AGENDA

1. Call to Order (1 min.)

2. Roll Call (1 min.)

3. Welcome and Meeting Procedures (1 min.)

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

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

4. Agenda Review and Adoption (2 min.)

*The order in which items will be heard may be adjusted at this time. In addition, items may be removed from or placed on the Consent Calendar at this time.*

5. Announcements through the Chair (3 min.)

6. Open Forum (3 minutes per person limit)

7. Presentations, Discussions & Action Items (60 min.)

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

   a. Establish Day, Time for posting PMCAC meeting agenda/packet (currently Friday prior to meeting) (2 min.)
   b. Establish the following Sub-Committees: 1. By-Laws; 2. Clean-Up and Restoration; 3. Finance and Legal (2 min.)
   c. Assignments to Sub-Committees: 1. By-Laws; 2. Clean-Up and Restoration; 3. Finance and Legal (10 min.)
   d. Water Board Update on Site Clean-Up (15 min.)
   e. Site Clean-Up Presentation – Terraphase Engineering (15 min.)

8. Staff Reports (60 min.)

   a. Presentation by City Attorney Office regarding Rosenberg’s Rules of Order (10 min.)
   b. Presentation by City Managers Office regarding Operating Budget (10 min.)
   c. Report on Pt. Molate Beach Park (20 min.)
CITY OF RICHMOND
Pt. Molate Community Advisory Committee
Monday, June 20, 2011 6:30 PM
Multi-Purpose Room, 440 Civic Center Plaza

AGENDA

9. Consent Calendar (2 min.)
   Items on the consent calendar are considered matters requiring little or no discussion and will
   be acted upon in one motion
   a. APPROVE – July 20, 2011 minutes

10. Future Agenda Items (5 min.)

11. City Council Liaison Reports (10 min.)
   a. Report by Councilmember _______ regarding recent issues in Richmond relevant to the
      Advisory Committee.

12. Chair and Sub-Committee Reports (10 min.)
   a. By-Laws
   b. Clean-Up and Restoration
   c. Finance and Legal

13. Adjournment

14. Scheduled Meetings
   a. Committee Meeting – Monday, August 15, 2011, 6:30 PM, Multi-Purpose Room, 440 Civic
      Center Plaza

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

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

From: Scott Dickey
Sent: Thursday, July 07, 2011 2:20 PM
To: Craig Murray

Yes.

From: Craig Murray
Sent: Thursday, July 07, 2011 2:15 PM
To: Scott Dickey
Subject: Rosenberg Rules --- First PMCAC Mtg. June 20, 2011

Scott:

OK to include this in the PMCAC Board Packet?

Craig K. Murray, SR/WA  
Development Project Manager II  
Richmond Community Redevelopment Agency  
440 Civic Center Plaza, 2nd Floor  
Richmond, CA 94804-1630  
510-307-8140  
510-307-8188 direct  
510-307-8149 fax

From: Scott Dickey
Sent: Tuesday, June 21, 2011 3:55 PM
To: Craig Murray
Subject: RE: I am sick --- First PMCAC Mtg. June 20, 2011

Craig:

I think the best way to distribute Rosenberg's Rules is to direct committee members to the following link:

Rosenberg’s Rules of Order:
Simple Parliamentary Procedures for the 21st Century
MISSION:
To restore and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

VISION:
To be recognized and respected as the leading advocate for the common interests of California cities.

About the League of California Cities
Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf in the state capitol, the League provides its members with professional development programs and information resources, conducts educational conferences and research, and publishes Western City magazine.

About Western City Magazine
Western City is the League of California Cities' monthly magazine. Western City provides lively, interdisciplinary analyses of issues affecting local governance. Its goal is to offer immediately practical ideas, information and bigger-picture policy issues and trends. For more information, visit www.westerncity.com.


About the Author
Dave Rosenberg is an elected county supervisor representing the 4th District in Yolo County. He also serves as director of community and intergovernmental relations, director of operations, and senior advisor to the governor of California. He has served as a member and chair of numerous state and local boards, both appointed and elected, and also served on the Davis City Council for 12 years, including two terms as mayor. He has taught classes on parliamentary procedure and has served as a parliamentarian for large and small governing bodies. In the fall of 2003, Gov. Davis appointed Rosenberg as a judge of the Yolo County Superior Court.

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that hasn’t always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules, Robert’s Rules of Order, which are embodied in a small but complex book. Virtually no one I know has actually read this book cover to cover.

