

City of Richmond – POINT MOLATE COMMUNITY ADVISORY COMMITTEE

Multi-Purpose Room
440 CIVIC CENTER PLAZA

MINUTES

MONDAY, NOVEMBER 19, 2012, 6:30 PM

1. CALL TO ORDER

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

2. ROLL CALL

Present: Committee Members Beyaert, Christian (6:45), Garrett, Gilbert, Hite, Kortz, Martinez, Rosing, Smith, C., Smith, N., Stello, Whitty.

Absent: Committee Member Sundance.

Staff Present: Gayle McLaughlin, Mayor; Craig K. Murray, Staff Liaison/Development Project Manager II, Successor Agency/Engineering Department; Chris Chamberlain, Parks Superintendent, Richmond Parks Division, Public Works Department.

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 Agenda order and speakers. Beyaert made motion to move items 8a and 8b on Parks Landscaping up in Agenda to follow 7a. C. Smith inquired if another item can be added to Agenda now. Garrett indicated no but can add for next month during the Future Agenda Item discussion. Beyaert moved to approve the Agenda with moving items 8a and 8b up to follow 7a, Whitty seconded. Passed unanimously.

5. ANNOUNCEMENTS THROUGH THE CHAIR

Chair summarized incident over weekend that the weekend DP Security guard did not have the Chevron Security guard contact number. Chair asked Murray to see that DP Security has appropriate contact numbers for Chevron Security.

6. OPEN FORUM

No speakers for Open Forum.

7. PRESENTATIONS, DISCUSSION & ACTION ITEMS

- A. Presentation on updated status of SRR Bridge Deck/Scofield Ave. replacement project by CalTrans

Garrett introduced Cristina Ferraz of CalTrans. Ferraz indicated for new members a recap portion of the PowerPoint. Project Manager Cristina Ferraz and Public Information Officer Allan Aymusk made updated project presentation to PMCAC. Ferraz noted in March of this year CalTrans needed to issue an emergency \$1M contract to repair the Scofield Deck and showed pictures of holes in deck where the sky can be seen that necessitated these emergency repairs. Ferraz noted that there are three sections of the bridge deck to be replaced in phases that will include the Western Drive undercrossing, westbound freeway at Scofield undercrossing, and then eastbound freeway at Scofield Avenue that includes the Western Drive eastbound onramp and noted that this is the ramp that will be closed. Ferraz indicated that since January this year CalTrans did go back to update the staging process with the goal to minimize the closure of the Western Drive onramp. Ferraz presented new staging of the project with color-coded sections within the project area. Traffic will be shifted within these sections. Ferraz indicated that State of California will be providing a \$10,000 per day incentive for every day that the Contractor can open the ramp earlier than the schedule. Ferraz indicated that the maximum number of vehicles per day would be 39 per week and 30 maximum per hour during the weekend for Western Drive. Incentive has been provided to the Contractor to open Western Drive in 90 days

or less. Total project cost is \$24M which includes the design, environmental clearance and construction support. Ferraz indicated that CalTrans opened bids late October, 2012 and received a bid from West Bay Builders of \$15M which was about 3% under the Engineers Estimate and expect to award the contract later in November, 2012 and start construction in early 2013. Ferraz noted that at this time, since the contract is not awarded yet there is not a Contract Schedule but staff has contacted the Contractor and they expect to start in January, 2013 and the ramp closure is expected between March to May, 2013. Ferraz noted that updates will be placed on the project website. Ferraz also noted that the project has secured permits from BCDC and will be providing a bicycle shuttle service since no bicycles are allowed on the main line and while the main line is being worked on there will be a bicycle shuttle. Ferraz stated that BCDC did allow the bicycle facility under the bridge, and CalTrans secured a temporary permit from Chevron for the bicycle facility to be used as a detour and will be used between 5:30am and 9:30pm to allow pick-up trucks and small vehicles to drive on the detour so they will not have to go the length of the bridge and back. CalTrans will also provide a pilot vehicle and flagger to lead the vehicles. Vehicles larger than ¾ Ton will have to take the 9 mile trip down and back on the bridge. Ferraz introduced PIO Allan Aymask and that would like to have a Community Meeting prior to start of construction and thought about second week of December or in January and sought PMCAC input.

