

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

Multi-Purpose Room  
440 CIVIC CENTER PLAZA

## **MINUTES**

**MONDAY, October 17, 2011, 6:30 PM**

### **1. CALL TO ORDER**

Garrett called the meeting to order at 6:33 p.m.

### **2. ROLL CALL**

Present: Committee Members Beyaert, Clark, Garrett, Gilbert, Glendening (6:41pm), Helvarg, Hite, Kortz, Martinez (7:01pm), Rosing, Smith, C.(6:38pm), Stello, Sundance and Whitty.

Absent: Committee Members Hanna, Smith, N., Soto.

Staff Present: Gayle McLaughlin, Mayor; Marilyn Langlois, Community Advocate, Mayor's Office; Craig K. Murray, Staff Liaison/Development Project Manager II, Community & Economic Development Department/Redevelopment.

### **3. WELCOME AND MEETING PROCEDURES**

Garrett welcomed audience, explained meeting procedures, and discussed the Speaker Card process.

### **4. AGENDA REVIEW AND ADOPTION**

Garrett reviewed Agenda items and briefed PMCAC on the idea scrum process and hold over item 8b to November 21 meeting. Whitty then moved to accept the agenda amended as recommended by Chair Garrett. Beyaert seconded. Passed unanimously.

### **5. ANNOUNCEMENTS THROUGH THE CHAIR**

Garrett announced success of the North Shoreline festival, PMCAC recommendation of continuance of the Water Board Tentative Order appeared in front of City Council on October 4 and announced that this motion was passed by City Council with the request to have a Study Session in future on the state of clean-up and items associated with the Water Board Order, Chair Garrett attended the October 12 Water Board Meeting in behalf of the PMCAC and there was not a quorum present to take action on adoption of the Pt Molate Tentative Order and announced that the TO was put over to their November meeting unless they elect to have a Special Meeting.

### **6. OPEN FORUM**

One speaker for Open Forum. Speaker Don Gosney, Richmond resident, asked about rules enforced on members that miss meetings. Garrett responded that it is three regular meetings with no member meeting that yet and the By Laws Committee can establish rules via the By Laws.

### **7. REPORTS**

#### **A. Idea Scrum**

Garrett called for members to verbally tell their items, written ideas will be collected and shared, and scrum items presented will be prioritized. Sundance stated two ideas: public information tables and website for PMCAC to communicate with public on ideas. Gilbert indicated she liked a Wildcare concept. Charles Smith indicated that he liked a low impact Open Space preserve and also liked PMCAC table at public events. Garrett indicated she would like an Information Repository on a website and a PMCAC information liaison and to go to Action-style minutes but still have recordings for full transcript and Tom Butt to present a history presentation. Beyaert presented question of Navy's funding adequate for clean-up. Stello wants experts on Bio-Remediation for development considerations and experts on citizen participation. Whitty stated two ideas on land use with one for camping on underground storage tanks and an outdoor theater. Clark indicated that his ideas were covered by and Kortz indicated hers were also covered. Glendening brought up Marin Wildlife Center Wildcare. Clark indicated that Wildcare is looking for a state-of-the-art animal care hospital. Helvarg

