

RICHMOND, CALIFORNIA, December 15, 2020

The Richmond City Council Evening Open Session was called to order at 5:02 p.m. by Mayor Thomas K. Butt via teleconference.

Due to the coronavirus (COVID-19) pandemic, Contra Costa County and Governor Gavin Newsom issued multiple orders requiring sheltering in place, social distancing, and reduction of person-to-person contact. Accordingly, Governor Gavin Newsom issued executive orders that allowed cities to hold public meetings via teleconferencing (Executive Order N-29-20).

DUE TO THE SHELTER IN PLACE ORDERS, attendance at the City of Richmond City Council meeting was limited to Councilmembers, essential City of Richmond staff, and members of the news media. Public comment was confined to items appearing on the agenda and was limited to the methods provided below. Consistent with Executive Order N-29-20, this meeting utilized teleconferencing only. The following provides information on how the public participated in the meeting.

The public was able to view the meeting from home on KCRT Comcast Channel 28 or AT&T Uverse Channel 99 and livestream online at <http://www.ci.richmond.ca.us/3178/KCRT-Live>.

Written public comments were received via email to cityclerkdept@ci.richmond.ca.us. Comments received by 1:00 p.m. on December 15, 2020, were summarized at the meeting, put into the record, and considered before Council action. Comments received via email after 1:00 p.m. and up until the public comment period on the relevant agenda item closed, were put into the record. Public comments were also received via teleconference during the meeting. Attached herewith all written public comments received.

ROLL CALL

Present: Councilmembers Ben Choi, Demnlus Johnson III, Eduardo Martinez, and Mayor Thomas K. Butt. Absent: Councilmember Jael Myrick, Melvin Willis, and Vice Mayor Nathaniel Bates arrived after adjourning to Closed Session.

PUBLIC COMMENT

The city clerk announced the public comment procedures and that the purpose of the Open Session was for the City Council to hear public comments on the following items to be discussed in Closed Session:

JOINT RICHMOND HOUSING AUTHORITY/RICHMOND CITY COUNCIL

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (paragraph (1) of Subdivision [d] of Government Code Section 54956.9):

Williams, et al. v. City of Richmond and the Richmond Housing Authority

CITY COUNCIL

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION (Significant exposure to litigation pursuant to paragraph (2) of Subdivision (d) and paragraph (3) of Subdivision (e) of Government Code Section 54956.9):

One case

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8):

Property: Terminal 3

Agency negotiators: Laura Snideman and Jim Matzorkis
Negotiating parties: Terminal 3 Partners.

Under negotiations: Price and terms of payment

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8):

Property: Nevin Plaza

Agency negotiators: Shasa Curl and Nannette Beacham

Negotiating parties: EAH Housing

Under negotiations: Price and Terms of Payment

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957):

Title: Former Interim City Manager

Title: Former City Attorney

Mayor Butt recused himself from discussion on the public employee performance evaluation.

Jim Hanson gave comments regarding the Terminal 3 negotiations.

The Open Session adjourned to Closed Session at 5:07 p.m.
Closed Session adjourned at 6:30 p.m.

The Regular Meeting of the Successor Agency to the Richmond Community Redevelopment Agency and Richmond City Council was called order at 6:41 p.m. by Mayor Butt via teleconference.

ROLL CALL

Present: Councilmembers Choi, Martinez, Myrick, Johnson III, Willis, and Mayor Butt. Absent: Vice Mayor Bates arrived at 6:53.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

The city clerk announced the public comment procedures published in the agenda. Mayor Butt stated that Item L-1 was moved for discussion after Item I-1. Item H-1 and H-10 were heard after Item L-1.

REPORT FROM THE CITY ATTORNEY ON FINAL DECISIONS MADE DURING CLOSED SESSION

City Attorney Teresa Stricker stated that there were no final actions to report.

REPORT FROM THE CITY MANAGER

City Manager Laura Snideman honored and thanked the following retired individuals for their service to the City of Richmond who have worked for 20 years or more: Davita Cantrell, Lindsey Mayo, Michael Lamdon, Angela Ragland, Maria Blue, Robert Gray, Jim Matzorkis, Elizabeth de Dios, and Janet Johnson.

OPEN FORUM FOR PUBLIC COMMENT

The following individual gave comments via teleconference:

Carolyn Graves gave comments regarding the state of the city's finances and that the financial situation was not as dire as portrayed by the city.

SUCCESSOR AGENCY TO THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY CONSENT CALENDAR

On motion of Councilmember Myrick, seconded by Councilmember Willis, the item marked with an (*) were approved by the unanimous vote of the City Council.

G-1. Adopted **Resolution No. 20-2**, approving the Successor Agency to the Richmond Community Redevelopment Agency's Recognized Obligation Payment Schedule and an administrative budget for the period July 1, 2021 through June 30, 2022 ("ROPS 21-22") pursuant to California Health and Safety Code Sections 34177(o) and 34171(a),(b), and 34177(j), respectively.

CITY COUNCIL CONSENT CALENDAR

On motion of Councilmember Myrick, seconded by Councilmember Willis, the items marked with an (*) were approved by the unanimous vote of the City Council.

H-1. Continued to the December 22, 2020, City Council meeting, the matter to approve the third amendment to the contract with Liebert, Cassidy, Whitmore, in the amount of \$700,000, which will increase the total contract amount to \$875,000 for the continuation of labor negotiations and other legal services through June 30, 2022.

***H-2.** Introduced an ordinance to establish compensation for: Human Resources Manager (new salary range 090A\$11,580-\$14,075/month) and adopted **Resolution No. 139-20**, amending the Position Classification Plan to add the new classification specification of Human Resources Manager.

***H-3.** Received a written report from the Richmond Government Alliance on Race and Equity Team on activities and the progress of the draft Racial Equity Action Plan.

***H-4.** Adopted **Resolution No. 140-20**, Declaring the Canvass of Returns and Results of the General Municipal Election held on November 3, 2020.

***H-5.** Approved a sole-source contract with National Demographics Corporation for services related to revising the district boundaries for the City after the 2020 census count is completed, in an amount not to exceed \$40,000.

***H-6.** Approved appointment(s) to the Richmond Fund for Children and Youth Oversight Board: Councilmember Ben Choi Appointment: appointed Miriam Stephanie Sequeira, re-appointment, seat #5, term expiration date December 2, 2022.; Vice Mayor Nathaniel Bates Appointment: appointed Madiha Qader, re-appointment, seat #7, term expiration date December 2, 2022; Councilmember Eduardo Martinez Appointments: Appoint Khaleighya Dandie-Evans, re-appointment, seat #10, term expiration date December 2, 2022; Carol Hegstrom, re-appointment, seat #11, term expiration date December 2, 2022.

***H-7.** Approved an appointment to the Economic Development Commission: appointed Ahmad Anderson, new appointment, seat #3, filing an unexpired term with an expiration date of March 30, 2023.

***H-8.** Approved an appointment to the Housing Advisory Commission: Appointed Toni Autry, re- appointment, seat#7, term expiration date November 1, 2022.

***H-9.** Approved appointments to the Oakland Airport Community Noise Management Forum: appointed Mayor Tom Butt, new appointment seat #1 elected representative, term expiration date December 21, 2022; Laura Ho, new appointment, seat #2 non-elected resident representative, term expiration date December 21, 2022.

H-10. The matter to authorize the Port to enter into a 26-year lease, with four options to extend for 10-years, with T3 Partners for restoration and use of property at Terminal 3, with minimum estimated annual revenue to the Port of Richmond in the amount of \$440,000, and with additional possible revenue to the Port from future revenue sharing was presented by Port Director, Jim Matzorkis. Jim Hanson gave comments. A motion by Vice Mayor Bates, seconded by Councilmember Choi, approved the item by the unanimous vote of the City Council.

***H-11.** Approved a legal services agreement with Shartisis Friese, LLP, and adopted **Resolution No. 140-20(A)**, for as needed specialized legal services and advice regarding the lease of Terminal 3, in an amount not to exceed \$100,000, with a term expiration of June 30 2021 and appropriate \$100,000 from the Port of Richmond fund balance - 4001 (beginning fund balance for fiscal year 2020/2021 of \$10,364,580). All legal fees are to be paid by the tenant pursuant to their proposal in response to the Port's Request for Proposals concerning the letting of Terminal 3.

***H-12.** Received the monthly report on Point Molate activities for the month of May 2020.

***H-13.** Received the monthly report on Point Molate activities for the month of June 2020.

***H-14.** Received the monthly report on Point Molate activities for the month of July 2020.

***H-15.** Approved a contract amendment with Hatchuel Tabernik & Associates to support the Department of Children and Youth in the implementation of the Strategic Investment Plan, amending the contract by \$20,000 for a total contract amount not exceed \$197,033, with a contract term expiration of June 30, 2021.

***H-16.** Approved a modification to the Fiscal Year 2021-22 Environmental and Community Investment Agreement (ECIA) competitive grant program annual allocation from \$600,000 to \$300,000, and authorized the release of the Request for Application and Guidelines.

***H-17.** Adopted **Resolution No. 141-20**, to approve contract amendment number one with Infrastructure Engineering Corporation to extend the existing contract two additional years for a cost not to exceed \$41,580 (\$19,500/year plus annual increase) and to upgrade the existing 3G® cell phone network to a 4G® network using ADS' ECHO® alarm monitoring system to monitor sanitary sewer overflows for a one-time cost not to exceed \$50,000, for a total contract amount not to exceed \$183,080 over the life of the contract.

***H-18.** Adopted **Resolution of Intention No. 919**, declaring the City's intention to quitclaim a 10,804 SF portion of the parcel with APN 507-251-021, adjacent to Dalai Lama Avenue, and setting the public hearing on the matter on January 19, 2021.

***H-19.** Adopted **Resolution No. 142-20**, to accept and appropriated \$72,000 in state funds from the California Department of Transportation, and authorized staff to contribute an \$8,000.00 local match, to develop the City's Local Roadway Safety Plan.

***H-20.** Approved the purchase of a model AT41M aerial truck from Altec Industries, Inc., in an amount not to exceed \$175,000; and appropriated \$30,249 from Equipment Services Improvement fund balance and \$52,000 from the Traffic Impact Fee fund balance for this purpose.

***H-21.** Approved and ratified a contract with DNV-GL in an amount not to exceed \$200,000, for a term ending December 31, 2020, to continue the previous contract allowing DNVGL to complete and close out the previous energy upgrade projects, with funding from the Environmental and Community Investment Agreement.

ORDINANCES

I-1. The matter to adopt an ordinance approving a Development Agreement between the City and HRP Campus Bay Property, LLC, applicant of the Campus Bay Mixed-Use Project was presented by Planning Director, Lina Velasco, Attorney, Carlos Privat. The following individuals gave comments: Michael Gliksohn, Sierra Lovoi, Maggie Paul Lazar, Jim Hanson, Deborah Bayer, Pam Stello, Jeanne Kortz, Floy Andrews, Al Maz, Karen Franklin, Paul Kilkenny, Sally Tobin, Tom Hansen, Carolyn Graves, David Kafton, Jane Courant, Tom Lawson, Luis Padilla, Gail Seymour, John Dalrymple, Deborah Bayer, Jessie Stewart, Mike Parker, Ben Therriault, Charles Davidson, Tom Lawson,

Margaret Childs, Charles Davidson, Gayle McLaughlin, Miguel Molina, Kevin Van Buskirk, Tarnel Abbott, Andres Soto, and Cole Burchiel. Discussion ensued. A motion by Vice Mayor Bates, seconded by Councilmember Choi, adopted **Ordinance No. 30-20 N.S.**, by the following vote: **Ayes:** Councilmembers Choi, Johnson III, Myrick, Willis, Vice Mayor Bates, and Mayor Butt. **Noes:** Councilmember Martinez. **Absent:** None. **Abstain:** None.

BUDGET SESSION

J-1. The City Council received updates on the results of the California State Auditor's fiscal health assessment, the Fiscal Year 2020-21 budget, overtime report, the fiscal sustainability plan, and financial policies was presented by Account Manager, Antonio Banelos and Finance Director, Belinda Brown with a PowerPoint, which highlighted the following: California State Auditor's Fiscal Health Assessment; FY 2020-21 Budget Update; Overtime Reports - October and November 2020; Fiscal Sustainability Plan; Financial Policies; Budget Goals; Overtime Report; Fiscal Sustainability Plan; Cash Reserve Policy; Grant Management Policy; Debt Policy; SWAP Policy; Investment Policy; Other Post-Employment Benefits Policy (OPEB); Purchasing Policy; Allowance for Doubtful Accounts Policy; Sanctuary City Contracting and Investment Policy. City Council requested a list of items that were removed from the budget and that were added back. Luis Padilla, and Mike Parker gave comments via teleconference.

PUBLIC HEARINGS

K-1. The matter to adopt a resolution adopting an Initial Study/Mitigated Negative Declaration, adopting a Mitigation Monitoring and Reporting Program, and approving a General Plan Amendment, Vesting Tentative Map, and Design Review Permit for the Richmond Country Club Residential Project, and introduced an ordinance amending the Zoning Map to rezone the Richmond Country Club Residential Project site from PR, Parks and Recreation to OS, Open Space and RL2, Single Family Low Density Residential District was presented by City Planner, Emily Carroll. Mayor Butt declared the public hearing open. Applicants Kevin Fryer and Paul Manyisha gave an overview. There were no public speakers. Mayor Butt closed the public hearing. A motion by Vice Mayor Bates, seconded by Councilmember Martinez, adopted **Resolution No. 143-20**, by the unanimous vote of the City Council.

RESOLUTIONS

L-1. The matter to adopt a resolution approving form of Preliminary Official Statement in connection with the sale and delivery of Refunding Bonds; making other determinations; and authorizing related actions was presented by Attorney John Palmer, Orrick, Herrington, and Sutcliffe who gave an overview of the matter. A motion by Councilmember Choi, seconded by Councilmember Johnson III, adopted **Resolution No. 20-3**, by the following vote: **Ayes:** Councilmembers Choi, Johnson III, Martinez, Willis, Vice Mayor Bates, and Mayor Butt. **Noes:** None. **Absent:** Councilmember Myrick. **Abstain:** None.

(10:51 p.m. - A motion by Councilmember Myrick, seconded by Councilmember Johnson III, extended the meeting until 11:30 p.m., by the unanimous vote of the City Council).

L-2. The matter to adopt a resolution to direct the city manager to prepare, for approval by the City Council, a schedule of taxes under Measure U that is less than the maximum allowable was presented by Mayor Butt who gave a PowerPoint presentation, which highlighted the following: City Council approval recap; City Council Comments; Impact on business community; Measure U proposed rates vs Berkeley rates; Measure U impact on Retail Sales; Measure U impact on Auto Sales & Manufacturing; Define the business classification; Measure U impact on hotels; Measure U impact on construction contracts; Measure U impact on Commercial Property; Proposal for reduction in proposed rates; and Projected revenue. Board Council for Council of Industries, Aaron Winer, Council of Industries gave comments in support of a revision to more reasonable schedule of taxes under Measure U. Kristen Schumacher, SEIU Local 21 presented a Powerpoint, which highlighted the following: How do the Measure U rates compare to Oakland, Berkeley and San Francisco; Need for outreach and Education on Marginal Tax Rates; and Revenue Distribution of Business Size with Berkeley as Ceiling Model. The following individuals gave comments via teleconference: Sean H., Andrea Mularkey, Sean Staulbaum, Floy Andrews, Deborah Bayer, Peter Masiak, Claudia Jimenez, Abel Romero, Gonzalo Rucobo, Randy Joseph, Gayle McLaughlin, Ahmad Anderson, Joshua Lee, Mike Parker, Rob Lightner, Mike Vasilas, Gabriel Haaland, and Tarnel Abbott. *(11:31 p.m. - A motion was made by Councilmember Myrick, seconded by Mayor Butt, suspended the rules and extended the meeting until completion of Items L-2 and M-2. Councilmember Martinez objected).* Discussion ensued. A motion made by Councilmember Willis, seconded by Councilmember Martinez to establish a committee to look at rates, directed staff to work with the Chamber of Commerce, Council of Industries, and stakeholders to gather information and determine what businesses were renting or leasing and which ones were owner occupied; and to review presentations made to determine accuracy. The City Council also requested that the issue about landlords who owned four units or less and already paid fees to the Rent Board could credit that amount off. This matter would return to a council meeting at the end of January 2021. The motion passed by the unanimous vote of the City Council.

COUNCIL AS A WHOLE

M-1. Continued the matter to the December 22, 2020, City Council meeting, to adopt a resolution authorizing the city manager, pursuant to Article IV Section 1(b)(1) of the City Charter, to modify the position control, the list of Council-approved employee positions, as long as there is no net negative impact to the City's Operating Budget. The city manager will seek City Council approval prior to instituting any proposed change that would result in additional budgetary impacts. This item was continued from the December 1, 2020, meeting.

M-2. The matter to approve the Richmond Fund for Children and Youth's 2021-2024 Strategic Investment Plan was presented by Acting Deputy City Manager for Internal Services City Manager's Office, LaShonda White. The following individuals gave comments via teleconference: Gabriel Haaland, and Tarnel Abbott. A motion by Councilmember Willis, seconded

by Councilmember Johnson III, passed the item by the unanimous vote of the City Council.

**REPORTS OF OFFICERS: REFERRALS TO STAFF, AND
GENERAL REPORTS (INCLUDING AB 1234 REPORTS)**

None.

ADJOURNMENT

There being no further business, the meeting adjourned at 12:02 a.m., in memory of Jim Treserick, to meet again on Tuesday, December 22, 2020, at 6:30 p.m.

Clerk of the City of Richmond

(SEAL)

Approved:

Mayor

From: [Cordell Hindler](#)
To: [City Clerk Dept](#)
Subject: PUBLIC COMMENT BEFORE CLOSED SESSION
Date: Thursday, December 10, 2020 9:07:39 PM

hello Sabrina, i have a couple of comments for the record

i think that Steven Falk has done a wonderful job handling city Affairs while Laura was absent.

also Kudos to Rachel for being the interim Attorney before Miss Teresa's Arrival

my recommendation to appreciate these hard working individuals

sincerely
Cordell

From: [Cordell Hindler](#)
To: [City Clerk Dept](#)
Subject: OPEN FORUM FOR PUBLIC COMMENT
Date: Thursday, December 10, 2020 9:15:54 PM

hello Sabrina, i have a couple of comments for the record

1. a neighbor was concerned that W.R Ford Associates did not give any notice in regarding on when they repave the street on the 24th of November.
2. also the council should revisit the idea of revising the Agenda and Rules and Finance, Administrative Services and Economic Development standing committees

sincerely
Cordell

From: [Stuart Flashman](#)
To: [City Clerk Dept](#); [Nat Bates](#); [Tom Butt - external](#); [Ben Choi](#); [Demnlus Johnson](#); [Eduardo Martinez](#); [Jael Myrick](#); [Melvin Willis](#)
Cc: [Pamela Christian](#); [Pam Stello](#); [Lina Velasco](#); [Andrés Soto](#); [Roberta Wyn](#)
Subject: Re: Public Comment - Agenda Item Open Forum *AND* Public Comment - Agenda Item I-1 on council meeting agenda for December 15, 2020 (Campus Bay Mixed Use Project Approvals)
Date: Tuesday, December 15, 2020 10:49:30 AM
Attachments: [Letter to Richmond City Council 12-15-20.pdf](#)
[PastedGraphic-1.png](#)
Importance: High

The attached letter is submitted on behalf of my clients: the Richmond Shoreline Alliance, SPRAWLDEF, Citizens for East Shore Parks, Sunflower Alliance, and Golden Gate Audubon Society, in regard to the above-referenced agenda items.

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|---|--|
| Environmental, Land Use, and Elections Law Serving public interest and private clients since 1990 | |
| Stuart Flashman <i>Attorney</i> stu@stuflash.com | Law Offices of Stuart Flashman 5626 Ocean View Drive Oakland, CA 94618-1533 tel: (510) 652-5373 fax: (510) 652-5373 |

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Law Offices of
Stuart M. Flashman
5626 Ocean View Drive
Oakland, CA 94618-1533
(510) 652-5373 (voice & FAX)
e-mail: stu@stufash.com

DELIVERY VIA EMAIL AND U.S. MAIL

December 15, 2020

Mayor and City Council
City of Richmond
City Hall
400 Civic Center Plaza
Richmond, CA 94804

RE: Public Comments, Agenda Item I-1 on Meeting agenda for December 15, 2020. (Second reading and approval of development agreement ordinance for Campus Bay Mixed Use Project) **AND** Public Comments, Open Forum – Motion to reconsider Campus Bay project approvals granted on December 1, 2020

Dear Mayor Butt and Council Members:

I am writing as an attorney representing my clients: The Richmond Shoreline Alliance, SPRAWLDEF, Citizens for East Shore Parks, Sunflower Alliance, and Golden Gate Audubon Society, in regard to the City Council's consideration of granting final approval for the development agreement ordinance for the Campus Bay Mixed Use Project at tonight's city council meeting, as well as potential Council reconsideration of approvals granted at the Council's December 1st meeting.

Under Item I-1, the Council will be considering final approval of the development agreement ordinance for this project. While approval of an ordinance on second reading is often considered routine and even placed on the consent calendar, the agreement for this project is of special importance and merits further consideration. As the Council is well aware, this site contains large amounts of highly toxic material – the residue of a long history of the site's use for chemical manufacturing. Indeed, the site is considered a superfund site, and would have been placed on the National Priority List except for DTSC's and the Bay Area Regional Water Quality Control Board's willingness to take on superintending the site's cleanup. Those toxics could place at risk the health and safety of future residents, and could result in enormous liability for the city – liability that could extend far beyond the limits of the insurance promised by the developer in the developer agreement. The City needs to fully understand these risks.

As of now, DTSC has approved a FS/RAP calling for remediation to proceed under Alternative 3A – consisting largely of *in situ* treatment and follow-up monitoring. However, that determination was based on a negative declaration that used sea level rise estimates from 2014. As my prior letter of December 1 and its attachments indicated, the State of California has now issued new and more accurate estimates to serve as guidelines for responding to sea level rise. Those estimates vastly increase how much sea level rise can be expected, and make DTSC's analysis of alternatives outdated. Consequently, DTSC will need to reopen its environmental review before moving forward with implementation of the FS/RAP. It is therefore premature for the City to move ahead with approving a development agreement that assumes implementation of Alternative 3A.

In addition, the City's approvals, including the development agreement, were based on a 2018 geotechnical analysis by ENGE0. However, that analysis was done

at a program level, based on the 2016 Specific Plan. It explicitly stated that an additional project-level analysis would be needed once a final configuration of the Campus Bay Project was finalized to identify required project-level mitigation measures. That follow-up study has not been done. Further, in recognition of how quickly conditions and information can become outdated, the report, issued in September 2018, explicitly stated that it was only valid for two years from its issuance. The two years expired in September 2020. Thus even on its own terms the report requires updating; among other things to address the increased rate of sea level rise.

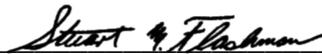
For these reasons, the Council should not move ahead with final approval of the development agreement ordinance, but should instead continue the item to allow staff to address these concerns.

For the same reasons stated above, it would also be prudent for the Council to reconsider the project approvals it hastily granted on December First. A motion for reconsideration would therefore be in order, so long as it is proposed by a council member who voted in favor of the approvals on December First.

If the Council decides instead to move forward with the project, please be advised that my clients intend to initiate litigation to challenge the project approvals, both for violations of the California Environmental Quality Act and on other grounds.

Most sincerely,

Stuart M. Flashman
LAW OFFICES OF STUART M. FLASHMAN



Attorney for The Richmond Shoreline Alliance
et al.

From: [Al M](#)
To: [City Clerk Dept](#)
Cc: [Tom Butt - external](#); [Nat Bates](#); [Demnlus Johnson](#); [Ben Choi](#); [Jael Myrick](#); [Melvin Willis](#); [Eduardo Martinez](#); [Laura Snideman](#); [Lina Velasco](#); [Eduardo Martinez](#)
Subject: Public Comment – Agenda Item # I-1
Date: Tuesday, December 15, 2020 11:14:08 AM

Public Comment – Agenda Item # I-1

Mayor Butt and City Councilmembers:

I want to voice my strong opposition to the Development Agreement between the City of Richmond and HRP Campus Bay Property LLC developers: AstraZeneca, Shopoff Real Estate Investors, and Hillco Development.

My main reasons for opposing this Development Agreement (DA) are as follows:

- <!--[if !supportLists]-->• <!--[endif]-->This DA has been created based on an outdate Environmental Impact Report (EIR). New and updated scientific research and findings on environmental issues related to hazardous waste, contaminated soil on construction and residential sites is absent from this old EIR. This new data needs to be thoroughly reflected in a new EIR.
- <!--[if !supportLists]-->• <!--[endif]-->This DA does not adequately address the devastating effects of three major sources of construction issues that will undoubtedly occur on the Campus Bay site: construction settlement (significant on our coastal land made of a mixture of marine sedimentary, volcanic rock, and a landfill that started in the 1920s,) sea level rise, and seismic activity (earthquake/liquefaction).
- <!--[if !supportLists]-->• <!--[endif]-->It does not provide a current Health Risk Assessment with updated screening levels.
- <!--[if !supportLists]-->• <!--[endif]-->The proposed remedy for in situ Volatile Organic Compounds' treatment has not been proven to work long term at this site.
- <!--[if !supportLists]-->• <!--[endif]-->The proposed remedies are not proposed by an impartial body of experts. They seem to solely rely

on the work performed by Ms Julianna Connolly, who is far from partial, since she is contracted by the developer.