Worse yet, the book was written for another time and purpose. If you are running the British Parliament, Robert’s Rules of Order is a dandy and quite useful handbook. On the other hand, if you’re running a meeting of a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order. Hence, the birth of “Rosenberg’s Rules of Order.”

This publication covers the rules of parliamentary procedure based on my 20 years of experience chairing meetings in state and local government. These rules have been simplified and slimmed down for 21st century meetings, yet they retain the basic tenets of order to which we are accustomed.

“Rosenberg’s Rules of Order” are supported by the following four principles:

1. Rules should establish order. The first purpose of the rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.

2. Rules should be clear. Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate and those who do not fully understand and do not fully participate.

3. Rules should be user-friendly. That is, the rules must be simple enough that citizens feel they have been able to participate in the process.

4. Rules should enforce the will of the majority while protecting the rights of the minority. The ultimate purpose of the rules of procedure is to encourage discussion and to facilitate decision-making by the body. In a democracy, the majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself (but not dominate) and fully participate in the process.

The Chairperson Should Take a Back Seat During Discussions

While all members of the governing body should know and understand the rules of parliamentary procedure, it is the chairperson (chair) who is charged with applying the rules of conduct. The chair should be well versed in those rules, because the chair, for all intents and purposes, makes the final ruling on the rules. In fact, all decisions by the chair are final unless overruled by the governing body itself.

Because the chair conducts the meeting, it is common courtesy for the chair to take a less active role than other members of the body in debates and discussions. This does not mean that the chair should not participate in the debate or discussion. On the contrary, as a member of the body, the chair has full rights to participate in debates, discussions and decision-making. The chair should, however, strive to be the last to speak at the discussion and debate stage, and should not make or second a motion unless he or she is convinced that no other member of the body will do so.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, published agenda; informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body’s agreed-upon road map for the meeting. And each agenda item can be handled by the chair in the following basic format.

First, the chair should clearly announce the agenda item number and should clearly state what the subject is. The chair should then announce the format that will be followed.

Second, following that agenda format, the chair should invite the appropriate people to report on the item, including any recommendation they might have. The appropriate person may be the chair, a member of the governing body.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire to move on.
a staff person, or a committee chair charged with providing information about the agenda item.

Third, the chair should ask members of the body if they have any technical questions for clarification. At this point, members of the governing body may ask clarifying questions to the people who reported on the item, and they should be given time to respond.

Fourth, the chair should invite public comments or, if appropriate at a formal meeting, open the meeting to public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of each public speaker. At the conclusion of the public comments, the chair should announce that public input has concluded (or that the public hearing, as the case may be, is closed).

Fifth, the chair should invite a motion from the governing body members. The chair should announce the name of the member who makes the motion.

Sixth, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member who seconds the motion. It is normally good practice for a motion to require a second before proceeding with it, to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and a vote on the motion even when there is no second. This is a matter left to the discretion of the chair.

Seventh, if the motion is made and seconded, the chair should make sure everyone understands the motion. This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the chair should now invite discussion of the motion by the members of the governing body. If there is no desired discussion or the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or a very brief discussion, the vote should proceed immediately, and there is no need to repeat the motion. If there has been substantial discussion, it is normally best to make sure everyone understands the motion by repeating it.

Ninth, the chair takes a vote. Simply asking for the "ayes" and then the "nays" is normally sufficient. If members of the body do not vote, then they "abstain." Unless the rules of the body provide otherwise or unless a super-majority is required (as delineated later in these rules), a simple majority determines whether the motion passes or is defeated.

Tenth, the chair should announce the result of the vote and should announce what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members, if any, who voted in the minority on the motion. This announcement might take the following form: "The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring 10 days' notice for all future meetings of this governing body."

Motions in General

Motions are the vehicles for decision-making. It is usually best to have a motion before the governing body prior to discussing an agenda item, to help everyone focus on the motion before them.

Motions are made in a simple two-step process. First, the chair recognizes the member. Second, the member makes a motion by preceding the member's desired approach with the words: "I move..." A typical motion might be: "I move that we give 10 days' notice in the future for all our meetings."

The chair usually initiates the motion by:

1. Inviting the members to make a motion: "A motion at this time would be in order."

Debate on policy is healthy; debate on personalities is not. The chair has the right to cut off discussion that is too personal, too loud or too crude.

The Three Basic Motions

Three motions are the most common:

1. The basic motion. The basic motion is the one that puts forward a decision for consideration. A basic motion might be: "I move that we create a five-member committee to plan and put on our annual fundraiser."