indicated a Pt Molate Beach Bash for community. Rosing supported other ideas and also public safety and road concerns and beautification and maintenance. Hite likes Wildcare and his idea is an Angel like Gates Foundation to return area back to nature. Martinez indicated that he had nothing more to add. Garrett indicated to Hite that Mega-yacht surveying has taken place in Richmond including Pt Molate and this could be a future presentation. Garrett indicated that funding for remediation, Action Minutes, Tom Butt Presentation are priorities for consideration. Beyaert indicated google Pt Molate to access information placed on the Point Richmond site. Garrett continued with community outreach and the land use items as early stage items for review. Garrett indicated that Community Outreach, Information Repository and Land Use are top three. Beyaert cautioned on Land Use discussions until City has completed issues with Upstream. Smith indicated that group indicated that Housing is inappropriate and this is message sent to Planning Commission to include in General Plan. Glendening wants to keep land use as priority for review especially with ideas to present to a Master Developer. Rosing indicated that Clean Up Restoration sub-committee to work. Stello talked about community-based developer versus a Master Developer and those willing to work with community. Martinez stated that we should discuss land use so everyone can discuss a better plan. Beyaert indicated that he will send out a Blue Ribbon Committee Plan discussing various alternatives. Garrett indicated that the Community element piece is really important and it is what sidetracked the Casino proposal. Garrett indicated an order could be: Information with a website, community outreach but needs to be fleshed out especially to large sections of Richmond that have felt it has never been represented. Question if City can go out and negotiate with others for Pt Molate. Mayor responded that City is determining its rights via Upstream proposal and legal process will determine a more accurate way. Beyaert cautioned severe lack of infrastructure will not make it easy for attracting and may not want to do it piece-meal. C. Smith reminded PMCAC is an advisory committee and link between community and City Council and community needs to be brought out to see Pt Molate to understand such as walks, history tours and barbeques. Sundance indicated that she didn't attend RAB workshops & what US Navy did with public. Beyaert indicated that it was open to public but very technical items. Whitty indicated only time was with Bureau on what to do with land and EIR and there were Miller and Butt walks with maximum of 100 people. Stello asked if RAB consulted with BioRemediation. Beyaert and Whitty said yes and US Navy used TetraTech. Beyaert indicated that Navy used great technical consultants for over 14 years that was different that the PMCAC. Stello indicated that she has spoken with LBNL experts and there are BioRemediation applications that can be used at Pt Molate. Rosing commented on Infrastructure and if Pt Molate was to be kept Sustainable then it would be limited and may not be healthy and such most would agree that road would need to be widened but objects to heavy infrastructure out there. Hite referenced Slide Ranch with limited infrastructure for water and sanitation. Garrett summarized what is important for Committee and what to look at right away. C. Smith questioned if need community rather than communications on form. Garrett called out for show of hands varying topics: US Navy CleanUp information (high), Action minutes (high-moderate), Tom Butt Presentation (medium-low), mega-yacht facility-finding an Angel (high), community outreach (high), website (high) Garrett called for liaison w/Murray and Mayor's Office. Stello volunteered. Helvarg cautioned for community-based integrated real-time information. Sundance indicated hard time converting PDF and questioned if outside-City website would work. Garrett asked Sundance to work with Stello to gather requirements for City or outside based website and if it could be added on existing Pt San Pablo website. Stello thought on Social networking to go with interns and non-profit. Rosing indicated look to region and outside people to draw. Garrett back to topic on Early Land Use (high) and Garrett recognized Glendening for re-do if immediate need and re-vote showed Early Land Use (medium). Garrett concluded session and asked Committee to keep form for future work. No public speakers.

## 8. PRESENTATIONS, DISCUSSIONS & ACTION ITEMS

### A. Presentation of Pt Molate Non-Gaming Alternative

Beyaert summarized Upstream's July 29 letter to the City regarding the non-gaming alternative. A map of three parcels was shown with City retaining the historic and off shore parcels. IR Site 3 would become the City's property. Parcel B across from Pt Molate beach proposal residential property. Parcel A residential development discussed and there are some seasonal wetlands on the Westside to use as mitigation site. Parcel B proposal includes Renewable energy park is also proposed with open space and recreation areas to be determined with City. Upstream provided proposals to City to use the \$15M funds for various non-gaming proposals. General discussion regarding LDA payments and commitments and the timeframe for acquisition of parcels. Sundance questioned if it could be a National Park and receive funds. Beyaert said yes and it could be Federal, State or local park and provided scenario with East Bay Regional Park but it does not have the resources.

#### B. Quarterly Budget Review

Garrett announced that the item is held over.

#### 9. CONSENT CALENDAR

Minutes of August 15, September 19, and September 26, 2011 were presented by Garrett. Moved by Beyaert, seconded by Helvarg. Passed unanimously.

#### 10. FUTURE AGENDA ITEMS

Garrett indicated a hold over on financial review and hopefully an answer on the \$28.5 M and, if can get information good couple of weeks before to Craig such as Website then that can be included. Clark offered Pt San Pablo Yacht Harbor invitation to meet there. Garrett indicated that Committee could meet at Community Centers.

#### 11. CITY COUNCIL LIAISON REPORTS

Report by Mayor McLaughlin stated that Marilyn is not here and reported on recent issues for Pt Molate include the City Council request to Water Board to hold a 60 day continuance on the Tentative Order and staff is continuing to pursue Water Board staff to come to a study session that is likely in October but if agree to a continuance then it will be 4<sup>th</sup> Tuesday of October or November and that will include Terraphase and PMCAC. Mayor indicated that there are a couple seats available and the application is in the packet and applications should be submitted to City Clerk office and then an interview by Mayor office. Recommendations could be suggested to Garrett or to Mayor's Office. Mayor indicated that some applications are in and they are reviewing but positions are open to everyone. Garrett inquired if 4<sup>th</sup> Tuesday in November and Mayor said that date would be more likely. Beyaert questioned if Website that positions are available on website. Mayor indicated that if there are any specific suggestions then they should be forwarded directly to Mayor's Office than through Murray.