<!--[if !supportLists]-->• <!--[endif]-->This DA puts all responsibility for monitoring and maintenance of "institutional controls" of off-gassing VOCs (such as first floor vents and fans), onto City and individual homeowners or HOAs.

<!--[if !supportLists]-->• <!--[endif]-->There are no detailed construction documents, which is highly irresponsible for a development agreement.

<!--[if !supportLists]-->• <!--[endif]-->This DA references an exploratory geotechnical report that describes requirements for compacted engineered fill that may require digging up the 500,000 cubic yards of buried toxic material to replace with engineered compacted fill. This is an extremely dangerous operation, especially on such highly contaminated landfill. Yet the DA does not identify safety protocols for massive construction digging for underground utilities, drains, roads and pile-driving 50-feet below the surface.

The physical, psychological and economic health and well-being of Richmond residents is at stake here, and so is the economic future of the City of Richmond, since the City would become liable in case of hazardous waste litigation. And this, as long as this development would last, which means, for generations to come. The health and safety of workers contracted for cleanup operations and housing construction is also at stake.

I urge you to vote NO on this Development Agreement.

Recommend that a new DA be presented to the Richmond City Council, one that adequately and thoroughly addresses all of the above-cited points, and incorporates all necessary changes properly reviewed and approved by impartial experts.

Cordially,

Alix Mazuet

Richmond Resident and Property Owner

From: [Ana Smulian](#)
To: [Ana and Steve Smulian](#)
Subject: Public Comment – Agenda Item # I-1
Date: Tuesday, December 15, 2020 12:16:34 PM

Dear Mayor, Council members, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Council members had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led council members to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake? Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location - This site is located adjacent to and north of the S.F. Bay Trail, near Pt. Isabel in Richmond's District 5. It is an 80+ acre toxic waste dump. Polluters include: Astra-Zeneca, one of our planet's largest pharmaceutical companies and Stauffer Chemical Company which occupied this site from 1897 into the 21st century. They dumped a toxic stew onto this site, the surrounding wetlands, and into the bay. These toxins remain on site, poisoning the surrounding wetlands and S.F. Bay, causing unmeasured & unknown harm to humans and wildlife.

The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action. **Simply capping the site may prevent the upward leaching of toxins, but will do absolutely nothing to stop the downward and outward dispersion of those toxins into the surrounding ecosphere.**

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,

Ana Smulian

J. Steven Smulian

From: [Ana Smulian](#)
To: [Ana Smulian](#)
Subject: Public Comment – Agenda Item # I-1
Date: Tuesday, December 15, 2020 11:54:26 AM

Dear Mayor, Council members, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Council members had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led council members to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake? Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location - This site is located adjacent to and north of the S.F. Bay Trail, near Pt. Isabel in Richmond's District 5. It is an 80+ acre toxic waste dump. Polluters include: Astra-Zeneca, one of our planet's largest pharmaceutical companies and Stauffer Chemical Company which occupied this site from 1897 into the 21st century. They dumped a toxic stew onto this site, the surrounding wetlands, and into the bay. These toxins remain on site, poisoning the surrounding wetlands and S.F. Bay, causing unmeasured & unknown harm to humans and wildlife.

The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action. **Simply capping the site may prevent the upward leaching of toxins, but will do absolutely nothing to stop the downward and outward dispersion of those toxins into the surrounding ecosphere.**

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,

Ana Smulian

J. Steven Smulian

From: [Andrew Green](#)
To: [City Clerk Dept](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [Laura Snideman](#); [Tom Butt - external](#); [Melvin Willis](#); richcityservant@gmail.com
Subject: Public Comment - Item I-1
Date: Sunday, December 13, 2020 3:46:43 PM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

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The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action.

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,

Andrew D. Green

Andrew D. Green

From: [Anne Cassia](#)
To: [Tom Butt - external](#)
Cc: richcityservant@gmail.com; [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [Laura Snideman](#); [City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Saturday, December 12, 2020 9:07:57 AM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

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I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final

approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,
Anne Cassia

From: [Beryl Golden](#)
To: [City Clerk Dept](#)
Cc: [Laura Snideman](#); [Lina Velasco](#)
Subject: Public Comments - Agenda Item I-1 / Richmond Bay Specific Plan
Date: Tuesday, December 15, 2020 12:35:15 PM

Dear Mayor and Councilmembers,

With Rising Sea Levels, Rising Groundwater levels would release soil contaminants.

The City Of Richmond does not have to suffer the *many* detrimental consequences of leaving the contamination in place.

The future of the environment, Richmond Residents' well-being, and the City's bottom-line, is at stake.

Please demand that the Responsible Party(ies) pay to have the contaminated soil hauled away by rail.

(See examples of how hauling by rail can be done below).

Thank you,
Beryl Golden, Richmond resident

Rail

Waste Management's **expansive network of rail options stretches across the United States** ensuring your needs are met regardless of your location.

For projects requiring rail services without immediate on-site access to rail, we coordinate trucks and intermodal rail containers in conjunction with municipal, private or other third-party haulers to meet your unique transportation needs for your non-hazardous and/or **hazardous wastes**.

On-site support services

Let us come to you. Whether you need help managing outbound logistics or handling unexpected snags, our experienced team of environmental professionals can come to your location and deliver the support you need to manage your waste in the most safe, efficient and cost-effective way possible. We will also ensure you are in total compliance with current regulations as well as any relevant import/export issues

Waste Management - WasteByRail

<https://www.wastebyrail.com/services>

From: [Brent Green](#)
To: butt@intres.com; [Ben Choi](#); [Nat Bates](#); richcityservant@gmail.com; [Demnlus Johnson](#); [Jael Myrick](#); [Melvin Willis](#)
Cc: [City Clerk Dept](#)
Subject: Public Comment – Agenda Item # I-1
Date: Monday, December 14, 2020 3:33:43 PM

Dear Richmond Mayor and City Council Members,

I respectfully request that you **vote NO** on allowing 4000 residential units to be built on the Richmond toxic waste site. No residential unit should be constructed until a full and long-term cleanup is completed. The Agreement is based on outdated EIR AND shifts responsibility for maintenance of 'institutional controls' of off-gassing VOCs onto the City and to homeowners. This is nothing short of Outrageous. How dare this even be considered! The health of residents is at stake as well as your reputations in the future!

-Brent Green, Ph.D. (510-527-5661)

From: [bridget](#)
To: [Tom Butt - external](#); richcityservant@gmail.com; [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [Laura Snideman](#); [City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Sunday, December 13, 2020 6:33:01 PM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

This may be a cut and paste but it is far more eloquent than anything I could write. Please listen. This is sooo important.
Thank you.

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake?

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Location

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The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hilco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action.

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater

contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,

Bridget Scadeng, Richmond Resident

From: [TRAC](#)
To: [Eduardo Martinez](#); [Melvin Willis](#); [Nat Bates](#); [Jael Myrick](#); [Tom Butt - external](#); [Demnlus Johnson](#); [Ben Choi](#); [City Clerk Dept](#)
Cc: [Laura Snideman](#); [Shasa Curl](#); [Lina Velasco](#); [David Graves](#); [Eric Zell](#); [Bruce Brubaker](#)
Subject: Public Comments - Agenda Item #I-1 Campus Bay
Date: Sunday, December 13, 2020 10:47:05 AM
Attachments: [RichBMap121919.pdf](#)

Mayor Butt and City Councilors,

TRAC, the Trails for Richmond Action Committee, is pleased with the Bay Trail improvements contained in the Conditions of Approval and Community Benefits Agreement (CBA) included in the recommended Development Agreement for the Campus Bay Mixed-Use Project.

Proximity to the Bay Trail will be a major attractant in selling and renting Campus Bay property. Residents of Campus Bay will have ready access to the Bay Trail from the existing trailhead at S. 51st St., as well as the new two-way, multi-use trail to be built at end of S. 46th St. As shown by the attached map, the spine Bay Trail between Point Isabel and Marina Bay will provide recreational opportunities for future residents of Campus Bay to walk and bicycle along Richmond's necklace of 12 national, state, regional and local shoreline parks. Bicycle commuting will be an attractive option for destinations in Richmond and other East Bay cities ranging from Albany to Oakland, westward to San Francisco by ferry and to San Rafael via the RSR Bridge.

The general public will benefit from the new public parking lot and restrooms to be provided at the existing Bay Trail spur the end of S. 51st St. as part of the CBA. The portion of the \$3.0 million CBA not required for these trailhead improvements will be available for Bay Trail improvements elsewhere in the South Richmond Priority Development Area. These funds might be used in part to widen the spine Bay Trail and attenuate overcrowding resulting from up to 8,000 new residents of Campus Bay and to provide matching funds for grants to complete the Richmond Wellness Trail.

Bruce

Bruce Beyaert, TRAC Chair

tracbaytrail@earthlink.net

tel. 510-235-2835

<http://www.pointrichmond.com/baytrail/>

<http://www.ci.richmond.ca.us/109/TRAC>

Photos: <https://sfbaytrailinrichmond.shutterfly.com/pictures/5> .

Bay Trail

- Complete
- - - Incomplete

Connector Trail

- Complete
- - - Incomplete

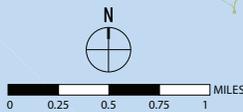
- Water Trail site
- Water Trail site (planned)
- Parks/Open Space
- Water Bodies



Welcome to Richmond

Over 35 miles of Bay Trail linking a necklace of 12 shoreline parks

December 19, 2019



From: [CAMILLE PARKER](#)
To: [Tom Butt - external; richcityservant@gmail.com; Melvin Willis; Jael Myrick; Ben Choi; Demnlus Johnson; Nat Bates; Laura Snideman; City Clerk Dept](#)
Subject: Public Comment Item I-1
Date: Saturday, December 12, 2020 1:50:10 PM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake? Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location

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The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action.

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,
Camille Parker, Ed.D.

One of the miracles of Hanukkah is that we can all be who we need to be and still stand together as one. --Rabbi Ari Saks

From: [Carolyn Graves](#)
To: [City Clerk Dept](#); [Tom Butt - external](#); [Ben Choi](#); [Demnlus Johnson](#); [Eduardo Martinez](#); [Jael Myrick](#); [Melvin Willis](#); [Nat Bates](#); [Laura Snideman](#)
Subject: Richmond City Council 12/15/2020 Public Comments Agenda Item I-1 Approval of Ordinance (second reading) (aka Campus Bay/Zeneca site Dev Agreement)
Date: Tuesday, December 15, 2020 12:58:33 PM

Dear Richmond City Council Members and City Manager:

I have been a resident of Richmond for over 30 years and live within a mile of the Zeneca site. As such, I have participated in the ongoing community meetings with DTSC and read the technical documents released over the last 15 years. Last Thursday was the most recent meeting with DTSC, during which the lead DTSC rep was clear that all legal implications from flaws in the EIR fall on the City alone. The current EIR relies on an expired, preliminary (“exploratory”) geotechnical report, one which even the outdated information shows at least a medium-high risk of liquefaction at the Zeneca site. However that risk is underestimated as projections of sea level rise have now doubled, and the time it is expected to occur has been nearly halved. Risk has also increased from a 7.1 or more earthquake on the nearby Hayward fault in the next 20 years.

For these reasons I urge you to vote NO on agenda item I-1. This agenda item decides if the future of a prime community “gateway” - a critical component to Richmond’s reputation, will be a success or a dismal failure. Voting yes on agenda item I-1 ties the City’s hands behind its back and risks bankruptcy, if DTSC revisits the FS/RAP decision, which seems likely given it now knows the sea level and toxicology risks have doubled per more recent information. Please do not ruin the City by voting to approve the current Campus Bay Development Agreement; it transfers Richmond’s hard-won financial balances to out-of-area developers, as well as putting residents health at risk, and leading to many lawsuits from those harmed by the current project.

Regards,
Carolyn Graves

NOTICE TO RECIPIENT: If you are not the intended recipient of this e-mail, you are prohibited from sharing, copying, or otherwise using or disclosing its contents. If you have received this e-mail in error, please notify the sender immediately by reply e-mail and permanently delete this e-mail and any attachments without reading, forwarding or saving them.
v.173.295 Thank you.

From: [Chaney Delaire](#)
To: [City Clerk Dept](#); [Laura Snideman](#); [Nat Bates](#); [Ben Choi](#); [Demnlus Johnson](#); [Jael Myrick](#); [Melvin Willis](#); [richcityservant@gmail.com](#); [Tom Butt - external](#)
Subject: Re: Public Comment - Agenda Item # I 1.
Date: Tuesday, December 15, 2020 9:54:55 AM

On Mon, Nov 30, 2020 at 2:12 PM Chaney Delaire <chaneyd50@gmail.com> wrote:

To: Richmond City Council Members

440 Civic Center Plaza

Richmond, CA 94804

Re: Public Comment - Agenda Item # I 1.

Campus Bay Mixed Use Development aka Zeneca/Former Stauffer Chemical Site

I again join with community advocates working to ensure the long lasting health and well being of the community. I call on the Richmond City Council to hold off on tonight's vote and hold it over until the newly elected Council is seated.

I am particularly concerned about the use of an out dated EIR for the proposed housing development and that a private property owner or individual homeowners will be responsible for monitoring and addressing any ongoing toxic issues.

This site is not an appropriate place to house people. Astra Zeneca and more importantly, the people of Richmond and the greater Bay Area, including marine life in the bay, would be better served if this site remains vacant with ongoing monitoring and remediation. Maybe someday, a young scientist up and coming in her or his field, will discover a new way to actually make the site a safe place once again.

Chaney Drelaire

B.A. UC Berkeley

Masters in Urban Planning (MUP), Portland State University

Retired NEPA Consultant

Retired Project Manager and Director of Housing Development

From: [Christina Azahar Folgar](#)
Subject: Public Comment - Item I-1
Date: Saturday, December 12, 2020 1:50:21 PM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake?

Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location

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The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action.

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,
Christina Azahar Folgar

--

Christina Azahar Folgar

From: [D Rikleen](#)
To: [City Clerk Dept](#)
Cc: butt@intres.com; [Ben Choi](#); [Nat Bates](#); richcityservant@gmail.com; [Demnlus Johnson](#)
Subject: Public Comment – Agenda Item # I - 1
Date: Tuesday, December 15, 2020 9:55:14 AM

Zeneca site Cleanup - Bayside development - Public Comment

Vote NO or Hold Over this item until the newly elected City Council Council is sworn-in Tue Jan 12, 2021 and can take up the matter.

You must require the MOST comprehensive cleanup option prior to any development at the Astra Zeneca Bayside site.

Refer to Rising Sea Level effects on raised saltwater level in turn forcing overlying fresh water groundwater level to rise, which leaches out and mobilizes in ground chemicals, toxic substances, causing those in ground chemicals and toxins to spread to areas where the raised freshwater spreads, not strictly where predicted as in not just into the Bay.

Ignorance or money or corruption are the only reasons to not require the MOST Comprehensive cleanup of the Zeneca site before any development.

Do the right thing, for yourself, for Richmond, for all of us that live near the Bay, for the Bay itself, for all creatures that share our environment.

Daniel Rikleen
Richmond CA

From: [Daphne Tooke](#)
To: [Tom Butt - external; richcityservant@gmail.com; Melvin Willis; Jael Myrick; Ben Choi; Demnlus Johnson; Nat. Bates; Laura Snideman; City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Sunday, December 13, 2020 10:18:03 AM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

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If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I *strongly* urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you for your time and attention.

Sincerely,

Daphne Tooke
176 Bayside Court
Richmond CA

From: [David F. Offen-Brown](#)
To: [City Clerk Dept](#); tombutt@intres.com
Subject: Public Comments Agenda Item I-1
Date: Tuesday, December 15, 2020 9:37:07 AM

Dear City Clerk and Council,

We are very concerned about the HRP Campus Bay Property LLC project to build housing on top of a toxic waste site that will not be properly cleaned up. We urge you to vote no because a full and long-term protective clean up is not required of the project. Present cleanup plans are severely inadequate.

At the very least, please hold over this item until it can be acted upon by the new City Council to be sworn in on Jan. 12, 2021.

We frequently walk on the trail from the Pt. Isabel dog park north and want our health protected by proper development and remediation in this area.

Respectfully, David and Gail Offen-Brown

From: [David Fisher](#)
To: [City Clerk Dept](#)
Subject: Public Comment-Agenda Item I-1
Date: Monday, December 14, 2020 12:47:41 PM

PLEASE VOTE NO ON THIS DEVELOPMENT AGREEMENT. WE WANT JOBS AND BUSINESS EXPANSION BUT NOT AT THE RISK OF JEOPARDIZING OUR HEALTH!
DAVID FISHER, LMFT

From: [David Kafton](#)
To: [City Clerk Dept](#)
Cc: [David Kafton](#)
Subject: Public Comments Agenda Item I-1
Date: Tuesday, December 15, 2020 12:59:46 PM

Dear Mayor Butt & Council Members,

Greetings!

I'm David Kafton, former Director of the National Council on Gene Resources and Owner/Real Estate Broker of Kafton Real Estate.

I am writing to urge you to postpone voting on the Shopoff Realty Proposal to develop 4,000+ residential units on the 80+ acre Astra-Zenaca toxic waste dump.

I oppose the proposed residential development & remediation plan 3A.

- **The proposed remediation plan leaves most of the toxic wastes in the ground**

and the proposed CAP is insufficient. This will be unsafe for residents, the

surrounding wetlands, and S.F. Bay.

- **A more complete remediation plan 6 is feasible.**

Waste Management will remove this waste with permits and send it by rail

to licensed facilities.

- **DTSC is not to be trusted in its proposals and to carry out its responsibilities. It has failed**

Marina Bay where there are several toxic waste sites for which it has

responsibility.

- DTSC deed restrictions at Astra Zeneca call for prohibiting detached homes, senior centers, child

care facilities and medical facilities. Yet they allow residents to live there 24/7.

- The 4,000 unit development will have adverse impacts on the surrounding

wetlands and S.F. Bay.

Our community has many serious concerns about this residential development & cleanup proposal that need to be addressed before considering the development's approval. This will take time.

Please postpone a decision until after the community's concerns are addressed.

Thank you very much.

David Kafton, Ph.D.

Owner/Real Estate Broker

Kafton Real Estate

[*david@kaftonrealestate.com*](mailto:david@kaftonrealestate.com)

[*davidkafton@gmail.com*](mailto:davidkafton@gmail.com)

[*www.kaftonrealestate.com*](http://www.kaftonrealestate.com)

510.717.9265

From: [Deborah Dodge](#)
To: [City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Monday, December 14, 2020 6:12:01 AM

Dear City Clerk Christian,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake?

Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location

This site is located adjacent to and north of the S.F. Bay Trail, near Pt. Isabel in Richmond's District 5. It is an 80+ acre toxic waste dump. Polluters include: Astra-Zeneca, one of our planet's largest pharmaceutical companies and Stauffer Chemical Company which occupied this site from 1897 into the 21st century. They dumped a toxic stew onto this site, the surrounding wetlands, and into the bay. Here is a shortened list of the really dangerous toxins on site: [list of toxins](#). These toxins remain on site, poisoning the surrounding wetlands and S.F. Bay, causing unmeasured & unknown harm to humans and wildlife.

The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action.

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues

concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,
Deborah Dodge
1645 Butte Street
Richmond CA 94804

When we look back on 2020 it will not be with 20/20 vision.

From: [Denise Svenson](#)
To: [Tom Butt - external: richcityservant@gmail.com](#); [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [Laura Snideman](#); [City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Monday, December 14, 2020 12:51:32 PM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

*I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was **closed** before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity).*

This is scandalous.

It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents, and the environment.

What's at stake?

Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location

This site is located adjacent to and north of the S.F. Bay Trail, near Pt. Isabel in Richmond's District 5. It is an 80+ acre toxic waste dump. Polluters include: Astra-Zeneca, one of our planet's largest pharmaceutical companies and Stauffer Chemical Company which occupied this site from 1897 into the 21st century. They dumped a toxic stew onto this site, the surrounding wetlands, and into the bay. Here is a shortened list of the really dangerous toxins on site: [list of toxins](#). These toxins remain on site, poisoning the surrounding wetlands and S.F. Bay, causing unmeasured & unknown harm to humans and wildlife.

If the site is disturbed before a proper clean-up the toxins will have an exacerbated effect on the area.

The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco

Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

*The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an **unproven** bioremediation plan. I disagree with that action.*

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,

Denise and Staffan Svenson, Richmond residents and voters

From: [Dexter Stewart](#)
To: [Tom Butt - external](#); [Ben Choi](#); [Nat Bates](#); richcityservant@gmail.com; [Demnlus Johnson](#); [Jael Myrick](#); [Melvin Willis](#)
Cc: [City Clerk Dept](#); [Laura Snideman](#); [Lina Velasco](#)
Subject: Public Comment – Agenda Item # I-1
Date: Monday, December 14, 2020 5:29:00 PM

Hello,

I am writing to ask that you do your part to save our shoreline and protect our health. Build affordable homes on clean land near public transportation.

Hold AstraZeneca responsible for cleaning up the 130-year toxic legacy that helped make them a Fortune 500 company at the expense of permanent pollution of our SF BAY shoreline!

Please vote NO or hold Item over until after newly elected City Council is sworn-in Tue Jan 12, 2021.

Thank you!

Dexter Stewart

From: [Diana Wear](#)
To: [City Clerk Dept](#); [Tom Butt - external](#); [Eduardo Martinez](#); [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [Nat Bates](#); [Laura Snideman](#)
Subject: Public Comment - Item I-1
Date: Tuesday, December 15, 2020 6:08:16 AM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing at the beginning of this month regarding the approval of the development proposed for the former Zeneca site in Marina Bay. This site is toxic and needs a *serious* clean up—much more ambitious than has been approved by DTSC. The public has not been able to grasp a full understanding of the problems that are associated with this extremely toxic site and the Council rushed to a decision without full disclosures.

No less than the health of Richmond's community both present and future are at stake. As you know, this site is located adjacent to and north of the S.F. Bay Trail, near Pt. Isabel. It consists of more than 80 acres and is a toxic waste dump. Polluters include the pharmaceutical companies Astra-Zeneca and Stauffer Chemical Company that were housed there for over a hundred years. These companies dumped a plethora of toxic substances back in the day with little knowledge of the long terms consequences, especially to the surrounding wetlands, and into the S.F. bay. These toxins remain to this day and the plan to "cap" them is utterly insufficient.

The plan to approve the second reading of this ordinance that will adopt a Development Agreement for a 4,000 unit residential development to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up is shameful and irresponsible. If this second reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil, and groundwater contamination.

I urge you to vote no on the second reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Sincerely,

Diana Wear

Richmond resident

From: [Dorothy Gilbert](#)
To: [Tom Butt - external](#); [Eduardo Martinez](#); [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [demlus_johnson@ci.ri](#); [Nat Bates](#); [Laura Snideman](#); [City Clerk Dept](#)
Subject: Public Comment Item I-1: Proposed development on toxic Zeneca site
Date: Saturday, December 12, 2020 5:10:24 PM

Dear Mayor Butt, City Councilmembers, City Manager and City Clerk: I have emailed you this letter before, but not with the correct information in the subject line. My apologies; I supply the information below.. Once again, I am extremely grateful to you for your attention to my letter. All best wishes, Dorothy Gilbert

----- Forwarded message -----

From: **Dorothy Gilbert** <mariesnicewerewolf@gmail.com>
Date: Sat, Dec 12, 2020 at 4:26 PM
Subject:Public Comment Item I-1: Proposed development on toxic Zeneca site
To: <cityclerkdept@ci.richmond.ca.us>, Tom Butt <tom.butt@intres.com>, <Lina_Velasco@ci.richmond.ca.us>, Ben Choi <ben_choi@ci.richmond.ca.us>, <demnlus_johnson@ci.richmond.ca.us>, Eduardo Martinez <eduardo_martinez@ci.richmond.ca.us>, <jael_myrick@ci.richmond.ca.us>, Nathaniel Bates <natbates@comcast.net>, Melvin Willis <melvin_willis@ci.richmond.ca.us>, <Laura_Snideman@ci.richmond.ca.us>

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). I was one of those who very much wanted to address the Council, but as I waited on Zoom, I was never called on. It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake?

Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location

This site is located adjacent to and north of the S.F. Bay Trail, near Pt. Isabel in Richmond's District 5. It is an 80+ acre toxic waste dump. Polluters include: Astra-Zeneca, one of our planet's largest pharmaceutical companies and Stauffer Chemical Company which occupied this site from 1897 into the 21st century. They dumped a toxic stew onto this site, the surrounding wetlands, and into the bay. Here is a shortened list of the really dangerous toxins on site: [list of toxins](#). These toxins remain on site, poisoning the surrounding wetlands and S.F.