2. The motion to amend. If a member wants to change a basic motion that is under discussion, he or she would move to amend it. A motion to amend might be: "I move that we amend the motion to have a 10-member committee." A motion to amend takes the basic motion that is before the body and seeks to change it in some way.
3. **The substitute motion.** If a member wants to completely do away with the basic motion under discussion and put a new motion before the governing body, he or she would "move a substitute motion." A substitute motion might be: "I move a substitute motion that we cancel the annual fundraiser this year."

Motions to amend and substitute motions are often confused. But they are quite different, and so is their effect, if passed.

A motion to amend seeks to retain the basic motion on the floor, but to modify it in some way.

A substitute motion seeks to throw out the basic motion on the floor and substitute a new and different motion for it.

The decision as to whether a motion is really a motion to amend or a substitute motion is left to the chair. So that if a member makes what that member calls a motion to amend, but the chair determines it is really a substitute motion, the chair's designation governs.

**When Multiple Motions Are Before The Governing Body**

Up to three motions may be on the floor simultaneously. The chair may reject a fourth motion until the three that are on the floor have been resolved.

When two or three motions are on the floor (after motions and seconds) at the same time, the first vote should be on the last motion made. So, for example, assume the first motion is a basic "motion to have a five-member committee to plan and put on our annual fundraiser." During the discussion of this motion, a member might make a second motion to "amend the main motion to have a 10-member committee, not a five-member committee, to plan and put on our annual fundraiser." And perhaps, during that discussion, a member makes yet a third motion as a "substitute motion that we not have an annual fundraiser this year." The proper procedure would be as follows.

First, the chair would deal with the third (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion passes, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be complete. No vote would be taken on the first or second motions. On the other hand, if the substitute motion (the third motion) failed, the chair would proceed to consideration of the second (now the last) motion on the floor, the motion to amend.

If the substitute motion failed, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend passed, the chair would now move to consider the main motion (the first motion) as amended. If the motion to amend failed, the chair would now move to consider the main motion (the first motion) in its original format, not amended.

**To Debate or Not to Debate**

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

A motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. This motion requires a simple majority vote.

A motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess, which may range from a few minutes to an hour. It requires a simple majority vote.

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The challenge for anyone chairing a public meeting is to accommodate public input in a timely and time-sensitive way, while maintaining steady progress through the agenda items.

Third, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee) or, if amended, would be in its amended format (10-member committee). And the question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

A motion to fix the time to adjourn. This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn this meeting at midnight." It requires a simple majority vote.

A motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to
be placed on "hold." The motion may contain a specific time in which the item can come back to the body: "I move we table this item until our regular meeting in October." Or the motion may contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

A motion to limit debate. The most common form of this motion is to say: "I move the previous question" or "I move the question" or "I call for the question." When a member of the body makes such a motion, the member is really saying: "I've had enough debate. Let's get on with the vote." When such a motion is made, the chair should ask for a second to the motion, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body. Note that a motion to limit debate could include a time limit. For example: "I move we limit debate on this agenda item to 15 minutes." Even in this format, the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions occur when the body is taking an action that effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super-majority) to pass:

Motion to limit debate. Whether a member says, "I move the previous question," "I move the question," "I call for the question" or "I move to limit debate," it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

Motion to close nominations. When choosing officers of the body, such as the chair, nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers, and it requires a two-thirds vote to pass.

If you are running the British Parliament, Robert's Rules of Order is a dandy and quite useful handbook.

Motion to object to the consideration of a question. Normally, such a motion is unnecessary, because the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

The Motion to Reconsider
There is a special and unique motion that requires a bit of explanation all by itself: the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to reconsider is made.

A motion to reconsider requires a majority vote to pass, but there are two special rules that apply only to the motion to reconsider.

First is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon or at the very next meeting of the body. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of the minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.
If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

**Courtesy and Decorum**

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. And at the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every member of the body to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focus on the item and the policy in question, not on the personalities of the members of the body. Debate on policy is healthy; debate on personalities is not. The chair has the right to cut off discussion that is too personal, too loud or too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body. Can a member of the body interrupt the speaker? The general rule is no. There are, however, exceptions. A speaker may be interrupted for the following reasons:

**Privilege.** The proper interruption would be: "Point of privilege." The chair would then ask the interrupter to "state your point." Appropriate points of privilege relate to anything that would not be considered appropriate conduct of the meeting; for example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

**Appeal.** If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

**Call for orders of the day.** This is simply another way of saying, "Let's return to the agenda." If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair's determination may be appealed.