Beyaert indicated that the Pt. San Pablo Yacht Harbor is included in the Pt. Richmond Neighborhood Council (PRNC) and noted that a good venue would be the PRNC that meets last Wednesday of each month. Ferraz noted that a January, 2013 meeting could work since heavy work will have not have commenced and contractor will be working on their submittals and project set up then and noted that closure won't occur until March. Beyaert noted that there is a City Community Center in Pt. Richmond but CalTrans may want to have a separate meeting than the Neighborhood Council if presentation may take a lot of time. Beyaert questioned Ferraz about what plans are being made to improve the trail section after it is being used as a detour. Ferraz indicated that BCDC wanted CalTrans to improve sections and add signs and to replace the bench and trash cans where people fish and will bringing an area up to grade and improving drainage in a section that doesn't seem safe for cyclists. Beyaert indicated that these improvement plans should be reviewed with Richmond Bicycle Pedestrian Advisory Committee (RBPAC). Ferraz agreed, asked for a RBPAC contact and noted that the improvements were a request as part of the permit with BCDC. Beyaert noted that he can be the contact to go over the proposed improvements. Garrett noted that other outreach contacts CalTrans may want to make besides the Pt. San Pablo Yacht Harbor and have a community website for the neighborhood, www.neighborhoodnextdoor.com/richmond, provide electronic copies to post on this website, contact the City Manager's Office to post on the weekly City Manager Report that is widely distributed and to post the schedule, contact City Councilman Tom Butt to post schedule on his e-forum, put flyers out in Pt. Richmond village, put a sandwich board in City Hall of what CalTrans is going to do with the Toll Waiver Application Form, and if are doing a community meeting do it at Council Chambers and KCRT can broadcast on Channel 28, stay coordinated with Terraphase and Richmond Parks, and if CalTrans can provide link of its Website then it can be posted and linked at the Pt. Molate page of the City's website and elsewhere on the City's website so people can connect into it and asked if there will be directions on filling out the Toll Waiver Form. Ferraz noted that there will be a website available to fill out the form and a telephone number to call with name of driver, vehicle, and their time passing through toll gate and they will not need to pay. Garrett indicated that Pt. Molate DP Security should also have this information. Martinez asked if there will be a placard and Ferraz indicated yes and it will be posted on the CalTrans website. Aymask also noted that there will be a fax number for guests of fisherman that can work out with Desk Sgt. at Toll Plaza. Ferraz will monitor vehicles and license plates.

- B. Presentation of remediation cost and related documentation as presented to Insurer by Terraphase.

Garrett noted that the insurance item was discussed last month and this item was placed to seek Terraphase to present on Insurance costs. Murray reported that Carson emailed him during meeting that he would not be able to make this meeting. Whitty moved to hold this item over until the regular PMCAC meeting of December, C.Smith seconded. Passed unanimously.

C. PMCAC discussion – PMCAC and related sub-committee formulation and frequency

Garrett advised that this is an open discussion on this topic and that several Committee members expressed concern if PMCAC need to meet this frequently with the legal process on the development lawsuit to take at least a year. Garrett passed the microphone around for each Committee member to speak on their feelings to meet less frequently or propose alternate schedule and function. Beyaert inquired on term limits and Garrett indicated that it is two years and all current Committee members, except Christian, would term would be up in May, 2013 but Committee members can go on for a second term of two years. General discussion to keep Pt. Molate Community Advisory Committee meetings at one per month.