Bay, causing unmeasured & unknown harm to humans and wildlife.

The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action.

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. It is clear from all the evidence that this contaminated site is extremely hazardous. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you very much for your attention.

Sincerely,
Dorothy Gilbert (Richmond homeowner 22 years)

From: [Eddy Kwan](#)
To: [Ben Choi](#); [Nat Bates](#); richcityservant@gmail.com; [Demnlus Johnson](#); [Jael Myrick](#); [Melvin Willis](#)
Cc: [City Clerk Dept](#); [Laura Snideman](#); [Lina Velasco](#)
Subject: Public Comment – Agenda Item # I-1
Date: Tuesday, December 15, 2020 11:29:30 AM

Council Members,

I am a resident of Albany. I have been house hunting in Richmond for a more affordable place to live.

Although this new development would be a welcome addition to Richmond, I must urge you to vote with your conscience and say no to this proposal. The long-term health implications to future residents of this development can be devastating. Please don't put health and wellbeing of your citizens at risk without proper due diligence. Vote NO....

Thanks,

Eddy Kwan

From: [Elaine Tan](#)
To: [Tom Butt - external; richcityservant@gmail.com; Melvin Willis; Jael Myrick; Ben Choi; Demnlus Johnson; Nat Bates; Laura Snideman; City Clerk Dept](#)
Cc: [John H](#)
Subject: Public Comment - Item I-1
Date: Tuesday, December 15, 2020 1:02:47 AM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake?

Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location

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The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action.

If this 2nd reading is approved, the City will put the public and the environment at

risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,
Elaine Tan
901 Jetty Dr.
Richmond, CA 94804

tom.butt@intres.com
richcityservant@gmail.com
MelvinforRichmond@gmail.com
jael_myrick@ci.richmond.ca.us
ben_choi@ci.richmond.ca.us
demnlus_johnson@ci.richmond.ca.us
Natbates@comcast.net
Laura_Snideman@ci.richmond.ca.us
CityClerkDept@ci.richmond.ca.us

Sent from my iPhone

From: [Elisabeth Carpenter](#)
To: [Tom Butt - external; richcityservant@gmail.com; Melvin Willis; Jael Myrick; Ben Choi; Demnlus Johnson; Nat Bates; Laura Snideman; City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Friday, December 11, 2020 8:57:44 PM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

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The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action.

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about

the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,

Elisabeth Carpenter

From: [Lizrottger](#)
To: [Tom Butt - external: richcityservant@gmail.com](#); [Melvin Willis](#); [Jael Myrick](#); [demnius_johnson@ci.richmond.ca.us](#); [Nat Bates](#); [Laura Snideman](#); [City Clerk Dept](#); [Ben Choi](#)
Cc: [Liz Rottger](#)
Subject: Public Comment - Item I-1
Date: Monday, December 14, 2020 7:45:13 PM

Mayor Butt, City Council Members and City Clerk,

I am a resident of Richmond and wish to express my deep concerns that you are moving ahead with the rapid approval of a 4000-unit residential development on the old AstraZeneca-Stauffer Chemical Company site. Why are placing the public's health at risk?

I have attended in the past many of the local DTSC Task Force meetings and as a public health professional (now retired) tried to track the half-hearted efforts DTSC made to clean up the heavy metals such as arsenic, nickel and cobalt, PCBs, pesticides such as DDT and Flourochloridone, VOCs such as benzene and vinyl chloride and all the many other toxins still found there. The site needs to be cleaned up completely before any family lives there. Capping the site with sea level rise of the Bay we are now facing is simply not safe enough. The salt water infiltration into that area of the marsh will only push up fresh groundwater and along with it the soil's many toxic contaminants.

I am quite frankly shocked that the City of Richmond is not demanding of DTSC a complete clean-up of this site. It is your right as our public representatives and you need to assert it. These corporations contaminated the site and they need to mediate it. If it cannot be adequately cleaned up, and I fear that this is indeed the case, it should remain undeveloped. What family would want to live where they can't have a garden, where any disturbance of soil is dangerous or where they can't let their small children play in the dirt—ever? I wouldn't! Would you?

Thank you

Elizabeth Rottger
5632 Highland Ave.
Richmond, CA 94804

Sent from my iPhone

From: [Ellen Christensen](#)
To: [Tom Butt - external; richcityservant@gmail.com; Melvin Willis; Jael Myrick; Ben Choi; Demnlus Johnson; Nat Bates; Laura Snideman; City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Friday, December 11, 2020 11:40:15 PM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

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The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action.

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about

the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,
Ellen Christensen

From: [Ellen Faden](#)
To: [Ellysgmail](#)
Cc: [Tom Butt - external](#); richcityservant@gmail.com; [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [Laura Snideman](#); [City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Sunday, December 13, 2020 6:19:27 AM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

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The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action.

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final

approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,
Ellen Faden

--

- Elly Faden
(732) 639-3593

From: [Faris Jessa](#)
To: [City Clerk Dept](#); butt@intres.com; [Ben Choi](#); [Nat Bates](#); richcityservant@gmail.com; [Demnlus Johnson](#); [Jael Myrick](#); [Melvin Willis](#); [Laura Snideman](#)
Subject: Public Comment – Agenda Item # I-1
Date: Monday, December 14, 2020 10:42:42 PM

Richmond is a proud city of hard-working residents.

Richmond is also the steward for an expansive shoreline. This shoreline contributes to the health and wellbeing of the entire Bay Area; but, maybe equally or more importantly, the shoreline provides recreation and psychological balance for many of Richmond's residents.

Richmond needs housing. Many of Richmond's loyal and passionate residents believe in Richmond's future as a city that is independent of the economic ebbs and flows of nearby metropolitan areas. But in order to stabilize, Richmond must have affordable housing that supports the economic diversity of its residents.

Richmond is a city of rich diversity. This diversity exists because it is a city that supports the economic and social diversity of its residents. Where many other cities are simply places where people live, where people commute to and from work, where people venture away from for entertainment and recreation, Richmond is a city that many call home.

Richmond is right to look forward, to energize the lands that have been left to fallow. The Zeneca site is ripe for development. It is an opportunity to create homes for current Richmond residents who want a different connection to the city. It is an opportunity to create homes for new Richmond residents who will contribute to the passion, diversity, and evolution of the city. It is an opportunity for employment of Richmond's local skilled trades.

Richmond's City Council once recognized the sleight of hand that DTSC waved when selecting a remediation alternative that explicitly prohibited residential development. Land deed restrictions that prohibit day care, senior care, health care, schools and residences do not support a lively or thriving residential community for a passionate, hard-working community. Land deed restrictions that prohibit home-grown produce do not provide spaces and opportunities that allow families with small children to thrive.

Richmond's City Council is neglecting its residents when it allows a development to proceed with the promise of homes, while the ground underneath those homes continuously threatens the health and longevity of those residents.

Richmond, in just one month, will be seating a new City Council. This City Council was elected by the residents of Richmond, and specifically by the residents of the District that is being most impacted by this development. This newly elected City Council has made clear its intentions to protect the health and livelihood of Richmond's and District 5's residents.

Richmond has been told by the developer that the earliest groundbreaking wouldn't be until later next year. There is no tangible need for Richmond's City Council to accelerate the approval of this development by one month. A vote taken in January 2021 versus December 2020 has no tangible impact to the developer's schedule. Richmond's City Council is pursuing a vote on a development that threatens its residents with haste that is not justified by the developer's plans.

Richmond's City Council is neglecting its residents. Please abstain from voting on this development and allow Richmond's voice to be heard and acted upon.

Thank you,
Faris Jessa
Richmond Resident

From: [Gabrielle Poccia](#)
To: [City Clerk Dept](#)
Subject: Public Comment – Agenda Item # I-1
Date: Monday, December 14, 2020 4:10:08 PM

Hello,

I'm writing to express my deep concern about the plan to develop a neighborhood on toxic land. Richmond has been blighted by pollution and health problems as a result. To create more at risk housing without a long term plan to address toxicity, is simply supporting sickness. Please do not let the plan move forward and protect Richmond's citizens who depend on you.

Sincerely,
Gabrielle Poccia

From: [Gail Seymour](#)
To: [Eduardo Martinez](#); [Tom Butt - external](#); ben.choi@ci.richmond.ca.us; [City Clerk Dept](#); [Laura Snideman](#); [Melvin Willis](#); [Nat Bates](#)
Subject: Public comment Item I - 1
Date: Sunday, December 13, 2020 9:24:08 AM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake?

Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location

This site is located adjacent to and north of the S.F. Bay Trail, near Pt. Isabel in Richmond's District 5. It is an 80+ acre toxic waste dump.

Polluters include: Astra-Zeneca, one of our planet's largest pharmaceutical companies and Stauffer Chemical Company which occupied this site from 1897 into the 21st century. They dumped a toxic stew onto this site, the surrounding wetlands, and into the bay. Here is a shortened list of the really dangerous toxins on site: [list of toxins](#). These toxins remain on site, poisoning the surrounding wetlands and S.F. Bay, causing unmeasured & unknown harm to humans and wildlife.

The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hilco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action.

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,
Gail Seymour

From: [Gayle Windham](#)
To: [City Clerk Dept](#)
Subject: RE: Public Comment - Agenda item #I-1
Date: Monday, December 14, 2020 8:12:44 PM

Dear City Clerk;

I was dismayed to hear the Astra Zeneca development agreement was approved on Dec. 1, as is.

As an environmental health scientist and local resident, I cannot understand building on toxic waste without using the most up-to-date methods to assess risk and ameliorate them.

While health of people and wildlife is my main concern, there are plenty of economic risks that the City of Richmond could incur as well. Who will residents hold accountable if problems develop?

Housing and jobs can be created in other places that don't have so many risks!

Please register my strong objections to this being approved and proceeding as is.

Dr. Gayle Windham

From: Gayle Windham [mailto:gcw@gaylewindham.com]
Sent: Monday, November 30, 2020 9:55 PM
To: 'cityclerkdept@ci.richmond.ca.us'
Subject: Public Comment - Agenda item I 1
Importance: High

I would like to register my grave concerns about pushing through approval of development on the former Zeneca industrial site (and current hazardous waste site!) at the Dec. 1 Council meeting.

I am a local resident, as well as retired Epidemiologist from the Environmental Health Investigations Branch of the CA Dept of Public Health (CDPH). I know how toxic the chemicals on site are. My own research on some of these (including heavy metals and PCBs) has found adverse health effects on pregnancy and children's development. I can't imagine families living on the site without further remediation.

My understanding is that the CDPH health risk assessment is 20 years old and was done for industrial land use, NOT residential. Further, more is known about these chemicals now than 20 years ago.

What is less well known and very concerning, is how they interact with each other and how that could multiply or worsen ill effects. Scientists think examining effects of mixtures is extremely important, as this is the condition at many hazardous waste sites.

In addition to humans, these chemicals have effects on sensitive wildlife that inhabit this

shoreline area. Not removing the toxics, but capping, which doesn't prevent leaching into water, is likely to adversely affect these animals plant life that sustains them.

It also smacks of unethical behavior that a lame duck council should make a binding approval, rather than waiting for newly elected council members to take office. The will of the people should be honored.

There are too many unknowns about the development to approve it now. Assessments and an EIR based on current knowledge is critical.

It may cause more problems for cash-strapped Richmond, if future residents sue the city for adverse effects, because they knowingly approved building on toxic grounds. OR if the residences did not sell as expected with the hazardous waste site history known, Richmond would have invested in increased services, etc., with little return.

Please do the right thing and delay finalizing this plan!

Thank-you for your attention—

Gayle Windham, PhD

Retired Research Scientist Supervisor, CDPH

Marina Bay area resident

From: [Greg](#)
To: [Tom Butt - external: richcityservant@gmail.com](#); [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [Laura Snideman](#); [City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Sunday, December 13, 2020 12:04:38 PM
Attachments: [image0.png](#)
[ATT00001.txt](#)

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake?

Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location

This site is located adjacent to and north of the S.F. Bay Trail, near Pt. Isabel in Richmond's District 5. It is an 80+ acre toxic waste dump. Polluters include: Astra-Zeneca, one of our planet's largest pharmaceutical companies and Stauffer Chemical Company which occupied this site from 1897 into the 21st century. They dumped a toxic stew onto this site, the surrounding wetlands, and into the bay. Here is a shortened list of the really dangerous toxins on site: [list of toxins](#). These toxins remain on site, poisoning the surrounding wetlands and S.F. Bay, causing unmeasured & unknown harm to humans and wildlife.

The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action.

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,
Gregory Leo

ZENECA

METALS

- ARSENIC
- BERYLLIUM
- CADMIUM
- COPPER
- LEAD
- MERCURY
- NICKEL
- RADIUM
- SELENIUM
- THORIUM
- URANIUM
- ZINC

VOCs

(Volatile Organic Compounds)

- BENZENE
- CARBON DISULFIDE
- CARBON TETRACHLORIDE
- CHLOROBENZENE
- CHLOROETHANE
- CHLOROFORM
- DICHLOROETHENE
- TOLUENE
- TETRACHLOROETHENE (PCE)
- TRICHLOROETHENE (TCE)
- VINYL CHLORIDE (VC)

PESTICIDES

- ALDRIN
- BENSULFIDE
- CAPTAN
- CHLORDANE
- DDD
- DDE
- DDT
- DIELDREN
- ENDOSULFAN
- ENDRIN
- EPTC
- FONOPOS
- HEPTACHLOR
- LINDANE
- MIREX
- METAM
- SODIUM VAPAM
- MOLINATE
- PEBULATE
- PHOSMET
- TOXAPHENE
- VERNOLATE

& PCBs
POLYCHLORINATED
BIPHENYLS

From: [GRETA GEBHARDT](#)
To: [City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Saturday, December 12, 2020 7:36:07 AM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake?

Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location

This site is located adjacent to and north of the S.F. Bay Trail, near Pt. Isabel in Richmond's District 5. It is an 80+ acre toxic waste dump. Polluters include: Astra-Zeneca, one of our planet's largest pharmaceutical companies and Stauffer Chemical Company which occupied this site from 1897 into the 21st century. They dumped a toxic stew onto this site, the surrounding wetlands, and into the bay. Here is a shortened list of the really dangerous toxins on site: [list of toxins](#). These toxins remain on site, poisoning the surrounding wetlands and S.F. Bay, causing unmeasured & unknown harm to humans and wildlife.

The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hilco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action.

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater

contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Sincerely,
Greta Gebhardt
Richmond resident

From: [Irene Kuhn](#)
To: [City Clerk Dept](#)
Cc: [Irene Kuhn](#)
Subject: Public Comment – Agenda Item # I-1
Date: Tuesday, December 15, 2020 11:40:01 AM

Please forward this message to each city Council member, and to the mayor, Tom Butt.

Opposed. Vote No on I-1

The council does not have sufficient public support to move forward on item #I-1. CAG Determined this site to be toxic. That toxicity has not been adequately addressed. We the residents of the area Believe that our health will be adversely affected by this project if it is allowed to go forward at this time.

City Council must not approve this development until Adequate health impact and environmental impact studies can be completed by agents not associated with the developer. Thank you for postponing this decision.

Irene Kuhn , PhD
Scientist at National Berkeley Laboratories
Richmond resident for several decades.

Sent from my iPhone

From: [Isabel Berkelhammer](#)
To: [City Clerk Dept](#)
Subject: Public Comment-Agenda Item#11
Date: Monday, December 14, 2020 12:56:43 PM

Please vote no or hold item over until after newly elected City Council is sworn in on Tues. Jan.12 th 2021.

Isabel Berkelhammer

From: [Jacqueline Thalberg](#)
To: [Eduardo Martinez](#); [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [Laura Snideman](#); [City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Friday, December 11, 2020 5:46:11 PM

Dear Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake?

Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location

This site is located adjacent to and north of the S.F. Bay Trail, near Pt. Isabel in Richmond's District 5. It is an 80+ acre toxic waste dump. Polluters include: Astra-Zeneca, one of our planet's largest pharmaceutical companies and Stauffer Chemical Company which occupied this site from 1897 into the 21st century. They dumped a toxic stew onto this site, the surrounding wetlands, and into the bay. Here is a shortened list of the really dangerous toxins on site: [list of toxins](#). These toxins remain on site, poisoning the surrounding wetlands and S.F. Bay, causing unmeasured & unknown harm to humans and wildlife.

The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action.

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about

the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,
Jacqueline Thalberg
654 32nd Street
Richmond, CA 94804
(925)890-3299

From: [JAIME PEREZ](#)
To: [Tom Butt - external](#); [Eduardo Martinez](#); [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [Laura Snideman](#); [City Clerk Dept](#)
Subject: December 15, 2020 Council Meeting. Public Comment – Agenda Item # I - 1
Date: Tuesday, December 15, 2020 12:41:55 PM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest developments during the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake?

Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site. It's especially regrettable that many instances of the Richmond municipal administration are in denial about this point and continue to disseminate fake news by pretending that because the site is not in the NPL it is not a Superfund site.

Location

This site is located adjacent to and north of the S.F. Bay Trail, near Pt. Isabel in Richmond's District 5. It is an 80+ acre toxic waste dump. Polluters include: Astra-Zeneca, one of our planet's largest pharmaceutical companies and Stauffer Chemical Company which occupied this site from 1897 into the 21st century. They dumped a toxic stew onto this site, the surrounding wetlands, and into the bay. Here is a shortened list of the really dangerous toxins on site: [list of toxins](#). These toxins remain on site, poisoning the surrounding wetlands and S.F. Bay, causing unmeasured & unknown harm to humans and wildlife.

The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action.

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,
Jaime PEREZ

From: [Jane Courant](#)
To: [Tom Butt - external; richcityservant@gmail.com; Melvin Willis; Jael Myrick; Ben Choi; Demnlus Johnson; Nat Bates; Laura Snideman; City Clerk Dept](#)
Subject: Public Comment for I-1, December 15, 2020 City Council meeting
Date: Tuesday, December 15, 2020 10:39:02 AM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

You have the chance to make history tonight by holding Astra Zeneca accountable for cleaning up its toxic site. This multinational company recently purchased another lucrative pharmaceutical company, Alexion, for 39 billion, and they can't afford \$150 million to clean up an impoverished city like Richmond? If city leaders together with an already activated public held them accountable and brought this fact to the world's attention we can make them do the right thing.

Please listen to the many residents who are opposed to the current deal for only partial cleanup with the developer. With a full cleanup much needed housing development with a healthy and safe environment for potential residents could then proceed.

Thank you for your attention.

Sincerely yours,

Jane

From: [Janice Haugan](#)
To: [Tom Butt - external; richcityservant@gmail.com; Melvin Willis; Jael Myrick; Ben Choi; Demnlus Johnson; Nat Bates; Laura Snideman; City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Sunday, December 13, 2020 10:18:55 PM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake?

Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location

This site is located adjacent to and north of the S.F. Bay Trail, near Pt. Isabel in Richmond's District 5. It is an 80+ acre toxic waste dump. Polluters include: Astra-Zeneca, one of our planet's largest pharmaceutical companies and Stauffer Chemical Company which occupied this site from 1897 into the 21st century. They dumped a toxic stew onto this site, the surrounding wetlands, and into the bay. Here is a shortened list of the really dangerous toxins on site: [list of toxins](#). These toxins remain on site, poisoning the surrounding wetlands and S.F. Bay, causing unmeasured & unknown harm to humans and wildlife.

The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action.

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about

the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,

Janice Haugan
133 Bayside Ct.
Richmond, CA 94804
jehjj@gmail.com

From: [Janis Hashe](#)
To: [Tom Butt - external](#); [Melvin Willis](#); [Eduardo Martinez](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [Laura Snideman](#); [City Clerk Dept](#)
Subject: Public Comment - I-1
Date: Sunday, December 13, 2020 4:05:43 PM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I protest the conduct of City Council's public hearing on Dec. 1 regarding approval of the development proposed for the toxic Zeneca site. This "public" hearing was closed before councilmembers had an opportunity to ask questions of proponents and opponents of the project, although Mayor Butt led councilmembers to believe they would have that opportunity.

Because those questions were not allowed, the council and the public did not get a full understanding of the problems associated with this extremely toxic site.

Given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment, it was unacceptable.

I join countless other residents in objecting to this development, planned for a U.S. EPA Superfund qualified site.

This site is located adjacent to and north of the S.F. Bay Trail, near Pt. Isabel in Richmond's District 5. It is an 80-plus-acre toxic waste dump. Corporations contributing to its toxicity include: Astra-Zeneca, one of the world's largest pharmaceutical companies and Stauffer Chemical Company, which occupied this site from 1897 into the 21st century. For decades, these companies dumped a toxic stew onto this site, the surrounding wetlands, and into the bay with impunity.. Here is a shortened list of the toxins on site: [list of toxins](#), which continue poisoning the surrounding wetlands and bay.

The Richmond City Council is poised to approve the second reading of an ordinance that would adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco Development) for a 4,000-unit residential development on this site. I strongly oppose this action.

If the second reading is approved, the City will put the public and the environment at risk and open itself up to litigation now and into the future for an improper public hearing and serious issues concerning public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote "no" on the second reading of the ordinance (Item I-1). Once again, here is a link to my story in the East Bay Express about this site: <https://www.eastbayexpress.com/oakland/the-fight-to-clean-up-another-richmond-brownfield/Content?oid=18390371>

Sincerely,

Janis Hashe

336 W. Bissell Ave., Richmond, CA 94801

From: [Karen Fenton](#)
To: [Tom Butt - external](#); [Nat Bates](#); [Jael Myrick](#); [Eduardo Martinez](#); [Melvin Willis](#); [Ben Choi](#); [Demnlus Johnson](#)
Cc: [City Clerk Dept](#); [Laura Snideman](#)
Subject: Public Comment - Item I-1, Development Agreement with HRP Campus Bay Property, LLC, 2nd reading
Date: Sunday, December 13, 2020 12:15:26 PM

To Honorable Mayor Butt and Richmond City Councilmembers

From: Jay Fenton and Karen Leong Fenton, Richmond residents since 1968

RE: City Council Agenda, 1 Item I-1,

Sirs:

Jay and Karen Fenton may be gone from this earth before the full toxic impact of the Zeneca site contamination harms its future dwellers. However, we feel the urgent need to fend for these future Richmond residents to prevent this harm.

We oppose this current 4000 mega-housing residential development plan on the Zeneca site. We urge you to say NO to this proposed Development Agreement with HRP Campus Bay Property, LLC.

Before a final agreement is approved, the City and the developers must provide the following:

1. Scientific analysis and confirmation that the engineered ventilation of the volatile toxic outgassing will not harm the Zeneca residents and others in the larger Richmond community.
2. Compliance with the South Shoreline Specific Plan that limits the size of the residential unit development to 1500.
3. Redesign the development so that the remaining concentrated toxic sites are identified and firewalled from the residential units.

The City may be unable to enforce compliance with the originally agreed upon DTSC Alternative 6 Standard at this point. However, the City can still avoid the impact of remaining contamination by carefully controlling the project. We urge you to take that step on December 15, 2020. Thank you.

Sincerely,

Jay and Karen Fenton

83 Southwind Circle

Richmond, CA 94804

(510) 236-8460

karenleongfenton@gmail.com

From: [Jeanne Crawford](#)
To: [Tom Butt - external; richcityservant@gmail.com; Melvin Willis; Jael Myrick; Ben Choi; Demnlus Johnson; Nat Bates; Laura Snideman; City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Saturday, December 12, 2020 9:05:16 AM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

As a resident of San Francisco living near Hunters Point, I am writing to protest your City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. As we have learned from the scandal here at Hunter's Point, where data on radiation levels was falsified and approval for housing went ahead, asking questions and doing due diligence, is of utmost importance. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake?

Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location

This site is located adjacent to and north of the S.F. Bay Trail, near Pt. Isabel in Richmond's District 5. It is an 80+ acre toxic waste dump. Polluters include: Astra-Zeneca, one of our planet's largest pharmaceutical companies and Stauffer Chemical Company which occupied this site from 1897 into the 21st century. They dumped a toxic stew onto this site, the surrounding wetlands, and into the bay. Here is a shortened list of the really dangerous toxins on site: [list of toxins](#). These toxins remain on site, poisoning the surrounding wetlands and S.F. Bay, causing unmeasured & unknown harm to humans and wildlife.

The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hilco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action.

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater

contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,
Jeanne Crawford,
415 334-2530

From: [Jeanne Diller](#)
To: [City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Sunday, December 13, 2020 4:17:31 PM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake?

Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location

This site is located adjacent to and north of the S.F. Bay Trail, near Pt. Isabel in Richmond's District 5. It is an 80+ acre toxic waste dump. Polluters include: Astra-Zeneca, one of our planet's largest pharmaceutical companies and Stauffer Chemical Company which occupied this site from 1897 into the 21st century. They dumped a toxic stew onto this site, the surrounding wetlands, and into the bay. Here is a shortened list of the really dangerous toxins on site: [list of toxins](#). These toxins remain on site, poisoning the surrounding wetlands and S.F. Bay, causing unmeasured & unknown harm to humans and wildlife.