It is usually best to have a motion before the governing body prior to discussing an agenda item, to help everyone focus.

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

**Special Notes About Public Input**

The rules outlined here help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

**Rule One:** Tell the public what the body will be doing.

**Rule Two:** Keep the public informed while the body is doing it.

**Rule Three:** When the body has acted, tell the public what the body did.

Public input is essential to a healthy democracy, and community participation in public meetings is an important element of that input. The challenge for anyone chairing a public meeting is to accommodate public input in a timely and time-sensitive way, while maintaining steady progress through the agenda items. The rules presented here for conducting a meeting are offered as tools for effective leadership and as a means of developing sound public policy.
SKU 1533
$5.00
To order additional copies of this publication, call (916) 658-8257 or visit www.cacities.org/store.
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Craig Murray

From: LaShonda Wilson
Sent: Thursday, July 14, 2011 11:39 AM
To: Craig Murray
Subject: FW: Pt. Molate Remediation Budget - CAG.xls

I thought they just wanted the remediation budget but they also want the operating budget. Is there still time today to send it to you? If so, what is your deadline for sending out the packet?

LaShonda Wilson
Management Analyst
City Manager's Office
City of Richmond

(510) 620-6828 phone
(510) 620-6542 fax
LaShonda_wilson@ci.richmond.ca.us

Please consider the environment before printing this message.

From: joan@vbsi.com [mailto:joan@vbsi.com]
Sent: Thursday, July 14, 2011 11:28 AM
To: Craig Murray; LaShonda Wilson
Cc: PointSanPablo; joan@vbsi.com
Subject: Re: Pt. Molate Remediation Budget - CAG.xls

Craig/LaShonda -

What we would like to see is the complete budget (in the packets) and a presentation of the summary figures for each category, i.e. costs for: security, road maintenance, electrical, vegetation management, wine haven maintenance, remediation, etc., all specific to the city of Richmond owned properties, and any income. Plus costs/income associated with the engagement with Upstream. It would be great if it could be broken by revenue and expense relationship, i.e. $28M from Navy for cleanup, and related expenditures.

Thanks!!
Joan Garrett
650-861-0726

-----Original Message-----
From: Craig Murray [mailto:Craig_Murray@ci.richmond.ca.us]
Sent: Thursday, July 14, 2011 09:01 AM
To: 'LaShonda Wilson'
Cc: 'PointSanPablo', joan@vbsi.com
Subject: RE: Pt. Molate Remediation Budget - CAG.xls

LaShonda:
Request was to have Pt Molate Budget presented to include major cost and revenue areas.
I am copying PMCAC Chair & Vice Chair to provide any further clarification to this request.
=CKM="
Hi Craig,

Can you please provide Bruce and me some information about what is expected of the budget presentation to the CAG?

Thank you,

LaShonda Wilson
Management Analyst
City Manager's Office
City of Richmond

(510) 620-6828 begin_of_talking
(510) 620-6828 end_of_talking
(510) 620-6542 fax
Lashonda_wilson@ci.richmond.ca.us

Please consider the environment before printing this message.
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<th>Source of Funds</th>
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<tr>
<td>Navy Funds</td>
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Point Molate Site Remediation Budget
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<tr>
<th>Subtotal: Landscaping &amp; Security</th>
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<td>Office Supplies</td>
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<td>Grounds Maintenance</td>
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<tr>
<td>Legal Services</td>
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<td>City Attorney's Office Staff (Salary &amp; Benefits)</td>
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| Remaining Budget FY 2011-2012 | $165,000.00 |

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<th>Total Revenue</th>
<th>Estimated Reimbursement from Inlay Grant Funds for Remediation-Related Work</th>
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<tr>
<td>Budget</td>
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<tr>
<td>Revenue</td>
<td>$150,000.00 __________________________________________________________________________</td>
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<table>
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<tr>
<th>Sources of Funds Approved FY 2011-2012</th>
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<td>Project Description: P. Michael</td>
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<tr>
<td>Project/Program Manager(s): Steve Dunn</td>
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<tr>
<td>Project Name: P. Michael Operating Budget</td>
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</table>
Craig Murray

From: Edwin Medina
Sent: Thursday, June 16, 2011 4:34 PM
To: Craig Murray
Subject: RE: Request to Re-Open Pt Molate Beach Park

Pt. Molate Park has always been a standalone park, far away from normal routine patrol routes. Its physical location makes it difficult for a patrol officer to view the entire park from his/her vehicle, requiring the officer to drive down into the park itself. This type of access is considered a red flag in regards to officer safety; one way in and out.

