includes a summary of the state of the clean-up, a complete budget including all revenues and expenses, an updated schedule, and any comments or recommendations about clean-up and restoration. This priority does not prohibit the Committee from addressing other matters related to Point Molate.*
- (7) Perform other duties as requested by the City Council.*

I think the efforts of the PMWG would be more effective and less confusing if its members worked within the structure of the PMCAC.



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Board of Directors, Past Chair, Local Government Commission

League of California Cities Environmental Quality Policy Committee

Alternate, Local Agency Formation Commission (LAFCO)

Alternate, San Francisco Bay Conservation and Development Commission (BCDC)

West Contra Costa Transportation Advisory Committee (WCCTAC) City of Richmond Representative

Contra Costa Transportation Authority Commissioner

Marin Clean Energy (MCE) Board vice-chair and Richmond Representative

East Bay Regional Park District Liaison Committee Richmond Representative

**BYLAWS OF THE  
WINEHAVEN DEVELOPMENT AUTHORITY  
(a California Nonprofit Public Benefit Corporation)**

**ARTICLE I**

**NAME**

The name of this corporation is Winehaven Development Authority ("Authority").

**ARTICLE II**

**OFFICES**

**Section 1. Principle Office.** The Principal office for the transaction of the activities and affairs of the Authority ("Principal Office") shall be located within the City of Richmond, County of Contra Costa. The Principal Office is located at: Richmond City Hall, 450 Civic Center Plaza, Richmond, CA 948094, or at such other place as may from time to time be designated by the Board of Directors of the Authority ("Board ").

**Section 2. Change of Address.** The city and county of the Authority's principal office shall not be changed.

**Section 3. Other Offices.** The Board may at any time establish branch or subordinate offices at any place or places where the Authority is qualified to conduct its activities.

**ARTICLE III  
PURPOSE AND LIMITATIONS**

**Section 1. Objectives and Purposes.** Consistent with the Articles of incorporation of the Authority and the provisions of the Defense Point Molate Closure and Realignment Act of 1990 and approved by the president on July 14, 1995, and approved by Congress on September 28, 1995, the specific purpose of the Authority is to promote the planning, redevelopment, reconstruction, rehabilitation, reuse and conversion of that certain property commonly known as "Point Molate Naval Fuel Depot (Point Molate)" and "Winehaven," and all tide and submerged lands and rights of access and other appurtenances thereto for the public interest, convenience, welfare and common benefit of the inhabitants of the City of Richmond (the "City").

**Section 2. Nonpartisan Activities.** Consistent with the Articles of incorporation of the Authority, no substantial part of the activities of the Authority shall consist of lobbying or propaganda, or otherwise attempting to influence legislation, except as provided in Section 501(h) of the Internal Revenue Code of 1986, as amended ("Code") and Section 23704.5 of the California Revenue and Taxation Code. The Authority shall not participate in or intervene in (including publishing or distributing statements) any political campaign on behalf of or in opposition to any candidate for public office.

**Section 3. Dedication of Assets.** Consistent with the Articles of Incorporation of this corporation, all funds shall be used for the purposes designated in Article III, Section 1 of these Bylaws. No part of the net earnings or assets of this Authority shall inure to the benefit of its Directors, trustees, or officers, or to any private person excepting only the City or the State of California.

## ARTICLE IV

### MEMBERS

This corporation shall not be deemed to have any "members" within the meaning of Section 5056 of the California Corporations Code. Accordingly, any action that would require approval by the members shall require only approval by the Board. All rights which would otherwise vest in the members shall vest in the Board.

## ARTICLE V

### DIRECTORS

**Section 1. General Corporate Powers.** Subject to the provisions and limitations of the California Nonprofit Corporation Law and any other applicable laws, the Authority's activities and affairs shall be managed, and all corporate powers shall be exercised, by or under the direction of the Board.

**Section 2. Specific Powers.** Without prejudice to the general powers set forth in Article V, Section 1 of these Bylaws, but subject to the same limitations and applicable laws, including the City's Charter and the public trust for commerce, navigation and fisheries, the Directors shall have the power to:

(a) Formulate, evaluate and approve goals, objectives, plans and programs and set policies consistent with the overall objectives of the City and the final reuse plan adopted for the Point Molate regarding the planning, redevelopment, reconstruction, rehabilitation, reuse and conversion of Point Molate.

(b) Appoint and remove, at the pleasure of the Board, all the Authority's officers, agents, and employees; prescribe powers and duties for them that are consistent with law, with the Articles of Incorporation, and with these Bylaws; and fix their compensation and require from them security for faithful performance of their duties.

(c) Change the principal office or the principal business office from one location in the City to another; cause the Authority to be qualified to conduct its activities in any other state, territory, dependency, or country, and conduct its activities within or outside California.

(d) Adopt and use a corporate seal, and alter the form of the seal.

(e) Submit to the Mayor of the City of Richmond (the "Mayor") and the City Council an annual budget for their consideration and approve any budget modifications or fund transfers requiring the approval of the Board of Supervisors and the Mayor.

(f) Submit to the Mayor and the City Council proposals regarding local, state or federal legislation necessary and appropriate to effectuate the purposes of the Authority, provided, however, neither the Authority nor its Directors, shall engage in any activities which would violate the Articles of Incorporation or the provisions of Article III, Section 2, of these Bylaws.

(g) Utilize the Point Molate Citizens Advisory Committee to advise the Authority and its Directors on issues of public interest regarding Point Molate.

(h) Act as the Local Reuse Authority for planning and conveyance purposes pursuant to federal Point Molate closure law.

(i) Solicit proposals regarding the development of all or portions of the Point Molate consistent with the final reuse plan for Point Molate adopted by the City's Board of Supervisors.

U) Solicit charitable contributions for the Authority.

(k) Form Joint Powers Authorities and/or enter into agency agreements with governmental agencies, including without limitation, any department, commission or agency of the City, and contract with such governmental agencies for the performance of services in furtherance of and related to the purposes of the Authority.

(l) Purchase, sell, lease, exchange, transfer, assign, pledge, develop or otherwise acquire or dispose of property located on, comprising of or necessary for the operation of Point Molate, and approve and enter into agreements or contracts affecting Point Molate, including without limitation, contracts for the procurement of goods and services (including, without limitation, construction or maintenance contracts), purchase and sale agreements, option agreements, development agreements, leases, permits, grants of easements, management agreements, joint venture or partnership agreements, and agreements with the federal government of the United States of America, the State of California, the City, or any other governmental or quasi-governmental entity (collectively, "Agreements"), and, to the extent required by the City's Charter, recommend such Agreements to the Mayor and City Council for their respective approval, provided, such Agreements having a term in excess of

Ten (10) years or anticipated revenues of one million dollars (\$1,000,000) or more shall be subject to the additional approval of the City Council, by resolution.

(m) Maintain, manage, operate, repair and improve property acquired or controlled by the Authority.

(n) Lay out, open, widen, extend, straighten, establish, change the grade and improve, in whole or in part, rights of way necessary or convenient for Point Molate and grade, shape, cut, fill, locate and relocate public streets and street improvements .

(o) Insure, or provide for the insurance for, any real or personal property or the operation thereof against risks and hazards, and against liabilities of the Authority or the City or their respective officers, agents and employees.

(p) Act in the corporate name to borrow money or incur indebtedness on behalf of the Authority and cause to be executed and delivered for the Authority's purposes promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecation, and other evidence of debt and securities.

(q) Act in the corporate name to invest corporate funds so as to secure a reasonable return on funds not immediately needed for operating expenses or for approved projects, programs or activities.

**Section 3. Duties.** It shall be the duty of the Directors to:

(a) Perform any and all duties imposed on them collectively or individually by law, by the Articles of Incorporation of this Authority, or by these Bylaws.

(b) Appoint and remove, employ and discharge, and, except as otherwise provided in these Bylaws, prescribe the duties and fix the compensation, if any, of all officers, agents and employees of the Authority.

(c) Supervise all officers, agents and employees of the Authority to assure that their duties are performed properly.

(d) Meet as such times and places as required by these Bylaws.

(e) Register their addresses with the Secretary of the Authority, so that notices of meetings mailed or telegraphed to them at such addresses shall be valid notices thereof.

**Section 4. Number of Directors.** As provided, in the Articles of Incorporation, the Board shall consist of at least five (5) Directors. The authorized number of Directors shall not be less than five (5) nor more than seven (7) until changed by a Bylaw amending this section. The exact number of Directors shall be fixed, within the prescribed limits, by a resolution adopted by the Board. Subject to the above provisions for changing the number of Directors, the authorized number of Directors of the Authority shall be five (5). The Board shall also have one (1) non-voting, Ex-Officio Director who shall be the member of the Richmond City Council or, in the

event that such member of the City Council is unable to attend an Authority Board of Directors meeting, another member of the City Council appointed by the mayor with City Council approval shall serve as an Alternate Member (who shall also be a non-voting ex-officio member).

**Section 5. Restrictions on Interested Persons as Directors.** No more than forty-nine percent (49%) of the persons serving on the Board may be interested persons. However, any violation of the provisions of this paragraph shall not affect the validity or enforceability of any transaction entered into by the Authority. For purposes of this section, "interested persons" means either:

(a) any person compensated by the Authority for services rendered to it within the previous twelve (12) months, whether as a full-time or part-time employee, independent contractor, or otherwise, excluding any reasonable compensation paid to a Director as Director; or

(b) Any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law of such person.

**Section 6. Qualification of Directors.** Except for the Ex-Officio Director, Directors shall be selected based on their expertise in the areas of real estate development, urban planning, environmental protection and resource conservation, housing, financing and other disciplines relevant to the reuse of Point Molate.

**Section 7. Selection of Directors.** Directors shall be appointed by the mayor subject to City Council approval, which as to those Directors appointed by the mayor who, at the time of such appointment, are Officers of the City of Richmond ("City Officers"), their appointment(s) shall be effective. As to those Directors appointed by the Mayor who are not City Officers, their appointment(s) shall be effective upon the approval of such appointment(s) by a majority of the City Council. The Ex-Officio Director shall be appointed as set forth in Section 4 above.

**Section 8. Term of Office of Directors.** The mayor shall designate one Director who is first appointed to serve a term of two years, two Directors who are first appointed to serve a term of three years, and four Directors who are first appointed to serve for a term of four years. Thereafter, each Director shall hold office for four years and until a successor has been designated and qualified. Successors for Directors whose terms of office are then expiring shall be appointed by the Mayor. There are no limits on the number of consecutive terms a Director may hold office. The Ex-Officio Director shall be a standing position for the member of the Board of Supervisors who represents the district which includes Treasure Island and Yerba Buena Island. The Alternate Member shall serve only when the Ex-Officio Director is unable to attend and only so long as the Board of Supervisors have not replaced such Alternate Member by resolution.

**Section 9. Vacancies and Removal.** A vacancy shall be deemed to exist upon the occurrence of the death or resignation of any Director, the declaration by the Board of a vacancy in the office of a Director who has been declared of unsound mind by a final order of court, or convicted of a felony, or has been found by a final order or judgment of any court to have breached any duty under Sections 5230-5238 of the California Corporations Code, or an increase in the number of authorized Directors. Except as provided below, any Director of the Authority may resign at any time by giving written notice to the President, the Secretary, or the Board. A resignation shall be effective upon receipt of written notice by the President, the Secretary, or the Board unless the notice specifies a later time of effectiveness. Except on notice to the Attorney General of California, no Director may resign if the Authority would be left without a duly elected Director or Directors. Notwithstanding the foregoing, the mayor may remove any Director at any time with or without cause, subject to approval of the City Council. Any vacancies will be filled by appointment of the mayor.

**Section 10. Place of Directors' Meetings.** Meetings of the Board shall be held at the principal office of the Authority unless a different place is designated by resolution of the Board or in the notice of such meeting.

**Section 11. Regular Meetings.** The Board by resolution may provide for the holding of regular meetings and may fix the time and place of holding such meetings.

**Section 12. Special Meetings.** Subject to Section 14 of this Article V, below, special meetings of the Board may be called in accordance with the provisions of Section 54956 of the Government Code of the State of California.

**Section 13. Quorum and Manner of Action.** A majority of the total number of authorized Directors shall constitute a quorum for the transaction of business by the Board, except that less than a quorum may adjourn from time to time. No action may be taken by the Board except upon the affirmative vote of a majority of the total number of authorized Directors. Neither the presence of the Ex-Officio Director nor the Alternate Member shall be counted for purposes of determining a quorum.

**Section 14. Notice; Conduct of Meeting.** All meetings of the Board shall be called, noticed, held and conducted subject to the provisions of the Ralph M. Brown Act (Chapter 9 of Part 1 of Division 2 of Title 5 of the Government Code of the State of California, being Sections 54950 to 54962 thereof). The President or, in his or her absence, the Chief Financial Officer, shall preside at all meetings of the Board.

**Section 15. Compensation of Directors.** No Director shall be entitled to receive any compensation for serving as a Director or as an officer of the Authority, and any Director or officer may be reimbursed for expenses duly incurred in the performance of duties as Director or officer of the Authority, upon approval of the Board.

**Section 16. Loans and Self-Dealing Transactions.**

**A. Loans.** The Authority shall not make any loan of money or property to or guarantee the obligation of any Director or officer; provided however, that the Authority may advance money to a Director or officer of the Authority or any subsidiary for expenses reasonably anticipated to be incurred in performance of the duties of such officer or Director so long as such individual would be entitled to be reimbursed for such expenses absent that advance.

**B. Self-Dealing Transactions.** The Board shall not approve a self-dealing transaction. A self-dealing transaction is one to which the Authority is a party and in which one or more of the Directors has a material financial interest and which does not meet the requirements of Subsection C below.

**C. Exemption Requirements.** The following transactions are exempted from the prohibition of Subsection B above:

(1) a transaction which is part of a public or charitable program approved in good faith by the Board without unjustified favoritism and which results in a benefit to one or more Directors or their families only because they are in a class of persons intended to be benefited by the program;

(2) a transaction which has been approved by the California Attorney General before or after it was consummated; and

(3) a transaction which the Board, having knowledge of the material facts concerning the transaction and the Director's interest in the transaction, authorizes before the transaction (by a vote of a majority of the Directors then in office without counting the vote of the interested Director) after considering and in good faith determining, upon reasonable investigation under the circumstances, that (a) the transaction will be entered into by this Authority for its own benefit, (b) the transaction is fair and reasonable as to the Authority, and (c) the Authority could not have obtained a more advantageous arrangement with reasonable effort under the circumstances.

**Section 17. Rights.** Every Director shall have the absolute right at any reasonable time to inspect the Authority's books, records, documents of every kind, physical properties, and the records of each of its subsidiaries. Such inspection by a Director may be made in person or by an agent or attorney and the right of inspection includes the right to copy and make extracts of documents.

**Section 18. State and City Conflict of Interest Laws Applicable.** Notwithstanding anything else contained herein, but subject to the terms of the Treasure Island Act and any applicable City ordinances or resolutions, the Authority and its Directors shall be subject, to the extent applicable, to all State and City conflict of interest, gift and disclosure rules that apply to public officials and City officers, the California Political Reform Act, California Government Code Sections 87100, et seq.; and Government Code Sections 1090, et seq. In addition, the Authority delegates to the City the

authority to adopt, and amend if necessary, a conflict of interest code pursuant to the Political Reform Act and its implementing regulations, including 2 C.C.R. § 18730.

## ARTICLE VI

### COMMITTEES

**Section 1. Committees of Directors.** The Board may, by resolution adopted by a majority of the Directors then in office, provided a quorum is present, create one or more committees, each consisting of two or more Directors and no persons who are not Directors, to serve at the pleasure of the Board. Appointments to such committees shall be made by majority vote of the Directors then in office. The Board may appoint one or more Directors as alternate members of any such committee, who may replace any absent member at any meeting. Any such committee, to the extent provided in the Board resolution, shall have all the authority of the Board, except that no committee, regardless of any Board resolution, may:

- (a) Approve any action that, under the California Nonprofit Corporation Law, also requires the affirmative vote of the members of a public benefit corporation.
- (b) Fill vacancies on the Board or on any committee that has the authority of the Board.
- (c) Amend or repeal Bylaws or adopt new Bylaws.
- (d) Amend or repeal any resolution of the Board that by its express terms is not so amendable or repealable.
- (e) Create any other committees of the Board or appoint the members of committees of the Board.
- (f) Approve any self-dealing transaction, except as provided by Section 5233 of the California Corporations Code.

**Section 2. Meetings and Action of Committees.** Except as otherwise provided in this Article VI, meetings and actions of committees shall be governed by and held and taken in accordance with the provisions of Article V of these Bylaws concerning meetings of Directors, with such changes in the content of those Bylaws as are necessary to substitute the committee and its members for the Board and its members. Minutes shall be kept of each meeting of any committee and shall be filed with the corporate records. The Board may adopt rules for the governance of any committee not inconsistent with the provisions of these Bylaws or, in the absence of rules adopted by the Board, the committee may adopt such Rules.