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and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,

Jeanne V. Diller and Steven C. Willett

From: [Jennie Durrah](#)
To: [Tom Butt - external](#); richcityservant@gmail.com; [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [Laura Snideman](#); [City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Monday, December 14, 2020 5:11:14 PM

Dear Mayor, Council Members, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led council members to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least. The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake? Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

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I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.
Sincerely,
Jennifer Durrah

ZENECA

METALS

- ARSENIC
- BERYLLIUM
- CADMIUM
- COPPER
- LEAD
- MERCURY
- NICKEL
- RADIUM
- SELENIUM
- THORIUM
- URANIUM
- ZINC

VOCs

(Volatile Organic Compounds)

- BENZENE
- CARBON DISULFIDE
- CARBON TETRACHLORIDE
- CHLOROBENZENE
- CHLOROETHANE
- CHLOROFORM
- DICHLOROETHENE
- TOLUENE
- TETRACHLOROETHENE (PCE)
- TRICHLOROETHENE (TCE)
- VINYL CHLORIDE (VC)

PESTICIDES

- ALDRIN
- BENSULFIDE
- CAPTAN
- CHLORDANE
- DDD
- DDE
- DDT
- DIELDREN
- ENDOSULFAN
- ENDRIN
- EPTC
- FONOFOS
- HEPTACHLOR
- LINDANE
- MIREX
- METAM
- SODIUM/VAPAM
- MOLINATE
- PEBULATE
- PHOSMET
- TOXAPHENE
- VERNOLATE

& PCBs
POLYCHLORINATED
BIPHENYLS

From: [Jim Gierszewski](#)
To: [Tom Butt - external](#); richcityservant@gmail.com; [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [Laura Snideman](#); [City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Monday, December 14, 2020 10:25:39 PM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

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The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

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I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,
Jim Gierszewski

Richmond Annex resident

From: [Jim Hanson](#)
To: [City Clerk Dept](#)
Cc: [Tom Butt - external](#); [Nat Bates](#); [Ben Choi](#); [Demnlus Johnson](#); [Eduardo Martinez](#); [Jael Myrick](#); [Melvin Willis](#)
Subject: Re: Public Comments - Agenda Item I - 1
Date: Tuesday, December 15, 2020 12:42:06 PM
Attachments: [Issues Campus Bay development agreement Item I-1, 12-15-20.pdf](#)

Mayor Butt and Councilmembers Nat Bates, Ben Choi, Demnlus Johnson, Eduardo Martinez, Jael Myrick, and Melvin Willis,

Please reject the proposed Development Agreement. It is replete with hazards to our City's long term financial security.

Following up on previous comments, this is a badly-constructed legal document for the City and people of Richmond. It requires major revision if our City is to avoid consciously stepping into a long term costly, and mostly one-sided, legal quagmire. Please do not approve this document. Return it to correct the many legal and cost hazards to our City and Richmond's residents.

A few examples. Under this proposed development the City of Richmond/Richmond residents:

I. Effectively surrenders City/public's legal rights to decide on a Community Financing District

...the Developer in its sole discretion may elect to initiate (a Community Facilities-Mello Roos District or other "financing mechanism) related to the Project as and when so requested by Developer..."

A Community Facilities-Mello Roos District is at the sole discretion of a City and you should not be surrendering these rights to a private entity that is not accountable to the public's interest.

II. Gives HRP Campus Bay LLC blank check on the City/people of Richmond for the expenses of setting up financing for THEIR project

..."Any Financing Mechanism will provide for the reimbursement to Developer of any advances by Developer described in Section 3.9.2.1, and any other costs incurred by Developer that are related to the Financing Mechanism, such as the costs of legal counsel, special tax consultants, engineers, etc."

III. Surrenders the City's rights to hire their own needed consultants

" 3.9.2.3 City shall consult with Developer prior to engaging any consultant (including bond counsel, underwriters, appraisers, market absorption analysts, financial advisors, special tax consultants, assessment engineers and other consultants deemed necessary to accomplish any financing)....and the Developer shall be entitled to reject, in its sole discretion, up to three consultants in total. If Developer rejects a consultant, City shall not

engage that consultant and shall consult Developer with respect to another consultant."

Councilmembers, adopting this development agreement as written is clearly not in the Richmond public's interest. To be more direct, this is a badly-constructed legal document for the City and people of Richmond. It needs major changes if our City is to avoid consciously stepping into a long term costly, and mostly one-sided, legal quagmire. Attached are these and some other examples to illustrate these points.

Thank you for your due diligence on the issues with this proposed Development Agreement.

Sincerely,

Jim Hanson
Richmond

[Item I-1 – 12-15-20.](#)

To members of the Council:

Please reject these and other give away's of City of Richmond's legal rights and financial controls in the proposed development agreement with "Campus Bay" Project developer. This follows up on comments from your December 1 meeting on this item.

From Development Agreement Between the City of Richmond and HRP Campus Bay Property, LLC, City Council I-1 , 12-15-20

I. Effectively gives away legal rights of City/public to decide on a Community Financing District

3.9 Provision and Financing of Public Improvements.

Financing. Developer shall fund all Public Improvements for the Project by means of its own funds and any other means of financing approved by the City as generally described in this Section 3.9.2 (the "Financing Plan"). The City agrees to cooperate with Developer in the formation of a Mello-Roos Community Facilities District ("CFD") or other assessment district (excluding any Enhanced Infrastructure Financing District) or other financing mechanism to help implement the Financing Plan (each, a "Financing Mechanism") **that Developer in its sole discretion may elect to initiate related to the Project as and when so requested by Developer**, provided that such Financing Mechanisms shall in no event obligate the City's general fund or negatively impact the City's general fund, and subject to the following: *(Note: the developer gets to determine if the City has to institute a CFD or other Financing Mechanism" AND the developer also is given sole rights to determine whether the City's general fund is affected by this decision by controlling any technical expertise the City can hire to advise them on that question – See 3.9.2.3 below).*

(Look at the next two together.....)

3.9.2.1 Upon written request of City, **Developer will advance amounts necessary to pay all actual costs and expenses of City to evaluate and structure any Financing Mechanism**, to the end that City will not be obligated to pay any costs related to the formation or implementation of any Financing Mechanism from its own general funds. *(NOTE: This is turned on its head when the City is required to reimburse the Developer for fronting the costs of setting up the "Financing Mechanism" in the following stipulation).*

But....

3.9.2.2 Any Financing Mechanism will **provide for the reimbursement to Developer of any advances by Developer described in Section 3.9.2.1, and any other costs incurred by Developer** that are related to the Financing Mechanism, such as the costs of **legal counsel**, special tax consultants, engineers, etc. Developer agrees to promptly submit to City a detailed accounting of all such other costs incurred by Developer at such time as Developer makes application for reimbursement. (NOTE: Blank Check)

3.9.2.3 City shall consult with Developer prior to engaging any consultant (including bond counsel, underwriters, appraisers, market absorption analysts, financial advisors, special tax consultants, assessment engineers and other consultants deemed necessary to accomplish any financing) and Developer shall be allowed an opportunity to provide input on each proposed consultant. City shall consider all of Developer's comments on the proposed consultants in its hiring decisions, provided, however, that **the Developer shall be entitled to reject, in its sole discretion, up to three consultants in total. If Developer rejects a consultant, City shall not engage that consultant and shall consult Developer with respect to another consultant.** (NOTE: *The developer is effectively given the right to deny the City's/public's right to select an independent consultant to represent the public's interest*).

II. Approves the legal straightjacket put by developer on city/public regulatory oversight on project

Article 5. Obligations of City

5.1 No Action to Impede Project Approvals. City shall take no action nor impose any condition that would conflict with this Agreement or the Project Approvals. An action taken or condition imposed shall be deemed to be "in conflict with" this Agreement or the Project Approvals if such actions or conditions result in one or more of the circumstances identified in **Section 2.2.2 of this Agreement.**

(Section 2.2.2 of this Agreement)

2.2.2 Future Changes to City Regulations.

2.2.1 To the extent any changes in the City Regulations, or any provisions of future general plans, specific plans, zoning ordinances or other rules, regulations, ordinances or policies (whether adopted by means of ordinance, initiative, referenda, resolution, policy, order, moratorium, or other means, adopted by the City Council, Planning Commission, or any other board, commission, agency, committee, or department of the City, or any officer or Council Item I-1: "Campus Bay" Project development agreement - Jim Hanson, 12-15-20

employee thereof, or by the electorate) of the City (collectively, “**Future Changes to City Regulations**”) are not in conflict with the Vested Elements (as defined in Section 3.2), such Future Changes to City Regulations shall be applicable to the Project.

#79054563_v17 -7-

2.2.2 Future Changes to City Regulations shall be deemed to be in "conflict" with the Vested Elements if they:

2.2.2.4 except as otherwise provided in this Agreement (including Sections 4.7.4 through 4.7.6, inclusive), in any manner control, delay (of more than 45 days concerning Developer's efforts to develop, construct, or convey a portion or all of the Project) or **limit the rate, timing, phasing or sequencing of the approval, development or construction of all or part of the Project;**

(NOTE: doesn't that allow developer to challenge ANY delay to rate of construction due to a building permit or environmental permit violation?...and certainly discourages any regulatory challenge to the project).

2.2.2.6 except as otherwise provided in this Agreement (including Section 3.10 and Section 4.1.3), **materially increase (by an amount greater than 15%) the cost of performance of, or preclude compliance with, any provision of the Vested Elements** *(NOTE: Discourates pursuing any regulatory or other compliant against developer).*

2.2.2.7 **conflict with or materially increase the obligations of Developer under this Agreement;** *(NOTE: Blank check)*

2.2.2.8 **adversely affect in any material respect the rights of Developer under this Agreement;** *(NOTE: Blank check)*

2.2.2.9 **limit or restrict the availability of public utilities, services, infrastructure or facilities (for example, without limitation, water rights, water connection or sewage capacity rights, sewer connections, etc.) to the Project;** *(NOTE, where are the developer's "sewage capacity rights" described in this agreement, especially in due to vague language in the FEIR on handling with the project's sewage capacity increases (reference:- FEIR N. Utilities and Service Systems – Previously-Identified Sub-Area 4 Project Impacts in the Richmond Bay Specific Plan EIR, pg. 3-78).*

III. City gives away rights to multinational Zeneca

From 2.5 Changes to state or federal law - Notwithstanding any other provisions herein to the contrary, the City acknowledges and agrees that DTSC has selected Alternative 3A, as specified in Resolution No. 91-19, as the Alternative to remediate the present contamination of the Project Site, and **that the City shall not challenge, dispute, contest, seek to modify, amend, revise, or otherwise alter Alternative 3A or any Project Approvals implementing Alternative 3A.**

!V. So much for the Bay, and guess who pays after this environmental screw up screws up big

From 3.12 **Pollution Legal Liability Policy** – max's out at \$25 mill per claim and \$25 mil in the aggregate. (Note: that is low ball when it comes to pollution liability damage, particularly at this former hazardous chemical plant site where hazardous chemicals are to remain under a recent decision for Option 3A).

From: [Jin Zhu](#)
To: [Tom Butt - external; richcityservant@gmail.com; Melvin Willis; Jael Myrick; Ben Choi; Demnlus Johnson; Nat Bates; Laura Snideman; City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Monday, December 14, 2020 8:01:33 AM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project. The public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process that was painful to watch. The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action. If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.
Jin Zhu

From: [John Hooper](#)
To: [Tom Butt - external](#); richcityservant@gmail.com; [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [Laura Snideman](#); [City Clerk Dept](#)
Cc: [Elaine Tan](#)
Subject: Public Comment - Item I-1
Date: Tuesday, December 15, 2020 9:33:00 AM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake?

Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location

This site is located adjacent to and north of the S.F. Bay Trail, near Pt. Isabel in Richmond's District 5. It is an 80+ acre toxic waste dump. Polluters include: Astra-Zeneca, one of our planet's largest pharmaceutical companies and Stauffer Chemical Company which occupied this site from 1897 into the 21st century. They dumped a toxic stew onto this site, the surrounding wetlands, and into the bay. Here is a shortened list of the really dangerous toxins on site: [list of toxins](#). These toxins remain on site, poisoning the surrounding wetlands and S.F. Bay, causing unmeasured & unknown harm to humans and wildlife.

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I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,

John

John Hooper
901 Jetty Dr.
Richmond, CA 94804

From: [Judith Marie](#)
To: butt@intres.com; [Ben Choi](#); [Nat Bates](#); richcityservant@gmail.com; [Demnlus Johnson](#); [Jael Myrick](#); [Melvin Willis](#)
Cc: [City Clerk Dept](#)
Subject: Public Comment – Agenda Item # I-1
Date: Monday, December 14, 2020 11:19:03 AM

Dear Mayor and City Council Members,

You were elected by the People. I implore you to honor the People's wishes.

*On Tuesday, December 15th, please **vote NO** on allowing 4000 residential units to be built on a toxic waste site. Not one residential unit should be on that site until a full and long-term cleanup is completed.*

It is outrageous that the Agreement not only is based on an outdated EIR, but that it also shifts responsibility for monitoring and maintenance of "institutional controls" of off-gassing VOCs onto the City and homeowners.

I, Judith Frank, believe that **your honor** must guide you in this vote. Again, please vote NO, or at least hold the item until after the newly elected City Council is sworn in on January 12, 2021.

If you vote yes, your name and reputation will always be associated with the health consequences to befall residents on the property.

Respectfully,
Judith Frank

From: Karen Franklin <kfranklin007@hotmail.com>
Sent: Tuesday, December 15, 2020 12:02 PM
To: City Clerk Dept
Subject: Public Comment - Item I-1

Dear Mayor, Council Members, City Manager, and City Clerk,

I am writing to express my continuing opposition to the hasty approval of a mega-development atop the toxic Zeneca site, and to make sure that you all are aware of the San Francisco Chronicle's Dec. 11th report on this controversy. The report is available at <https://www.sfchronicle.com/bayarea/article/Developers-want-to-build-4-000-homes-on-a-15792866.php> and I have also included a text version below, for those of you who are not Chronicle subscribers. (Scroll down.)

This plan is being rushed through despite:

- (1) no current geotechnical report (even though estimates of the impact of sea level rise are rapidly changing for the worse),
- (2) inadequate financial impact information, and
- (3) an outdated EIR that doesn't take into account the current plan to built up to 4,000 residential units (up from about 1,500) on the site.
- (4) environmental justice issues: there are publicly available news reports suggesting that the developers may be engaging in predatory practices targeting low-income communities of color elsewhere in the country (for an example, please scroll down to see a news article from April 17, 2020 reporting on Hilco's disregard for the safety of a Latino community in Chicago, which cites similar issues in Maryland <https://blockclubchicago.org/2020/04/17/contractor-in-little-village-smokestack-fiasco-was-cited-in-march-for-blowing-dust-but-city-okd-demolition-anyway/>).

The residents of South Richmond have made it abundantly clear that we oppose this project in its current form. If the project is indeed as solid and low-risk as the developers claim, there certainly can be no harm in taking the time necessary to collect current scientific, financial and environmental-impact data so that we can be confident that we are steering the correct course. Hastily accepting a limited-time offer could result in catastrophic harm to human and animal life and the Bay ecosystem that will only become clear after it's too late.

Please, I beg you: Do not let this toxic catastrophe in the making be your lasting legacy! Vote "NO" on the second reading of this ordinance (Item I-1).

Thank you in advance,

Karen Franklin

Resident of the Panhandle neighborhood, Richmond

Developers want to build 4,000 homes on a toxic East Bay site. Activists want a full cleanup first



[Sarah Ravani](#) Dec. 11, 2020

Sherry Padgett’s activism started in 2004 after she developed cancerous tumors on her left ribs, fibroid tumors in her uterus and had to have her thyroid removed because of cancer.

She could never prove her illness was linked to her time spent working across the street from a polluted site in Richmond. But when other workers near her electrical business told her they had similar health issues, Padgett embarked on a nearly 17-year battle to get the city to fully clean up the site.

“I was pissed,” Padgett said. “There was so much dirt and dust in the air that street lights would come on during the day.”

Now, the Richmond City Council is moving forward with plans to develop up to 4,000 residential units and a 20,000-square-foot grocery store on part of the 86-acre property known as the Zeneca site, just east of Marina Bay and west of Interstate 580. Though the land has undergone cleanup for years, it is still polluted with more than 100 chemicals from factories that once animated the site.

Supporters say the project will bring desperately needed housing and jobs to the city as well as \$20 million in one-time community benefits and a boost to property taxes. For a city that’s seen little investment and frequently struggles with having enough resources, that’s a huge draw.

“We’ve been at this for 20 years and finally things are starting to fall into place,” said Richmond Mayor Tom Butt.

But opponents such as Padgett say the plans to clean up the site are insufficient and the fight over the development echoes previous battles in Richmond over environmental justice. The city has struggled with pollution from an oil refinery and coal terminal and is also home to two Superfund sites.

“Residents in Richmond are squeezed between multiple industrial sites and they breathe dirtier air than the rest of the Bay Area,” said Marie Logan, an attorney in Earthjustice’s California office. “Too many families living on the front lines in Richmond are unfairly and unjustly burdened by environmental hazards and pollution.”

The City Council approved a development agreement Dec. 1 with a Southern California developer that calls for partially cleaning up the site at 1400 S. 47th St. — a move that angered activists and incoming council members opposed to the project.

Butt said that with the current deal, the city gets much-needed money and tax revenue from the development and boost its housing stock at a time when the Bay Area is in dire need of housing. He believes the cleanup plan is sufficient and allows for the city to do a “better job providing services” for residents through the project’s anticipated economic development.

Butt said it is particularly difficult to get housing projects approved in Richmond with community support.

“They are against housing, they’re against business, they’re against corporations, they’re against landlords,” he said. “It’s part of the Bay Area NIMBY movement.”

Activists say their protest isn’t about housing.

“Who is going to buy these 4,000 units and what is going to happen when toxins start leeching out and harming their health?” said Karen Franklin, a resident who lives near the site. “It’s not a NIMBY type thing. We don’t want to see preventable catastrophe to other human beings.”

Now, activists hope that at least one council member will change their vote in time for the second reading of the ordinance on Dec. 15, after two council members voted against the agreement and one abstained. Otherwise, they plan to take their fight to court.

“We are not just going to stop, we are going to keep fighting,” Franklin said.

The site has a long, complicated history.

Stauffer Chemical Co. built a plant on the property in 1897 to manufacture sulfuric acid by roasting pyrite ores, or fool’s gold, according to the California Department of Toxic Substances Control.

[The company dumped iron pyrite cinders](#) into the marsh and later manufactured fertilizers, herbicides and pesticides there. After corporate mergers in the 1980s, Zeneca Corp. bought the plant, and then closed it in 1997. The company is now known as AstraZeneca — a pharmaceutical and biopharmaceutical company based in England.

In 1998, the California water board named the Zeneca site a toxic “hot spot.” At the time, it was one of the 10 most polluted sites in the Bay Area. Chemicals there include benzene, arsenic and polychlorinated biphenyls.

AstraZeneca spent \$20 million in 2002 to offset the acidic soils, move contaminated dirt and cap the land. In 2009, the Department of Toxic Substances Control fined AstraZeneca nearly \$250,000. In 2019, the agency fined AstraZeneca \$25,000 and ordered it to secure the site by fixing breaches in the fence and gates and to regularly patrol the site.

Cherokee Simeon Venture I LLC — which is affiliated with AstraZeneca — now owns the site.

In 2018, the Richmond City Council voted unanimously to support a full cleanup that would cart the soil off the site — a move that environmentalists and activists applauded.

But in 2019, the agency announced a “final cleanup plan” that would only excavate some contaminated soil and build barriers in areas where the soil would remain untouched. It would also include groundwater treatment and a soil vapor extraction system.

“This cleanup allows this land to be used to create needed housing and ensures that members of the community and people who live, work or play on or around the site are protected,” Meredith Williams, the director of the Department of Toxic Substances Control at the time, said [in a statement](#).

The agency concluded that this cleanup effort would take about two years versus the 10 years to do a full cleanup of the site. The full cleanup could also pose “far more harmful air pollution, dangerous traffic, increased dust and other adverse effects over a longer period of time,” agency spokesman Russ Edmondson said in an email.

The City Council voted to reverse its support of a full cleanup, instead supporting the agency’s 2019 plan. That 2019 vote angered activists and elected officials in neighboring cities, including Berkeley, who said the plan fell short of protecting human health in the future.

Environment scientists say thorough cleanups are necessary for land being used for housing.

“I always ask the developer, would you live there when it’s done? Are you going to buy one of those homes? I think that is a good metric,” said Thomas Azwell, an environmental scientist at [UC Berkeley’s CITRIS Institute](#). “The preference is always cleaning up to the highest possible level.”

Azwell said a full cleanup could cost a developer up to \$150 million versus up to \$30 million under the current plan. The developer has said it will pay for the cleanup.

Now, the council is moving forward with a development project from Shopoff Realty Investments and Hilco Redevelopment Partners. The project will include — in addition to the homes — up to 50,000 square feet of retail space.

“This has been three years in the making for our firm ... so clearly not rushed,” said Bill Shopoff, the president and CEO of Shopoff Realty Investments, at the Dec. 1 City Council meeting. “We’ve been working diligently and thoughtfully on this.”

Shopoff said in a statement to The Chronicle that they have been working closely with the government and community to redevelop the land into a “safe, environmentally sustainable and beautiful bayfront community to help bring much-needed housing and other extensive economic and community benefits” to the city.

The company said there’s a “great deal of misinformation and confusion” about the remediation effort. The current effort is a “comprehensive cleanup.”

The developer will still have to submit building designs to the city’s design review board for approval, as well as apply for building permits.

Still, incoming City Council member Gayle McLaughlin, who ran on a platform to completely clean the site, hopes the council will reverse its decision or put off a second vote until new members are seated in January.

“We know they did the wrong thing in terms of what is best for the community,” McLaughlin said. “It doesn’t mean that we don’t want any development, we just want a comprehensive cleanup.”

Sarah Ravani is a San Francisco Chronicle staff writer. Email: sravani@sfchronicle.com Twitter: [@SarRavani](#)

Contractor In Little Village Smokestack Fiasco Was Cited In March For Blowing Dust — But City OK'd Demolition Anyway

A Hilco affiliate, contractor MCM Management Corp. and partners were hit with \$3.75 million in environmental violations in Maryland.

LITTLE VILLAGE — A contractor working on [the smokestack explosion](#) that left Little Village covered in dust has a history of environmental violations — and was cited by the city just weeks earlier for allowing dust to be blown off the site.

Yet, the city still gave the project's developer, Hilco Redevelopment Partners, the green light to demolish the old Crawford Coal Plant smokestack on Saturday during a respiratory pandemic.

Records show Hilco contractor MCM Management Corp. was cited by the city in March for the blowing dust. In addition, a contractor hired by Hilco was cited by the city last year for dust. And in a third case, a Hilco affiliate along with MCM and its partners were slapped with \$3.75 million in penalties in Maryland.

On March 5, a Chicago Department of Public Health official inspected the old Crawford Coal Plant site at 3501 S. Pulaski Road and saw dust leaving the demolition site, [city records show](#). Inspector John Singler took photos of “airborne emissions,” which were branching out east and west of the site “crossing the public way,” according to an inspection report.

A superintendent with a subcontractor also told the inspector he saw airborne emissions leaving the demolition site in the past month.

MCM, which oversaw the demolition, was slapped with a citation for the blowing dust. One week earlier, the contractor was warned after dust was seen blowing off the site, according to the report.

On Saturday, with little notice and amid the coronavirus respiratory pandemic, the city allowed the demolition of the smokestack. When it fell, it lifted a cloud of dust and debris that soon [descended on nearby Little Village homes](#). A day earlier, [activists begged city officials to halt the demolition](#), but it went on anyway.

RELATED: [Planned Explosion Covered Little Village In Dust During Respiratory Pandemic — Why Did The City Let It Happen?](#)

Preliminary testing showed [no signs of asbestos in the dust](#), the city said, but neighbors worry the demolition released unknown toxic materials into the air.



Little Village streets were covered in dust following demolition of a smokestack at the site early Saturday morning. [Maclovio/instagram@macnifying_glass](#)

Mayor Lori Lightfoot and Ald. Michael Rodriguez (22nd) are blaming the dust disaster on [“dishonest” developer Hilco](#). Hilco is pointing the finger at MCM Management, Hilco’s now-fired contractor, and subcontractor Controlled Demolition Inc.

It’s not clear if or how much Hilco or MCM Management could be fined for the blowing dust incident in March. An administrative hearing is set for May 21, said Cristina Villareal, a Chicago Department of Public Health spokeswoman.

In an email, Villareal said the department “takes construction dust violations very seriously” and approved the smokestack implosion based on the company’s demolition plan, which called for appropriate watering to keep dust and debris contained to the site.