Thus, a cursory check of the park is made leaving many areas unchecked and/or unsecured. Criminal acts of many sorts can possibly go on, unnoticed. i.e. Drug usage, sales, indecent exposure or sexual assaults.

Should this park be re-opened, a re-planning of the park entry/egress should be made, with a focus on additional lighting or perhaps even addition of cctv.

- Deputy Chief Ed Medina, RPD
(510) 620-6852

---

From: Craig Murray
Sent: Thursday, June 16, 2011 2:09 PM
To: Edwin Medina
Cc: Chris Chamberlain
Subject: Request to Re-Open Pt Molate Beach Park

Pt Molate Community Advisory Committee meets on Monday June 20. Subject item is on the Agenda to be discussed.
Chris Chamberlain has provided me a report & suggested that you may have some comments as well.
As possible, can you provide a summary of concerns at Pt Molate Beach Park.
Plan was to forward out Agenda today & distribute packets tomorrow.
I would like to include something in the packets if you can provide a brief summary.
Thanks.

Craig K. Murray, SR/WA
Development Project Manager II
Richmond Community Redevelopment Agency
440 Civic Center Plaza, 2nd Floor
Richmond, CA 94804-1630
510-307-8140
510-307-8188 direct
510-307-8149 fax

7/15/2011
Craig Murray

From: Chris Chamberlain  
Sent: Wednesday, June 15, 2011 12:14 PM  
To: Yader Bermudez  
Cc: Steve Duran; Alan Wolken; Craig Murray; Edwin Medina  
Subject: Re: Point Molate Beach Park Assessment

The Point Molate Advisory Committee, the Mayor, TRAC have requested that it be explored. Craig Murray has more details.

Chris Chamberlain  
Parks & Landscaping Superintendent  
City of Richmond Ca.  
Public Works Dept.  
Parks & Landscaping Div.  
Office (510) 231-3073

Sent from wireless device

From: Yader Bermudez  
To: Chris Chamberlain  
Cc: Steve Duran; Alan Wolken; Craig Murray; Edwin Medina; Chris Chamberlain  
Subject: FW: Point Molate Beach Park Assessment

Who is requesting to reopen this park? It is my understanding that one major issue for closing was the amount of illegal activity at the park

YADER A. BERMUDEZ  
City of Richmond  
Public Works Director  
#6, 13th Street  
Richmond, Ca 94801  
(510) 774-6300 Cell  
(510) 231-3008 Wk  
(510) 231-3014 Fax

From: Chris Chamberlain  
Sent: Wednesday, June 15, 2011 11:03 AM  
To: Craig Murray  
Cc: Yader Bermudez; Alan Wolken  
Subject: Point Molate Beach Park Assessment

Attached is a brief report and comments regarding the possibility of reopening the Point Molate Beach Park.

Chris Chamberlain

Parks and Landscaping Superintendent  
City of Richmond Public Works  
510-231-3073 office  
chris_chamberlain@ci.richmond.ca.us

7/15/2011
Point Molate Beach Park Assessment

Current Conditions:

1. Extreme overgrowth of vegetation

2. Significant Tree maintenance/removal needed

3. Shoreline erosion 6-8’ drop off with no safe beach access (Public Safety)
4. Asphalt deterioration, trip hazards, ADA access concerns

The above issues are all manageable with resources and a one time “clean-up” effort. I feel that inevitably once the clean-up begins other deferred maintenance issues will arise such as water line damage, drainage issues, site amenities needing replacement, etc. but again this can be identified and resources allocated on a one time basis to get the site open.

As the Parks and Landscaping Superintendent my single biggest concern regarding the reopening of this park is the ongoing operational costs and staffing demands. It is my understanding that the park was closed due to a lack of resources to sustain the operations, not just from the Parks and Landscape Division but also from the Police Department who will need to provide patrol services. This is a 15 acre site that does indeed require a fairly significant amount of ongoing maintenance to ensure that the park is safe, accessible, and to a standard in which the City and the Community is comfortable with.
The Parks and Landscape Division is currently responsible for two assessment districts that require "enhanced" levels of service, 54 park facilities, over 40k street trees, several acres of streetscapes and right of ways as well as a significant volume of very high fire severity zones. Our budget has been reduced over the last few years and we are being reduced again this year. In my opinion without adequate operating resources to support the operations it is not feasible to reopen this facility.