## ARTICLE VII

### OFFICERS

**Section 1. Officers.** The officers of this Authority shall be a President, a Secretary, and a Chief Financial Officer. The Authority may also have, at the Board's discretion, a Chairperson of the Board, one or more Vice Presidents, one or more Assistant Secretaries, one or more Assistant Financial Officers, and such other officers as may be appointed in accordance with Article VII, Section 2 of these Bylaws. Any number of offices may be held by the same person, except that neither the Secretary nor the Chief Financial Officer may serve concurrently as the President. The officers of the Authority, except those appointed under Article VII, Section 2 of these Bylaws, shall be chosen annually by the Board and shall serve at the pleasure of the Board, subject to the rights, if any, of any officer under any contract of employment and, to the extent applicable, the City's Civil Service System, as provided in Article X of the City's Charter.

**Section 2. Other Officers.** The Board may appoint and may authorize, the President, or other officer, to appoint any other officers that the Authority may require. Each officer so appointed shall have the title, hold office for the period, have the authority, and perform the duties specified in the Bylaws or determined by the Board.

**Section 3. Removal of Officers.** Without prejudice to any rights of an officer under any contract of employment, any officer may be removed with or without cause by the Board and also, if the officer was not chosen by the Board, by any officer on whom the Board may confer that power of removal.

**Section 4. Resignation of Officers.** Any officer may resign at any time by giving written notice to the Authority. Any resignation shall take effect at the date of the receipt of that notice or at any later time specified by that notice and unless otherwise specified in that notice, the acceptance of the resignation shall not be necessary to make it effective. Any resignation is without prejudice to the rights, if any, of this Authority under any contract to which the officer is a party.

**Section 5. Vacancies in Office.** A vacancy in any office because of death, resignation, removal, disqualification, or any other cause shall be filled in the manner prescribed in these Bylaws for regular appointments to that office, provided, however, that vacancies need not be filled on an annual basis.

**Section 6. President.** The President shall preside at meetings of the Board and shall exercise and perform such other powers and duties as the Board may assign from time to time.

**Section 7. Vice Presidents.** If the President is absent or disabled, the Vice Presidents, if any, in order of their rank as fixed by the Board, or, if not ranked, a Vice President designated by the Board, shall perform all duties of the President. When so acting, a Vice President shall have all the powers of and be subject to all restrictions on the President. The President shall have such other powers and perform such other duties as the Board or the Bylaws may prescribe.

**Section 8. Secretary.** The Secretary shall perform or cause to be performed the following acts:

(a) The Secretary shall keep or cause to be kept, at the Authority's principal officer or such other place as the Board may direct, a book of minutes of all meetings, proceedings, and actions of the Board and of committees of the Board. The minutes of the meetings shall include the time and place that the meeting was held; whether the meeting was annual, regular, or special, and, if special, how authorized; the notice given, written waivers of notice of meeting, written consents to holding meeting, written approvals of minutes of meeting, and unanimous written consents to action of the Board without a meeting, and similarly as to meetings of committees of the Board; and the names of those present at Board and committee meetings.

(b) The Secretary shall keep or cause to be kept, at the principal office in California, a copy of the Articles of Incorporation and Bylaws, as amended to date, and a copy of all certificates filed with the Secretary of State.

(c) The Secretary shall keep or cause to be kept, at the Authority's principal office or at a place determined by resolution of the Board, a record of the Authority's Directors, showing each Director's name and address.

(d) The Secretary shall see that all notices are duly given in accordance with the provisions of these Bylaws or as required by law.

(e) The Secretary shall keep or cause to be kept the corporate seal, if any, in safe custody.

(f) The Secretary shall have such other powers and perform such other duties as the Board or the Bylaws may prescribe.

**Section 9. Chief Financial Officer.** The Chief Financial Officer shall perform or shall cause to be performed the following acts:

(a) The Chief Financial Officer shall keep and maintain, or cause to be kept and maintained, adequate and correct books and records or accounts of the Authority's properties and transaction, including accounts of its assets, liabilities, receipts, disbursements, gains, losses, capital, retained earnings, and other matters customarily included in financial statements and prepare an annual budget for submission to the City.

(b) The Chief Financial Officer shall send or cause to be given to the Directors such financial statements and reports as are required to be given by law, by these Bylaws, or by the Board. The books of account shall be open to inspection by any Director at all reasonable times.

(c) The Chief Financial Officer shall prepare and submit or cause to be prepared and submitted any accounting and tax forms as may be required by local, state and federal law.

(d) The Chief Financial Officer shall deposit, or cause to be deposited, all money and other valuables in the name and to the credit of the Authority.

(e) The Chief Financial Officer shall render or cause to be rendered to the President and the Board, when requested, an account of all transactions as Chief Financial Officer and of the financial condition of the Authority.

(f) If required by the Board, the Chief Financial Officer shall give the Authority a bond in the amount and with the surety or sureties specified by the Board for faithful performance of the duties of the office and for restoration to the Authority of all books, papers, vouchers, money, and other property of every kind in the possession or under the control of the Chief Financial Officer on his or her death, resignation, retirement, or removal from office.

(g) The Chief Financial Officer shall have such other powers and perform such other duties as the Board or the Bylaws may prescribe.

**Section 10. Compensation.** Subject to the budget and fiscal provisions of the City's Charter, officers may receive such compensation from the Authority, if any, for their services as officers, and such reimbursement of expenses, as the Board may recommend by resolution to be just and reasonable as to the Authority at the time that the resolution is adopted.

**Section 11. Execution of Instruments.** Subject to the budget and fiscal provisions of the City's Charter any and all instruments executed in the name of the Authority, including, but not limited to, contracts, agreements, purchase orders, notes, deeds, deeds of trust, mortgages, leases, security agreements, checks and drafts issued, endorsements of checks and drafts received, certificates, applications and reports, shall be executed by one or more officers, employees or agents of the Authority as authorized from time to time by the Board. Such authorization may be general or confined to specific instances. The respective offices and duties thereof as established and defined in this Article VII and by resolution of the Board include, except as otherwise provided, the authority to execute instruments in the name of the Authority when the execution of the instrument is incident to carrying out the duties of the offices.

**Section 12. Checks, Drafts, etc.** Subject to the budget and fiscal provision of the City's Charter, the Board may by resolution authorize from time to time such person or persons as it may designate to sign and/or countersign checks or drafts drawn on the funds of the Authority, and may also by resolution authorize any officer of the Authority to designate from time to time any person or persons to sign and/or countersign checks or drafts drawn on the funds of the Authority.

**Section 13. Agency Agreements.** The Board may by resolution authorize the Authority to enter into joint powers agreements and/or agency agreements with governmental agencies, including without limitation, any department, commission or agency of the City, and contract with such governmental agencies for the performance of services in furtherance of and related to the purposes of the Authority, including, without limitation, the performance of the duties, rights and responsibilities designated to the Officers of the Authority in this Article VII.

## ARTICLE VIII

### RECORDS AND REPORTS

**Section 1. Maintenance of Corporate Records.** The Authority shall keep:  
(a) adequate and correct books and records of accounts; (b) written minutes of the proceedings of the Board and committees of the Board; and (c) a record of each Director's name and address.

**Section 2. Annual Report.** The Board shall cause an annual report to be prepared within 120 days after the end of the Authority's fiscal year (the "Annual Report"). The Annual Report shall contain the following information, in appropriate detail, for the fiscal year:

(a) The assets and liabilities, including trust funds, of the Authority as of the end of the fiscal year.

(b) The principal changes in assets and liabilities, including trust funds.

(c) The revenue or receipts of the Authority, both unrestricted and restricted to particular purposes.

(d) The expenses or disbursements of the Authority, for both general and restricted purposes.

(e) Any information required by California Corporations Code Section 6322.

A copy of the Annual Report and a summary thereof shall be presented to the Mayor and the Board of Supervisors by the President of the Authority within 60 days after the completion of each year's Annual Report.

**Section 3. Board of Supervisors Reports.** The Board shall cause a quarterly report to be presented to the Economic Development, Transportation and Technology Committee of the Board of Supervisors or any successor committee with oversight of Point Molate describing generally the activities of the Authority for the preceding quarter.

## ARTICLE IX

### INDEMNIFICATION AND INSURANCE

**Section 1. Right of Indemnity.** The Directors shall not be personally liable for the debts, liabilities, or other obligations of the Authority, including penalties. To the fullest extent permitted by law, the Authority shall indemnify its Directors, officers, employees, and other persons described in Section 5238(a) of the California Corporations Code, including persons formerly occupying any such position, against all expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred by them in connection with any "proceeding," as that term is used in that Section, and including an action by or in the right of the Authority, by reason of the fact that the person is or was a person described in that section. "Expenses," as used in this Article IX, shall have the same meaning as in Section 5238(a) of the California Corporations Code.

**Section 2. Approval of Indemnity.** On written request to the Board by any person seeking indemnification under Section 5238(b) or Section 5238(c) of the California Corporations Code, the Board shall promptly determine under Section 5238(e) of the California Corporations

Code whether the applicable standard of conduct set forth in Section 5238(b) or Section 5238(c) has been met and, if so, the Board shall authorize indemnification.

Section 3. Advancement of Expenses. To the fullest extent permitted by law and except as otherwise determined by the Board in a specific instance, expenses incurred by a person seeking indemnification under Article IX, Sections 1 and 2 of these Bylaws in defending any proceeding covered by those Sections shall be advanced by the Authority before final disposition of the proceeding, on receipt by the Authority of an undertaking by or on behalf of that person that the advance will be repaid unless it is ultimately determined that the person is entitled to be indemnified by the Authority for those expenses.

Section 4. Insurance. The authority shall have the right to purchase and maintain insurance to the full extent permitted by law on behalf of its Directors, officers, employees, and other agents, against any liability asserted against or incurred by any Director, officer, employee, or agent in such capacity, or arising out of the Director's, officer's, employee's, or agent's status as such.

## ARTICLE X

### MISCELLANEOUS

Section 1. Fiscal Year. The fiscal year of this Authority shall begin July 1 and end June 30 of each year, except for the first fiscal year, which shall begin on the date of incorporation and end June 30, 1998.

Section 2. Corporate Seal. This Authority may have a seal which shall be specified by resolution of the Board. The seal, if any, shall be affixed to all corporate instruments, but failure to affix it shall not affect the validity of the instrument.

Section 3. Amendment of Bylaws. New Bylaws may be adopted or these Bylaws may be amended or repealed by approval or written consent of a majority of the Directors. No amendment to these Bylaws nor any new Bylaws shall be valid or become effective without the written consent of the Mayor.

Section 4. Construction and Definitions. Unless the context requires otherwise, the general provisions, rules or construction, and definitions in the California Nonprofit Corporation Law shall govern the construction of these Bylaws. Without limiting the generality of the above, the singular number includes the plural, the plural number includes the singular, and the term "person" includes both a legal entity and a natural person.

Section 5. Gambling and Gaming. No card rooms, casinos or any other type of gambling or gaming activities (except solely for the sale of LOTTO tickets or other programs run by the California State Lottery System to the extent otherwise permitted in the City of Richmond) shall be permitted at Point Molate, even if the Constitution of the State of California is amended to permit such gambling or gaming activities.

**CONSENT OF THE MAYOR**

I, Thomas k. Butt, the mayor of the City of Richmond, on this \_\_\_\_\_ day of \_\_\_\_\_, hereby consent to and approve of these Bylaws of the Winehaven Development Authority.

**CERTIFICATE OF SECRETARY**

I certify that I am the duly elected and acting Secretary of the Winehaven Development Authority, a California nonprofit public benefit corporation, that the above Bylaws, consisting of fourteen (14) pages, , and that they have not been amended or modified since that date.

Executed on \_\_\_\_\_ at the City Hall in Richmond, California.



## Pt Molate Report

PMCAC #60 May 9, 2016

Expenditures and balance from Navy Escrow Fund:

- Three Expenditures totaling \$549,923.80
- Balance: \$5,092,187.54

Expenditures and balance from City General Fund:

- Expenditures to date for FY 15-16 total \$223,288
- Balance: \$113,423.

Insurance Report filings

- Report provided in the May 2016 PMCAC Agenda Packet.

Lease/Occupation status for all Pt. Molate Users

- Caretaker report for May 2016 enclosed.
- Report includes directing the moving of storage containers to make more lease space available, reviewed bricks that had fallen off the upper arch of Winehaven Building 1, received report from Craig that more roadway fallen off and Veolia called to check road drainage outfall, provided access for 9 on the East Shore Parks Board of Directors tour of shoreline on Saturday April 16 (Barth, Cheasty, Dean plus husband, Burke, Laforce, Garrett, Helvard and Stello), reported that Building 87 has been emptied and transformer is pending removal, Craig advised of a Carman-led tour and Carman would provide entry forms, reported SF State students on site, repaired generator delivered, reported AT&T still needs to repair pole and cable, porta potty found laying on its side, pavement collapse behind building 123 reported, reported contractor on pier boarding up shack, and various routine activities placed in reports for the month.
- Additional space under license is being readied for July 1 under Nematode Holdings. This includes pavement areas, Building 17 and Building 18 behind Bldg. 123, and leased around Bldg. 123. Quonset Hut/Bldg. 87, Winehaven/Bldg.1 main floor and Bldg. 118 shack at end of pier. Lease revenues at \$3,820.40 a month with building and area rent credits requested of \$13,920. Nematode has provided additional clean-up costs without a charge and provided space in Building 18 for PMCAC activities that benefit Pt Molate. It is expected that lease interests will continue to help defray clean up and repair costs as well as generate revenue.
- Village of Point Molate Sign could be replaced through a volunteer effort of Nematode and tenants.

Monthly Summary of security incidents:

- April, 2016 report enclosed. Report provided by First Security.
- One significant incident was reported. On April 30, Cottage Unit #57 had a broken door.
- First Security performed 2 Contacts during this period.

- First Security provided five guards to Pt Molate during this month and initiated 1248 security checks within Point Molate designated patrol site during the month of April 2016.

Monthly Summary of authorized entries:

- There were fifteen public entry authorizations for prior month including Three (Puleo, Johnson, Eichenholtz) for Friends of Pt Molate and Twelve (Martin, Zolotour, Hotchkiss, Berg, Simmons, Bull, Schumacher, Harley, Krumland, Phil, Pronko, and McMullen) of Nematode License.

Caretaker Summary

- Public Works Dept. provided enclosed report.

Beach Park

- New City of Richmond Department of Infrastructure and Maintenance Operations (DIMO)/Parks & Landscaping via D&H Landscaping provided a Pt Molate Landscaping Maintenance Report.
- Summary of the April activity report from the Friends of Point Molate group is pending.

IR Site 3 Remediation and Abatement Project

- Terraphase will be providing a current status update on IR Site 3 at tonight's meeting.

Other

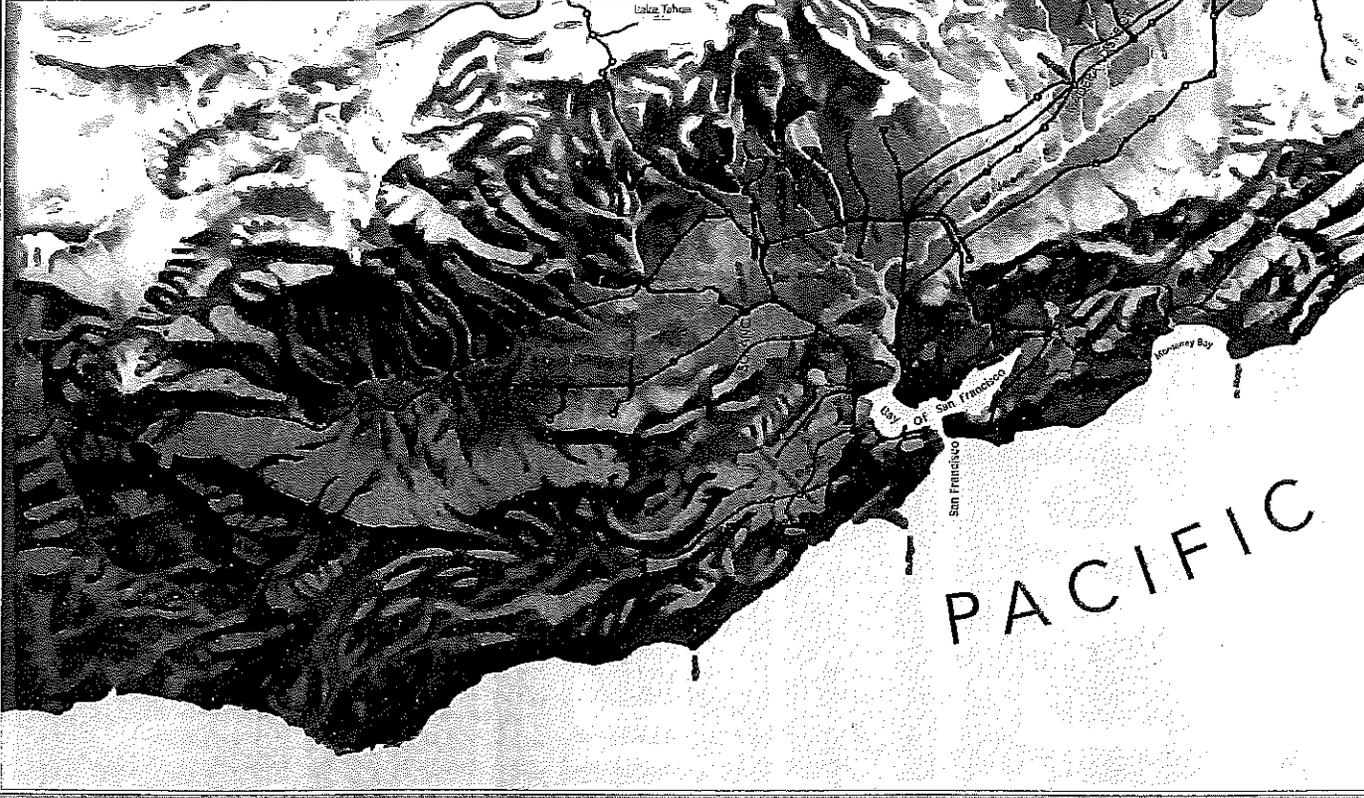
- Red Rocks Marina was reported by listing Broker as sold. Location is significant historical place for the Richmond – Pt San Quentin/San Rafael ferry ran up until the Richmond San Rafael Bridge was built and open in 1956. Murray corresponded with new representative of the Red Rocks: J. Chiang AKA Yung C Chiang The 7 Eleven Realty ID: 00769147 650-757-1678, 650-284-2138 fax, the711realty@yahoo.com. Listing Agent may have further information on property: Friddle Real Estate, Mike Friddle Broker, 421 Central Park Place, Brentwood, CA 94513, Phone: 925-513-1893, email: mike.friddle@comast.net.