“Clearly, that didn’t happen, and we are diligently working to hold all parties accountable,” Villareal said.

Last year, the city’s Department of Public Health ticketed one of Hilco’s contractors after they received a video from workers showing dust blowing around at the site. The fine was for a nominal amount, “probably less than \$10,000,” David Graham, an assistant commissioner with the city’s Department of Public Health, told residents last summer.

It’s unclear from the February 2019 report which contractor was ticketed, but the inspector Singler met with MCM Management, Marine Technologies Solutions and a Hilco consultant.

At that same summer meeting, Graham warned worried residents that “kids and people with breathing problems” [should limit their outdoor activity during the demolition](#).

After the dust emergency Saturday, Lightfoot slapped a stop-work order on the site. The city is now investigating the incident. Lightfoot promised to [hold Hilco responsible and fine the company](#) for failing to follow demolition procedures.

Work was also stopped at the site in December 2019, [after a worker died](#).



A drone video showed how the dust cloud spread from the Crawford demolition site and descended onto Little Village homes. Alejandro Reyes/YouTube

[In a letter](#) obtained by the Better Government Association and Block Club, Lightfoot wrote to Hilco CEO Roberto Perez Wednesday, formalizing demands she previously made in public. Lightfoot asked Perez to clean up dust that blanketed the community, distribute 10,000 masks to neighbors, monitor air quality, conduct soil sampling and complete a report to the city explaining what caused the dust cloud.

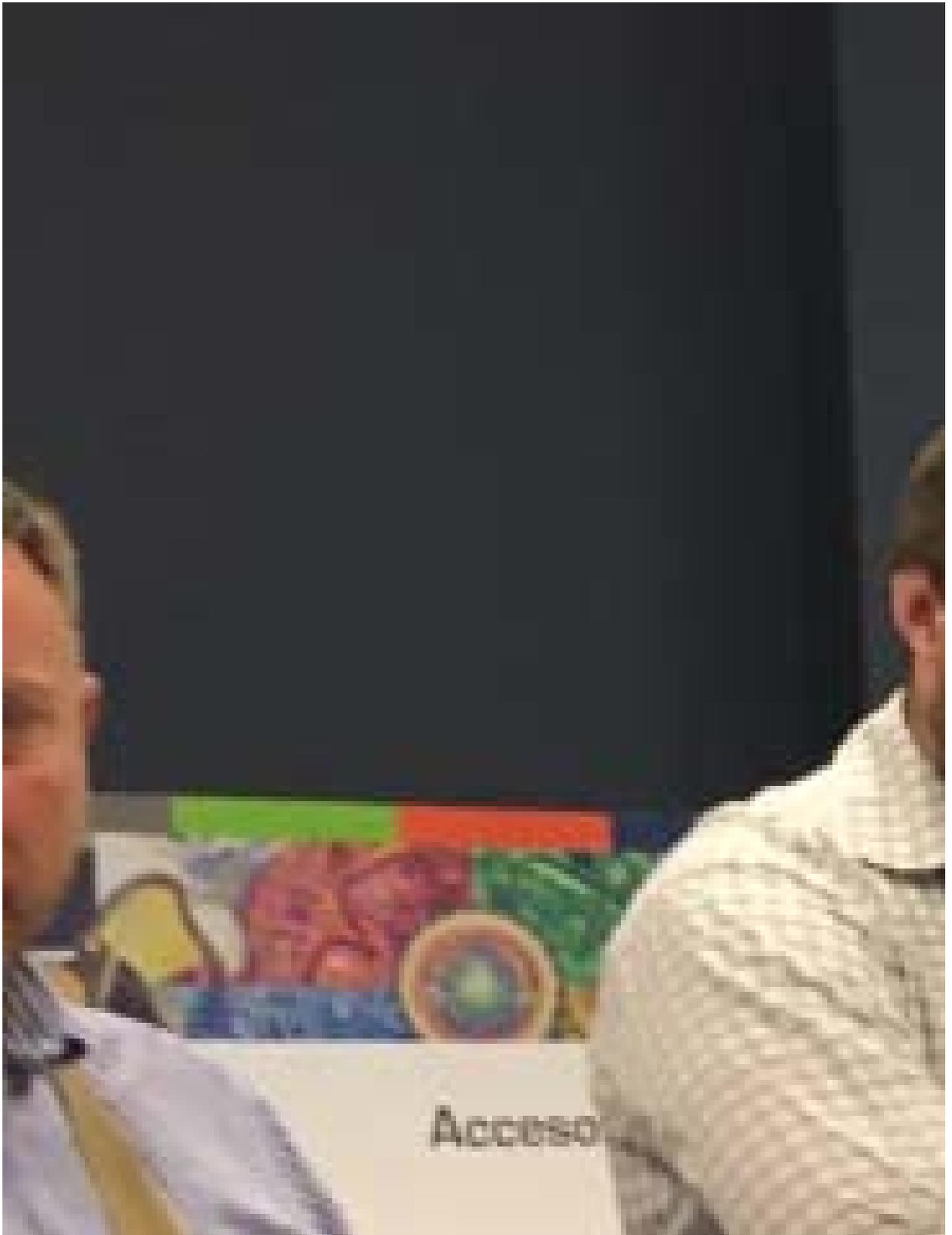
In an earlier statement from Hilco, Perez apologized for the [“pain and anxiety”](#) neighbors experienced because of the demolition.

“Despite the assurances we received from our implosion expert, the measures that were to be implemented were not sufficient to contain the dust that migrated off-site,” Perez said.

Asked why the developer decided to implode the smokestack during the coronavirus crisis, a spokeswoman for the company declined to comment.

Chicago Department of Buildings spokeswoman Mimi Simon said demolition requests are reviewed on a case-by-case basis by multiple city departments.

“In this case, all approving departments coordinated and reviewed the plan submitted to the city,” Simon said.



Hilco Redevelopment Partners CEO Roberto Perez, center, answers a question from a Little Village neighbor. Mauricio Peña/ Block Club Chicago

Past environmental violations

Saturday's botched implosion isn't the first time Hilco or its affiliates have worked with MCM Management and something went wrong.

In 2015, a Hilco Global affiliate, Sparrows Point LLC, its partners and MCM Management were fined for environmental violations related to the demolition of old mill buildings in Dundalk, Maryland, [according to the Baltimore Sun](#). Sparrows Point and its partners committed violations that included failing to control stormwater, sediment and erosion, dumping trash and industrial waste, stockpiling scrap tires and handling asbestos improperly, according to the newspaper.

HRE Sparrows Point LLC, Sparrows Point LLC and contractor MCM Management were fined after a [multi-year investigation](#).

Hilco Global partnered with a private equity firm to form Sparrows Point LLC, [according to Hilco](#). HRE Sparrows Point LLC, is an affiliate of Hilco Industrial, [according to the project website](#).

In a [2015 agreement](#) with the Maryland Department of the Environment, the developers and its contractor [settled](#), and were forced to complete \$3.375 million in environmental projects. The companies also were fined \$375,000, [according to the Baltimore Sun](#).

The inspections found “bags with tears, allowing discharge of friable asbestos material to the atmosphere” and “open dumping of solid waste and industrial sludge, [according to the Maryland Department of the Environment](#).”

During the same project, nine workers were hospitalized after a roof collapsed at a worksite in Maryland, [the Baltimore Sun reported](#). The workers were dismantling a former steel mill when the roof gave way at the site. Four of the workers were critically injured, according to the report.

The Maryland site now houses operations for Amazon, Under Armour, FedEx, Volkswagen and Harley-Davidson, [according to Bloomberg Businessweek](#).

Most recently, in December, [a worker plummeted 50 feet to his death at the old Crawford Coal Plant](#).

The developer [now faces three lawsuits](#) related to the Little Village site.

Hilco Redevelopment Partners and MCM Management Corp did not respond to requests for comment.



Little Village Environmental Justice Organization Executive Director Kim Wasserman talks to community members during a meeting Tuesday night on the remediation and demolition of Crawford Coal Plant. Mauricio Peña/ Block Club Chicago

‘This isn’t a ‘bad apple’ problem‘

After the dust cloud, the Little Village Environmental Justice Organization and neighbors called on the developer to abandon its plan to redevelop the site into a 1-million-square-foot distribution center.

Activists in the majority-Latino neighborhood on the Southwest Side also want Lightfoot to rescind the [\\$19.7 million in tax subsidies](#) the city has promised Hilco for the project.

Kim Wasserman, executive director of Little Village Environmental Justice Organization, said residents who live near industrial areas have no power to reject development that puts their health at risk. That needs to change, she said Thursday.

“This isn’t a ‘bad apple’ problem,” Wasserman said. “Community harm is stemming from one broken, corrupt, racist system. This is a system that cannot be redeemed and these are ethical failures by public servants that cannot be overlooked by our communities any longer.”

Hilco Redevelopment Partners and MCM Management Corp did not respond to requests for comment.

This story was produced by [Block Club Chicago](#), a nonprofit newsroom focused on Chicago’s neighborhoods, and the [Better Government Association](#), a nonpartisan watchdog organization.

From: [KAY](#)
To: [City Clerk Dept](#)
Subject: Public Comment- Agenda I-1
Date: Tuesday, December 15, 2020 12:54:38 PM

Dear City Clerk Dept,

Please consider how the City, the public health and the environment will be at risk and be open to litigation now and into the future if we do not address the serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,
Karen Yu

From: [Kimberly Berger](#)
To: [Tom Butt - external: richcityservant@gmail.com](#); [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [Laura Snideman](#); [City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Tuesday, December 15, 2020 11:38:01 AM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake?

Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location

This site is located adjacent to and north of the S.F. Bay Trail, near Pt. Isabel in Richmond's District 5. It is an 80+ acre toxic waste dump. Polluters include: Astra-Zeneca, one of our planet's largest pharmaceutical companies and Stauffer Chemical Company which occupied this site from 1897 into the 21st century. They dumped a toxic stew onto this site, the surrounding wetlands, and into the bay. Here is a shortened list of the really dangerous toxins on site: [list of toxins](#). These toxins remain on site, poisoning the surrounding wetlands and S.F. Bay, causing unmeasured & unknown harm to humans and wildlife.

The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action.

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,

Kimberly Berger

From: [n_l](#)
To: [City Clerk Dept](#)
Cc: [Jael Myrick](#); [Melvin Willis](#); [Laura Snideman](#); [Lina Velasco](#); butt@intres.com; [Ben Choi](#); [Nat Bates](#); richcityservant@gmail.com; [Demnlus Johnson](#)
Subject: Public Comment – Agenda Item # 1 - 1
Date: Tuesday, December 15, 2020 10:00:09 AM

Zeneca site Cleanup - Bayside development - Public Comment

Vote NO or Hold Over this item until the newly elected City Council Council is sworn-in Tue Jan 12, 2021 and can take up the matter.

You must require the MOST comprehensive cleanup option prior to any development at the Astra Zeneca Bayside site.

Refer to Rising Sea Level effects on raised saltwater level in turn forcing overlying fresh water groundwater level to rise, which leaches out and mobilizes in ground chemicals, toxic substances, causing those in ground chemicals and toxins to spread to areas where the raised freshwater spreads, not strictly where predicted as in not just into the Bay.

Ignorance or Money or Corruption are the only reasons to not require the MOST Comprehensive cleanup of the Zeneca site before any development. It is appalling that you would even consider allowing housing be built and persons to live on such a contaminated land. It is the responsibility of those who contaminated it to clean it up.

Do the right thing, for yourself, for Richmond, for all of us that live near the Bay, for the Bay itself, for all creatures that share our environment.

Kristin Lobo
Richmond CA

From: [Laura Thomas](#)
To: [City Clerk Dept](#); butt@intres.com; [Ben Choi](#); [Nat Bates](#); richcityservant@gmail.com; [Demnlus Johnson](#); [Jael Myrick](#); [Melvin Willis](#); [Laura Snideman](#); [Lina Velasco](#)
Subject: Public Comment – Agenda Item # I-1
Date: Tuesday, December 15, 2020 11:33:43 AM

My name is Laura Thomas, a Richmond resident and homeowner in the Panhandle Annex.

I am reaching out pleading with you to please vote NO or hold Item # I-1 over until after the newly elected City Council is sworn-in Tue Jan 12, 2021. Richmond voters have made their voices heard on this matter again and again.

The community has been trying for as long as I've lived here, over 10 years now, to get a comprehensive residential cleanup— and were promised this by the DTSC.

As our leaders, we implore you to protect and prioritize our health and the health of our environment. Use your position to hold AstraZeneca responsible for cleaning up the 130-year toxic legacy that helped make them a Fortune 500 company at the expense of permanent pollution of our SF BAY shoreline.

Regards,
Laura Thomas

[Help Save Richmond Public Libraries](#)

From: [Lew Jacobson](#)
To: richcityservant@gmail.com; MelvinforRichmond@gmail.com; [Ben Choi](#); [Jael Myrick](#); [Demnlus Johnson](#); [Nat Bates](#); [Laura Snideman](#); [City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Friday, December 11, 2020 5:52:57 PM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake?

Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location

This site is located adjacent to and north of the S.F. Bay Trail, near Pt. Isabel in Richmond's District 5. It is an 80+ acre toxic waste dump. Polluters include: Astra-Zeneca, one of our planet's largest pharmaceutical companies and Stauffer Chemical Company which occupied this site from 1897 into the 21st century. They dumped a toxic stew onto this site, the surrounding wetlands, and into the bay. Here is a shortened list of the really dangerous toxins on site: [list of toxins](#). These toxins remain on site, poisoning the surrounding wetlands and S.F. Bay, causing unmeasured & unknown harm to humans and wildlife.

The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action.

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about

the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,

Lewis Jacobson

From: [Linda Kalin](#)
To: [City Clerk Dept](#); [Laura Snideman](#); [Tom Butt - external](#); richcityservant@gmail.com; [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#)
Subject: Public comment on agenda item I-1, City Council meeting Dec. 15th, 2020
Date: Tuesday, December 15, 2020 9:08:05 AM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

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If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about

the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,
Linda Kalin

From: [Lisa Park](#)
To: [Tom Butt - external](#); [Eduardo Martinez](#); [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#)
Cc: [Laura Snideman](#); [City Clerk Dept](#); [Lina Velasco](#)
Subject: Public Comment - Agenda Item I-1 Richmond City Council meeting 12-15-2020
Date: Tuesday, December 15, 2020 6:21:58 AM

To: Richmond City Council Members

440 Civic Center Plaza

Richmond, CA 94804

Re: Campus Bay Mixed Use Development aka Zeneca/Former Stauffer Chemical Site

I join with community advocates working to ensure the long lasting health and well being of our community. We call on the Richmond City Council to not sign any development agreement or move forward on this project until more information is provided that will assure it will be safe for future residents, workers, the San Francisco Bay, and shoreline wildlife. We are asking you to uphold the Richmond Bay Specific Plan and our General Plan Health and Wellness Element, Land Use Element, Safety & Noise Element, and the "Health in All Policies" commitment in the General Plan. Also, please recall that the City Council unanimously passed a Health in All Policies Ordinance [HERE](#) and a Health in All Policies Strategy [HERE](#).

The proposed development, to be built on top of one of the most toxic sites in the state, is not in alignment with the "Richmond Bay Specific Plan" (the EIR) because, among other reasons, it increases the number of housing units from 1,500 to up to 4,000.

We call for both an updated Human Health Risk Assessment to include new human risk screening levels and a subsequent Environmental Impact Report (EIR) to address unanswered questions about the following issues, among others:

- A complete and detailed description of the project.
- Protection for workers and neighboring communities, safety protocols for handling hazardous material during grading and construction including how VOCs will be prevented from escaping during earth moving or compacting;
- Protection for the people who work at adjoining properties from toxic plumes which seep offsite as there is no barrier beneath the toxic mix;
- Protection for future residents and people who use the Bay Trail from toxic releases after construction;
- Protection of humans and sensitive wildlife when sea water from San Francisco Bay permeates the soil on this site, either by liquefaction in a future earthquake or sea level rise. Arsenic, mercury, and lead will be mobilized into soluble form and spread widely when salts and oxygen in the water turn the cinders into sulfuric acid;
- Protection for Stege Marsh and San Francisco Bay from toxic plumes;
- An archeological survey and contact with local Ohlone representatives to ensure protection of historic cultural sites.

We call on you to respect the votes of the people of Richmond and make no decision until the new council members are sworn in on January 12, 2021.

In 2011, the Richmond City Council adopted the precautionary principle by resolution, which holds that if there is a possibility that a policy or plan will have potentially dangerous health or environmental impact—even if there is no scientific consensus—it is better to err on the side of caution. Your first duty is to seek the highest standard of protection for human health and safety.

Sincerely,

Lisa Park

5626 Bayview Avenue

Richmond, CA 94804

From: [Maggie Paul LAZAR](#)
To: [Tom Butt - external](#); [Ben Choi](#); [Nat Bates](#); [Eduardo Martinez](#); [Demnlus Johnson](#); [Jael Myrick](#); [Melvin Willis](#); [City Clerk Dept](#); [Irene Perdomo](#)
Subject: Public Comment Item I-1
Date: Tuesday, December 15, 2020 11:40:07 AM

Dear Mayor, City Council Members and City Manager:

I am disappointed that none of the opposing comments from the December 1 City Council meeting were answered or addressed. Let the public be heard.

I oppose the addendum to the Richmond Bay Specific Plan and believe the approval of the housing development on Campus/Bay/Zeneca/former Stauffer should be delayed. The community wants a better cleanup of the site. Without a more extensive cleanup the site isn't safe for nearly three times the residences as outlined in the Specific Plan.

Buildings used for research and industry don't pose equivalent risks to occupants as buildings used for residences. In their presentation to the Planning Commission, Shopoff stated that there was no money to be made in research developments. This is not an adequate reason to increase the number of residences beyond the target in the Specific Plan.

I urge the Council to protect the safety of future Richmond residences. Don't allow ground floor residences. Don't allow the increase in units. Don't approve these exceptions to Richmond's plan.

Sincerely,

Maggie Lazar

From: [M. Sargent](#)
To: [City Clerk Dept](#); butt@intres.com; [Nat Bates](#); [Demnlus Johnson](#); [Lina Velasco](#)
Subject: Public Comment – Agenda Item # 1 - 1
Date: Monday, December 14, 2020 8:27:41 AM

Richmond city council:

I urge you to vote NO on the item. I urge you to prohibit housing development on land that could be toxic.

Previous studies and this proposal do not adequately address:

- Sea level rise and expected seismic activity (earthquake/liquefaction)
- New Health Risk Assessment with updated screening levels (the last public health risk assessment is dated 2009)
- Proposed remedy for on site VOC treatment has not been proven to work long term at this site, the project relies on developer's expert claiming it does
- Shifts responsibility for monitoring and maintenance of "institutional controls" of off-gassing VOCs (such as first floor vents and fans), onto City and individual homeowners or HOAs There are no detailed construction documents - DA references an exploratory geotechnical report that describes requirements for compacted engineered fill that may require digging up the 500,000 cubic yards of buried toxic material to replace with engineered compacted fill; and DA does not identify safety protocols for massive construction digging for underground utilities, drains, roads and pile-driving 50-feet below the surface

Hold AstraZeneca responsible for cleaning up the 130-year toxic legacy that helped make them a Fortune 500 company at the expense of permanent pollution of our SF BAY shoreline!

Thanks,
Marilyn Sargent
315 Nevada Ave.
Richmond, CA 94801
Marilyn Sargent

From: [chromonster](#)
To: [City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Tuesday, December 15, 2020 10:53:07 AM
Attachments: [ZenecaSite_HumanHealthRiskAssessment_ShortenedListofChemicalsofConcern_12072020.pdf](#)

Dear Ms. Christian,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake?

Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location

This site is located adjacent to and north of the S.F. Bay Trail, near Pt. Isabel in Richmond's District 5. It is an 80+ acre toxic waste dump. Polluters include: Astra-Zeneca, one of our planet's largest pharmaceutical companies and Stauffer Chemical Company which occupied this site from 1897 into the 21st century. They dumped a toxic stew onto this site, the surrounding wetlands, and into the bay. Attached is a shortened list of the really dangerous toxins on site. These toxins remain on site, poisoning the surrounding wetlands and S.F. Bay, causing unmeasured & unknown harm to humans and wildlife.

The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action.

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final

approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,
Mark Roderick

Shortened list of Zeneca site Human Health Risk compounds

12/7/2020

From Revised Human Health Risk Assessment and Calculation of Site-Specific Goals for Lots 1, 2 and 3 (HHRA) for the Zeneca/Former Stauffer Chemical Site, Richmond, CA, dated 4/30/2008, prepared by Erler & Kalnowski, Inc., on behalf of Cherokee Simeon Venture I, LLC, Zeneca Inc., and Bayer CropScience Inc.

https://www.envirostor.dtsc.ca.gov/public/final_documents2?global_id=07280002&doc_id=6011962

Below is a shortened list of compounds retained for Human Health Risk Calculation from Tables 1 through 26 at the following link. (Note – a separate subsequent letter from Erler Kalinowski was provided and approved by DTSC to dismiss inclusion of Radium, Thorium and Uranium in the HHRA – to which the RSSA CAG objected.)

https://www.envirostor.dtsc.ca.gov/public/deliverable_documents/5638944327/TABLES_HHRA.4.30.2008.pdf

- Note, Table 27 (last page), at the above link includes list of “Chemicals Not Retained as COPCs”.

Per Table 10, compounds highlighted yellow below are the highest human health risk from all exposure pathways for all human receptors during and post construction.

| Inorganics | VOCs | Pesticides |
|------------------------|----------------------------|-----------------------|
| Antimony | Acetone | BHCs |
| Arsenic | Benzene | Butylate |
| Barium | Bromochloromethane | Captan |
| Beryllium | Methyl Ethyl Ketone | Chlordane |
| Chromium | Carbon Disulfide | Cycloate |
| Cobalt | Carbon Tetrachloride | DDD |
| Copper | Chlorobenzene | DDE |
| Lead | Chloroethane | DDT |
| Mercury | Chloroform | Dieldrin |
| Methyl Mercury | Dichlorobenzene | Endosulfan |
| Molybdenum | Dichloroethane (DCA) | Endrin |
| Nickel | Dichloroethene (DCE) | EPTC |
| Selenium | Methylene Chloride | Fluorochloridone |
| Silver | Naphthalene | Heptachlor |
| Thallium | Propanol | Methyl Isothiocyanate |
| Vanadium | Tetrachloroethene (PCE) | Molinate |
| Zinc | Toluene | Napromide |
| | Trichloroethene (TCE) | Pebulate |
| PCBs | Trimethylbenzene (TMB) | Trithion |
| Aroclor 1248 | Vinyl Chloride (VC) | Vernolate |
| Aroclor 1254 | Xylenes | |
| Aroclor 1260 | | |
| | Semi VOCs | |
| PCDDs and PCDFs | Benzos | |
| | Bis(2-ethylhexyl)phthalate | |
| | Chrysene | |
| | Fluoranthene | |
| | Phenanthrene | |
| | Phenol | |
| | Pyrene | |

From: [Mary Flanagan](#)
To: [Tom Butt - external; richcityservant@gmail.com; Melvin Willis; Jael Myrick; Ben Choi; Demnlus Johnson; Nat Bates; Laura Snideman; City Clerk Dept](#)
Subject: Public Comment - Item 1-1
Date: Friday, December 11, 2020 6:52:13 PM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake?

Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location

This site is located adjacent to and north of the S.F. Bay Trail, near Pt. Isabel in Richmond's District 5. It is an 80+ acre toxic waste dump. Polluters include: Astra-Zeneca, one of our planet's largest pharmaceutical companies and Stauffer Chemical Company which occupied this site from 1897 into the 21st century. They dumped a toxic stew onto this site, the surrounding wetlands, and into the bay. Here is a shortened list of the really dangerous toxins on site: [list of toxins](#). These toxins remain on site, poisoning the surrounding wetlands and S.F. Bay, causing unmeasured & unknown harm to humans and wildlife.

The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hilco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action.

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,
Mary Flanagan

From: [Megan Thomas](#)
To: [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [Laura Snideman](#); [City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Saturday, December 12, 2020 10:11:29 AM
Attachments: [image.png](#)

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

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If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Megan Thomas". The signature is written in black ink and is positioned below the word "Sincerely,".

Megan K. Thomas

From: [Megan Zapanta](#)
To: [City Clerk Dept](#)
Cc: [Tom Butt - external](#); [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [Eduardo Martinez](#)
Subject: Public Comment - 11
Date: Tuesday, December 15, 2020 10:42:34 AM

Dear City Council,

As the Richmond Organizing Director of the Asian Pacific Environmental Network, I once again urge you to consider the health and safety of the community and natural environment and not move forward with signing a development agreement for the AstraZeneca Site. Pushing forward development on a toxic polluted site without proper study and remediation is dangerous and undemocratic.