I would be happy to discuss this in further detail as needed. I do feel that the site has a tremendous potential and provides amazing views of the bay, Mt. Tam, the bridge etc. and feel that it would be a great spot for a family barbeque but we have to make sure that we can do it the right way and the right way will demand resources.

Chris Chamberlain
Parks and Landscaping Superintendent
City Of Richmond
510-231-3073
Craig Murray

From: John Salmon [jcoho@aol.com]
Sent: Saturday, June 18, 2011 12:02 PM
To: Steve Duran; Bruce Goodmiller
Cc: 'Jim Levine'; Craig Murray; 'Michael Derry'
Subject: Point Molate CAC
Attachments: PMCAC Agenda 062011.pdf

Steve and Bruce:

I just read the attached Agenda for Monday’s Point Molate CAC Meeting.

Please be aware that, in addition to all of the security, safety and maintenance issues and costs associated with re-opening the Point Molate Beach Park, that area of the property is an unremediated IR site not suitable for public use and is generally the area of a designated historic archeological site for its prior use as a Chinese Shrimp Camp.

We believe that it is not in the City’s best interest to re-open the park.

See you on Monday night.

John

John F. Salmon
Stream Point Molate LLC
www.pointmolateresort.com
Phone: (707) 333-5595
Fax: (707) 940-4600
jcoho@aol.com

7/15/2011
INCIDENT/SAFETY/HAZARD REPORT

DATE OF INCIDENT: 6-11-11

TIME OF INCIDENT: 2:20 P.M.

LOCATION OF INCIDENT: Point Molate Beach

REPORTING OFFICER: R. Duncan

DESCRIPTION OF INCIDENT/HAZARD:

At 7:20 P.M. Willy Dean returned shortly after leaving a hair salon. There was a fire on the beach near the front gate of the western drive. I drove down there saw the fire and called my supervisor at 22:15. I then dispatched Florid Willy增高 at 7:20. Willy arrived at 7:20. The guy who started the fire returned to his truck at the same time. Willy found the fire out. Willy told the guy that the fire was out, not to be fishing. The fire was put out with water and covered with sand and completely out.

The guy's name was [redacted]. His license number on his truck was [redacted].

Were police called: Yes / No, Unit # [redacted] notified. If yes, time called: [redacted] Time Officer Responded: [redacted]

I, Officer R. Duncan, certify that the facts contained in this incident report are true and complete to the best of my knowledge.

Officer's Signature: R. Duncan
City of Richmond – POINT MOLATE COMMUNITY ADVISORY COMMITTEE
Multi-Purpose Room
440 CIVIC CENTER PLAZA

MINUTES
MONDAY, June 20, 2011, 6:00 PM

1. CALL TO ORDER
Staff Liaison Craig K. Murray called the meeting to order at 6:07 p.m.

2. ROLL CALL
Present: Committee Members Beyaert, Clark, Garrett, Gilbert, Gordon, Ham, Hanna, Helvarg, Hite, Kortz, Martinez, Rosing, Smith, C., Smith, N., Soto, Stello, Sundance and Whitty.
Absent: Committee Member Glendenning
Staff Present: Gayle McLaughlin, Mayor; Marilyn Langlois, Community Advocate, Mayor’s Office; Craig K. Murray, Staff Liaison/Development Project Manager II, Community & Economic Development Department/Redevelopment; Scott Dickey, Chief Deputy City Attorney.

3. WELCOME AND MEETING PROCEDURES
Staff Liaison Murray presented the meeting procedures and discussed the Speaker Card process. Mayor McLaughlin welcomed the Point Molate Community Advisory Committee and audience to the first meeting. Mayor introduced Committee Member Bruce Beyaert, discussed his background with Pt Molate, and asked Beyaert to Chair meeting until Committee Officers have been elected.

4. AGENDA REVIEW AND ADOPTION
Beyaert moved to accept the Agenda. Passed unanimously.

5. OPEN FORUM
Don Gosney, Richmond resident – commented on accessibility of meeting documents.

6. ESTABLISH DAY, TIME, LOCATION TO HOLD COMMITTEE MEETINGS
Beyaert presented that the current day, time, location for the Point Molate Community Advisory Committee (PMCAC) is the Multi-Purpose Room and meetings held from 6:00 pm to 8:30pm during the third Mondays on a monthly basis
1. Staff member Langlois indicated that during Committee selection process the third Mondays were selected amongst Committee Members as an acceptable date
2. Hanna spoke in regards to the start time and if it could be held later
3. With Soto’s acceptance of the Beyaert amendment, the meetings will end at 9:00pm and that PMCAC move the meeting start time to 6:30pm and end at 8:30pm. Martinez seconded. Committee Members voted in favor (17) to (1) Garrett against, (0) abstentions.