VILLAGE OF POINT MOLATE

VILLAGE OF POINT MOLATE

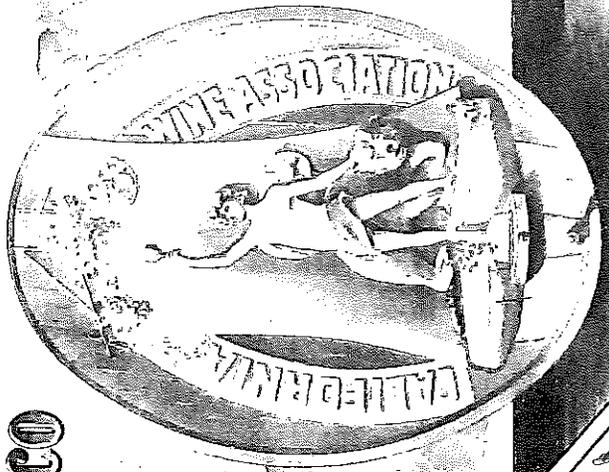
VILLAGE OF POINT MOLATE

Point Molate and the Winehaven Historical District



# CALIFORNIA WINE ASSOCIATION

San Francisco  
and  
New York



GOLD MEDALS  
AWARDED AT  
PARIS INTERNAT'L EXPOSITION  
1900  
PAN-AMERICAN  
EXPOSITION



Pt. Molate Remediation Budget Report  
As of May 6, 2016

Vendors	Date	Expenditures As of 5/6/2016	Revenues As of 5/6/2016	Balance As of 5/6/2016
<b>Contra Costa Environmental Health</b>				
Contra Costa Environmental Health/CCHS	1/5/2011	\$ 474.00		
Contra Costa Environmental Health/CCHS	2/16/2011	\$ 474.00		
Contra Costa Environmental Health/CCHS	8/23/2011	\$ 474.00		
Contra Costa Environmental Health/CCHS	11/14/2011	\$ 474.00		
Contra Costa Environmental Health/CCHS	1/25/2012	\$ 395.00		
Contra Costa Environmental Health/CCHS	8/29/2012	\$ 632.00		
Contra Costa Environmental Health/CCHS	10/30/2012	\$ 316.00		
Contra Costa Environmental Health/CCHS	2/12/2013	\$ 316.00		
Contra Costa Environmental Health/CCHS	6/14/2013	\$ 348.00		
Contra Costa Environmental Health/CCHS	8/8/2013	\$ 348.00		
Contra Costa Environmental Health/CCHS	12/18/2013	\$ 348.00		
Contra Costa Environmental Health/CCHS	2/10/2014	\$ 348.00		
Contra Costa Environmental Health/CCHS	6/3/2014	\$ 348.00		
Contra Costa Environmental Health/CCHS	12/21/2015	\$ 522.00		
Contra Costa Environmental Health/CCHS	3/25/2016	\$ 565.10		
<b>TOTAL</b>		<b>\$ 6,382.10</b>	<b>\$ -</b>	<b>\$ 6,382.10</b>
<b>Escrow Account Holder Fees</b>				
FAFC Fee Slip - April 2012	4/16/2012	\$ 300.00		
FAFC Fee Slip - April 2013	4/4/2013	\$ 300.00		
FAFC Fee Slip - August 2010	9/13/2010	\$ 300.00		
FAFC Fee Slip - August 2011	8/23/2011	\$ 300.00		
FAFC Fee Slip - December 2010	2/8/2011	\$ 300.00		
FAFC Fee Slip - December 2012	12/11/2012	\$ 300.00		
FAFC Fee Slip - Feb. to April 2011	4/18/2011	\$ 900.00		
FAFC Fee Slip - February 2013	2/8/2013	\$ 300.00		
FAFC Fee Slip - January & February 2012	2/29/2012	\$ 600.00		
FAFC Fee Slip - January 2011	2/8/2011	\$ 300.00		
FAFC Fee Slip - January 2013	1/7/2013	\$ 300.00		
FAFC Fee Slip - July 2011	7/29/2011	\$ 300.00		
FAFC Fee Slip - June & July 2013	8/2/2013	\$ 600.00		
FAFC Fee Slip - June 2011	6/6/2011	\$ 300.00		
FAFC Fee Slip - March 2012	3/8/2012	\$ 300.00		
FAFC Fee Slip - March 2013	3/4/2013	\$ 300.00		
FAFC Fee Slip - May - July 2010	8/16/2010	\$ 900.00		
FAFC Fee Slip - May 2011	5/6/2011	\$ 300.00		
FAFC Fee Slip - May 2012	5/18/2012	\$ 300.00		
FAFC Fee Slip - May 2012	6/7/2012	\$ 290.00		
FAFC Fee Slip - May 2012	10/1/2012	\$ 900.00		
FAFC Fee Slip - May 2012	10/9/2012	\$ 300.00		
FAFC Fee Slip - May 2013	5/1/2013	\$ 300.00		
FAFC Fee Slip - November & December 2011	12/8/2011	\$ 600.00		
FAFC Fee Slip - November 2010	1/5/2011	\$ 300.00		
FAFC Fee Slip - November 2012	12/11/2012	\$ 300.00		
FAFC Fee Slip - October 2010	11/8/2010	\$ 300.00		
FAFC Fee Slip - October 2011	3/8/2012	\$ 300.00		
FAFC Fee Slip - September 2010	10/7/2010	\$ 300.00		
FAFC Fee Slip - September 2011	9/8/2011	\$ 300.00		
First American Fund Control	11/1/2010	\$ 2,704.15		
First American Fund Control (FAFC) Setup Fee	4/20/2010	\$ 1,000.00		
Union Bank Fees	9/20/2013	\$ 1,560.00		
Union Bank - Annual Fees (9/1/14 - 8/31/15)	9/17/2014	\$1,060.00		
Union Bank - Annual Fees (9/1/15 - 8/31/16)	9/23/2015	\$1,060.00		
<b>TOTAL</b>		<b>\$ 19,074.15</b>	<b>\$ -</b>	<b>\$ 19,074.15</b>

Pt. Molate Remediation Budget Report  
As of May 6, 2016

Vendors	Date	Expenditures As of 5/6/2016	Revenues As of 5/6/2016	Balance As of 5/6/2016
<b>Morrison &amp; Foerster LLP</b>				
Morrison & Foerster LLP	10/21/2011	\$ 3,520.00		
Morrison & Foerster LLP	11/14/2011	\$ 1,933.75		
Morrison & Foerster LLP	12/8/2011	\$ 5,305.00		
Morrison & Foerster LLP	1/25/2012	\$ 297.50		
Morrison & Foerster LLP	3/15/2012	\$ 5,801.25		
Morrison & Foerster LLP	4/23/2012	\$ 1,611.25		
Morrison & Foerster LLP	5/18/2012	\$ 297.50		
Morrison & Foerster LLP	7/9/2012	\$ 1,041.25		
<b>TOTAL</b>		<b>\$ 19,807.50</b>	<b>\$ -</b>	<b>\$ 19,807.50</b>
<b>Nichols Consulting Engineers, CHTD</b>				
Nichols Consulting Engineers, CHTD	10/21/2011	\$ 6,234.50		
Nichols Consulting Engineers, CHTD	12/8/2011	\$ 4,845.00		
Nichols Consulting Engineers, CHTD	7/9/2012	\$ 22,670.75		
Nichols Consulting Engineers, CHTD	12/6/2012	\$ 12,945.00		
Nichols Consulting Engineers, CHTD	12/21/2012	\$ 2,016.64		
Nichols Consulting Engineers, CHTD	1/29/2013	\$ 1,905.00		
Nichols Consulting Engineers, CHTD	8/8/2013	\$ 1,046.00		
Nichols Consulting Engineers, CHTD	10/17/2013	\$ 24,745.00		
Nichols Consulting Engineers, CHTD	8/1/2014	\$ 18,683.67		
Nichols Consulting Engineers, CHTD	9/27/2014	\$ 57,071.54		
Nichols Consulting Engineers, CHTD	1/20/2015	\$ 24,708.88		
Nichols Consulting Engineers, CHTD	5/27/2015	\$ 19,792.56		
Nichols Consulting Engineers, CHTD	6/29/2015	\$ 43,179.74		
Nichols Consulting Engineers, CHTD	7/28/2015	\$ 23,625.00		
Nichols Consulting Engineers, CHTD	10/28/2015	\$ 12,601.89		
<b>TOTAL</b>		<b>\$ 276,071.17</b>	<b>\$ -</b>	<b>\$ 276,071.17</b>
<b>Pacific States Environmental Contractors, Inc.</b>				
Pacific States Environmental Contractors, Inc.	10/31/2014	\$ 855,815.67		
Pacific States Environmental Contractors, Inc.	12/10/2014	\$ 1,006,214.83		
Pacific States Environmental Contractors, Inc.	1/9/2015	\$ 779,224.77		
Pacific States Environmental Contractors, Inc.	1/27/2015	\$ 23,947.99		
Pacific States Environmental Contractors, Inc.	3/11/2015	\$ 67,017.85		
Pacific States Environmental Contractors, Inc.	3/19/2015	\$ 7,324.50		
Pacific States Environmental Contractors, Inc.	5/27/2015	\$ 259,652.05		
Pacific States Environmental Contractors, Inc.	6/12/2015	\$ 1,705,593.08		
Pacific States Environmental Contractors, Inc.	6/29/2015	\$ 2,211,213.49		
Pacific States Environmental Contractors, Inc.	8/11/2015	\$ 1,831,042.78		
Pacific States Environmental Contractors, Inc.	9/17/2015	\$ 1,300,776.20		
Pacific States Environmental Contractors, Inc.	11/30/2015	\$ 153,431.01		
Pacific States Environmental Contractors, Inc.	1/8/2016	\$ 425,137.76		
Pacific States Environmental Contractors, Inc.	1/15/2016	\$ 279,641.87		
Pacific States Environmental Contractors, Inc.	4/19/2016	\$ 498,835.98		
<b>TOTAL</b>		<b>\$ 11,404,869.83</b>	<b>\$ -</b>	<b>\$ 11,404,869.83</b>
<b>PG&amp;E</b>				
PG&E	10/21/2011	\$ 6,626.33		
PG&E	12/8/2011	\$ 3,016.85		
PG&E	3/15/2012	\$ 3,026.91		
<b>TOTAL</b>		<b>\$ 12,670.09</b>	<b>\$ -</b>	<b>\$ 12,670.09</b>
<b>RORE, Inc.</b>				
RORE, Inc.	1/5/2011	\$ 31,581.00		
<b>TOTAL</b>		<b>\$ 31,581.00</b>	<b>\$ -</b>	<b>\$ 31,581.00</b>

Pt. Molate Remediation Budget Report  
As of May 6, 2016

Vendors	Date	Expenditures As of 5/6/2016	Revenues As of 5/6/2016	Balance As of 5/6/2016
<b>Savings Interest</b>				
Savings Interest	9/1/2011		\$ 8,047.46	
Savings Interest	3/7/2011		\$ 2,704.15	
Savings Interest - April 2010	5/10/2010		\$ 1,989.85	
Savings Interest - April 2010	5/12/2010		\$ 3,218.95	
Savings Interest - April 2011	5/18/2011		\$ 4,575.58	
Savings Interest - April 2011	5/18/2011		\$ 1,024.62	
Savings Interest - April 2011	5/18/2011		\$ 1,025.75	
Savings Interest - April 2011	5/18/2011		\$ 415.61	
Savings Interest - April 2011	5/25/2011		\$ 2,180.76	
Savings Interest - April 2012	5/21/2012		\$ 1,900.11	
Savings Interest - April 2013	5/13/2013		\$ 3,206.73	
Savings Interest - August 2010	9/15/2010		\$ 773.33	
Savings Interest - August 2010	9/15/2010		\$ 773.33	
Savings Interest - August 2010	9/15/2010		\$ 2,564.97	
Savings Interest - August 2010	9/15/2010		\$ 5,136.59	
Savings Interest - August 2010	3/7/2011		\$ (773.33)	
Savings Interest - August 2011	9/19/2011		\$ 2,090.17	
Savings Interest - August 2012	9/12/2012		\$ 1,923.15	
Savings Interest - December 2010	1/26/2011		\$ 654.76	
Savings Interest - December 2010	1/26/2011		\$ 4,621.71	
Savings Interest - December 2010	1/26/2011		\$ 4,951.46	
Savings Interest - December 2012	1/23/2013		\$ 1,885.68	
Savings Interest - Decemberr 2011	1/30/2012		\$ 2,005.79	
Savings Interest - February 2011	3/1/2011		\$ 1,795.24	
Savings Interest - February 2011	3/3/2011		\$ 504.17	
Savings Interest - February 2011	3/28/2011		\$ -	
Savings Interest - February 2011	3/28/2011		\$ 4,435.35	
Savings Interest - February 2012	3/14/2012		\$ 1,860.86	
Savings Interest - February 2013	3/18/2013		\$ 3,040.52	
Savings Interest - January 2011	2/28/2011		\$ 567.29	
Savings Interest - January 2011	2/28/2011		\$ 2,056.91	
Savings Interest - January 2011	2/28/2011		\$ 4,918.91	
Savings Interest - January 2012	2/22/2012		\$ 1,997.55	
Savings Interest - January 2013	2/13/2013		\$ 3,340.54	
Savings Interest - July 2010	8/11/2010		\$ 732.37	
Savings Interest - July 2010	8/11/2010		\$ 732.37	
Savings Interest - July 2010	8/11/2010		\$ 2,409.34	
Savings Interest - July 2010	8/11/2010		\$ 4,830.04	
Savings Interest - July 2010	3/7/2011		\$ (732.37)	
Savings Interest - July 2011	8/24/2011		\$ 7,096.07	
Savings Interest - July 2011	8/24/2011		\$ 2,097.56	
Savings Interest - July 2012	8/22/2012		\$ 1,929.33	
Savings Interest - July 2013			\$ 1,824.74	
Savings Interest - June 2010	7/26/2010		\$ 493.14	
Savings Interest - June 2010	7/26/2010		\$ 493.14	
Savings Interest - June 2010	7/26/2010		\$ 2,852.41	
Savings Interest - June 2010	7/26/2010		\$ 5,330.73	
Savings Interest - June 2010	3/7/2011		\$ (493.14)	
Savings Interest - June 2011	7/18/2011		\$ 7,000.65	
Savings Interest - June 2011	7/18/2011		\$ 419.20	
Savings Interest - June 2011	7/20/2011		\$ 2,034.00	
Savings Interest - June 2012	7/16/2012		\$ 1,879.15	
Savings Interest - June 2013	7/10/2013		\$ 3,180.04	
Savings Interest - March 2011	4/11/2011		\$ 1,150.69	
Savings Interest - March 2011	4/11/2011		\$ 1,150.69	
Savings Interest - March 2011	4/25/2011		\$ 4,904.82	
Savings Interest - March 2011	4/25/2011		\$ 430.34	
Savings Interest - March 2011	4/25/2011		\$ 82.19	
Savings Interest - March 2011	5/25/2011		\$ 2,058.59	