#### 12. CHAIR AND SUB-COMMITTEE REPORTS

- a. By-Laws: Garrett reviewed revised draft in board packet and asked Helvarg to walk Committee through. Garrett indicated that changes and approval would need to be a subsequent meeting. Beyaert indicated thought draft close to being just right with Board to Committee word change and section supplied by Whitty from DRB on adjournment to supplant words in draft and delete 3.5 findings. Beyaert indicated that more for DRB and written findings used in those formal processes and requires a lot of up front time not appropriate to this committee. Helvarg received new language. Garrett questioned about nominating committee language and if it was also to nominate sub-committee or just officers of PMCAC. Beyaert indicated that prior section shows Chair is in charge of SubCommittees.

Whitty 4.2 on auto resignation for more than 3 regularly scheduled or special meetings. Whitty said delete special meetings. C.Smith on 6.3 Terms and removal of Officers to serve term of one year and thought it is not appropriate if can't be voted in to reserve since limit is four terms and believes language should be removed. Helvarg indicated that can revote on Officer. Hite on 4.2 auto resignation absence because of other city business. Hite feels not to delete. Garrett indicated that this is second reading of By-laws. Beyaert inquired if want telephone call-ins and felt it is not very effective and therefore delete exception to participate by telephone or remote electronic device. No opposition and item deleted. Garrett indicated that this goes back to By Laws Committee to final and then called for public comment. Don Gosney referenced 5 things in Resolution that allows authority to change and other items can't change and referred to items such as stated opening sentence that by laws adopted, 2.5 retreats to discuss items, 2.7 conflict with Rosenberg Rules, 3.3 Time limits for speakers and who makes that decisions – need to define, 5.2 Nominating SubCommittee. Clique and why can't members nominate. Beyaert indicated good comments. Helvarg commented to drop 5.2 and Committee agreed. Garrett indicated that time limit is noted on Agenda. Beyaert indicated that Chair would still have discretion if there were many speakers. Garrett would like clarification. Mayor indicated process with City Council and variations for Public Hearing. Beyaert indicate to broaden 3.3 to include other area Open Forum, Public Hearings and Agenda Items. Discussion not to include Public Hearings because doubt that PMCAC will do Public Hearings. Mayor confirmed this since Public Hearings are only for City Council or Planning Commission. Beyaert stated put blank for date that By Laws are actually adopted for the opening statement questioned by Gosney. Glendening inquired if Special Meeting such as field trip should be included as a meeting to count. Helvarg stated if failed to attend three consecutive meetings. Garrett inquired if resolution and rules that can be adopted by PMCAC. Garrett recommend to delete section 2.5 on retreats. Mayor stated that if Scott Dickey of City Attorney Office states that the original PMCAC-formation resolution supercedes any modified By Laws on attendance then Mayor could bring a modified Resolution on PMCAC back to Council to obtain clarity that it is three consecutive meetings relative to attendance and that special meetings haven't been talked about.

- b. Clean Up and Restoration: Glendening reported SubCommittee met on 9/27 and Agenda was to select another Vice Chair because Beyaert has stepped down. Pier with fuel pipes and degraded lead based paint not addressed in TO and think needs to be highlighted. Committee thought to bring BioRemediation to table for review and Stello looking for BioRemediation expert to speak to PMCAC. Stello stated put out word and no one yet. Committee reviewing clean-up orders back to 1987 and almost done and should be able to email prior to next meeting. Committee hope to have relevant City staff, Water Board staff and Terraphase at Oct.25 to have room to present. Murray reported that Richmond Room 6:30 to 9:00pm is available. Discussion is that it is City Council night. Whitty stated can't presentation be to whole PMCAC and Garrett indicated that SubCommittee rather than whole PMCAC could review. Clark indicated that all should hear information with critical detail. Garrett indicated that it is difficult to get down into details in lengthy session as a regular meeting and more appropriate for SubCommittee time and review.
- c. Finance: No report.
- d. Legal: No report.

### 13. **Adjournment**

Whitty moved to adjourn meeting at 8:39pm. Beyaert seconded. Passed unanimously.

### 14. **SCHEDULED MEETINGS**

Committee Meeting – .

Monday, November 21, 2011, 6:30 p.m., Multi-Purpose Room, 440 Civic Center Plaza.

Minutes respectfully submitted by:



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Craig K. Murray, PMCAC Staff Liaison