7. SELECTION OF A COMMITTEE CHAIR AND VICE-CHAIR
A. CHAIR NOMINATIONS AND SELECTION
2. N. Smith nominated Joan Garrett for Chair and Comm. seconded.
3. Whitty and Garrett spoke in regards to the Chair position.
4. Comm. Provided written ballots to Staff Liaison for position of Chair and Beyaert confirmed with Staff Liaison that Garrett received 12 votes and Whitty received 6 votes. Garrett is Chair.

B. VICE CHAIR NOMINATIONS AND SELECTION
1. Chair Garrett called for nominations of Vice Chair.
4. Whitty and Beyaert spoke in regards to Vice Chair position.
5. Comm. Provided written ballots to Staff Liaison for position of Vice Chair and Chair Garrett confirmed with Staff Liaison that Beyaert received 13 votes and Whitty received 5 votes. Beyaert is Vice Chair.

8. ADOPTION OF MISSION STATEMENT
1. Written draft Mission Statement distributed in Agenda Packet and discussed
2. Martinez requested that under 3rd point the word encouraging should change to encourage
3. Discussion regarding adoption at future meeting and if clarification of word Developers should also include others such as Planners
4. Soto offered a substitute motion for a Mission Statement to create a plan for Pt. Molate
5. Vice Chair Beyaert cautioned that City Council didn’t give Committee authority to create a plan as they’ve already adopted a Reuse Plan and PMCAC doesn’t have funding to hire contractors to prepare a new plan
6. Whitty indicated that she liked the lead paragraph of the draft Mission Statement
7. Vice Chair Beyaert indicated that words such as environmentally, culturally and economically sustainable could be included. Soto concurred.
8. Chair Garrett stated that Mission Statement will need to concur with authority provided by City Council and can include budget and discussion of costs and what Committee can do.
9. Sundance provided comments on City Council input and all other local government jurisdictions
10. Helvarg provided a substitute motion for a PMCAC Mission Statement: “The Point Molate Community Advisory Committee will work to promote development of Point Molate as an exemplary site for the City of Richmond as expressed by the people of Richmond and their elected officials.”. Martinez seconded this motion.
11. Chair Garrett indicated that Mission Statement and Charter can be further discussed as a sub-committee
12. Stello noted that language is not withdrawn
13. Helvarg motion is voted on unanimously.

9. SELECTION OF SUB-COMMITTEES
1. Soto recommended a By-Laws Sub-Committee.
2. Vice Chair Beyaert recommended an Environmental Sub-Committee because the clean-up and restoration are the first subject.
3. Whitty recommended a Technical Advisory Committee as the Main Sub-Committee and discussed this Sub-Committee’s function as part of the US Navy Restoration Advisory Board.
4. Soto recommended a Clean-Up and Restoration Sub-Committee
5. Soto recommended a By-Laws Committee. This Sub-Committee to provide input regarding additional sub-committees. C. Smith seconded.
6. Chair Garrett recommended a Finance, Budget, Legal and a Public Outreach to Community Sub-Committee.
7. Deputy Chief City Attorney Dickey stated that there is a Motion and a 2nd on By-Laws Committee, PMCAC should take action on that before continuing. Dickey also cautioned Committee Members that they can only affect those duties delegated by City Council to this Committee. Additional Committees and work outside this City Council-delegated scope would not be recognized.
8. Call to vote on Soto request for a By-Laws Sub-Committee. Passed unanimously.
9. Chair Garrett polled each attending Committee Member of what subcommittees they are interested in having created: Sundance - Clean-Up and Restoration; Martinez – Finance and Public Outreach; Gilbert – Clean-Up and Restoration; Garrett – Land Use; Ham – Plans and Communication with Developers; Beyaert – Land Use and opined that land use is of broad interest to the entire committee and suggested that we try dealing with it as a committee of the whole rather than splitting off as a Subcommittee; Helvarg – By-Laws, Legal, Restoration; Soto – Clean-up, Legal, Restoration, Community Engagement, Finance; Chair Garrett – Economic Development, Operations & Developer Coordination, Security Services; Hite – In concurrence with those stated; Gordon – stated can’t do anything until get Pt. Molate environment cleaned-up; Stello – Clean-Up and Development;
10. Helvarg moved that the following Sub-Committees be selected: By-Laws, Clean-Up and Restoration, Finance and Legal. Vice Chair Beyaert seconded noting that Clean-Up involves surface and sub-surface restoration. Soto called for question. Passed unanimously.