Pt. Molate Remediation Budget Report  
As of May 6, 2016

Vendors	Date	Expenditures As of 5/6/2016	Revenues As of 5/6/2016	Balance As of 5/6/2016
Savings Interest - March 2012	4/30/2012		\$ 1,979.63	
Savings Interest - March 2013	4/16/2013		\$ 3,346.60	
Savings Interest - May 2010	6/11/2010		\$ 2,712.51	
Savings Interest - May 2010	6/11/2010		\$ 4,521.30	
Savings Interest - May 2011	6/22/2011		\$ 1,710.88	
Savings Interest - May 2011	6/22/2011		\$ 5,027.83	
Savings Interest - May 2011	6/22/2011		\$ 427.76	
Savings Interest - May 2011	6/22/2011		\$ 523.78	
Savings Interest - May 2011	6/22/2011		\$ 1,049.53	
Savings Interest - May 2011	6/22/2011		\$ 1,049.53	
Savings Interest - May 2012	6/18/2012		\$ 1,950.31	
Savings Interest - May 2013	6/14/2013		\$ 3,287.38	
Savings Interest - November 2010	12/15/2010		\$ 5,110.49	
Savings Interest - November 2010	12/15/2010		\$ 760.49	
Savings Interest - November 2011	12/12/2011		\$ 1,955.50	
Savings Interest - November 2012	12/19/2012		\$ 1,838.75	
Savings Interest - October 2010	11/17/2010		\$ 696.94	
Savings Interest - October 2010	11/17/2010		\$ 2,322.38	
Savings Interest - October 2010	11/17/2010		\$ 4,647.05	
Savings Interest - October 2011	11/1/2011		\$ 1,265.06	
Savings Interest - October 2011	11/21/2011		\$ 2,030.42	
Savings Interest - October 2012	11/16/2012		\$ 1,911.44	
Savings Interest - September 2010	10/20/2010		\$ 725.31	
Savings Interest - September 2010	10/20/2010		\$ 725.31	
Savings Interest - September 2010	10/20/2010		\$ 2,405.12	
Savings Interest - September 2010	10/20/2010		\$ 4,817.12	
Savings Interest - September 2010	3/7/2011		\$ (725.31)	
Savings Interest - September 2011	10/12/2011		\$ 6,224.06	
Savings Interest - September 2011	10/26/2011		\$ 1,997.61	
Savings Interest - September 2012	10/15/2012		\$ 1,853.35	
Savings Interest Adjustment - February 2011	3/3/2011		\$ 411.38	
Revenue	6/30/2011		\$ 8.63	
Savings Interest - August 2013	9/11/2013		\$ 1,818.23	
Interest	9/13-11/13		\$ 409.95	
Interest	12/13-5/14		\$ 959.40	
<b>TOTAL</b>			<b>\$ 207,066.33</b>	
<b>State Water Resources Control Board</b>				
State Water Resources Control Board	11/10/2010	\$ 796.00		
State Water Resources Control Board	12/3/2010	\$ 3,553.88		
State Water Resources Control Board	4/18/2011	\$ 7,765.81		
State Water Resources Control Board	7/29/2011	\$ 8,397.38		
State Water Resources Control Board	10/21/2011	\$ 30,340.20		
State Water Resources Control Board	12/8/2011	\$ 36,003.36		
State Water Resources Control Board	1/25/2012	\$ 11,195.00		
State Water Resources Control Board	3/15/2012	\$ 48,269.05		
State Water Resources Control Board	7/9/2012	\$ 40,507.27		
State Water Resources Control Board	10/30/2012	\$ 31,116.76		
State Water Resources Control Board	12/6/2012	\$ 11,195.00		
State Water Resources Control Board	4/2/2013	\$ 23,492.08		
State Water Resources Control Board	8/8/2013	\$ 10,078.39		
State Water Resources Control Board (SCP Program)	12/18/2013	\$ 1,952.67		
State Water Resources Control Board	12/18/2013	\$ 11,877.00		
State Water Resources Control Board	2/10/2014	\$ 19,032.82		
State Water Resources Control Board	3/27/2014	\$ 6,224.57		
State Water Resources Control Board	6/3/2014	\$ 553.32		
State Water Resources Control Board	8/2/2014	\$ 20,589.19		
State Water Resources Control Board (SCP Program)	11/19/2014	\$ 34,327.45		
State Water Resources Control Board	11/27/2014	\$ 11,497.00		
State Water Resources Control Board	1/20/2015	\$ 11,497.00		
State Water Resources Control Board	3/19/2015	\$ 18,593.45		
State Water Resources Control Board	6/29/2015	\$ 13,325.32		
State Water Resources Control Board	10/28/2015	\$ 10,600.60		
State Water Resources Control Board (SCP Program)	11/30/2015	\$ 15,344.24		
State Water Resources Control Board	11/30/2015	\$ 659.00		
State Water Resources Control Board	3/4/2016	\$ 4,519.18		
State Water Resources Control Board	4/19/2016	\$ 4,519.18		
<b>TOTAL</b>		<b>\$ 447,822.17</b>	<b>\$ -</b>	<b>\$ 447,822.17</b>

841.5

Pt. Molate Remediation Budget Report  
As of May 6, 2016

Vendors	Date	Expenditures As of 5/6/2016	Revenues As of 5/6/2016	Balance As of 5/6/2016
<b>Terraphase Engineering, Inc</b>				
Terraphase Engineering, Inc	6/6/2011	\$ 78,656.54		
Terraphase Engineering, Inc.	1/5/2011	\$ 37,142.09		
Terraphase Engineering, Inc.	2/16/2011	\$ 63,617.92		
Terraphase Engineering, Inc.	1/25/2012	\$ 110,282.57		
Terraphase Engineering, Inc.	3/15/2012	\$ 61,726.26		
Terraphase Engineering, Inc.	3/15/2012	\$ 145,489.51		
Terraphase Engineering, Inc.	4/23/2012	\$ 121,263.22		
Terraphase Engineering, Inc.	5/18/2012	\$ 154,907.80		
Terraphase Engineering, Inc.	7/9/2012	\$ 129,899.78		
Terraphase Engineering, Inc.	7/20/2012	\$ 133,279.02		
Terraphase Engineering, Inc.	8/29/2012	\$ 70,585.19		
Terraphase Engineering, Inc.	9/19/2012	\$ 68,665.72		
Terraphase Engineering, Inc.	10/30/2012	\$ 103,672.81		
Terraphase Engineering, Inc.	12/6/2012	\$ 174,878.31		
Terraphase Engineering, Inc.	12/21/2012	\$ 289,077.05		
Terraphase Engineering, Inc.	2/12/2013	\$ 281,577.64		
Terraphase Engineering, Inc.	4/2/2013	\$ 202,972.88		
Terraphase Engineering, Inc.	4/30/2013	\$ 82,590.63		
Terraphase Engineering, Inc.	5/1/2013	\$ 75,316.43		
Terraphase Engineering, Inc.	6/14/2013	\$ 43,556.01		
Terraphase Engineering, Inc.	8/8/2013	\$ 44,555.23		
Terraphase Engineering, Inc.	8/8/2013	\$ 60,528.86		
Terraphase Engineering, Inc.	4/18/2011	\$ 168,063.37		
Terraphase Engineering, Inc.	7/7/2011	\$ 66,639.77		
Terraphase Engineering, Inc.	7/29/2011	\$ 37,573.67		
Terraphase Engineering, Inc.	8/23/2011	\$ 99,184.28		
Terraphase Engineering, Inc.	9/14/2011	\$ 109,635.96		
Terraphase Engineering, Inc.	10/21/2011	\$ 51,791.39		
Terraphase Engineering, Inc.	11/14/2011	\$ 71,065.26		
Terraphase Engineering, Inc.	12/8/2011	\$ 158,309.56		
Terraphase Engineering, Inc.	10/17/2013	\$ 51,248.57		
Terraphase Engineering, Inc.	11/15/2013	\$ 28,351.81		
Terraphase Engineering, Inc.	12/18/2013	\$ 68,604.41		
Terraphase Engineering, Inc.	12/20/2013	\$ 66,328.38		
Terraphase Engineering, Inc.	2/10/2014	\$ 65,579.43		
Terraphase Engineering, Inc.	3/17/2014	\$ 103,683.69		
Terraphase Engineering, Inc.	3/27/2014	\$ 102,373.52		
Terraphase Engineering, Inc.	4/29/2014	\$ 68,324.79		
Terraphase Engineering, Inc.	6/3/2014	\$ 81,640.00		
Terraphase Engineering, Inc.	7/11/2014	\$ 36,883.79		
Terraphase Engineering, Inc.	8/2/2014	\$ 52,505.63		
Terraphase Engineering, Inc.	9/2/2014	\$ 51,882.72		
Terraphase Engineering, Inc.	9/27/2014	\$ 114,953.96		
Terraphase Engineering, Inc.	10/25/2014	\$ 95,929.77		
Terraphase Engineering, Inc.	11/27/2014	\$ 204,422.29		
Terraphase Engineering, Inc.	1/20/2015	\$ 104,493.74		
Terraphase Engineering, Inc.	3/11/2015	\$ 125,312.63		
Terraphase Engineering, Inc.	3/11/2015	\$ 90,210.64		
Terraphase Engineering, Inc.	3/26/2015	\$ 87,923.69		
Terraphase Engineering, Inc.	4/23/2015	\$ 139,943.20		
Terraphase Engineering, Inc.	6/1/2015	\$ 125,374.10		
Terraphase Engineering, Inc.	6/29/2015	\$ 126,704.25		
Terraphase Engineering, Inc.	8/3/2015	\$ 133,605.29		
Terraphase Engineering, Inc.	9/17/2015	\$ 135,433.09		
Terraphase Engineering, Inc.	10/28/2015	\$ 140,582.81		
Terraphase Engineering, Inc.	11/30/2015	\$ 88,207.01		
Terraphase Engineering, Inc.	3/4/2016	\$ 32,548.97		
Terraphase Engineering, Inc.	3/4/2016	\$ 131,231.71		
Terraphase Engineering, Inc.	4/25/2016	\$ 46,568.64		
<b>TOTAL</b>		<b>\$ 5,957,357.26</b>	<b>\$ -</b>	<b>\$ 5,957,357.26</b>

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Pt. Molate Remediation Budget Report  
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Vendors	Date	Expenditures As of 5/6/2016	Revenues As of 5/6/2016	Balance As of 5/6/2016
<b>Winhaven Partners, LLC</b>				
Winehaven Partners, LLC	1/5/2011	\$ 5,418.11		
Winehaven Partners, LLC	2/16/2011	\$ 2,753.49		
Winehaven Partners, LLC	4/18/2011	\$ 2,680.76		
Winehaven Partners, LLC	6/6/2011	\$ 362.75		
Winehaven Partners, LLC	7/7/2011	\$ 4,352.37		
Winehaven Partners, LLC	7/29/2011	\$ 574.96		
Winehaven Partners, LLC	8/23/2011	\$ 221.78		
Winehaven Partners, LLC	9/14/2011	\$ 89.96		
Winehaven Partners, LLC	10/21/2011	\$ 136.55		
Winehaven Partners, LLC	11/14/2011	\$ 127.23		
Winehaven Partners, LLC	12/8/2011	\$ 127.36		
Winehaven Partners, LLC	1/25/2012	\$ 127.42		
Winehaven Partners, LLC	4/23/2012	\$ 137.42		
Winehaven Partners, LLC	4/23/2012		\$ 127.42	<b>Net Total*</b>
<b>TOTAL</b>		<b>\$ 17,110.16</b>	<b>\$ 127.42</b>	<b>\$ 16,982.74</b>
<b>Current as of 5/6/2016</b>		<b>\$ 23,615,174.21</b>	<b>\$ 207,361.75</b>	
<b>Remaining Balance</b>				<b>\$ 5,092,187.54</b>
* Net Total - Indicates the net amount paid to a vendor after accounting for a return of funds paid by the vendor back into the escrow account				





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Transactions	Date	Expenditures As of 5/6/2016	Revenues As of 5/6/2016	Balance As of 5/6/2016
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

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Transactions	Date	Expenditures As of 5/6/2016	Revenues As of 5/6/2016	Balance As of 5/6/2016
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

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Transactions	Date	Expenditures As of 5/6/2016	Revenues As of 5/6/2016	Balance As of 5/6/2016
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
Morrison & 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
Morrison & 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

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Transactions	Date	Expenditures As of 5/6/2016	Revenues As of 5/6/2016	Balance As of 5/6/2016
State Water Resources Control Board	4/2/2013	\$ 23,492.08		\$ 19,921,826.40
FAFC Fee Slip - April 2013	4/4/2013	\$ 300.00		\$ 19,921,526.40
Savings Interest - March 2013	4/16/2013		\$ 3,346.60	\$ 19,924,873.00
Terraphase Engineering, Inc.	4/30/2013	\$ 82,590.63		\$ 19,842,282.37
Terraphase Engineering, Inc.	5/1/2013	\$ 75,316.43		\$ 19,766,965.94
FAFC Fee Slip - May 2013	5/1/2013	\$ 300.00		\$ 19,766,665.94
Savings Interest - April 2013	5/13/2013		\$ 3,206.73	\$ 19,769,872.67
Savings Interest - May 2013	6/14/2013		\$ 3,287.38	\$ 19,773,160.05
Terraphase Engineering, Inc.	6/14/2013	\$ 43,556.01		\$ 19,729,604.04
Contra Costa Health Services	6/14/2013	\$ 348.00		\$ 19,729,256.04
Savings Interest - June 2013	7/10/2013		\$ 3,180.04	\$ 19,732,436.08
FAFC Fee Slip - June & July 2013	8/2/2013	\$ 600.00		\$ 19,731,836.08
Terraphase Engineering, Inc.	8/8/2013	\$ 44,555.23		\$ 19,687,280.85
Contra Costa Health Services	8/8/2013	\$ 348.00		\$ 19,686,932.85
State Water Resources Control Board	8/8/2013	\$ 10,078.39		\$ 19,676,854.46
Terraphase Engineering, Inc.	8/8/2013	\$ 60,528.86		\$ 19,616,325.60
Nichols Consulting Engineers, CHTD	8/8/2013	\$ 1,046.00		\$ 19,615,279.60
Savings Interest - July 2013	8/12/2013		\$ 1,824.74	\$ 19,617,104.34
Savings Interest - August 2013	9/11/2013		\$ 1,818.23	\$ 19,618,922.57
Union Bank Fee	9/20/2013	\$ 1,560.00		\$ 19,617,362.57
Terraphase Engineering, Inc.	10/17/2013	\$ 51,248.57		\$ 19,566,114.00
Nichols Consulting Engineers, CHTD	10/17/2013	\$ 24,745.00		\$ 19,541,369.00
Terraphase Engineering, Inc.	11/15/2013	\$ 28,351.81		\$ 19,513,017.19
Terraphase Engineering, Inc.	12/18/2013	\$ 68,604.41		\$ 19,444,412.78
Contra Costa Health Services	12/18/2013	\$ 348.00		\$ 19,444,064.78
State Water Resources Control Board	12/18/2013	\$ 1,952.67		\$ 19,442,112.11
State Water Resources Control Board	12/18/2013	\$ 11,877.00		\$ 19,430,235.11
Terraphase Engineering, Inc.	12/20/2013	\$ 66,328.38		\$ 19,363,906.73
Interest earned	9/13 - 11/13		\$ 409.95	\$ 19,364,316.68
Terraphase Engineering, Inc.	2/10/2014	\$ 65,579.43		\$ 19,298,737.25
Contra Costa Health Services	2/10/2014	\$ 348.00		\$ 19,298,389.25
State Water Resources Control Board	2/10/2014	\$ 19,032.82		\$ 19,279,356.43
Terraphase Engineering, Inc.	3/17/2014	\$ 103,683.69		\$ 19,175,672.74
Terraphase Engineering, Inc.	3/27/2014	\$ 102,373.52		\$ 19,073,299.22
State Water Resources Control Board	3/27/2014	\$ 6,224.57		\$ 19,067,074.65
Interest earned	12/13 - 5/14		\$ 959.40	\$ 19,068,034.05
Terraphase Engineering, Inc.	5/6/2014	\$ 68,324.79		\$ 18,999,709.26
Terraphase Engineering, Inc.	6/3/2014	\$ 61,640.00		\$ 18,938,069.26
State Water Resources Control Board	6/3/2014	\$ 553.32		\$ 18,937,515.94
Contra Costa Health Services	6/3/2014	\$ 348.00		\$ 18,937,167.94
City of Richmond - 2012 Single Audit Reimbursement	6/3/2014	\$ 10,227.00		\$ 18,926,940.94
City of Richmond - 2013 Single Audit Reimbursement	6/3/2014	\$ 9,200.00		\$ 18,917,740.94
Terraphase Engineering, Inc.	7/11/2014	\$ 36,883.79		\$ 18,880,857.15
Terraphase Engineering, Inc.	8/2/2014	\$ 52,505.63		\$ 18,828,351.52
State Water Resources Control Board	8/2/2014	\$ 20,589.19		\$ 18,807,762.33
Nichols Consulting Engineers, CHTD	8/2/2014	\$ 18,663.67		\$ 18,789,098.66
Terraphase Engineering, Inc.	9/2/2014	\$ 51,882.72		\$ 18,737,215.94
Union Bank - Annual Fees (9/1/14 - 8/31/15)	9/17/2014	\$ 1,060.00		\$ 18,736,155.94
Terraphase Engineering, Inc.	9/27/2014	\$ 114,953.96		\$ 18,621,202.00
Nichols Consulting Engineers, CHTD	9/27/2014	\$ 57,071.54		\$ 18,564,130.46
BXPpress	9/27/2014	\$ 1,145.64		\$ 18,562,984.82
Terraphase Engineering, Inc.	10/25/2014	\$ 95,929.77		\$ 18,467,055.05
Pacific States Environmental Contractors, Inc.	10/31/2014	\$ 855,815.67		\$ 17,611,239.38
State Water Resources Control Board	11/19/2014	\$ 34,327.45		\$ 17,576,911.93
Terraphase Engineering, Inc.	11/27/2014	\$ 204,422.29		\$ 17,372,489.64
State Water Resources Control Board	11/27/2014	\$ 11,497.00		\$ 17,360,992.64
Pacific States Environmental Contractors, Inc.	12/10/2014	\$ 1,006,214.83		\$ 16,354,777.81
Pacific States Environmental Contractors, Inc.	1/9/2015	\$ 779,224.77		\$ 15,575,553.04
Nichols Consulting Engineers, CHTD	1/20/2015	\$ 24,708.88		\$ 15,550,844.16
Terraphase Engineering, Inc.	1/20/2015	\$ 104,493.74		\$ 15,446,350.42
State Water Resources Control Board	1/20/2015	\$ 11,497.00		\$ 15,434,853.42
Pacific States Environmental Contractors, Inc.	1/27/2015	\$ 23,947.99		\$ 15,410,905.43
Pacific States Environmental Contractors, Inc.	3/11/2015	\$ 67,017.85		\$ 15,343,887.58