We support the recommendations of the Richmond Shoreline Alliance and urge you to uphold the Richmond Bay Specific Plan and our General Plan Health and Wellness Element, Land Use Element, Safety & Noise Element, and the "Health in All Policies" commitment in the General Plan. Until an updated Human Health Risk Assessment and Environmental Impact Report can address safety concerns for residents, workers and the local habitat, we ask that you don't move forward and instead, allow the new council, seated in January 2021, to take on this issue.

sincerely,

Megan Zapanta
Richmond Organizing Director
Asian Pacific Environmental Network (APEN)

--

Megan Zapanta
Pronoun: She, Her
Richmond Organizing Director, Asian Pacific Environmental Network
p: 510-236-4616 X 331 a: 12818 San Pablo, Richmond, CA 94805
426 17th Street, #500 Oakland, CA 94612
s: apen4ej.org e: megan@apen4ej.org,



From: [Michael Gliksohn](#)
To: [Tom Butt - external](#); [Eduardo Martinez](#); [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [Laura Snideman](#); [City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Monday, December 14, 2020 3:39:44 PM

Dear Mayor Butt and City Council Members,

I join countless other residents in trying to prevent your approval of the proposed development at the Astra Zeneca site on Richmond's beautiful bayfront, a known US EPA Superfund qualified site.

Why are you letting Zeneca off the hook? They get to walk away with a \$30 million slap on the wrist instead of returning these acres to the condition they were in before all their work began over 100 years ago. I know, you'll say it's not your decision how the site gets cleaned up; it's DTSC's. But you signed on to option 3A instead of option 6.

Richmond can take a stand against a corporate polluter. Let's be the city that says "No." Let's draw a line in the sand (the sandbox!) and tell Zeneca that they have made a colossal mess and they have to clean it up, completely.

And please don't tell me again about all those truckloads of dirt. Bring a railroad spur right to this site, if it's not already there, and move the dirt out in covered railcars.

Bottom line for me: Richmond deserves better than the deal being offered by Shopoff and could certainly get it if it was going to be constructed on pristine earth.

Thanks for your consideration,
Michael Gliksohn
Richmond resident

From: [Michael Santy](#)
To: [Tom Butt - external: richcityservant@gmail.com](#); [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [Laura Snideman](#); [City Clerk Dept](#)
Subject: Re: Public Comment - Item I-1
Date: Saturday, December 12, 2020 2:36:32 PM

Dear Mayor, Councilmembers, City Manager, and City Clerk, I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led council members to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least. The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment. What's at stake? Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site. Location: This site is located adjacent to and north of the S.F. Bay Trail, near Pt. Isabel in Richmond's District 5. It is an 80+ acre toxic waste dump. Polluters include: Astra-Zeneca, one of our planet's largest pharmaceutical companies and Stauffer Chemical Company which occupied this site from 1897 into the 21st century. They dumped a toxic stew onto this site, the surrounding wetlands, and into the bay. Here is a shortened list of the really dangerous toxins on site: [list of toxins](#). These toxins remain on site, poisoning the surrounding wetlands and S.F. Bay, causing unmeasured & unknown harm to humans and wildlife. The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up. The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action. If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination. I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Michael Santy

From: [Nazeena Gill](#)
To: [Tom Butt - external; richcityservant@gmail.com; Melvin Willis; Jael Myrick; Ben Choi; Demnlus Johnson; Nat Bates; Laura Snideman; City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Monday, December 14, 2020 12:07:09 PM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake?

Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location

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The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action.

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about

the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,
Nazeena Gill

From: [Paul Haymon](#)
To: [Tom Butt - external; richcityservant@gmail.com; Melvin Willis; Jael Myrick; Ben Choi; Demnlus Johnson; Nat Bates; Laura Snideman; City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Saturday, December 12, 2020 12:02:19 AM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was inappropriate, given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake?

Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location

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If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final

approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,
Paul Haymon

From: [Peggy Stephens](#)
To: [City Clerk Dept](#)
Subject: PUBLIC COMMENT - ITEM 1-1
Date: Sunday, December 13, 2020 2:13:46 PM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake?

Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location

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If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,

Peggy Stephens, A Concerned Citizen of Richmond, CA

 Reply Forward

From: [Phoebe Tanner](#)
To: [Tom Butt - external](#); [Nat Bates](#); [Ben Choi](#); richcityservant@gmail.com; [Melvin Willis](#); [City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Sunday, December 13, 2020 3:18:12 PM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

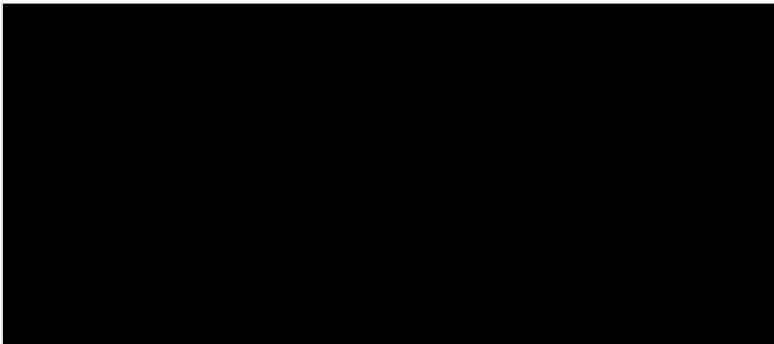
Furthermore, this process is being rushed through before the newly elected City Council takes office. I urge you to slow down and not settle for an incomplete remediation of the toxicity issue.

What's at stake?

Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location

This site is located adjacent to and north of the S.F. Bay Trail, near Pt. Isabel in Richmond's District 5. It is an 80+ acre toxic waste dump. Polluters include: Astra-Zeneca, one of our planet's largest pharmaceutical companies and Stauffer Chemical Company which occupied this site from 1897 into the 21st century. They dumped a toxic stew onto this site, the surrounding wetlands, and into the bay. Here is a shortened list of the really dangerous toxins on site: [list of toxins](#). These toxins remain on site, poisoning the surrounding wetlands and S.F. Bay, causing unmeasured & unknown harm to humans and wildlife.



ZenecaSite_HumanHealthRiskAssessment_ShortenedListofChemicalsofConcern_1...

The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

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I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,

Phoebe Tanner

From: [Regina Gilligan](#)
To: [Regina Gilligan](#); [City Clerk Dept](#)
Subject: Public Comment Agenda Item I -1
Date: Tuesday, December 15, 2020 11:27:12 AM

Due to the long term health risks and the city's responsibility I ask that this project be halted until the site is remediated properly which from what I researched isn't possible with the multiple toxic chemicals. NYT just had an article that a study showed even the tiniest cracks in a foundation can seep chemical vapors into a house causing increased health risks of lung cancers in people in these dwellings who never smoked. The toxic cocktail mix on Zeneca's site is sure to bring health problems and lawsuits to the city. It sits on landfill and the worst destruction of the 1989 earthquake happened in the Marina district in San Francisco on landfill exactly the same conditions.

Please reconsider.

Regina Gilligan, Richmond resident

From: rfree@sonic.net
To: [City Clerk Dept](#)
Subject: Public Comments-Agenda Item I-1
Date: Tuesday, December 15, 2020 12:18:30 PM

Dear City Clerk:

If the 2nd reading is approved, the City will put the public and the environment at risk, and will open itself up to litigation now and into the future - for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination. Construction of housing or structures even temporarily containing sentient life is, in my view, a form of collective, slow suicide.

Are those in favor of having homes built upon toxic soil planning to buy one of them? I doubt it.

In a recent report, Astra-Zeneca took in approximately \$26,000,000,000 of profit. It OBVIOUSLY has the money to pay for remediation.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Richard Freeman

From: cespmanager@eastshorepark.org
To: [City Clerk Dept](#); [Tom Butt - external](#); [Ben Choi](#); [Nat Bates](#); [Eduardo Martinez](#); [Demnlus Johnson](#); [Jael Myrick](#); [Melvin Willis](#)
Subject: PUBLIC COMMENT, AGENDA ITEM # I-1 -- City Council Agenda on December 15 2020 Campus Bay Mixed Use Project
Date: Tuesday, December 15, 2020 12:40:44 PM
Attachments: [2020 12 15 Ltr CESP to RCC Second Reading Development Agreement Zeneca site.pdf](#)

Dear Mayor Butt and Councilmembers Choi, Bates, Martinez, Willis, Myrick, and Johnson,

Please find attached comments submitted by Citizens for East Shore Parks (CESP) regarding Agenda ITEM I-1, on City Council Agenda, December 15, 2020 regarding Campus Bay Mixed-Use Project. Thank you for your careful consideration of these comments.

Sincerely,

Roberta Wyn

Roberta Wyn
CESP Manager
Citizens for East Shore Parks
P.O. Box 6087
Albany, CA 94706
(510) 524 - 5000 (office)
(510) 526 - 3672 (fax)
www.eastshorepark.org
Like us on [Facebook](#)
Follow us on [Twitter](#)

[Opt-in to receive shoreline updates and announcements from CESP.](#)

CITIZENS FOR EAST SHORE PARKS

www.eastshorepark.org

510.524.5000

December 15, 2020

To: City of Richmond, Mayor and Members of the City Council
From: Shirley Dean, President, Board of Directors, Citizens for East Shore Parks
Re: PUBLIC COMMENT: Item I-1, December 15, 2020, Richmond City Council meeting:
Adopt second reading of the ordinance approving a Development Agreement between the City
and HRP Campus Bay Property, LLC, applicant of the Campus Bay Mixed-Use Project.
Via: E-Mail

Dear Mayor Butt and Council Members Bates, Choi, Johnson, Martinez, Myrick and Willis,

By this letter Citizens for East Bay Parks (CESP) is requesting 1.) that the Richmond City Council take no action to approve the proposed Development Agreement (DA) regarding the Campus Bay Mixed-Use project and 2.) schedule a work study session or sessions between the City and the Department of Toxic Substance Control (DTSC) and The Environmental Health Investigations Branch of the California Public Health Department in the up-coming month of January. The goal of such session or sessions is to reach a clear understanding of what should be done about the site.

I assure you, without any hesitation whatsoever, that CESP's concerns about the use of this site in no way involves an anti-housing agenda. We support the construction of more housing, particularly for affordable housing, in all East Bay communities, including Richmond that are located where transit and other amenities and services already exist. The Zeneca site is not a housing issue it is a human health and safety issue.

In the report that is before you tonight, your staff points out that the Zeneca site is a matter of State concern as it has been placed on the published list of hazardous release sites and is subject to State law because the contamination poses a significant threat to human health or safety or to the environment. This gives DTSC jurisdiction over removal and remedial actions on the Zeneca site. While the City has no authority to change the actions of the DTSC, we emphasize that the City does have the authority to approve the uses that the Council finds to be acceptable on the site given the circumstances of this specific area. Thus, this is an extremely serious responsibility in regard to human health and safety, and your decision will define Richmond in the minds of your residents, other East Bay cities, your County and the State for the years ahead.

Each of you must, therefore, act with an abundance of caution. You cannot put aside your sworn duty to protect health and safety. Your duty is clearly and solely to the people affected by that site. It is not to ease and smooth the way for any developer in the future. That is the choice

before you and your decision tonight will weigh heavily on your personal conscience as well as on the legacy of your time in office. It is imperative that you fully understand the consequences of the level of development you are approving. You have been told by your staff that all nine development alternatives considered by DTSC allow residential use. But do you really know what that means regarding the intricacy of the multiple chemicals on the site? That is doubtful given the unclear and possibly conflicting statements of the developer's remediation representative to cleanup the site by injecting bacteria into the toxic waste and the DTSC plan to use a cap, vapor barrier and undertake monitoring. A workshop with DTSC would give you the vital information that you need to make an informed decision. In addition, it is based upon the fundamental principal and absolute need for transparency in a democratic process that allows all parties interested in the proposed development of this highly contaminated site to fully understand the issues and have their opinions considered by the City.

Citizens for East Shore Parks (CESP) sent you a letter on December 1, 2020 commenting on a proposed Development Agreement (DA) between the City and the HRP Campus Bay Property, LLC. We suggest that you review that letter in which we made three points:

- 1) that the Planning Commission actions of November 19, 2020 occurred in a seriously flawed public process in which members of the public were excluded from participation when the Commission approved the proposed development of thousands of residential units on top of a toxic waste dump. (Note: in addition to what occurred on this date, this exclusion of the public also happened at your meeting of December 1, 2020. Even with the exclusion of some participants, over 200 comments in opposition were received as compared to a handful of those in support of the developer's request.)
- 2) that instead of an EIR, an Addendum to the 2016 Environmental Impact Review is being used by the City which does not include the significant changes that have been and continue to be occurring such as sea level rise which is predicted to reach at least seven feet in the future, ignores the issue of the increase in groundwater levels and its movement throughout the site, and King Tide wave impacts which just a few days ago reached a spectacular 25-foot high and continue to date; (Note: in addition several people testified that contaminated plumes from the site were now appearing on adjacent properties.)
- 3) that the cleanup of the site is based on unclear remediation plans as exemplified by the confusing statements mentioned above and the adequacy of the current Feasibility Study/Remedial Action Plan (FS/RAP) and how it protects the health and safety of construction workers, businesses and future residents and threatens the financial stability of the proposed project and the City.

Our comments from that letter remain and have since increased and become substantially more concerning as you now have before you the second reading of the proposed DA. Here are some examples:

- A. Details of the proposed project have never been submitted rendering it impossible to

determine what requirements must be met and informing how the proposed project will impact the health and safety of people and the environment and affect projected City revenues:

Neither the City nor DTSC have a project level proposal or detailed construction drawings or plans submitted by the developer. Such plans are essential to fully determine health and safety and environmental impacts, financial benefits or risks to the City and its residents and how a project will appear and function.

On December 3, 2019, Dr. Gabriele Windgasse with the Environmental Health Investigations Branch of the California Department of Public Health wrote to the DTSC regarding this project. Dr. Windgasse pointed out the need for an updated Public Health Assessment (PHA) which had last been done in 2009. She pointed out that the proposed soil gas cleanup goals for the site indicated a very high presence of the carcinogens, trichloroethylene, tetrachloroethylene and vinyl chloride and standardized cleanup goals need to be reviewed. She also indicated that as the conditions of the site change (e.g. excavation, new fill, construction of utility lines, changes in groundwater elevation, etc.) soil gas cleanup goals should be recalculated to ensure that they are health-protective.

DTSC responded in a January 8, 2020 email stating that her concerns would be addressed in a new Feasibility Study/Remediation Action Plan (FS/RAP) which apparently refers to the study that the staff now describes as being “unchallenged” and thus approved as of October 25, 2019. I understand that the PHA is different document than the FS/RAP, that its purpose is to inform the FS/RAP and that it has not been updated even though DSTC was requested to do so. It is possible that such a request might result in requiring daily indoor air monitoring in every single housing unit.

The new FS/RAP requires that all new building construction will include a vapor barrier and indoor vapor monitoring will be conducted *prior to occupancy to verify that concentrations are below screening values*. And further, *soil gas probes will be installed beneath new structures to monitor for soil vapors. The frequency of sampling will be conducted a minimum of semiannually for 3 years. Thereafter, DTSC will determine the appropriate frequency*. Your current staff report states that the developer may be required to submit a master grading plan to DTSC for approval, *the effectiveness of the remedies are monitored during installation and every five years after construction and start-up to determine if the remedy is protective of human health and the environment* which provides the opportunity to determine if *additional corrective action* will be required. Parking would be allowed on the first floor, but residential use would be restricted to second floor and above.

On the other hand, the developer has indicated that hazards will be remediated through in-situ “bio-remediation” (injection of bacteria) which will clean up the site in about 5-6 years and that this process will allow residential use on the ground floor. Information about neither this proposed bio-remediation, nor DTSC’s reaction to such a plan, has been made available.

Without a project level proposal how can the City evaluate risks to the environment or ensure health and safety to either construction workers or residents? The DTSC plan relies on sampling prior to occupancy and on reviews that range from annually, to bi-annually to five-years. This is a tried-and-true example of planning that is too late and too little – a plan that is likely to result in destruction of the environment, grief and suffering among the residents of the project and endless litigation even though City staff has assured you that the DA includes *provisions that are intended to significantly reduce the City's exposure to liability arising out of the environmental condition and development at the site.* Please note that the operative word is “reduce” not “eliminate.” You are being assured by your staff that the developer must maintain \$25 million in pollution legal liability insurance, general liability coverage, and a hold harmless provision to address this problem. However, in today's world, a single \$25 million claim connected to a contaminated site is not unheard of and with the City's responsibility for approving the developer's plan and engaging in such actions as issuing building and occupancy permits, how does this exempt the City from liability?

And as a practical matter, without a project proposal that presents a true and complete picture of the developer's obligations and revenues, how is it possible to propose and adopt a list of Community Benefits that would span the initial 15-year period, plus a 5-year extension of the DA?

Staff has made it clear that DA provides that the developer and residents through special assessments will pay *to construct and maintain in perpetuity all public roads, landscaping, and utilities serving the project site, as well as civic spaces within the project (e.g. neighborhood squares, linear park, community park, shoreline promenade) and to pay the on-going maintenance costs of all project parks, open space and infrastructure.*

Richmond has been designated by the State Auditor as being one of the two East Bay cities that are in financial trouble. Even without that hanging over your City, revenue is important to you because it is needed for budget matters, but in this instance, it also is used to mitigate the significant and unavoidable Greenhouse Gas Emissions from the traffic produced by the project according to the 2016 EIR prepared for the Richmond Bay Specific Plan (RBSP) which is carried over into the Addendum. While the 2016 project has changed from “heavily commercial” to “heavily residential” it is still claimed that the project is near transit which it is not. There is no transit available at the site, the nearest being the Richmond Ferry Terminal and the El Cerrito BART Station.

Additionally, it is claimed that the project will be an economically diverse area, but how will this be possible when one considers the long list of special assessments needed to build and maintain the area? This will not be possible for those on fixed incomes such as seniors, nor will it be possible for those with lower incomes. Also, who will want to buy or rent in the area which is widely known for its long history of contamination and when residents will be constantly undergoing reviews for hazardous chemicals? Each review period will be an agonizing wait for residents.

B. Equally disturbing is the indication that the geotechnical report done by the developer has expired:

As we have previously stated this site is subject to higher predictions of sea rise than have been considered in the geotechnical study done by ENGEO for the developer. The effects of sea level rise have already begun to be felt. It will not get better. You have already been warned by the City's own retired laboratory supervisor, Mr. Stephen Linsley that "when sea water from the Bay enters the Zeneca site through liquefaction in a future earthquake or sea level rise, the toxic arsenic, mercury, and lead in the cinders there will be liberated as the salts and oxygen in that Bay Water turn the cinders into sulfuric acid."

Other experts have informed you that *Since 2016, however, estimates of future sea level rise have risen significantly. For example, the recent California Sea Level Rise Principles, published on May 1, 2020, identify sea level rise targets of 1 foot by 2030, 3.5 feet by 2050, and 7.6 feet by 2100. Other measurements of trends in sea level rise indicate that even these may be underestimates.*

Nor does the Addendum address drainage from the lands along and above Meade Avenue which runs adjacent to I-580 north of the project. The Addendum description of the Site Development, section 2.6, simply states that "During periods of heavy runoff, excess flows will drain by gravity into San Francisco Bay." However, actual groundwater experience indicates groundwater will be blocked by the rising sea level and the back-up will result in cracks in the toxic waste cap, flooding basements and overwhelming storm drains and other underground infrastructure. This is exactly what happened at The Love Canal. Snow fall (in our case sea level rise) caused an increase in groundwater that broke through the cap and exposed hundreds of new homes that had been constructed over the toxic waste. The level of the resultant misery cannot be adequately expressed about how the resultant health of hundreds of residents was affected, millions of dollars in lawsuits filed, and property values and hopes destroyed. Each of you must decide and fully and clearly explain how the Campus Bay Project would be any different.

Appendix C, the geotechnical report submitted for the developer by ENGEO, dated September 28, 2018 finds that there are numerous references to materials and information were mission that should have been included and that new evaluations/analysis and reports were necessary. In conclusion, Section 9, page 26, of the report states that *The conclusions and recommendations contained in are VALID FOR A PERIOD OF NO MORE THAN 2 YEARS FROM THE DATE OF REPORT ISSUANCE.* (Emphasis added.) This report has expired by the decision of its professional authors and should not be a factor in consideration of the DA.

Finally, we repeat our concern we expressed to you on November 10 and December 1, 2020. This project is now structured as an LLC, which could indicate that the project is structured so that if it goes financially bad, the developer can declare bankruptcy and just walk away without involving the parent company. This is not an uncommon practice for developers. This question was asked on November 19, but the developer did not answer it. He only stated he had plenty of cash available. Not only is this an important issue, it is even more so in these

uncertain times when there are deep concerns about the future of the state and national economies, let alone the City of Richmond's already compromised financial condition.

After all has been said and considered, CESP urges that the City Council take no action regarding the proposed Development Agreement, but that instead you act to resolve the use of the Zeneca site in a way that defines the City in a positive way, directly addresses the health and safety concerns of people, and protects San Francisco Bay and its environmentally sensitive shoreline. We urge you to schedule a work study session or sessions between the City and the Department of Toxic Substance Control (DTSC) and The Environmental Health Investigations Branch of the California Public Health Department in the up-coming month of January, the goal of such session or sessions is to bring resolution of what should be done regarding the troublesome Zeneca site in the future.

Thank you,

Shirley Dean

Shirley Dean, President
Board of Directors
Citizens for East Shore Parks

From: [Roland Lambert](#)
To: [Tom Butt - external: richcityservant@gmail.com](#); [Melvin Willis](#); [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [Nat Bates](#); [Laura Snideman](#); [Laura Snideman](#); [City Clerk Dept](#); [City Clerk Dept](#)
Subject: Fw: Public Comment - Item I-1
Date: Monday, December 14, 2020 6:19:05 PM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake?

Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location

This site is located adjacent to and north of the S.F. Bay Trail, near Pt. Isabel in Richmond's District 5. It is an 80+ acre toxic waste dump. Polluters include: Astra-Zeneca, one of our planet's largest pharmaceutical companies and Stauffer Chemical Company which occupied this site from 1897 into the 21st century. They dumped a toxic stew onto this site, the surrounding wetlands, and into the bay. Here is a shortened list of the really dangerous toxins on site: [list of toxins](#). These toxins remain on site, poisoning the surrounding wetlands and S.F. Bay, causing unmeasured & unknown harm to humans and wildlife.

The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action.

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final

approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,

Roland Lambert
1411 Santa Clara Street.

From: [Rose Henry](#)
To: [Tom Butt - external](#); richcityservant@gmail.com; [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [Laura Snideman](#); [City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Monday, December 14, 2020 11:14:33 PM

Dear Mayor, Council Members, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Council members had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led council members to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

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The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action.

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will

put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,
Rose Mary Crawford Henry

From: [Sally Tobin](#)
To: [City Clerk Dept](#)
Cc: [Tom Butt - external](#); [Nat Bates](#); [Ben Choi](#); [Demnlus Johnson](#); [Eduardo Martinez](#); [Jael Myrick](#); [Melvin Willis](#)
Subject: Public Comments - Agenda Item I - 1
Date: Tuesday, December 15, 2020 10:53:03 AM

December 15, 2020

To: Mayor Butt and City Councilmembers Bates, Choi, Johnson, Martinez, Myrick, and Willis

Re: Agenda Item I - 1, Development Agreement between the City and HRP Campus Bay Property, LLC

The toxic waste site at the location of this proposed development is universally acknowledged. Likewise, Richmond's need for residential housing is well known. However, there is an ongoing controversy over this proposal to build residential housing on a toxic waste site without a complete cleanup. A complete cleanup would allow residents to live there in confidence. Residential units could be occupied on the ground floors. Residents could garden. Day care facilities and homes for the elderly could be located on the site. So why not clean it up? Those who dumped the waste would be required to pay for the cleanup, and the Department of Toxic Substances Control has already assigned preliminary percentages of the cost to the individual companies (including the University of California) which are responsible.

Though requiring a full cleanup seems like an easy decision, there has been a great deal of fearmongering about the number of truckloads of waste that would be required to move the contaminated soil to a safe and sealed location so that the toxins will no longer harm people or the environment. I would like to make the following points:

1. After over 100 years of dumping toxic waste on an industrial scale, it is no surprise that the volume of contaminated soil will be large.
2. Trucking is only one possible method for waste removal. Railroads should be evaluated as well. There are companies that specialize in safe transport of toxic waste.
3. All loads will be required to be covered, as per Federal Law. Arsenic is a major contaminant at the site. To give only one example of transport rules from 49 CFR SubPart B:

"(a) Arsenical compounds in bulk. Care shall be exercised in the loading and unloading of "arsenical dust", "arsenic trioxide", and "sodium arsenate", allowable to be loaded into sift-proof, steel hopper-type or dump-type motor-vehicle bodies equipped with water-proof, dust-proof covers well secured in place on all openings, to accomplish such loading with the minimum spread of such compounds into the atmosphere by all means that are practicable; and no such loading or unloading shall be done near or adjacent to any place where there are or are likely to be, during the loading or unloading process assemblages of [persons](#) other than those engaged in the loading or unloading process, or upon any public highway or in any public place."