10. STAFF REPORTS

A. PRESENTATION BY CITY ATTORNEY REGARDING OPEN MEETING AND CONFLICT OF INTEREST LAWS

1. Chief Deputy City Attorney Dickey provided PowerPoint notes on Brown Act Training and provided a PowerPoint presentation on the duties of the Committee in relation to the Brown Act. Dickey summarized information in presentation. Dickey noted that although the PMCAC is under the Brown Act, the PMCAC is not currently subject to Conflict of Interest Laws, but may be in the future, and indicated that the City Attorney’s Office will provide follow-up training on Conflicts of Interest if and when such training becomes necessary.

2. Chair Garrett called for those in audience wanting to speak.

3. Don Gosney commented on the 72 hour posting rule and availability of documents same as the Committee to the general public. Gosney also commented that it is difficult to view Agenda and documents in buildings closed during these 72 hours. Dickey commented that Agenda is posted outside bulletin board and agreed that public has right to entire Board packet within this posting time and that these documents can additionally be posted in the Main Library.

4. Dickey cautioned Committee members that Committee individual documents (emails, photos and such) as they relate to work on this Committee can be called up from the public under the Brown Act and a Public Records Request.

5. C. Smith moved to extend meeting for another 20 minutes until 8:20 pm. Comm. Ham seconded. Passed unanimously.

B. CURRENT ENVIRONMENTAL CLEAN-UP PROCESS

1. Committee reviewed written report by Terraphase on the environmental clean-up process at Pt. Molate.

2. Stello inquired and received confirmation that funding for Terraphase is via US Navy clean-up dollars to City via Developer Upstream. Terraphase is environmental consultant working under guidance of the State of California Water Board and agreement between City of Richmond and Upstream.

3. Beyaert requested in future a complete City budget from entering the initial LDA with Upstream showing income and expenditures by purpose; e.g. Security, Maintenance and Environmental Cleanup.

4. Chair Garrett called for those in audience wanting to speak.

5. Don Gosney stated that he was not able to view the written report from Terraphase and indicated that the Water Board is instrumental in the process and Water Board should be invited to speak to this Committee. Gosney also indicated that he checked with USN Rep. Michael Bloom and neither knew about a UST (underground storage tank) under Building 6. Gosney indicated that Building 6 is in a deteriorated condition and experiences significant water inflows. Gosney stated that IR Site 3 will require over 100,000 cubic yards of dirt to be removed. Gosney suggested that Committee should schedule a tour.

6. Sundance inquired where the damage to Bldg. 6. Gosney indicated in the middle & north end of building.

C. WEBSITE
1. Committee received written report on Website location for the PMCAC. URL: http://ca-richmond2.civicplus.com/index.aspx?NID=2442

D. POINT MOLATE BEACH PUBLIC ACCESS

1. Soto moved to continue items 10d., 11, 12 and 13 to the next regularly scheduled meeting. Chair Garrett requested that Mayor speak to item 12 in last few minutes prior to meeting close. Kortz seconded. Passed unanimously.

11. FUTURE AGENDA ITEMS
   A. COMMITTEE REQUESTS FOR FUTURE AGENDA ITEMS
   B. FUTURE AGENDA ITEMS

(Item continued to next regularly scheduled meeting of July 18)

12. CITY COUNCIL/LIAISON REPORTS
   a. Report by Mayor McLaughlin that she will be the interim Councilmember reporting to the Advisory Committee until City Council appoints a regular City Council representative.

13. CHAIR AND SUB-COMMITTEE REPORTS
    (Item continued to next regularly scheduled meeting of July 18)

14. Adjournment
    Chair Garrett moved to adjourn meeting at 8:18pm. Vice Chair Beyaert seconded. Passed unanimously.

15. SCHEDULED MEETINGS
    Committee Meeting –
    Monday, July 18, 2011, 6:30 p.m., Multi-Purpose Room, 440 Civic Center Plaza.

Minutes respectfully submitted by: ______________
Craig K. Murray, PMCAC Staff Liaison