Pt. Molate Remediation Budget Report  
As of May 6, 2016

Transactions	Date	Expenditures	Revenues	Balance
		As of 5/6/2016	As of 5/6/2016	As of 5/6/2016
Terraphase Engineering, Inc.	3/11/2015	\$ 125,312.63		\$ 15,218,554.93
Terraphase Engineering, Inc.	3/11/2015	\$ 90,210.64		\$ 15,128,344.29
Pacific States Environmental Contractors, Inc.	3/19/2015	\$ 7,324.50		\$ 15,121,019.79
State Water Resources Control Board	3/19/2015	\$ 18,593.45		\$ 15,102,426.34
Terraphase Engineering, Inc.	3/26/2015	\$ 87,923.69		\$ 15,014,502.65
Terraphase Engineering, Inc.	4/23/2015	\$ 139,943.20		\$ 14,874,559.45
Pacific States Environmental Contractors, Inc.	5/27/2015	\$ 259,652.05		\$ 14,614,907.40
Nichols Consulting Engineers, CHTD	5/27/2015	\$ 19,792.56		\$ 14,595,114.84
Terraphase Engineering, Inc.	6/1/2015	\$ 125,374.10		\$ 14,469,740.74
Pacific States Environmental Contractors, Inc.	6/12/2015	\$ 1,705,593.08		\$ 12,764,147.66
Pacific States Environmental Contractors, Inc.	6/29/2015	\$ 2,211,213.49		\$ 10,552,934.17
State Water Resources Control Board	6/29/2015	\$ 13,325.32		\$ 10,539,608.85
City of Richmond (reimbursement for Single Audit)	6/29/2015	\$ 6,478.01		\$ 10,533,130.84
Nichols Consulting Engineers, CHTD	6/29/2015	\$ 43,179.74		\$ 10,489,951.10
Terraphase Engineering, Inc.	6/29/2015	\$ 126,704.25		\$ 10,363,246.85
Nichols Consulting Engineers, CHTD	7/28/2015	\$ 23,625.00		\$ 10,339,621.85
Terraphase Engineering, Inc.	8/3/2015	\$ 133,605.29		\$ 10,206,016.56
Pacific States Environmental Contractors, Inc.	8/11/2015	\$ 1,831,042.78		\$ 8,374,973.78
Pacific States Environmental Contractors, Inc.	9/17/2015	\$ 1,300,776.20		\$ 7,074,197.58
Terraphase Engineering, Inc.	9/17/2015	\$ 135,433.09		\$ 6,938,764.49
Union Bank Administrative Fees	9/23/2015	\$ 1,060.00		\$ 6,937,704.49
State Water Resources Control Board	10/28/2015	\$ 10,600.60		\$ 6,927,103.89
Terraphase Engineering, Inc.	10/28/2015	\$ 140,582.81		\$ 6,786,521.08
Nichols Consulting Engineers, CHTD	10/28/2015	\$ 12,601.89		\$ 6,773,919.19
State Water Resources Control Board - SCP Program	11/30/2015	\$ 15,344.24		\$ 6,758,574.95
Terraphase Engineering, Inc.	11/30/2015	\$ 88,207.01		\$ 6,670,367.94
Pacific States Environmental Contractors, Inc.	11/30/2015	\$ 153,431.01		\$ 6,516,936.93
State Water Resources Control Board	11/30/2015	\$ 659.00		\$ 6,516,277.93
Contra Costa Environmental Health	12/21/2015	\$ 522.00		\$ 6,515,755.93
Pacific States Environmental Contractors, Inc.	12/21/2015	\$ 425,137.76		\$ 6,090,618.17
Pacific States Environmental Contractors, Inc.	1/15/2016	\$ 279,641.87		\$ 5,810,976.30
State Water Resources Control Board	3/4/2016	\$ 4,519.18		\$ 5,806,457.12
Terraphase Engineering, Inc.	3/4/2016	\$ 32,548.97		\$ 5,773,908.15
Terraphase Engineering, Inc.	3/4/2016	\$ 131,231.71		\$ 5,642,676.44
Contra Costa Environmental Health	3/25/2016	\$ 565.10		\$ 5,642,111.34
State Water Resources Control Board	4/19/2016	\$ 4,519.18		\$ 5,637,592.16
Pacific States Environmental Contractors, Inc.	4/19/2016	\$ 498,835.98		\$ 5,138,756.18
Terraphase Engineering, Inc.	4/25/2016	\$ 46,568.64		\$ 5,092,187.54
<b>Current as of 5/6/2016</b>		<b>\$ 23,615,174.21</b>	<b>\$ 207,361.76</b>	
<b>Remaining Balance</b>				<b>\$ 5,092,187.54</b>

Pt. Molate FY2015-16 Budget

Department	Account	Item	Vendor	Budget	Actual	Balance
Non-Departmental	01917090-400218	Security	DP Security	\$ 253,331	\$ 175,338	\$ 77,993
Public Works	01233631-400537	Landscape	D&H Landscaping	\$ 83,380	\$ 47,950	\$ 35,430
				<u>\$ 336,711</u>	<u>\$ 223,288</u>	<u>\$ 113,423</u>

As of April 30, 2016

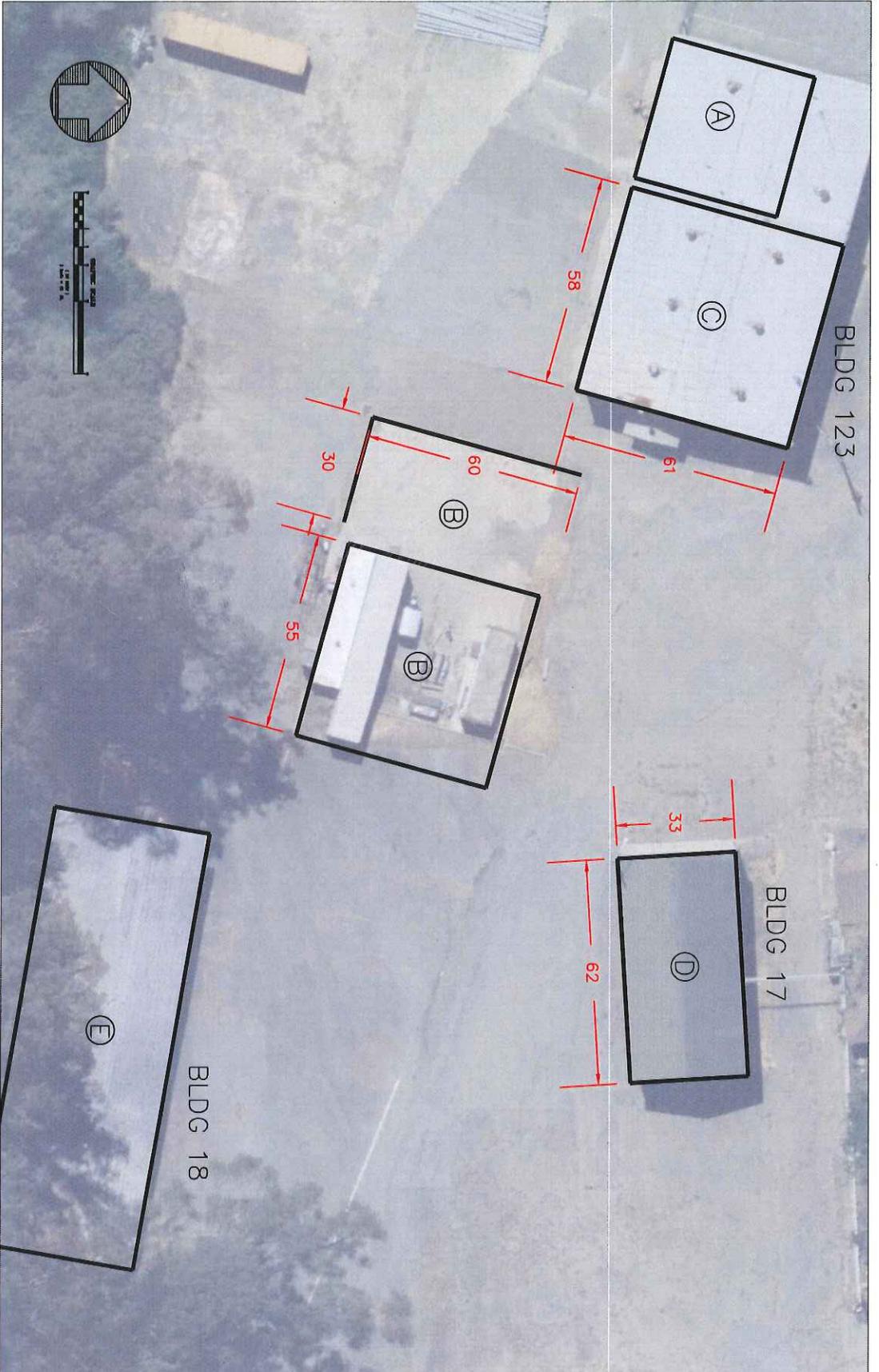
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Summary of Space use/Nematode Holdings, LLC/Pt Molate

Space Name	Description	Sq/ft	Rate	Rent to be Paid	As of (start date)	Remarks
Bldg 123 ("A" on exhibit)	Former electrical shop; part of license area	n/a	Included in license area		ongoing	
Pavement Area A ("B" on exhibit)	Concrete area Greater part of former electrical shop; expanded into early 2016	n/a	Included in license area		ongoing	
Bldg 123 ("C" on exhibit)	Barn area	3,538	.10/sq ft	\$353.80	ongoing	
Bldg 17 ("D" on exhibit)	Outdoor garaged area; one bay unusable due to roof crashing thru roof; another bay of only partial use (caged).	2,045	.10/sq ft	\$204.50	ongoing	
Bldg 18 ("E" on exhibit)		4,800	.05 sq. ft.	\$240	1-Jul	
Pavement Area B	Paved area beneath outdoor garaged area	2,840	.05 sq. ft.	\$142	1-Jul	
Pavement Area C	Paved area (sloped) above Bldg 17	1,400	.05 sq. ft.	\$70	1-Jul	
Pavement Area D	Concrete pad behind dumpster Twin Quonset Huts near park; usable space = 75' X 100'	800	.05 sq. ft.	\$40	1-Jul	
Quonset Huts	Main floor	7500	.10 sq. ft	\$750	1-Jul	
Winhaven		20,000	.10 sq ft	\$2,000	1-Jul	
Bldg 118	Corrugated shack at end of pier	200	.10 sq ft	\$20	1-Jul	
				\$3,820.40		

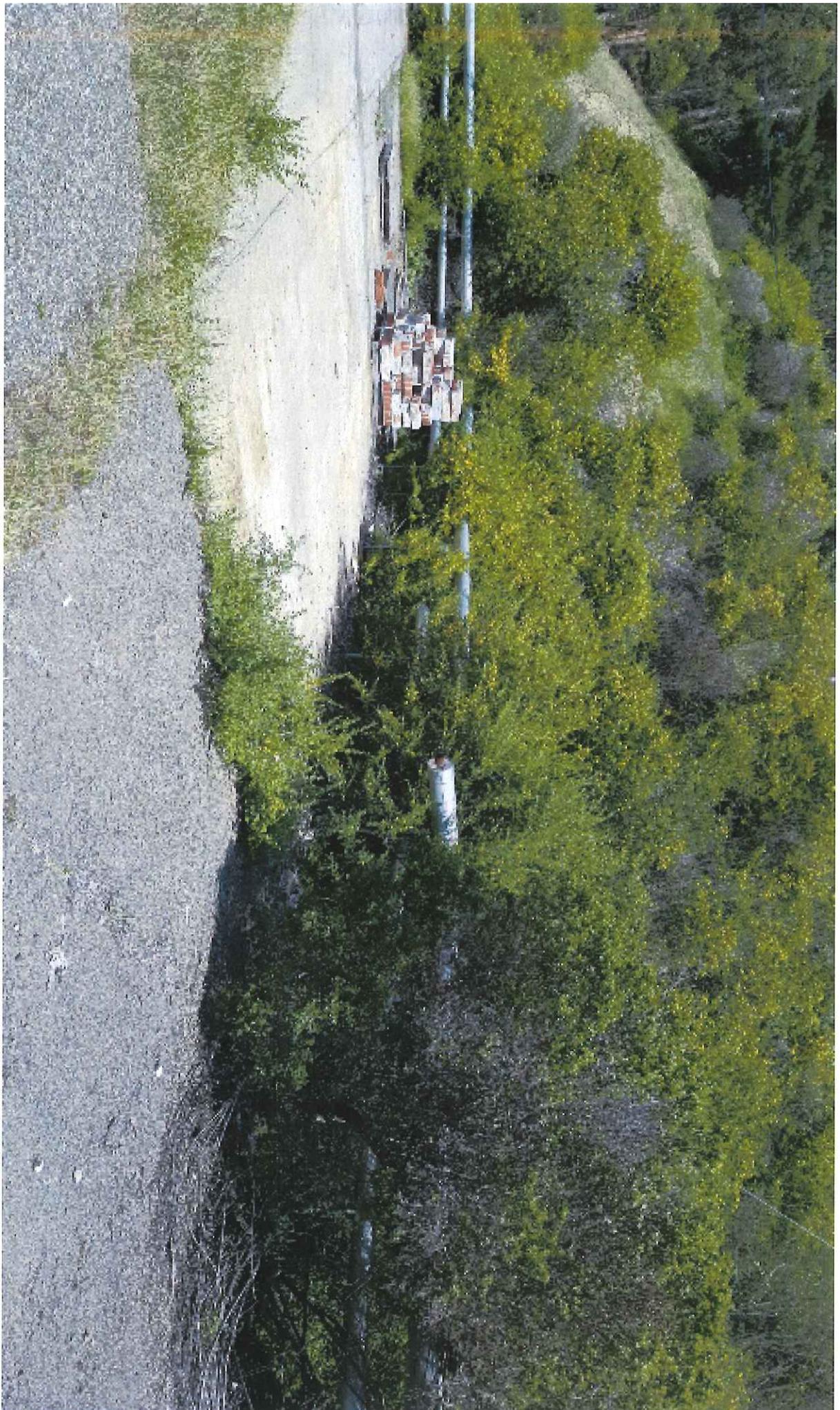
Item	Description	Cost	Remarks
Clean out Quonset huts	<p>A great deal of items have to be either relocated to the non-profit who left them there or properly disposed of. Also, building needs to be swept, cleaned, bushes obstructing driveway access cut back. 4 days of 2 men (\$1,120), dumping fees of 1,900 (two full dumpsters), gravel to fill in potholes (\$800).</p> <p>This building, especially the rickety staircase along the side that wobbles over the open ocean, needs to be boarded up. Recycled wood from clean-out of Quonset Huts</p> <p>10-12 rivets/repairs have opened up in the asphalt on the pier presenting a danger of someone's leg falling thru, a vehicle's tire ditto. Estimated cost to fabricate steel coverings plus labor to bolt them to asphalt: \$1,500 for steel, 1 skilled contractor for 1 day \$500, 1 laborer \$140</p>	\$3,900	Complete
Board up building at end of pier	<p>Estimate 2 laborers for two days (\$280 X 2) plus \$500 in dumping charges</p> <p>Two laborers for two days scarping accumulated dirt from loading dock of Winehaven; sweeping first bay.</p> <p>A great deal of garbage had to be taken away; savings on dumping charges were realized by using the regular dumpster instead of calling a box. Two laborers for five days \$280/day.</p>	\$1,200	Complete
Steel plates to cover holes in asphalt/pier	<p>Clean, upgrade 118 into media "Duck Blind"</p>	\$1,400	Complete
Clean ramp, first bay of Winehaven	<p>Estimate 2 laborers for two days (\$280 X 2) plus \$500 in dumping charges</p> <p>Two laborers for two days scarping accumulated dirt from loading dock of Winehaven; sweeping first bay.</p> <p>A great deal of garbage had to be taken away; savings on dumping charges were realized by using the regular dumpster instead of calling a box. Two laborers for five days \$280/day.</p>	\$1,060	Complete
Prepare garage area	<p>Clean ramp, first bay of Winehaven</p> <p>A great deal of garbage had to be taken away; savings on dumping charges were realized by using the regular dumpster instead of calling a box. Two laborers for five days \$280/day.</p>	\$560	Complete
Replace roof on Bldg 17	<p>The roof on Bldg 17 was in such bad shape I had no choice but to arrange for an emergency replacement; goods were getting damaged by persistent leakage.</p>	\$1,400	Complete
Replace roof on Bldg 17	<p>The roof on Bldg 17 was in such bad shape I had no choice but to arrange for an emergency replacement; goods were getting damaged by persistent leakage.</p>	\$4,400	Complete
Replace roof on Bldg 17	<p>The roof on Bldg 17 was in such bad shape I had no choice but to arrange for an emergency replacement; goods were getting damaged by persistent leakage.</p>	\$13,920	Complete