4. If trucks are used, the building site has ready freeway access. There will not be huge trucks driving down residential streets.
5. The toxic soil will be taken to specific, permitted sites that are sealed and that are far away from towns or residences.

Please vote against this measure and safeguard the health of Richmond residents. Insist on a thorough cleanup. A vote in favor makes Richmond residents guinea pigs in a huge experiment involving exposure to a cocktail of harmful toxic substances.

Sincerely,

Sara L. Tobin, Ph.D.

From: [Sandra Kwak](#)
Subject: Public Comment - Item I-1
Date: Sunday, December 13, 2020 10:43:23 PM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake?

Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location

This site is located adjacent to and north of the S.F. Bay Trail, near Pt. Isabel in Richmond's District 5. It is an 80+ acre toxic waste dump. Polluters include: Astra-Zeneca, one of our planet's largest pharmaceutical companies and Stauffer Chemical Company which occupied this site from 1897 into the 21st century. They dumped a toxic stew onto this site, the surrounding wetlands, and into the bay. Here is a shortened list of the really dangerous toxins on site: [list of toxins](#). These toxins remain on site, poisoning the surrounding wetlands and S.F. Bay, causing unmeasured & unknown harm to humans and wildlife.

The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action.

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about

the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,
Sandra Kwak
Organizer, Activist, Voter and Citizen

From: [Sara Sunstein](#)
To: [Nat Bates](#); [Jael Myrick](#); [Demnlus Johnson](#); [Melvin Willis](#); [Tom Butt - external](#); [Ben Choi](#); richcityservant@gmail.com
Cc: [City Clerk Dept](#); [Laura Snideman](#); [Lina Velasco](#)
Subject: Public Comment – Agenda Item # I - 1
Date: Tuesday, December 15, 2020 12:59:51 PM

Mayor Butt, Vice Mayor Bates, and Council Members,
Once again I write you—requesting that you actually pay attention to the residents of Richmond whom you're supposed to represent and support our health and well-being.

Unfortunately you all—with the exception of Council Members Willis and Martinez--seem bound and determined to plow ahead with Campus Bay Property, LLC with building 2000-4000 residential units there. Despite these major considerations:

1. The majority of Richmond residents don't want it!!!
2. The site is SuperFund qualified with over 100 toxic substances adding up for over 100 years. There is no containment for these toxins simply in the soil. Already they leach into the Bay.
3. DTSC originally said the site needs 100% remediation and promised such 15 years ago—when it was funded better and functioned better than in recent years.
3. EIR is over 10 years old.
4. The site is in the flood plane.
5. The site is right along the SF Bay at essentially 0' elevation. Sea levels are already rising.
6. The site is on landfill, non-engineered landfill and subject to liquefaction during earthquakes.
7. The site is over the top toxic for residences.
8. The site is not convenient to public transit.

Just say no to this project! Just say no.

Let the incoming Council, to be sworn in in less than a month, catch the ball and deal with all the problems of such a site.

Sara Sunstein
Richmond

From: saratheiss@aol.com
To: [Tom Butt - external](#); richcityservant@gmail.com; [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [Laura Snideman](#); [City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Sunday, December 13, 2020 2:31:36 PM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I attended via Zoom the planning commission meeting and December 1 City Council meetings approving the development proposal for the Zeneca site so that I could tell commissioners and yourselves the many reasons I oppose this development. I am unable to attend the City Council meeting this week and am instead including a concise opposition email composed by others. Please take this opportunity to vote NO on this terrible plan at the very least based on the plan's failure to take into account sea level rise estimates, which have risen dramatically in the last few years as the unfolding climate disaster speeds up.

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led council members to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

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I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,

Sara Theiss
Richmond resident

From: falconmae@yahoo.com
To: [City Clerk Dept](#)
Subject: Public Comment agenda item I-1, December 15, 2020 City Council meeting
Date: Monday, December 14, 2020 3:40:46 PM

Dear members of the Richmond City Council

I am writing to urge you to table any further discussion or approval regarding the proposed Campus Bay housing and retail development.

This project is bad for people, bad for wildlife and bad for Richmond.

Building housing is commendable but not on partially cleaned up toxic landfill and adjacent to marshes that provide habitat for the Federally endangered Ridgways Rail and which also provide habitat for millions of migrating birds.

The RAMSAR convention which applies to the San Francisco Bay asks that municipalities abide by its protocols and protect marshes and uplands. This proposed development does neither.

Please listen to your constituents and delay further action in order to find better options.

Sheila Dickie
Richmond

From: [Sita Saxe](#)
To: [City Clerk Dept](#)
Subject: Public Comments Agenda Item I-1
Date: Monday, December 14, 2020 8:11:16 AM

Dear City Clerk,

This email is to state that I'm against the proposal to build 4,000 housing units on the former Zeneca site without proper removal of the hazardous waste at the site. Please think about the environment and the people who will live on this site and nearby and defer signing a development agreement until this site is cleaned of environmental hazards.

Best, Sita Saxe

From: [Stephen Pucci](#)
To: [Tom Butt - external](#); richcityservant@gmail.com; MelvinforRichmond@gmail.com; [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [Laura Snideman](#); [City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Saturday, December 12, 2020 9:33:08 AM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Stephen Pucci

From: [Steve Ongerth](#)
To: [Tom Butt - external; richcityservant@gmail.com; Melvin Willis; Jael Myrick; Ben Choi; Demnlus Johnson; Nat Bates; Laura Snideman; City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Monday, December 14, 2020 10:35:19 PM

I join with my fellow Richmond residents in saying:

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake?

Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

-Steve Ongerth,
Point Richmond (Brickyard Cove).

From: [Stuart Flashman](#)
To: [City Clerk Dept](#); [Nat Bates](#); [Tom Butt - external](#); [Ben Choi](#); [Demnlus Johnson](#); [Eduardo Martinez](#); [Jael Myrick](#); [Melvin Willis](#)
Cc: [Pamela Christian](#); [Pam Stello](#); [Lina Velasco](#); [Andrés Soto](#); [Roberta Wyn](#)
Subject: Re: Public Comment - Agenda Item Open Forum *AND* Public Comment - Agenda Item I-1 on council meeting agenda for December 15, 2020 (Campus Bay Mixed Use Project Approvals)
Date: Tuesday, December 15, 2020 10:49:30 AM
Attachments: [Letter to Richmond City Council 12-15-20.pdf](#)
[PastedGraphic-1.png](#)
Importance: High

The attached letter is submitted on behalf of my clients: the Richmond Shoreline Alliance, SPRAWLDEF, Citizens for East Shore Parks, Sunflower Alliance, and Golden Gate Audubon Society, in regard to the above-referenced agenda items.

| | |
|---|--|
| Environmental, Land Use, and Elections Law Serving public interest and private clients since 1990 | |
| Stuart Flashman <i>Attorney</i> stu@stuflash.com | Law Offices of Stuart Flashman 5626 Ocean View Drive Oakland, CA 94618-1533 tel: (510) 652-5373 fax: (510) 652-5373 |

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Law Offices of
Stuart M. Flashman
5626 Ocean View Drive
Oakland, CA 94618-1533
(510) 652-5373 (voice & FAX)
e-mail: stu@stufash.com

DELIVERY VIA EMAIL AND U.S. MAIL

December 15, 2020

Mayor and City Council
City of Richmond
City Hall
400 Civic Center Plaza
Richmond, CA 94804

RE: Public Comments, Agenda Item I-1 on Meeting agenda for December 15, 2020. (Second reading and approval of development agreement ordinance for Campus Bay Mixed Use Project) **AND** Public Comments, Open Forum – Motion to reconsider Campus Bay project approvals granted on December 1, 2020

Dear Mayor Butt and Council Members:

I am writing as an attorney representing my clients: The Richmond Shoreline Alliance, SPRAWLDEF, Citizens for East Shore Parks, Sunflower Alliance, and Golden Gate Audubon Society, in regard to the City Council's consideration of granting final approval for the development agreement ordinance for the Campus Bay Mixed Use Project at tonight's city council meeting, as well as potential Council reconsideration of approvals granted at the Council's December 1st meeting.

Under Item I-1, the Council will be considering final approval of the development agreement ordinance for this project. While approval of an ordinance on second reading is often considered routine and even placed on the consent calendar, the agreement for this project is of special importance and merits further consideration. As the Council is well aware, this site contains large amounts of highly toxic material – the residue of a long history of the site's use for chemical manufacturing. Indeed, the site is considered a superfund site, and would have been placed on the National Priority List except for DTSC's and the Bay Area Regional Water Quality Control Board's willingness to take on superintending the site's cleanup. Those toxics could place at risk the health and safety of future residents, and could result in enormous liability for the city – liability that could extend far beyond the limits of the insurance promised by the developer in the developer agreement. The City needs to fully understand these risks.

As of now, DTSC has approved a FS/RAP calling for remediation to proceed under Alternative 3A – consisting largely of *in situ* treatment and follow-up monitoring. However, that determination was based on a negative declaration that used sea level rise estimates from 2014. As my prior letter of December 1 and its attachments indicated, the State of California has now issued new and more accurate estimates to serve as guidelines for responding to sea level rise. Those estimates vastly increase how much sea level rise can be expected, and make DTSC's analysis of alternatives outdated. Consequently, DTSC will need to reopen its environmental review before moving forward with implementation of the FS/RAP. It is therefore premature for the City to move ahead with approving a development agreement that assumes implementation of Alternative 3A.

In addition, the City's approvals, including the development agreement, were based on a 2018 geotechnical analysis by ENGE0. However, that analysis was done

at a program level, based on the 2016 Specific Plan. It explicitly stated that an additional project-level analysis would be needed once a final configuration of the Campus Bay Project was finalized to identify required project-level mitigation measures. That follow-up study has not been done. Further, in recognition of how quickly conditions and information can become outdated, the report, issued in September 2018, explicitly stated that it was only valid for two years from its issuance. The two years expired in September 2020. Thus even on its own terms the report requires updating; among other things to address the increased rate of sea level rise.

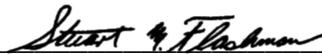
For these reasons, the Council should not move ahead with final approval of the development agreement ordinance, but should instead continue the item to allow staff to address these concerns.

For the same reasons stated above, it would also be prudent for the Council to reconsider the project approvals it hastily granted on December First. A motion for reconsideration would therefore be in order, so long as it is proposed by a council member who voted in favor of the approvals on December First.

If the Council decides instead to move forward with the project, please be advised that my clients intend to initiate litigation to challenge the project approvals, both for violations of the California Environmental Quality Act and on other grounds.

Most sincerely,

Stuart M. Flashman
LAW OFFICES OF STUART M. FLASHMAN



Attorney for The Richmond Shoreline Alliance
et al.

From: [Susan Pomeroy](#)
To: [Tom Butt - external; richcityservant@gmail.com; Melvin Willis; Jael Myrick; Ben Choi; Demnlus Johnson; Nat Bates; Laura Snideman; City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Friday, December 11, 2020 5:40:40 PM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake?

Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location

This site is located adjacent to and north of the S.F. Bay Trail, near Pt. Isabel in Richmond's District 5. It is an 80+ acre toxic waste dump. Polluters include: Astra-Zeneca, one of our planet's largest pharmaceutical companies and Stauffer Chemical Company which occupied this site from 1897 into the 21st century. They dumped a toxic stew onto this site, the surrounding wetlands, and into the bay. Here is a shortened list of the really dangerous toxins on site: [list of toxins](#). These toxins remain on site, poisoning the surrounding wetlands and S.F. Bay, causing unmeasured & unknown harm to humans and wildlife.

The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action.

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

As a former bayfront resident, I feel very strongly about this. It is short-sighted and utterly wrong for Richmond. We have all worked too hard for too long to make this city livable again.

Thank you.

Sincerely,
Susan Pomeroy, Ph.D.

From: [Tammy Pilisuk](#)
To: [Tom Butt - external: richcityservant@gmail.com](#); [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [Laura Snideman](#); [City Clerk Dept](#)
Subject: Public comment I-1
Date: Sunday, December 13, 2020 4:08:47 PM

*Dear Mayor, Councilmembers, City Manager, and City Clerk,
I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least. The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.*

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The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree with that action.

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,

Tammy Pilisuk

Richmond resident

Richmond Annex

From: [TARNEL ABBOTT](#)
To: [City Clerk Dept](#); [Tom Butt - external](#); [Ben Choi](#); [Nat Bates](#); richcityservant@gmail.com; [Demnlus Johnson](#); [Jael Myrick](#); [Melvin Willis](#); [Laura Snideman](#); [Lina Velasco](#); [Gayle McLaughlin](#); [Claudia Jimenez](#)
Subject: Public Comment- Agenda Item I 1
Date: Tuesday, December 15, 2020 12:30:58 PM

**Public Comment- Agenda Item I 1
December 15, 2020**

To: Richmond City Council Members

**From: Tarnel Abbott, Member At-Large , Richmond Southeast Shoreline Area
Community Advisory Group to the DTSC since 2005**

RE: Campus Bay – Zeneca/former Stauffer Chemical

I am a Richmond homeowner and a voter. I urge you to vote no on this item, or hold it over until more information can be reviewed and until the newly elected City Council members are sworn in January 12, 2021. There should be study sessions and special public meetings as have been done in the past by this body for other controversial issues. There are too many unanswered questions on this major project which will allow up to 4,000 residential units to be built on a toxic waste site on our shoreline **without requiring a full and long-term protective clean up**. More than 100 years of industrial chemical manufacturing by Stauffer Chemical and Zeneca (now Astra/Zeneca), a brew of more than 100 toxic materials under a paper-thin temporary cap including VOCs, PCBs, Arsenic, Barium, Cobalt (to name a few), remain with no barrier beneath. Toxic plumes are documented oozing into adjacent properties. If you approve this Development Agreement with HRP Campus Bay Property LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco Development), the City and you as **individuals**, may be sued for putting future residents, workers and other people at risk when you knew of the hazards and approved the development anyway. You have been warned of the high risk by scientists, medical and technical professionals who have made public comments and/or spoken at the November 19 Planning Commission Hearing, the December 1 City Council meeting and, those you receive today. I will share with you (below) a letter I sent to California Attorney General Xavier Becerra.

The Zeneca site is **Not a Brownfield site**, it is a Superfund qualified; the Hazard Ranking System (HRS) score for the Zeneca site is above 28.5, meaning that the site is eligible for listing on the National Priorities List (NPL) Sites such as this are considered NPL-caliber sites, and any and all response actions performed on the site must be consistent with CERCLA, and cannot be inconsistent with CERCLA. It is misleading and inappropriate for the Mayor of Richmond, Tom Butt, and other councilmembers to be referring to Zeneca as a Brownfield site and/or comparing it to Marina Bay neighborhood development.

The Development Agreement (DA) is based on an old EIR and a new "Addendum" which do not adequately address:

- Sea level rise and expected seismic activity (earthquake/liquefaction)
- New Health Risk Assessment with updated screening levels (the last public health risk assessment is dated 2009)
- Proposed remedy for on site VOC treatment has not been proven to work long

- term at this site, the project relies on developer's expert claiming it does
- Relies on and shifts responsibility for monitoring and maintenance of "institutional controls" of off-gassing VOCs (such as first floor vents and fans), onto the City and individual homeowners or HOAs
 - There are no detailed construction documents - DA references an exploratory geotechnical report that describes requirements for compacted engineered fill that may require digging up the 500,000 cubic yards of buried toxic material to replace with engineered compacted fill; or otherwise may displace toxic material to the sides by driving piles.
 - DA does not identify safety protocols for massive construction digging for underground utilities, drains, roads and pile-driving 50-feet below the surface

This project will not protect the long-term health of Stege Marsh or the Bay because there is no barrier underneath it. The toxic material can be moved by truck or rail to an appropriate hazardous waste facility far from the shore and far from human populations. This project is a disaster waiting to happen. My letter to Attorney General Becerra:

AGBecerra@doj.ca.gov Copy arsenio.mataka@doj.ca.gov

Dear Attorney General Becerra,

I am hoping for an intervention on behalf of the people of Richmond to stop an environmental injustice which is about to occur during the Richmond City Council meeting on Tuesday, December 15, 2020: Agenda Item

I-1. ADOPT an ordinance (second reading) approving a Development Agreement between the City and HRP Campus Bay Property, LLC, applicant of the Campus Bay Mixed-Use Project - Community Development Department/Economic Development Department (Lina Velasco/Shasa Curl 620-6841).

"Campus Bay" is the 86+ acre Zeneca/former Stauffer Chemical manufacturing site which is Superfund qualified. Huge volumes of VOCs, arsenic, 100s of chemicals, metals etc are buried there. There is no barrier beneath it. The DTSC remediation FS/RAP is insufficient to protect human health and the environment and is based on old information including human health risk screening levels and the serious complications that will be caused by sea level rise (projections have changed significantly). The community has been trying for 15 years to get a comprehensive residential cleanup - and were promised this by the DTSC at one time. Richmond is an environmental justice community, ranking high on OEHAA's EnviroScreen. There are CEQA issues, due process issues and environmental justice issues. The normal process for the people to petition to overturn this ordinance is impossible under COVID-19 restrictions. Thank you, Tarnel Abbott (510) 910-4510 Member At-large, Richmond Southeast Shoreline Area Community Advisory Group to the DTSC since 2005

--

Richmond City Council: make astra Zeneca clean up this toxic legacy site!
Tarnel Abbott

From: [Thor Matteson](#)
To: [City Clerk Dept](#); [Demnlus Johnson](#); butt@intres.com; [Ben Choi](#); [Nat Bates](#); richcityservant@gmail.com; [Jael Myrick](#); [Melvin Willis](#); [Laura Snideman](#); [Lina Velasco](#)
Subject: Public Comment – Agenda Item # I - 1
Date: Tuesday, December 15, 2020 10:40:07 AM

Greetings:

I hope that you will oppose the development of the former Stauffer Chemical Co's site until Astra Zeneca cleans up all the toxic waste left there by its predecessors. Building a bunch of houses on the site will simply make cleanup harder to accomplish in the future and put residents at risk, and quite possibly lead to legal action against the City if the City knew of the hazards but let the development proceed anyway.

I looked at leasing a building on Sea Port Drive and decided against it when I learned why the adjacent property was vacant. The City needs to assure proper cleanup of the site and adjacent properties where toxics may have migrated.

Thank you,

Thor Matteson,
Structural Engineer
(510) 225-1112

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From: [Tim Laidman](#)
To: [City Clerk Dept](#); [Tom Butt - external](#); richcityservant@gmail.com; [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [Laura Snideman](#)
Cc: [Tim Laidman](#)
Subject: Public Comment - Item I-1
Date: Tuesday, December 15, 2020 12:41:46 PM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write on behalf of the thousands of members of the Green Party of Contra Costa to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. Taking action at this time without a complete hearing and the opportunity to ask questions and raise critical objections to the improper and unsafe proceedings is anti-democratic and an abuse of power. This project should be left to the newly elected council to handle, not a Trumpian lame-duck action to thwart the will of the people!

The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

The process was unacceptable, undemocratic, and even more abhorrent given that this project seeks to build on top of a major hazardous waste dump that will threaten the public health of current residents, future residents and the environment.

What's at stake?

Put simply, I join countless other residents in trying to save all life downstream - human life and wildlife - because this development is planned for a US EPA Superfund qualified site.

Location

This site is located adjacent to and north of the S.F. Bay Trail, near Pt. Isabel in Richmond's District 5. It is an 80+ acre toxic waste dump. Polluters include: Astra-Zeneca, one of our planet's largest pharmaceutical companies and Stauffer Chemical Company which occupied this site from 1897 into the 21st century. They dumped a toxic stew onto this site, the surrounding wetlands, and into the bay. Here is a shortened list of the really dangerous toxins on site: [list of toxins](#). These toxins remain on site, poisoning the surrounding wetlands and S.F. Bay, causing unmeasured & unknown harm to humans and wildlife.

The Richmond City Council is poised to approve the 2nd reading of an ordinance that will adopt a Development Agreement with HRP Campus Bay Property, LLC developers (AstraZeneca, Shopoff Real Estate Investors and Hillco Development) for a 4,000 unit residential development--to be built on top of this Superfund qualified toxic waste site without adequately cleaning it up.

The City Council approved the 1st reading of the proposed Development Agreement which plans to leave these toxins capped in place and includes an unproven bioremediation plan. I disagree

with that action.

If this 2nd reading is approved, the City will put the public and the environment at risk and opens itself up to litigation now and into the future for an improper public hearing and serious issues concerning the public health, sea level rise, and issues of Bay, air, soil and groundwater contamination.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,
Tim Laidman
Green Party of Contra Costa
County Council

From: [Val Simonetti](#)
To: [Tom Butt - external; richcityservant@gmail.com; Melvin Willis; Jael Myrick; Ben Choi; Demnlus Johnson; Nat Bates; Laura Snideman; City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Monday, December 14, 2020 10:08:37 PM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

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Thank you.

Sincerely,
Valerie Simonetti

Richmond resident since 1991

From: [Zoe Burr](#)
To: [Tom Butt - external](#); richcityservant@gmail.com; [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [Laura Snideman](#); [City Clerk Dept](#)
Subject: Public Comment - Item I-1
Date: Monday, December 14, 2020 9:13:12 AM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I write to protest the City Council's public hearing on Dec. 1st regarding the approval of the development proposed for the toxic Zeneca site. The public hearing was closed before Councilmembers had an opportunity to ask questions to the proponent and opponent of the project (even though the mayor led councilmembers to believe they would have that opportunity). It is because those questions were not allowed to be asked that the Council and the public did not get a full understanding of the problems that are associated with this extremely toxic site. It was an insufficient public hearing process to say the least.

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I urge you to vote NO on the 2nd reading of the ordinance (Item I-1) that will put

the final approval on this Development Agreement. There are too many unanswered questions about the project to move forward with a final adoption of this ordinance.

Thank you.

Sincerely,
ZOFIA BURR

From: [Jean Rabovsky](#)
To: [Tom Butt - external](#); [Eduardo Martinez](#); [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [Laura Snideman](#); [City Clerk Dept](#)
Subject: Public Comment - Agenda Item I-1
Date: Sunday, December 13, 2020 4:18:38 PM

To: Richmond City Council Members: Tom Butt, Eduardo Martinez, Melvin Willis, Jael Myrick, Ben Choi, Demnlus Johnson, Nat Bates
cc: Laura Sniderman (City Manager), City Clerk Department (City Clerk)

From: Jean Rabovsky, Ph.D., Retired
Former member Community Advisory Group (CAG)/Toxics Committee
Subject: Zeneca/former Stauffer Chemicals Site Proposal for Development
Date: 30 November 2020

I oppose housing development on the Zeneca/former Stauffer Chemical site. The soil on this land is highly contaminated with toxic chemicals. All contaminated soil should be removed and sent to a properly licensed hazardous waste facility.

I am a former member of the (Community Advisory Group (CAG) and its Toxics Committee. I was an active member from 2005 to 2007 and an *ad hoc* member until December 2017. I currently live on the East Coast and am unable to be present at the 15 December 2020 public meeting of the Richmond City Council, hence this email communication. During my tenure with the CAG/Toxics Committee we met with the DTSC, studied documents prepared by site owners and their contractors and submitted written comments to DTSC about concerns of the adverse health impacts due to exposure to the contaminants on this site. When the Feasibility Study Remedial Action plan (FSRP) became available I reviewed the document and in September 2018 sent a letter to DTSC summarizing my concerns. That letter describes a number of concerns and I want in this note to the Richmond City Council to emphasize one issue, i.e., deed restrictions that place an unreasonable burden on future homeowners and homeowner associations (HOAs).

According to the FSRP, institutional controls to prevent exposures from the release of toxins left in the ground (alternative 3a) will become part of deed restrictions that are attached to the title *in perpetuity* (See sections 7 and 9 of the FSRP document). These restrictions include not only what types of housing can be built or not built on specific lots, the restrictions assign responsibilities for maintaining the integrity of the housing structures and common areas on the future homeowners and probably the future HOAs. The future homeowners and their HOAs were not responsible for dumping the chemical waste, yet they will bear the burden of ensuring the community will not be exposed to unforeseen toxic releases. That responsibility should be assigned to the corporations who profited from the careless disposal of toxic substances on what is now a highly contaminated site.

Why is so much time and effort being expended to burden future homeowners and their HOAs with the huge responsibilities of maintaining the integrity of the structures against potential chemical releases into living spaces when another choice is available to prevent, to the the maximum extent possible, such releases. That choice is described in the FSRP and is alternative 6. Alternative 6 will most closely

accommodate the complete removal of toxic substances from the Zeneca/former Stauffer Chemicals site and leave a public space for all Californians to enjoy.

In conclusion I want the Richmond City Council to NOT proceed with permitting the housing development on this site and further to require alternative 6 to be implemented for removal of these toxins.