2100 STENMARK  
(WESTERN) DRIVE

A:	LICENSE AREA	
B:	LICENSE AREA	
C:	3,538 SF	} ADDITIONAL LICENSE AREA
D:	2,046 SF	
E:	4,800 SF	
	10,384 SF	
	x .10 =	
	\$1,038.40/MO	





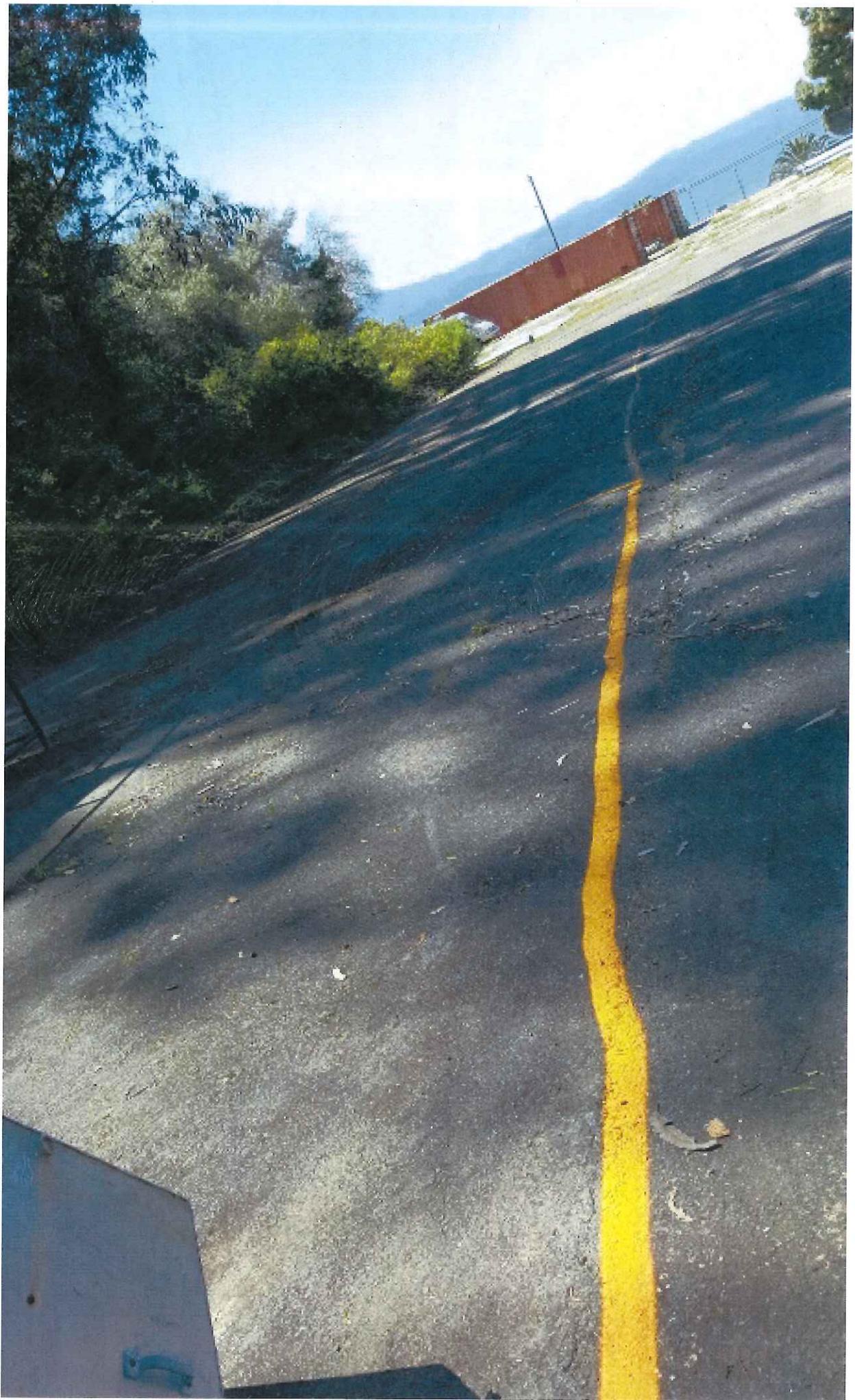
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849.6



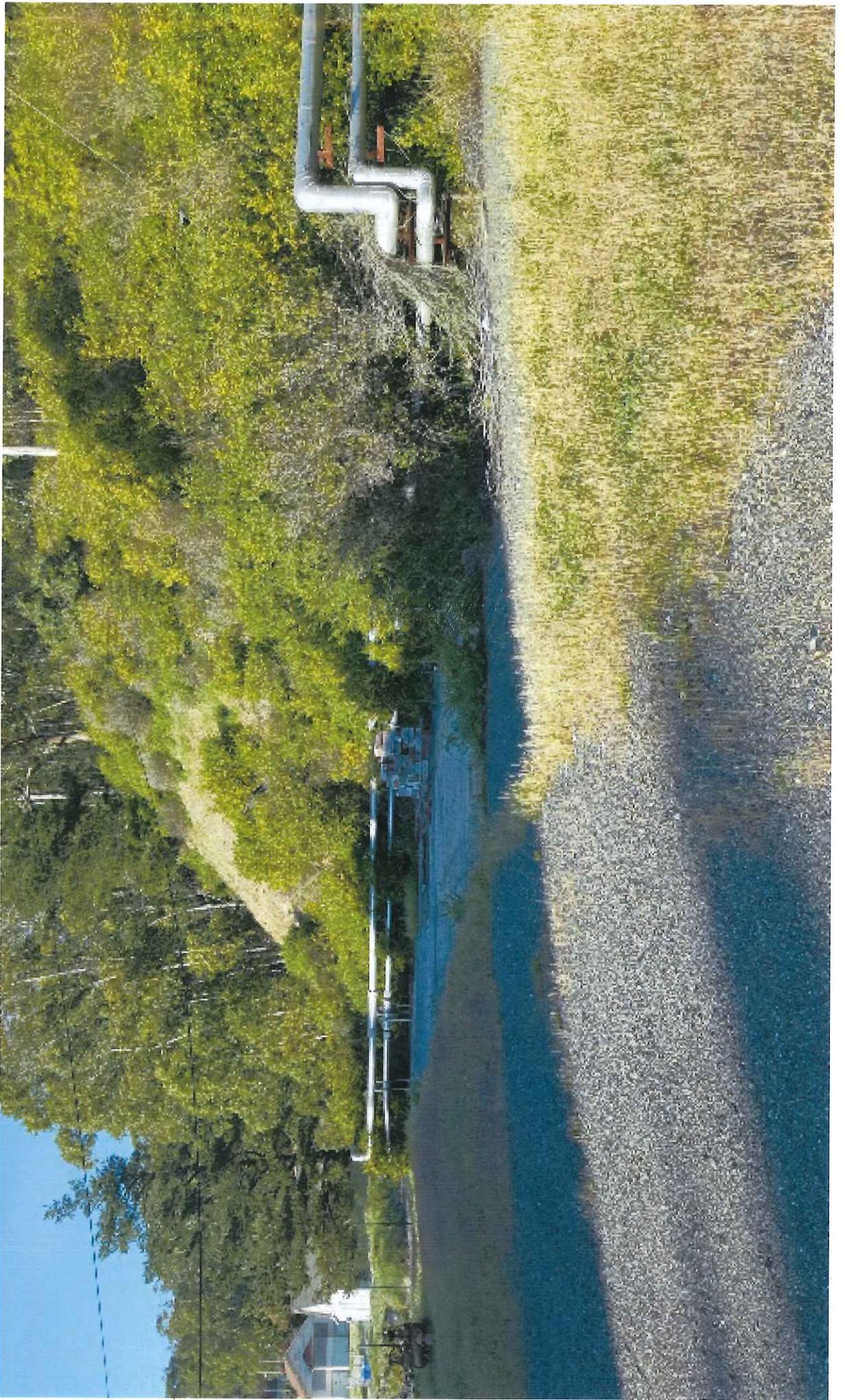
BA4.7



8A4.8



BA4.9



8A4.10



**FIRST  
SECURITY  
SERVICES**

PPO 11167

East Bay Service Area  
1801 Oakland Blvd  
#315, Walnut Creek  
CA, 94596  
(925) 295-1260  
(800) 400-1110  
Fax: (510) 899-1444

Joshua Lemmer  
Branch Manager

[jlemmer@firstsecurityservices.com](mailto:jlemmer@firstsecurityservices.com)

May 4<sup>th</sup>, 2016

Captain Louie Tirona  
Southern District Commander  
Richmond Police Department  
Richmond, Ca. 94806

During the month of April 2016, First Security Services maintained 128 hours per week of service. 3pm – 7am on weekdays, and 24 hours on weekends.

The deployment of security at Point Molate, consist of the following site requirements.

1. To monitor from a **Mobile Position**, the lower portion of the region to include the shoreline and the perimeter fencing. Also monitor all activities within the Point Molate region to include visitors and contractors during our onsite patrol hours.
2. During patrol hours First Security utilizes our FirstWatch patrolling system which tracks the movement of all security personnel assigned to assure that the security expectations are being fulfilled.
3. Document all contractors and visitor's entry with prior approval by Development Agency representatives.

Captain Tirona the following is the compiled information relating to activity at the Point Molate site during the month of April 2016.

**Primary Personnel Assigned:**

Patrol Officers: M. Muhommad, A. Reed, G. Pete  
Supervisors: E. Merritt, A. Treadwell

First Security Services personnel initiated 1248 security checks within Point Molate designated patrol area during April 2016. There was one incident reported.

On 4/30/16, Unit #57 in the housing area had a broken door.

***Contractors contacted during the month of April, 2016.***

Citizens for East Shore Parks, Board of Directors tour – 1  
Greg Proko and Mike Orilley, Bay Crossings aka Nematode – 1

**Administrative Action Taken:**

None.

**Site Environmental Concerns:**

None.

Sincerely,

Joshua Lemmer, Branch Manager



# Point Molate Caretakers Report

APRIL 2016

**Tim Higaes**

**Director of Infrastructures and Maintenance Management**  
#6 13<sup>th</sup> Street  
Richmond, Ca. 94801

**Craig K. Murray, SR/WA**

Pt Molate Community Advisory Committee Staff Liaison  
Development Project Manager II  
Successor Agency, Engineering Department  
450 Civic Center Plaza, 2nd Floor  
Richmond, CA 94804-1630

**Milt Rayford**

Facility Maintenance Superintendent  
City of Richmond / Public Works Dept.  
# 6 13<sup>th</sup> Street  
Richmond, CA 94801  
Main Office: 510-231-3010

**Cornell Hughes**

City of Richmond Electrical Supervisor  
#6 13<sup>th</sup> street  
Richmond, Ca. 94801  
510-231-3033

**Willy Agnew**

City of Richmond, Point Molate Caretaker  
2600 Stinemark Dr.  
Point Molate, Ca.

4/28/2016

Met with Willy on site to discuss the moving of the Streets containers to make more room for rental storage space.

Willy showed me the bricks that had fallen off the upper arched window in back of the Winehaven Building.

Craig reported more roadway near Building #87 had fallen to the beach due to a damaged storm water pipe. Request to Veolia for help with repairs.

4/25/2016

Rolling gate for Building #87 is repaired

4/16/2016

Willy provided access for CESP tour. – sign in provided

**Citizens for East Shore Parks Board of Directors tour, Pt. Molate Bay Trail/shoreline**

Ellen Barth, Robert Cheasty, Shirley Dean (and her husband who is her driver), Helen Burke, Norm Laforce, Joan Garrett, David Helvarg, Pam Stello

4/13/2016

Bldg #87 has been emptied. Need to move spare transformer to Paint shop building.

4/12/2016

I received an email notification from Craig of a group wanting to go to Winehaven.

(Please advise your forces at Pt Molate.

Tour group will be lead by PMCAC Committee Member Paul Carman.

Paul should have any subsequent entry requests and these folks working with Paul are authorized as long as they sign Waiver form.)

4/08/2016

Willy reported - SF State representatives are on site– sign in provided

4/06/2016 – PCMC advisory committee on site – sign in provided

4/5/2016

0730 – Delivered the repaired generator to Willy. He had me place it behind building 69. Willy showed me where the road at the beach is eroding away more. I painted white lines from the RR tracks and put measuring marks every 5 feet. This can be used as a reference point.

I noted AT&T has not been out to repair the pole & Cable

I noted the port-a-potty is still laying on its side at GATE xx.

Willy pointed out to me, the pavement is collapsing behind Building 123. Willy pointed out that this is where the large trucks drive thru.

Willy mentioned there is a contractor on the pier boarding the shack up at the end of the pier.

4/4/2016

0630, Willy informed me the Porta-a Potty was tipped over again and a new sink hole had formed behind build. 123 near the others. he put an orange bollard in it and showed me a pic.

Notes:

Building on end of pier needs to be secured.

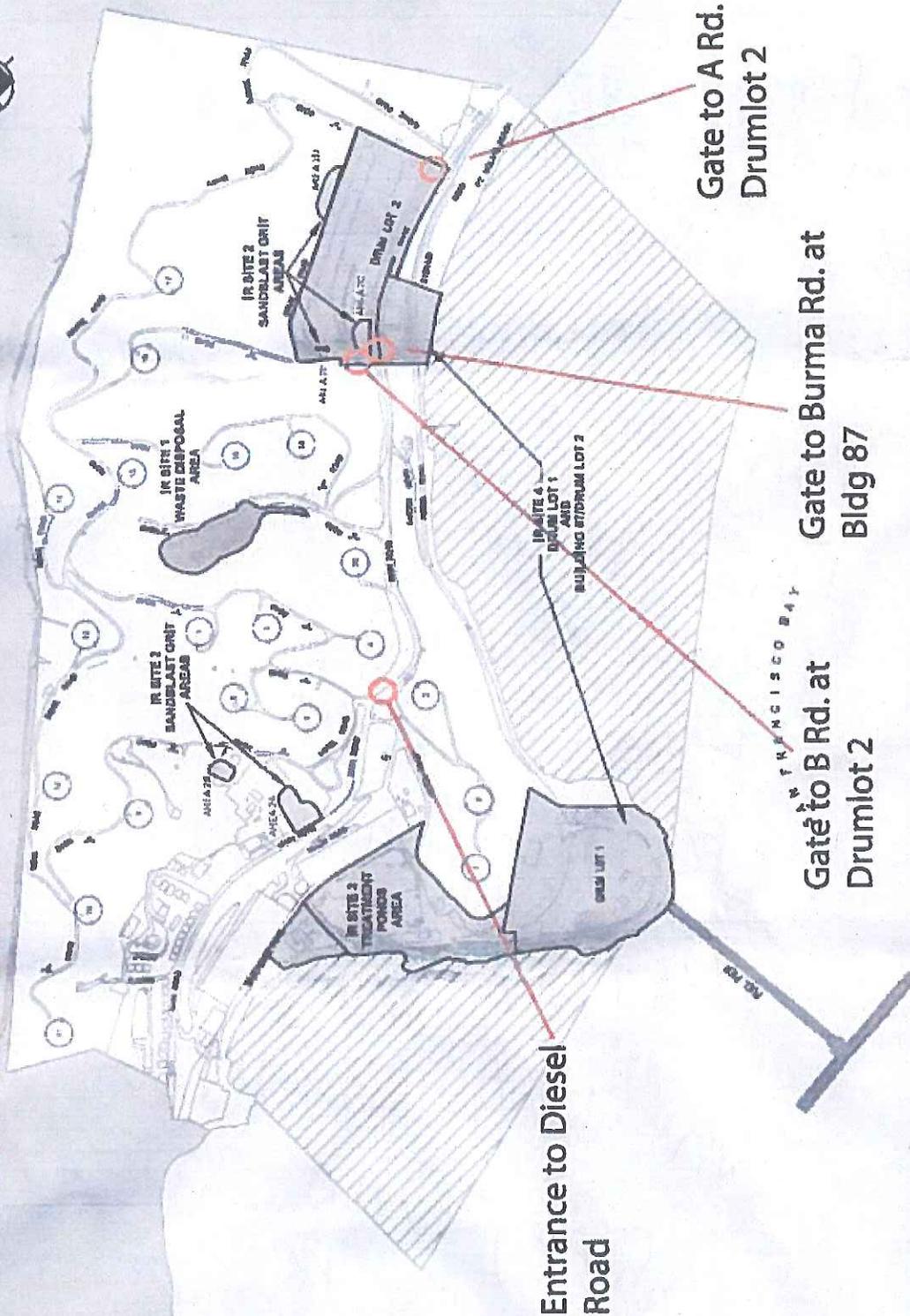
Bobby Winston said he could use a Contractor.

I said we should check with City first if there is availability and timing.

Let me know if it may be problem to get City crew there to board and secure and if so then I will advise Bobby Winson (Tenant Building 123) to use his contractor.

**CESP Tour of Pt. Molate 4-16-16**

**Please open gates to: Diesel Road, Burma Rd. at bldg 87, A and B Road on either side of Drumlot 2**



**Entrance to Diesel Road**

**Gate to B Rd. at Drumlot 2**

**Gate to Burma Rd. at Bldg 87**

**Gate to A Rd. at Drumlot 2**

1. This Point Molate 08/24/2015 2501 Figure 4. Industrial Facilities Boundary 04/16/2015 08/24/2015 2501

123

9.75

Steve Bernabei 3pm

Brian Bill 3pm

~~EA~~ Kowalski

Joan Garrett

Pam Stello

David Helwang

Helen Burke

Lana Husser

Robert Cheasty

Daniel Englert

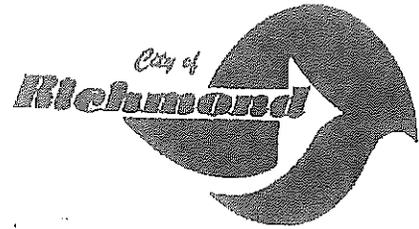
Pam

510 210 4175

Shirley Deen

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Public Work Facilities Maintenance-Pt. Molate



DATE: 4/4/16

TO: Whom It May Concern

FROM: Willie Agnew

REPORT:

3/28/16--- Routine activities performed.

3/29/16--- Routine activities performed.

3/30/16-- Routine activities performed.

3/31/16-- Routine activities; tree trimmers came to site.

4/1/16-- Routine activities performed.

2100 WESTERN DRIVE RICHMOND, CA. 94801

Phone & Fax: (510)307-4323

Willie Agnew City Cell: (510)715-9089

8A7.5

# RIGHT OF ENTRY AND RELEASE

COMPLETE WAIVER AND RELEASE OF LIABILITY FOR ANY INJURY OR PROPERTY DAMAGE

DATE: 3/28/16

ADDITIONAL SIGNATURES:

339

30

PRINT NAME	SIGNATURE	COMPANY NAME
Clemente Perez		Dobby
Jaciel Torres		
Greg Pranko		LL
Alan Yonker Jr		CJS
Kwesi Anku		EBC PA
Art Martin		Bay Crossings
PAUL WILKINSON		Davey Tree
Alan Yonker Jr		CL'S
John Spainhowerd		CJ'S
Jan Papa		Terraphase
Art Martin		Bay Crossings
C. D. Dime		CJ'S
Paul Berg		CJ'S
PAUL WILKINSON		Davey
Simon Montano		DAVEY tree
JOSE MARTINEZ		DAVEY TREE
Ronita Molina		Davey TREE
Isiah Reynolds		Davey Tree
SHANA BASLET		PACAC
MARK HOWE		PACAC

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**Public Work Facilities Maintenance-Pt. Molate**



DATE: 4/11/16

TO: Whom It May Concern  
FROM: Willie Agnew

**REPORT:**

- 4/4/16---- Routine activities; representatives from Upstream Point Molate, LLC came to site to look for development sites.
- 4/5/16--- Routine activities performed.
- 4/6/16-- Routine activities; PCMC advisory committee met on site.
- 4/7/16-- Routine activities performed.
- 4/8/16-- Routine activities; SF State representatives came to site.

**2100 WESTERN DRIVE RICHMOND, CA. 94801**

**Phone & Fax: (510)307-4323**

**Willie Agnew City Cell: (510)715-9089**

8A7.7

# RIGHT OF ENTRY AND RELEASE

COMPLETE WAIVER AND RELEASE OF LIABILITY FOR ANY INJURY OR PROPERTY DAMAGE

DATE: 4-6-16

ADDITIONAL SIGNATURES:

PRINT NAME	SIGNATURE	COMPANY NAME
Jacir Torres	<i>Jacir</i>	hobby
Clemente Perez	<i>Clemente</i>	hobby
Vincento McMullen	<i>Vincento M</i>	Bobby
Travis Berg	<i>Travis</i>	Bobby
MARUZ HOWE	<i>MARUZ</i>	PCMAC
SARINA BRUCEY	"	"
Jan Reza	<i>Jan Reza</i>	Terraphase
PATRICK JORGANAZIS	<i>Patrick</i>	STORAGE GROUP
Gerald Krumland	<i>Gerald Krumland</i>	Bay Cross
JOAN GARRET	<i>Joan</i>	PMCAC
Daniel Norrman	<i>Daniel</i>	FBC
JORGE LUIS GARCIA	<i>Jorge</i>	ESCPA
Bob Williams	<i>Bob Williams</i>	B
AL WILLIAMS	<i>AL WILLIAMS</i>	
Juan Tamayo	<i>Juan Tamayo</i>	<del>De H Pacific</del>
Bernine CMOHE	<i>Bernine</i>	DASIFICO
Art Martin	<i>Art Martin</i>	Bay Cross
Rock Martin	<i>Rock Martin</i>	Bay Cross
STEPHEN BULL	<i>STEPHEN BULL</i>	ISAFIAU

# Pacific Site Management

## Point Molate April Review

Weekly duties performed:

- Every week all roads are driven, blown of debris, and any large branches that have fallen are removed.
- Crew has reported Willie had requested their help every week of service in April, moving generators and other misc. items, and helping with other tasks he requests.
- After these items are complete the crew spends the remainder of their time working on the highlighted zones below. So far the crew has been cutting all debris off of the roads and leaving it. Since weather is starting to warm up the crew will be chipping all debris in the month of May. Please see zones below.
- Goal for May - To have all areas chipped and to finish removing coyote bush down the road highlighted by the arrow.



Kyle Roehrs  
5/5/16

BAB.1

## Craig Murray

---

**From:** Craig Murray  
**Sent:** Thursday, May 05, 2016 11:15 AM  
**To:** 'Kyle Roehrs'; Mark Maltagliati  
**Cc:** Greg Hardesty; jim.hanson.cnga@gmail.com  
**Subject:** RE: Monthly Review

I believe there should be:

Name of Company

Name of Representative

Date of Report

Period of time that report covers (ie prior month) Items accomplished Items to be accomplished, goals.

Reference to any particular or unique work for a certain period of year.

Reference working with any particular group (such as Pt Molate volunteers) or City Staff.

Pictures, maps, summary amounts of materials treated are always good.

If this report is intended for the Pt Molate Community Advisory Committee (PMCAC) then I will need it the Thursday prior to the second Monday of each month. PMCAC meets on each second Monday of the month.

Thanks.

Craig K. Murray, SR/WA

Pt Molate Community Advisory Committee Staff Liaison Development Project Manager II Successor Agency, Engineering Department

450 Civic Center Plaza, 2nd Floor

Richmond, CA 94804-1630

510-307-8091

510-307-8188 direct

510-307-8116 fax

-----Original Message-----

**From:** Kyle Roehrs [<mailto:kroehrs@dandhlandscaping.com>]

**Sent:** Thursday, May 05, 2016 10:20 AM

**To:** Craig Murray; Mark Maltagliati

**Cc:** Greg Hardesty; [jim.hanson.cnga@gmail.com](mailto:jim.hanson.cnga@gmail.com)

**Subject:** Monthly Review

Hello All,

Please see attached report and let me know if this format will work. Let me know if there is more detail you need or any other info, thanks!

**CITY OF RICHMOND**  
**SINGLE AUDIT REPORT**  
**FOR THE YEAR ENDED JUNE 30, 2015**

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**CITY OF RICHMOND**  
**SINGLE AUDIT REPORT**  
**For The Year Ended June 30, 2015**

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**CITY OF RICHMOND**

**SCHEDULE OF FINDINGS AND QUESTIONED COSTS  
For The Year Ended June 30, 2015**

**SECTION I—SUMMARY OF AUDITOR'S RESULTS**

**Financial Statements**

Type of auditor's report issued: Unmodified

Internal control over financial reporting:

- Material weakness(es) identified?  X  Yes   No
- Significant deficiency(ies) identified?  X  Yes   None Reported

Noncompliance material to financial statements noted?   Yes  X  No

**Federal Awards**

Type of auditor's report issued on compliance for major programs: Unmodified

Internal control over major programs:

- Material weakness(es) identified?   Yes  X  No
- Significant deficiency(ies) identified?  X  Yes   None Reported

Any audit findings disclosed that are required to be reported in accordance with section 510(a) of OMB Circular A-133?  X  Yes   No

Identification of major programs:

<u>CFDA#(s)</u>	<u>Name of Federal Program or Cluster</u>
14.218	Community Development Block Grants/Entitlement Grants
17.258, 17.259, 17.278	Workforce Investment Act (WIA) Cluster
16.726	Juvenile Mentoring Program
12.612	Community Base Reuse Plans, Project Grant/Cooperative Agreement
97.056	Port Security Grant Program
11.307	Economic Adjustment Assistance

Dollar threshold used to distinguish between type A and type B programs: \$554,291

Auditee qualified as low-risk auditee?   Yes  X  No

## SECTION II – FINANCIAL STATEMENT FINDINGS

Our audit disclosed significant deficiencies and material weaknesses, but no instances of noncompliance material to the basic financial statements. We have also issued a separate Memorandum on Internal Control dated December 30, 2015 which is an integral part of our audits and should be read in conjunction with this report.

## SECTION III – FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

Our audit disclosed the following findings and questioned costs required to be reported in accordance with section 510(a) of OMB Circular A-133.

**Finding SA2015-001:**                    Schedule of Expenditures of Federal Awards (SEFA) Preparation

**CFDA Number:**                    11.307, 97.056, 20.521 & 66.818

**CFDA Title:**                        Economic Adjustment Assistance  
Port Security Grant Program  
New Freedom Program  
Brownfields Assessment and Cleanup Cooperative Agreement

**Federal Agency:**                Department of Commerce - Economic Development Administration  
Department of Homeland Security  
Department of Transportation  
Environmental Protection Agency

**Pass-Through Entity:**        Marine Exchange of San Francisco Bay  
Metropolitan Transportation Commission  
Department of Toxic Substances Control

**Criteria:** In accordance with OMB Circular A-133 Subpart C § .310 (b) (3), the City should report all Federal awards expended for each individual Federal program and the CFDA number, or other identifying number when the CFDA information is not available, in the Schedule of Expenditures of Federal Awards (SEFA) each year.

**Condition:** During our testing of the fiscal year 2015 SEFA provided for audit we noted the following:

1. Federal expenditures for the Economic Adjustment Assistance grant (CFDA #11.307) were overstated by \$104,108.
2. The CFDA number reported for the Port Security Grant Program (CFDA #97.056) was incorrectly reported as 27.056.
3. The New Freedom Program (CFDA #20.521) expenditures of \$80,686 included \$74,161 of fiscal year 2014 expenditures that had not been reported in the fiscal year 2014 SEFA.
4. The CFDA title for the Brownfields Assessment and Cleanup Cooperative Agreement (CFDA #66.818) was incorrectly reported as CalReUse.

**Effect:** Excluding annual program expenditures from the SEFA or incorrect reporting not only misstates the SEFA, it results in noncompliance with the requirements of individual grant agreements and OMB Circular A-133. As a result, future federal funding could be adversely affected.

CITY OF RICHMOND  
 SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS  
 For the Fiscal Year Ended June 30, 2015

Federal Grantor/ Pass-Through Grantor/Program or Cluster Title	Federal CFDA Number	Grant or Pass-Through Identifying Number	Federal Expenditures
Department of Defense, Department of the Navy <b>Direct Program:</b> Community Base Reuse Plans, Project Grant/Cooperative Agreement Naval Fuel Depot Point Molate Pollution Remediation	12.612	N62473-08-MD-V0020	<u>10,359,428</u>
Department of Transportation <b>Pass-Through Programs From:</b> Highway Planning and Construction (Federal-Aid Highway Program) State of California Department of Transportation Safe Routes to School Cycle II	20.205	SRTS-5137 (041)	535
Barrett Avenue Bike Lanes	20.205	CA95-X-190-00/BRLF005-2013	19,029
Caltrans District 4	20.205	CML-5137(043)/CML-5137(039)	173
Metropolitan Transportation Commission South Richmond Specific Plan & Program EIR	20.205	STPL 6084 (146).	<u>131,188</u>
Program Subtotal			<u>150,925</u>
New Freedom Program Metropolitan Transportation Commission New Freedom Cycle 4 R-Transit	20.521	REG150003	<u>80,686</u>
Job Access and Reverse Commute Program Metropolitan Transportation Commission Job Access And Reverse Commute Program	20.516	CA-37-X177	25,000
Lifeline Transportation Program	20.516	CML-5137(045)	<u>149,072</u>
Program Subtotal			<u>174,072</u>
Regents of the University of California Minimum Penalties for Repeat Offenders for Driving While Intoxicated Sobriety Checkpoint Mini-Grant Program III	20.608	SC14343	<u>15,200</u>
<b>Total Department of Transportation</b>			<u>420,883</u>
Department of Homeland Security <b>Direct Program:</b> Federal Emergency Management Agency Port Security Grant Program Port Security	97.056	EMW-2012-PU-00343-S01	454,247
Police Boat	97.056	EMW-2012-PU-00346-S01	70,031
<b>Pass-Through Program From:</b> Marine Exchange of San Francisco Bay Port Security Grant Program Fire Boat	97.056	EMW-2011-PU-K00351	<u>108,166</u>
<b>Total Department of Homeland Security</b>			<u>632,444</u>
Institute of Museum and Library Services <b>Pass-Through Program From:</b> California State Library National Leadership Grant	45.312	LG-0514-0126-14	23,222
National Leadership Grant	45.312	LG-5012-0563-12	<u>2,742</u>
Program Subtotal			<u>25,964</u>
Department of Commerce <b>Direct Program:</b> Economic Development Administration Economic Adjustment Assistance (Note 5)	11.307	07-39-2437.01	<u>747,711</u>
Department of Education <b>Pass-Through Program From:</b> State of California Adult Education- Basic Grants to States Workforce Investment Act Title II	84.002	V002A140005	<u>54,504</u>
<b>Total Expenditures of Federal Awards</b>			<u>\$18,476,352</u>

See Accompanying Notes to Schedule of Expenditures of Federal Awards

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**INDEPENDENT AUDITOR'S REPORT ON  
INTERNAL CONTROL OVER FINANCIAL REPORTING  
AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN  
AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE  
WITH GOVERNMENT AUDITING STANDARDS**

To the Honorable Members of the City Council  
City of Richmond, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the basic financial statements of the City of Richmond as of and for the year ended June 30, 2015, and the related notes to the financial statements, and have issued our report thereon dated December 30, 2015. Our report included emphasis of a matter paragraphs disclosing general fund cash and fund balance and other fund balances and the implementation of new accounting principles. Our report includes a reference to other auditors who audited the financial statements of the Richmond Housing Authority and RHA Properties as described in our report on the City's financial statements. This report does not include the results of the other auditors' testing of internal control over financial reporting or compliance and other matters that are reported on separately by those auditors.

***Internal Control Over Financial Reporting***

In planning and performing our audit of the financial statements, we considered City's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of City's internal control. Accordingly, we do not express an opinion on the effectiveness of City's internal control.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. However, we identified certain deficiencies that we consider to be material weaknesses and significant deficiencies.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the City's financial statements will not be prevented, or detected and corrected on a timely basis. We identified certain deficiencies in internal control, we consider to be material weaknesses as listed on the Schedule of Material Weaknesses and the Status of Prior Year Material Weaknesses included as part of our separately issued Memorandum on Internal Control dated December 30, 2015 which is an integral part of our audits and should be read in conjunction with this report.

A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. We identified certain deficiencies in internal control, we consider to be significant deficiencies as listed on the Schedule of Significant Deficiencies and the Status of Prior Year Significant Deficiencies included as part of our separately issued Memorandum on Internal Control dated December 30, 2015 which is an integral part of our audits and should be read in conjunction with this report.

#### ***Compliance and Other Matters***

As part of obtaining reasonable assurance about whether the City's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

#### ***City's Response to Findings***

City's response to the findings identified in our audit are described in our separately issued Memorandum on Internal Control dated December 30, 2015, which is an integral part of our audits and should be read in conjunction with this report. City's response was not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on it.