Sincerely yours,
Jean Rabovsky, Ph.D., Retired



Virus-free. www.avg.com

From: [Cordell Hindler](#)
To: [City Clerk Dept](#)
Subject: Public Comments J-1
Date: Monday, December 14, 2020 8:32:15 PM

hello Sabrina, i have looked at the presentation and i was very impressed with the finance department with the help of the city managers office

sincerely
Cordell

From: [Kimberly Berger](#)
To: [Tom Butt - external; richcityservant@gmail.com; Melvin Willis; Jael Myrick; Ben Choi; Demnlus Johnson; Nat Bates; Laura Snideman; City Clerk Dept](#)
Subject: Public Comment - Item L-1
Date: Tuesday, December 15, 2020 11:48:07 AM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

The people of Richmond overwhelmingly voted in support of Measure U. You are not bigger or more important than us, and you may not choose to value your own desires over the people's. Honor our decision and legal process by which we made it.

Thank you,
Kimberly Berger

From: [Andrea Mullarkey](#)
To: [City Clerk Dept](#)
Subject: Public Comment - Item L-2
Date: Tuesday, December 15, 2020 10:14:48 AM

My name is Andrea Mullarkey. I am a Richmond homeowner, voter and an SEIU 1021 member. I join with the 72.5% of Richmond voters who want Measure U to go into effect and I write to demand that you NOT take action to undermine it tonight.

Richmond voters were VERY clear in November. We want Measure U as it was written to fund city services while also protecting small businesses. Not only did we vote for Measure U, we also elected three progressive City Councilmembers who support Measure U to represent us.

It is unconscionable that Mayor Butt would seek to undo the will of the people as expressed in the election. It is not ok for him and his allies to seek to further rig Richmond taxes for big business instead of enacting the voters' will to support libraries, youth and elder programs, safe streets and other city services all Richmonders deserve. This is anti-democratic and unfairly advantages corporate interests over our community members.

I voted yes on Measure U along with 72.5% of voters, and I stand with those voters and the Council members we elected in demanding that Measure U go forward under their leadership.

Thank you,
Andrea

From: [Dorothy Gilbert](#)
To: [City Clerk Dept](#)
Subject: Public Comment--Agenda Item L-2
Date: Tuesday, December 15, 2020 12:49:23 PM

Dear City Clerk: please forward this message to the City Council for tonight's meeting. December 15th. Many Thanks.

Dear Mayor and City Council:

I'm Dorothy Gilbert, Richmond resident 22 years; I am a concerned citizen and have written or spoken to you often over the years.

I urge you to please, NOT take any action on Measure U at this time. the current measure is the fair one; it was voted in at the last election with 72.5 % of the vote. Also, it is only right that further action be taken on it by the Council we voted in a month ago; there too, the votes should be the ones to speak. We need this progressive tax, which is just and fair to everyone, and will support our vital city services, some of which are suffering for lack of funds: libraries, programs for youth and elders. and clean, safe streets.

Many thanks for your attention and consideration.
Dorothy Gilbert

From: [Ellen Pechman](#)
To: [Nat Bates](#); [Ben Choj](#); [Eduardo Martinez](#); [Jael Myrick](#); [Melvin Willis](#); [Tom Butt - external](#)
Cc: [City Clerk Dept](#)
Subject: Public Comment - Item L-2
Date: Monday, December 14, 2020 8:06:07 PM

To City Council and Mayor Butt —

Richmond's lame duck City Council is back again, seeking to undermine the will of the community. Over seventy-two percent of community spoke decisively in favor of Measure U in the November election. Any effort to dilute and reduce the progressiveness of this significant community protection is foolhardy and reckless.

Stand with your better interests and protect the democracy you have committed to represent.

Do the right think, Mayor Butt and departing Council members. Just do the right thing.

Ellen Pechman
Marina Bay Resident and Voter
240-413-6333

From: [ELAINE OWYANG](#)
To: [City Clerk Dept](#)
Cc: [Tom Butt - external](#); natbates@icloud.com; [Ben Choi](#); jaelpmyrick@gmail.com; johnsondemnlus@yahoo.com; [Eduardo Martinez](#); [Melvin Willis](#); [Elaine Jaymot](#)
Subject: RICHMOND CITY COUNCIL MTG., 12-15-20; COMMENT ON ITEM: RESOLUTION L-2; TAX SCHEDULE MEASURE U
Date: Tuesday, December 15, 2020 5:40:19 AM

Hello City Clerk & Mayor Butt, Vice Mayor Bates, Council members Choi, Myrick and Johnson III, Martinez, Willis:
SUBJECT: RICHMOND CITY COUNCIL MTG 12-15-20 COMMENT ON RESOLUTION L-2; TAX SCHEDULE U
WE SEE RICHMOND MEASURE U ON NOV. 3, 2020 THT THE VOTING BALLOT PASSED.

Looking back in my records, the City of Richmond raised the rental tax fee and the business license fee. We have a single 3br, 2ba rental home with fees going up as::

- (1) Rent program fee from \$112 (2019) to \$124.00 (2020)-an increase fee
- (2) Business license from \$234.10 (2019) to \$238.10 (2020)-an increase fee

Our rental income did not increase for 14 years with Section 8 (government subsidized program on rentals). We don't think there should be an increase in Richmond Rent Program or Business License fees and/or taxes. Also, we think you're Residential Rental Inspection Program (RRIP) is too high. FY 2019-2020 Registration Processing Fee: \$85. 3-Yr Inspection Fee: \$169 and Re-inspection: \$72. In 2020, most government offices were closed due to the COVID19 pandemic which started January 2020 to current. We didn't get any quick response from the questions on eviction notices from the City of Richmond because offices were closed..

We are going to be losing a rental tenant. We are seriously thinking getting out of the rental business in Richmond because we have very little profit, a lot of repairs, bills going up, headaches on taxes, rent control, repairs that insurance not covering damages, tenant frauding landlords (tenant subletting), tenants frauding government (tenants not reporting any change in income) to government subsidized programs, etc. We're not getting an increase in rent from Section 8. Although we've asked, we've never gotten a rental increase in 14 years.

We like to ask you not to increase the business license, rental fee, and inspection cost(s). This is just one more thing added for landlords, like us, to get out of the landlord business in the City of Richmond, CA. That would be one less income for the City of Richmond relating to business license and rental fee. We tell our adult children not to buy in Richmond, California with increasing fees on businesses. It is not inviting to open a business in the City of Richmond. It's better to have the City of Richmond thriving with businesses, not losing businesses and/or no business at all. We don't like what we see at our rental or businesses at Hilltop Mall, a ghost town mall, hardly any businesses operating. Again, we ask you not to increase our rental fee, business license fee and rental inspection fee(s), maybe you can readjust the 2020 fees to a lower rate or give a credit on next billing cycle...

Frank & Elaine Jaymot, Landlords of a single 3br,2ba home in Richmond, CA

From: [Karen Franklin](#)
To: [City Clerk Dept](#)
Subject: Public Comment - Item L-2
Date: Tuesday, December 15, 2020 11:24:54 AM

Dear Mayor, City Council and City Manager,

As you know, last month the voters of Richmond approved Measure U by a substantial margin of 72.5%. Now, Mayor Butt and council member Nat Bates are attempting to override the democratic process by directing the city manager to prepare a schedule of taxes that is less than the maximum allowable. As a Richmond citizen and voter, I am appalled by this blatant effort to thwart the will of the electorate.

The city council elected by the voters last month should be the ones to decide how to implement Measure U going forward. **I therefore respectfully request that the city council NOT take any action on implementing this new business tax until the incoming city council members are seated next month.**

Thank you in advance,

Karen Franklin

Richmond resident and homeowner

From: [Katrinka Ruk](#)
To: [City Clerk Dept](#)
Subject: Public comments Agenda Item #L-2 Resolution, Measure U
Date: Tuesday, December 15, 2020 12:40:37 PM
Attachments: [COI_ResGRTax_12.15.20.pdf](#)

To: Ms.Christian

Please find attached the Council of Business & Industries' submitted letter to #L-2 "Adopt a resolutions to direct the city manager to prepare, for approval by the City Council, a schedule of taxes under measure U that is less than the maximum allowable."

Regards, and hope you are doing well.

Katrinka Ruk
Executive Director
Council of Business & Industries
510)260-4820 cell
www.councilofindustries.com



COUNCIL OF INDUSTRIES
P.O. BOX 70088, PT. RICHMOND, CA 94807
(510)215-9325
501(C)(6) FED ID# 94-0672760

/email/

December 15, 2020

To: City Council, City Manager
To: LaShonda White, Antonio Banuelos

Re: Item #L-2 Adopt a resolution to direct city manager to prepare for approval by the City Council, a schedule of taxes under Measure U that is less than the maximum allowable.

The Council of Business & Industries (COI) strongly encourages the Richmond City Council to support the Resolution which adopts a more reasonable business license tax that increases revenue for Richmond while keeping business tax rates competitive with neighboring Bay Area cities.

The Resolution maintains City Council's direction and staff recommendation for "an ordinance with a progressive schedule based on the Berkeley model, tailored to the economics of the City of Richmond." It is also more realistic for the many Richmond businesses who have been hit hard under the ongoing COVID-19 shelter in place orders and pandemic-related economic downturn, and cannot financially afford a 400% and 7,000% increase in their business license taxes. Since the pandemic started, Richmond has already seen several businesses shut down, some temporarily with others shuttered for good.

Richmond was the only Bay Area city to adopt extreme changes to its business tax structure amid COVID-19 and risks becoming the first city to double down on forcing companies to shutdown permanently or move to another city due to the extreme tax increase. If left unchanged, Richmond businesses will be incentivized to move to our 4 neighboring cities that still tax based on # of employees; or to Berkeley and Oakland where tax is based on flat gross receipts rates significantly lower than Richmond's new rates. Some can even move to San Francisco, the only other city with a progressive structure and rates lower than Measure U rates.

Of the top 10 Richmond businesses based on sales tax and gross receipts provided by City Staff, four have stated they would leave Richmond if the tax rates set forth in the ordinance were maintained and one has already left.

- Channel Lumber's business license tax would increase by **5307%** going from \$2600 to \$140,600. If they move to another site outside of the Richmond, this would eliminate 54 positions, including Carpenters and Teamsters union jobs.
- COSTCO Wholesale was contacted, but had not been aware of this taxation change. They are having discussions with their legal department.
- Hanlees Hilltop Buick GMC, Hyundai, Nissan, Toyota, Volkswagen AND Michael Steads Hilltop Ford, Chrysler, Plymouth & Jeep would see a tax bill increase from \$6,400 to \$250,000, an increase of **3806%**. Hanless and Steads can easily move their operations to another city with a more reasonable tax rate.
- Laner Electric Supply Company Inc., a woman owned enterprise whose owner is a local resident of Richmond, would see an increase of 1,886%, from \$986 to \$18,600, and, if the tax is not reduced, will relocate.
- Praxair has already left the city of Richmond

Any of these or other business departures would have impacts beyond the loss of each company and the jobs they sustain, including a net loss of tax revenue, empty buildings and work sites, leading to blight, loss of support to other local business from whom these companies and their employees purchase goods and services.

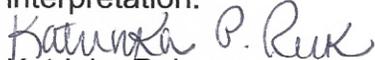
The impact on Richmond's strong artist community would be devastating. Scientific Arts Studio will see an increase of **1404%**, from \$565 to \$8,500. Scientific Arts Studio also supports other local artists who will also be impacted. Mr. Guy Corey is a commercial property owner who provides industrial space for artists and businesses who are both makers and service providers. "Some of our tenants are hanging on by their teeth, and for some we have forgone rent and utilities to help them get to the other side of this pandemic. This, in addition to their business license increase would be another tax to bear at an unbearable time." This is contrary to the General Plan, which provides the protection and growth of the local artist community.

Whereas business supports increasing the rates to support the City's budget issues, the rates agreed to by the City Council are the highest rates in the Bay Area, higher than Berkeley, Oakland and San Francisco. **The Resolution being presented recognizes the strong impact that COVID-19 has had on Richmond businesses, yet would still increase business tax revenues to the City of more than double the current level- per the Staff recommended increase- while still providing for a progressive tax structure that is more respectful of the economic impact that a tax increase will have on struggling businesses. The rates being proposed are more sensitive to our medium sized businesses.**

We understand that the City has yet to come to an agreement with the unions. Given the tough decisions that will need to be made in regards to addressing the structural deficit it is understandable that time be spent reviewing various alternatives. However, putting all of the burden of the City's finances on the backs of struggling businesses is unreasonable, especially in the current difficult economic environment.

The Resolution will still raise the amount of money that City staff was anticipating, which was the purpose of Measure U. To implement the very high rates currently in the ordinance will drastically impact the viability of businesses, employees many of which are union jobs, families, and the service industry.

We also support City staff in continuing to work with businesses to refine the implementation of the ordinance, and, establish a Q&A to provide direction on interpretation.


Katrinka Ruk

Executive Director

Cc: COI Board, Richmond Chamber of Commerce

From: [Louis Buty](#)
To: [City Clerk Dept](#)
Subject: RE: Public Comments Agenda #L-2
Date: Friday, December 11, 2020 2:52:11 PM

To add to the thought of keeping business in Richmond, the city council needs to understand many companies are exiting California and will exit Richmond, also. Just recently Hewlett-Packard left and I just read now Oracle is also leaving for Texas! Charles Schwab left no too long ago and others form Southern California.

I implore the council to attract businesses, not push them out with higher minimum wages and increased business taxes! The state, and the cities, are going to be in real trouble if this exodus is not stopped.

Lou Buty
American Textile & Supply, Inc.
Environmental Grime Solutions™
(510) 236-7424
3439 Regatta Boulevard
Richmond, CA 94804
www.americantex.com

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From: Louis Buty
Sent: Friday, December 11, 2020 9:47 AM
To: 'cityclerkdept@ci.richmond.ca.us' <cityclerkdept@ci.richmond.ca.us>
Subject: Public Comments Agenda #L-2

I support the efforts to minimize the business license tax increase by capping it at two times the current business license tax. The city doubles their current intake on business licenses, which is a significant increase to the tune of over \$3 Million.

Although that is still a big increase, the gross receipts method is overly punitive to businesses in Richmond.

Lou Buty
American Textile & Supply, Inc.
Environmental Grime Solutions™
(510) 236-7424
3439 Regatta Boulevard
Richmond, CA 94804
www.americantex.com

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From: [Megan Zapanta](#)
To: [Tom Butt - external](#); [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [City Clerk Dept](#); [Eduardo Martinez](#)
Subject: Public Comment- Agenda Item L-2.
Date: Tuesday, December 15, 2020 10:28:30 AM

Dear Richmond City Council Members,

As the Richmond Organizing Director for the Asian Pacific Environmental (APEN), I oppose Item L-2. Richmond residents, including the community members we work with, overwhelmingly voted to pass Measure U, a progressive measure that taxes businesses according to how much money they make. It's a priority for us to support small businesses, while larger companies pay their fair share to fund city services that our city so desperately needs. This year of COVID-19 shows more than ever how much local residents rely on public services in a crisis. Measure U passed with 72.5 percent of the vote. For the council - especially an outgoing council - to change the parameters of this tax, it would be undemocratic and undermine the needs of many local residents.

Thank you for your time.

Sincerely,
Megan Zapanta
Richmond Organizing Director
Asian Pacific Environmental Network (APEN)

--

Megan Zapanta
Pronoun: She, Her
Richmond Organizing Director, Asian Pacific Environmental Network

p: 510-236-4616 X 331 a: 12818 San Pablo, Richmond, CA 94805
426 17th Street, #500 Oakland, CA 94612

s: apen4ej.org e: megan@apen4ej.org,



From: [Paul Ibanez](#)
To: [City Clerk Dept](#)
Subject: Public Comments Agenda Item #L-2.
Date: Tuesday, December 15, 2020 12:18:27 PM
Attachments: [image001.png](#)

Richmond City Council,

I have commented on the record at previous Council meetings that if the proposed business tax calculation changes were placed on the ballot and passed, the impact would likely force our business to seriously consider relocating from Richmond when our lease was up at the end of the year.

Given that the proposed new business tax formulation has passed and will go into effect, my partners and I have made the hard decision NOT to renew our lease for our Richmond office location and have relocated our employees and that work to our office in San Francisco. As I have publicly stated before, the challenges of 2020 were already straining local businesses and causing us to justify all facets of our business without the added burden of having our business taxes being increased at a time when most businesses are struggling just to survive. The timing and formulation of this tax is a business/job killer. Our company relocation is proof of that statement.

We have been successfully doing business in Richmond for over 20 years and had planned on being here for many more years, so it is terribly unfortunate that the changing business tax environment contributed greatly to our decision to leave Richmond.

Paul Ibanez

President/C.O.O.

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The advertisement banner features the Omega Pacific Lighting Supply logo on the left, which consists of a stylized blue 'O' above the text 'OMEGA PACIFIC LIGHTING SUPPLY'. To the right of the logo, the text 'LED Lighting Simplified.' is displayed in a bold, black font. Below this text, a white box contains the text 'OMEGA PACIFIC LED HOTLINE: 415-624-8400'. At the bottom of the banner, there is a row of various LED lighting products, including a street lamp, a pendant light, a recessed light, and several different styles of LED bulbs.

From: saratheiss@aol.com
To: [Tom Butt - external](#); richcityservant@gmail.com; [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [Laura Snideman](#); [City Clerk Dept](#)
Subject: Public Comment on Item L-2 (Business tax)
Date: Sunday, December 13, 2020 2:57:33 PM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

Just last month, 73 percent of Richmond voters overwhelmingly passed Measure U, which would change the business license tax from a flat rate to a progressive one. Voters also supported, by large margins, the three Councilmembers who supported Measure U, and roundly rejected candidates who opposed it. Yet this Tuesday at the City Council, Mayor Tom Butt and Vice Mayor Bates have put forth a resolution to undo Measure U. Specifically, they are proposing a resolution to direct the city manager to prepare, for approval by the City Council, a schedule of taxes under Measure U that is less than the maximum allowable.

I am unable to attend the zoom meeting to express my strong opposition to this attempt to overturn the will of the voters. I strongly support progressive taxation and in particular a progressive business tax. If there is a need to consider exceptions, it should be done by an apolitical committee, not by politicians. We need more revenue to support climate mitigation measures, youth programs, fire services, parks, clean streets, and libraries while the city reimagines public safety. Only then can Richmond be a place that attracts business and promotes civic pride. Moreover, elevating the bigger and more powerful interests over those of small business and individuals will perpetuate inequality, not decrease it.

I therefore urge Mayor Butt and Vice Mayor Bates to withdraw their resolution, and all council members to vote against it should it come before the Council.

Sincerely,

Sara Theiss
Richmond resident

From: [TARNEL ABBOTT](#)
To: [City Clerk Dept](#); [Tom Butt - external](#); [Ben Choi](#); [Nat Bates](#); richcityservant@gmail.com; [Demnlus Johnson](#); [Jael Myrick](#); [Melvin Willis](#); [Laura Snideman](#)
Subject: Public Comment - Agenda Item L2
Date: Tuesday, December 15, 2020 10:36:39 AM

Public Comment - Agenda Item L 2

Council Members,

I am a homeowner and a voter in Richmond.

Vote no on this - Do not try to subvert the voters' will; 72.5% of Richmond voters supported Measure U.

Mayor Butt and Councilmember Bates are trying to counter the voters' will to support libraries, youth and elder programs, safe streets and other city services that all people who live in Richmond deserve. This is anti-democratic and is an attempt to give big businesses such as Chevron a tax break at the cost of our community members.

Tarnel Abbott

From: [Yen Do](#)
To: [City Clerk Dept](#)
Subject: Public Comment , Item L2
Date: Tuesday, December 15, 2020 12:40:15 PM

My name is Yen Do and I am SEIU 1021's field staff, representing the cities service workers.

75% of Richmond voters have spoken to implement Measure U, voters who care for the City of Richmond urging for their voices to be heard with the simple request of restoring their public services that they so desperately depend on.

With the pandemic only worsening, I think we can all agree that the City of Richmond cannot stand to continue seeing cuts to our vital city services that support small businesses, ensure fire and community safety, protect our parks, keep our libraries open and programs for kids & youth! The entire city public service infrastructure is crumbling and Measure U's intent were to remedy that for the residents that reside in Richmond.

I am asking you, members of the Richmond City Council to do the right thing and stand together with Richmond Voters, Small Businesses, Labor & Community advocates to support our Children, our Community & our Future by keeping Measure U intact as it were intended. Thank you!

Yen L. Do, MPP
SEIU 1021
Field Representative

From: [Cordell Hindler](#)
To: [City Clerk Dept](#)
Subject: Public Comments M-1
Date: Monday, December 14, 2020 8:37:05 PM

hello Sabrina, i have spoken with LaShonda and she explained to me about the position control, and so i have reviewed the Resolution and i do support it, hopefully the council will approve it

sincerely
Cordell

From: [Cordell Hindler](#)
To: [City Clerk Dept](#)
Subject: Public comments M-2
Date: Monday, December 14, 2020 8:41:15 PM

hello Sabrina, i have reviewed the Power point presentation and i was impressed with the department of children and youth

sincerely
Cordell

From: [Eric M Blum](#)
To: [Tom Butt - external; richcityservant@gmail.com; Melvin Willis; Jael Myrick; Ben Choi; Demnlus Johnson; Nat Bates; Laura Snideman; City Clerk Dept](#)
Subject: Public Comment item I-1
Date: Tuesday, December 15, 2020 4:27:59 PM

Dear Mayor, Councilmembers, City Manager, and City Clerk,

I am a Richmond resident and business owner. My company is one block from the Zeneca site which currently leaks VOC contamination under my property. The current cleanup proposal will allow the VOC plumes to continue. For the sake of those of us who work by the site as well as future occupants on the Campus Bay property, demand a thorough cleanup, alternative 6 of DTSC's Removal Action Plan. Removal of the toxins is worth the time it will take. There are safe ways to haul out the contaminants.

Now is the time to ensure the safety of everyone working or living near this Superfund level toxic site. It is the responsible thing to do. Would you buy a home built on a toxic waste dump?

Don't leave the city of Richmond with the massive liability the inadequate cleanup of the current proposal.

I urge you to vote NO on the 2nd reading of the ordinance (Item I-1). For the sake of all of Richmond, demand a thorough cleanup Before development begins.

Thank you.

Sincerely,
Eric Blum

From: [Pamela Brigg mckown](#)
To: [City Clerk Dept](#)
Subject: Public Comment-Agenda Item#1-1
Date: Tuesday, December 15, 2020 1:01:09 PM

Please vote no on the proposal to build 4000 housing units on the Astra Zeneca site.

The current studies which this proposal relies on do not adequately consider the threat of climate change and sea level rise. A concrete cap will not protect the site from water intrusion underneath because of sea level rise. This increased water intrusion will likely increase the leaching of toxins that is currently occurring. This will decrease water quality in the Bay as well as the safety of any potential residents on this site.

The EIR and relevant health assessments need to be updated before this housing proposal can be approved.

Thank you for considering my views,
Pamela Brigg

From: [Bill Simpich](#)
To: [Tom Butt - external](#); [Eduardo Martinez](#); [Melvin Willis](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Nat Bates](#); [Laura Snideman](#); [City Clerk Dept](#)
Subject: Public Comment - Item I-1 -
Date: Tuesday, December 15, 2020 2:10:33 PM

To the City Council:

I wanted the City Council to know just how dangerous some of these chemicals are. One is TCE - it is extremely volatile, and in even minute amounts It is a known carcinogen - and you can see right here on the New Jersey Dept. of Health publication on TCE - "[there may be no safe level to a carcinogen](#)".

Of the VOCs, TCE really belongs in the same category as PCBs ([no safe level](#)) and nuclear radiation ([no safe level](#)). I know that many of the other airborne contaminants (such as [vinyl chloride](#) and other carcinogens) have **no safe level**.

Even EPA administrators (who dance around these questions) agree that there is [no safe level of PCBs during pregnancy](#).

MCLs (maximum contaminant levels) and similar standards used by DTSC and others are [public health goals, not law, not science](#). (i.e., see 2.5 and 4.2)

Note that MCLs are created for industrial workers - who are exposed up to 40 hours a week, and are not appropriate to be used for residents who are present for many hours more, up to 168 hours a week.

Nor are MCLs appropriate for young children or pregnant mothers, who are far more vulnerable.

As there is no safe level for most of these carcinogens, a firm plan needs to be in place to protect our citizens before any residential units are built.

William M. Simpich
Attorney at Law

From: [Edward Cichon](#)
To: [City Clerk Dept](#)
Subject: Public comments agenda item #L-2
Date: Tuesday, December 15, 2020 1:13:33 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)

Dear Vice Mayor Bates,

Thank you for your hard work in helping minimize fiscal impact of measure U on the business community in Richmond. We will not be able to raise our rates to pay for the additional tax burden as that would put us out of competition with the other repair facilities. Measure U is will be creating a financial hardship for us. We are hoping that you may pass a better resolution to this tax increase.

Sincerely,

Ed

Edward Cichon

Owner

edward@accurateautobodyinc.com



001 Richmond Parkway, Richmond,
CA 94806
510-243-1414
Monday-Friday 7:30am to 5pm
accurateautobodyinc.com

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