#### ***Purpose of this Report***

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the result of that testing, and not to provide an opinion on the effectiveness of the City's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

*Maze & Associates*

Pleasant Hill, California  
December 30, 2015



**INDEPENDENT AUDITOR'S REPORT ON  
COMPLIANCE FOR EACH MAJOR FEDERAL PROGRAM;  
REPORT ON INTERNAL CONTROL OVER COMPLIANCE;  
AND REPORT ON THE SCHEDULE OF EXPENDITURES  
OF FEDERAL AWARDS REQUIRED BY OMB CIRCULAR A-133**

To the Honorable Members of the City Council  
City of Richmond, California

***Report on Compliance for Each Major Federal Program***

We have audited City of Richmond's compliance with the types of compliance requirements described in the *OMB Circular A-133 Compliance Supplement* that could have a direct and material effect on each of the City's major federal programs for the year ended June 30, 2015. The City's major federal programs are identified in the summary of auditor's results section of the accompanying Schedule of Findings and Questioned Costs.

The City of Richmond's basic financial statements include the operations of the Richmond Housing Authority, which received federal awards not included in the accompanying Schedule of Expenditures of Federal Awards during the year ended June 30, 2015. Our audit, described above, did not include the operations of the Richmond Housing Authority, because it engaged other auditors to perform an audit in accordance with OMB Circular A-133.

***Management's Responsibility***

Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants applicable to its federal programs.

***Auditor's Responsibility***

Our responsibility is to express an opinion on compliance for each of the City's major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the City's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of the City's compliance.

### ***Opinion on Each Major Federal Program***

In our opinion, the City complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2015.

### ***Other Matters***

The results of our auditing procedures disclosed instances of noncompliance, which are required to be reported in accordance with OMB Circular A-133 and which are described in the accompanying Schedule of Findings and Questioned Costs as items 2015-001 through 2015-004. Our opinion on each major federal program is not modified with respect to these matters.

### ***City's Response to Findings***

The City's responses to the noncompliance findings identified in our audit are described in the accompanying Schedule of Findings and Questioned Costs. The City's response was not subjected to the auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the response.

### ***Report on Internal Control Over Compliance***

Management of the City is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the City's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with OMB Circular A-133, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over compliance.

*A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A material weakness in internal control over compliance is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A significant deficiency in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.*

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, we identified certain deficiencies in internal control over compliance, as described in the accompanying Schedule of Findings and Questioned Costs as items 2015-001, 2015-002, 2015-003 and 2015-004 that we consider to be significant deficiencies.

The City's responses to the internal control over compliance findings identified in our audit are described in the accompanying Schedule of Findings and Questioned Costs. The City's response was not subjected to the auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the response.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of OMB Circular A-133. Accordingly, this report is not suitable for any other purpose.

***Report on Schedule of Expenditures of Federal Awards Required by OMB Circular A-133***

We have audited the basic financial statements of the City as of and for the year ended June 30, 2015, and have issued our report thereon dated December 30, 2015, which contained an unmodified opinion on those financial statements. Our audit was conducted for the purpose of forming an opinion on the financial statements as a whole. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by OMB Circular A-133 and is not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of federal awards is fairly stated in all material respects in relation to the basic financial statements as a whole.

*Mane & Associates*

Pleasant Hill, California  
March 30, 2016

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**City of Richmond – POINT MOLATE COMMUNITY ADVISORY COMMITTEE**

City Council Chambers – Shimada Room  
440 CIVIC CENTER PLAZA

**PROPOSED MINUTES  
MONDAY, March 14, 2016, 6:30 PM**

**1. CALL TO ORDER**

Chair Duncan called the meeting to order at 6:35 p.m.

**2. ROLL CALL**

Present: Committee Members Bagley (6:39), Beyaert, Brubaker, Carman, Duncan, Garrett, Gilbert (6:40), Guggemos, Hanson (6:49), Howe (6:39), Lee, McNeil (6:56), and Stello.

Absent: Kortz and Ruk.

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

**3. WELCOME AND MEETING PROCEDURES**

Duncan presented.

**4. AGENDA REVIEW AND ADOPTION**

Duncan reviewed.

**Action:** Committee approved (M/S Garrett/Carman 9-0-5-0) to hold minutes on Consent Calendar over and to adopt the Agenda.

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

**5. ANNOUNCEMENTS THROUGH THE CHAIR**

Duncan reported. Beyaert presented.

**6. OPEN FORUM**

Peter Clark of the Arts Forum discussed use of the Quonset Hut. Cordell Hindler presented Don't Fence Me In music. Antoine Cloird spoke about development opportunities and including the community at Pt Molate. Joshua Lemmer of First Security introduced his firm and answered Committee questions.

**7. PRESENTATIONS, DISCUSSION & ACTION ITEMS**

1. Discussion: Weekly and monthly remediation progress report out with Terraphase.

Bill Carson of Terraphase reported. Carson presented information on the soil and ground water remediation and provided information on the Landfill at IR Site 11. Discussion about clean up levels and levels of standards used at Pt Molate.

2. Discussion: East Bay Regional Park District Master Plan

Beyaert presented that there are 65 parks in the East Bay Regional Park District system. Reviewed the WW can CC Measures that support the District. Beyaert referenced a sample Operating and Management Agreement that could be considered as a template for Pt Molate. Lee left meeting at 8:20pm.

3. Discussion: Point Molate Air Quality, Bay Area Air Quality Management District  
No discussion. Item held over.

4. Discussion: Historic Development Constraints.  
No discussion. Item held over.

**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.

**9. CONSENT CALENDAR**

**A. APPROVE – PMCAC MEETING MINUTES OF JANUARY 11 , 2016 AND  
FEBRUARY 8, 2016**

NO ACTION. ITEM HELD OVER.

**10. PMCAC QUARTERLY REPORT TO CITY COUNCIL**

**A. APPROVE – PMCAC Annual Report to City Council**

Duncan indicated that the report will be periodic, perhaps quarterly, as items are ready for City Council.

**11. FUTURE AGENDA ITEMS**

Garrett noted that Urban Land Institute Technical Advisory Panel and review of a Special District could be considered. Garrett stated that the Presidio Trust Speaker Craig Middleton has retired. Garrett suggested that ULI TAP, Historic Presentation, Trust for Public Land, and a Special District hybridization be considered for future agendas.

**12. CITY COUNCIL LIAISON REPORTS**

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

McLaughlin reported on status of Upstream lawsuits.

**B. PMCAC APPOINTMENT STATUS**

NO REPORT.

**13. CHAIR AND SUB-COMMITTEE REPORTS**

9A.2

a. Clean-Up and Restoration:

No Report. Reported earlier in meeting with Terraphase.

b. Parks and Open Space:

Hanson indicated that report is in the Agenda packet. Hanson also requested to send a letter to City Manager incorporating the “Safety and Security Considerations in Bay Trail Design for Point Molate” recommended by the Parks and Open Space Subcommittee with deletion of the first sentence of the last paragraph. Copies of the letter are to be sent to the Mayor, City Council, EBRPD, NCE and PMCAC members. At the request of Chair Duncan, Beyaert agreed to draft the letter for his review. Garrett emphasized that the letter should be on PMCAC stationery and signed by Chair.

Action: Committee approved (M/S Brubaker/McNeil 12-0-3-0) to forward a recommendation to City to not fence areas west of Stenmark Road

AYES: Bagley, Beyaert, Brubaker, Carman, Duncan, Garrett, Gilbert, Guggemos,  
Hanson, Howe, McNeil and Stello.  
NOES: None  
ABSENT: Kortz, Ruk and Lee.  
ABSTAIN: None

Action: Committee approved (M/S Garrett/Bagley 12-0-3-0) to extend meeting to 9:15pm.

AYES: Bagley, Beyaert, Brubaker, Carman, Duncan, Garrett, Gilbert, Guggemos,  
Hanson, Howe, McNeil and Stello.  
NOES: None  
ABSENT: Kortz, Ruk and Lee.  
ABSTAIN: None

c. Legal: Bagley indicated No Report.

d. Finance: Garrett indicated No Report.

e. ULI Ad Hoc Committee: Duncan indicated No Report.

f. Chair: No Report. Duncan inquired if there were any schedule conflicts.

**14. ADJOURNMENT**

Garrett moved to adjourn the meeting at 8:55 pm, seconded by Duncan. Passed unanimously.

**15. Assemblage of PMCAC Standing Sub-Committees**

Adjourned to Sub-Committee Meetings.

**SCHEDULED MEETINGS**

Committee Meeting –

Monday, April 11, 2016, 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**

City Council Chambers – Shimada Room  
440 CIVIC CENTER PLAZA

**PROPOSED MINUTES  
MONDAY, April 11, 2016, 6:30 PM**

**1. CALL TO ORDER**

Chair Duncan called the meeting to order at 6:35 p.m.

**2. ROLL CALL**

Present: Committee Members Bagley, Beyaert, Brubaker (7:52), Carman, Duncan, Garrett, Gilbert, Guggemos, Hanson, Howe, Lee, Ruk (6:39) and Stello (6:50).

Absent: Kortz and McNeil.

Staff Present: Craig K. Murray, Staff Liaison, Development Project Manager II; Alex Knox, Mayor's Office.

**3. WELCOME AND MEETING PROCEDURES**

Duncan presented.

**4. AGENDA REVIEW AND ADOPTION**

Duncan reviewed.

**Action:** Committee approved (M/S Beyaert/Bagley 11-0-4-0) to hold March minutes on Consent Calendar over and to adopt the Agenda.

AYES: Bagley, Beyaert, Carman, Duncan, Garrett, Gilbert, Guggemos, Hanson, Howe, Lee and Ruk.  
NOES: None  
ABSENT: Brubaker, Kortz, McNeil and Stello.  
ABSTAIN: None

**5. ANNOUNCEMENTS THROUGH THE CHAIR**

Duncan reported. Garrett reported that Committee Member Kortz was hurt in a bicycle accident. Discussion of Urban Land Institute, Technical Advisory Panel Report. Garrett called for a transcription service to capture comments of the PMCAC.

**Action:** Committee approved (M/S Garrett/Beyaert 13-0-2-0) to prepare a four to five page summary of PMCAC comments and provide that to the Urban Land Institute and City Council.

AYES: Bagley, Beyaert, Brubaker, Carman, Duncan, Garrett, Gilbert, Guggemos, Hanson, Howe, Lee, Ruk and Stello.  
NOES: None  
ABSENT: Kortz and McNeil.  
ABSTAIN: None

**Action:** Committee approved (M/S Garrett/Beyaert 13-0-2-0) to move item 13B on the Agenda relating to the Parks and Open Space Subcommittee presentation to follow item 7A.

AYES: Bagley, Beyaert, Brubaker, Carman, Duncan, Garrett, Gilbert, Guggemos, Hanson, Howe, Lee, Ruk and Stello.  
NOES: None  
ABSENT: Kortz and McNeil.  
ABSTAIN: None

9B.1

**6. OPEN FORUM**

Antwon Cloird spoke about infrastructure issues related to transportation from San Rafael to Pt Molate. Peter Clark spoke about improvements to access Pt Molate. Tyrone Carey spoke about the need for Sports Programs at Pt Molate to benefit Richmond residents. Cordell Hindler presented a Spring song.

**7. PRESENTATIONS, DISCUSSION & ACTION ITEMS**

1. Discussion: Weekly and monthly remediation progress report out with Terraphase.

Tomer Schetrit of Terraphase reported. Schetrit presented information on the Underground Storage Tank #2 Closure Request Report and discussed additional work that would be required. Discussion about Silica Gel clean up methods. Discussion about the Seasonal Wetland project development. Schetrit discussed the fines for the Packaged Ground Water Monitoring System and certain fine amounts will be requested to be directed to the San Francisco Bay Estuary Institute that is based in Richmond.

2. Discussion: San Francisco Bay Creosote Project

Dave Halsing Project Manager for AECOM introduced himself and that he would be presenting in care of Marilyn Latta of the California Coastal Conservancy. Halsing noted that the California Coastal Conservancy received a \$2M grant from the national Fish And Wildlife Foundation to remove creosote toxins in the subtidal area. Halsing indicated that the Poly Aromatic Hydrocarbons (PAHs) is a toxin that hurts juvenile fish and project is specifically looking to help the Pacific Herring survive. Project is set to remove over 700 piles or pilings estimated at 180 tons. Halsing indicated that there are over 2400 pilings at Terminal 4 with most with concrete wrapping.

3. Discussion: EBRPD Master Plan

No discussion. Item held over.

4. Discussion: Point Molate Air Quality, BAAQMD

No discussion. Item held over.

5. Discussion: Historic Development Constraints

No discussion. Item held over.

**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.

9. CONSENT CALENDAR

A. APPROVE – PMCAC MEETING MINUTES OF FEBRUARY 8, 2016

ACTION: COMMITTEE APPROVED (M/S GARRETT/BAGLEY 13-0-2-0) TO APPROVE THE MEETING MINUTES OF FEBRUARY 9, 2016.

AYES: BAGLEY, BEYAERT, BRUBAKER, CARMAN, DUNCAN, GARRETT, GILBERT, GUGGEMOS, HANSON, HOWE, LEE, RUK AND STELLO.  
NOES: NONE  
ABSENT: KORTZ AND MCNEIL.  
ABSTAIN: NONE

B. APPROVE – PMCAC MEETING MINUTES OF MARCH 14, 2016

NO ACTION. ITEM HELD OVER. BEYAERT INDICATED THAT THERE SHOULD BE A CHANGE REGARDING A LETTER TO BE SENT TO CITY MANAGER, MAYOR AND CITY COUNCIL.

ACTION: COMMITTEE APPROVED (M/S BEYAERT/CARMAN 13-0-2-0) TO AMEND THE MINUTES WITH DETAIL REGARDING FORWARDING A LETTER REGARDING FENCING PROPOSAL TO CITY MANAGER, MAYOR AND CITY COUNCIL.

AYES: BAGLEY, BEYAERT, BRUBAKER, CARMAN, DUNCAN, GARRETT, GILBERT, GUGGEMOS, HANSON, HOWE, LEE, RUK AND STELLO.  
NOES: NONE  
ABSENT: KORTZ AND MCNEIL.  
ABSTAIN: NONE

10. PMCAC QUARTERLY REPORT TO CITY COUNCIL

A. APPROVE – PMCAC Annual Report to City Council

Duncan indicated that when ready the Committee will have a report and it will not need to be quarterly.

11. FUTURE AGENDA ITEMS

Duncan indicated the East Bay Regional Park District designed trail. Garrett noted the Nematode License and Urban Land Institute Technical Advisory Panel. Carman noted City ReZoning. Beyaert indicated Regional Measure 3 and review of a Special District could be considered. Garrett stated that the Presidio Trust Speaker Craig Middleton has retired. Garrett suggested that ULI TAP, Historic Presentation, Trust for Public Land, and a Special District hybridization be considered for future agendas.

Action: Committee approved (M/S Howe/Carman 13-0-2-0) to extend meeting for another twenty minutes.

AYES: Bagley, Beyaert, Brubaker, Carman, Duncan, Garrett, Gilbert, Guggemos, Hanson, Howe, Lee, Ruk and Stello.  
NOES: None  
ABSENT: Kortz and McNeil.  
ABSTAIN: None

**12. CITY COUNCIL LIAISON REPORTS**

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

No Report.

**B. PMCAC APPOINTMENT STATUS**

NO REPORT.

**13. CHAIR AND SUB-COMMITTEE REPORTS**

**a. Clean-Up and Restoration:**

No Report. Reported earlier in meeting with Terraphase.

**b. Parks and Open Space:**

Beyaert discussed shoreline trail.

Action: Committee approved (M/S Brubaker/McNeil 12-0-3-0) to forward a recommendation to City to not fence areas west of Stenmark Road

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

NOES: None

ABSENT: Kortz, Ruk and Lee.

ABSTAIN: None

Action: Committee approved (M/S Garrett/Bagley 12-0-3-0) to extend meeting to 9:15pm.

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

NOES: None

ABSENT: Kortz, Ruk and Lee.

ABSTAIN: None

Garrett discussed meadow development by Building 87. Discussion that Beyaert, Stello, Hanson walked with East Bay Regional Park District General Manager recently along Burma Road. It was declared that this road would not be open for vehicular traffic. Spacing would allow for a 12 foot wide paved trail with two 3 foot soft shoulders. Jeff Lee left meeting at 8:45pm. Brubaker indicated that he was not understanding the limit of the trail.

**Action:** Committee approved (M/S Duncan/Garrett 12-0-3-0) to extend meeting for another twenty minutes.

AYES: Bagley, Beyaert, Brubaker, Carman, Duncan, Garrett, Gilbert, Guggemos, Hanson, Howe, Lee, Ruk and Stello.

NOES: None

ABSENT: Kortz, Lee and McNeil.

ABSTAIN: None

- c. Legal: Bagley indicated No Report.
- d. Finance: Garrett indicated No Report. Discussion on PGWTP fines.
- e. ULI Ad Hoc Committee: Duncan indicated No Report. Item already discussed.
- f. Chair: No Report. Duncan inquired if there were any schedule conflicts.

**14. ADJOURNMENT**

Garrett moved to adjourn the meeting at 9:13 pm, seconded by Duncan. Passed unanimously.

**15. Assemblage of PMCAC Standing Sub-Committees**

Adjourned to Sub-Committee Meetings.

**SCHEDULED MEETINGS**

Committee Meeting –

Monday, May 9, 2016, 6:30 p.m., Multi-Purpose Room, 440 Civic Center Plaza

Minutes respectfully submitted by:

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Craig K. Murray, PMCAC Staff Liaison