Motion by Stello to form a Pt. Molate Beach Park SubCommittee, second by Martinez. Passed Unanimously. Beyaert moved to have the three members be Beyaert, Martinez and Garrett. Seconded by Martinez. Passed Unanimously. Stello advised that she can participate with CFTM and be liaison. Rosing advised that Outreach Committee is currently four with Sundance, Gilbert, Hite and Rosing and advised Christian wants in so it is at five and now with C.Smith it will be six. Discussion that it doesn't need to be odd number to promulgate a vote. Garrett advised to continue this discussion in December when Sundance is available to discuss. Stello offered to join Outreach if need an odd number. C.Smith indicated that group of six in Outreach can be divided into two groups and each group can cover different Neighborhood Council Meetings. N.Smith noted that Legal SubCommittee should reach out to an Attorney to join. Hite inquired if Puleo could be auxiliary or consultant to PMCAC such as on the Finance Committee. Garrett summarized to let Legal and Finance Committees stand and to contact Puleo to do work on an Ad Hoc basis. General discussion on outreach to new potential PMCAC members. Stello suggested a letter to every City organization on what PMCAC does and ask if there could be a representative to just receive information on PMCAC. Rosing stated that he can write the letter for Outreach Committee.

Rosing motioned that monthly PMCAC meetings be reduced to one hour and second hour be used for SubCommittee meetings. Rosing withdrew motion. Garrett noted that no motion is needed if no action is taken.

8. STAFF REPORTS

A. Parks and Landscape recommendations for Pt. Molate Beach Park Rehab based on final decisions of Cosco Busan Settlement Fund awards

Chris Chamberlain, Parks & Landscape Superintendent, spoke about the Pt. Molate Beach Rehabilitation Project. Chamberlain indicated that he presented to the PMCAC about a year ago and the concerns about the Park then as well as the operational concerns from Richmond Police Department and since then Cosco Busan funds of \$115,000 were made available via City Council to Pt Molate Beach Park to get park open. Chamberlain was thinking May 1 but wants to make sure it is coordinated with CalTrans schedule, to go through the re-opening process correctly and to see that the City is ready to manage park when it is open. Chamberlain noted that there are three priorities as Superintendent that would like to see complete at the re-opening or real close to that time. First is a restroom facility; Second is Parking lot & overlay/restripe for ADA; Third is split-rail fence inside bluff at shoreline.

Chamberlain indicated priority to clear vegetation to improve line of sites for Richmond Police Department and noted the prior RPD comments about walking into a trap with vegetation not opened up. Chamberlain noted in particular the Bottle Brush vegetation. Chamberlain indicated that opening/closing park gates and removing recalcitrant park patrons such as at time of closing is not currently part of DP Security's contract. Chamberlain noted that the Cosco Busan funds will not be able to fund these increased operation costs such as for DP Security and will not be able to fund Portable Restrooms. These expenses will be on the City's General Fund.

Chamberlain noted that project does not have all the funding and has been working with Garrett on the restrooms. Chamberlain prefers vault toilets and wants the Park to re-open. Chamberlain indicated that Terraphase has advised of special circumstances such the potential of being within a tribal cultural resource area and digging 5 feet for a vault toilet may trigger additional contact protocols and digging a new main waterline an Archaeologist and Biologist have to be there and Chamberlain does not have one on staff. Chamberlain advised that he has received a map from Terraphase that the cultural resource does go through the park. Chamberlain also noted that BCDC will need to know how far back the fence is being placed from the Shoreline. ADA challenges will need to be addressed and noted that there are other park variables.

Beyaert noted that CalTrans will not close off access to the Beach, exit ramp to Pt. Molate will not be closed and freeway entrance will be only temporary for large trucks and believes most would like to see park open sooner than later and would like to further discuss cost of toilets and suggest starting with Porta-Potty. Beyaert commented on split-rail and other locations in California with simple steel rods & steel cables, and noted that DP Security is now responsible for checking if people are on that beach. Chamberlain indicated that he is not familiar with that contract but it is concern with funding. Beyaert indicated that it shouldn't be an issue. Chamberlain noted that probably not best place for parking lot. Beyaert noted that his street he lives on is worst shape than the beach parking lot and also shouldn't be an issue.

Garrett noted discussion with National Park Service and to put in vegetation to save the bluffs. Garrett also noted that the ADA path and ramp to shoreline is most expensive and no expectation in any other local beach to get wheelchairs onto the beach. Garrett agreed vaults are expensive at about \$50,000. And suggested just doing about 1/3 of the parking lot that is needed. Garrett noted concern about CEQA with any construction and only mention is relandscaping of Pt. Molate Beach for Pt. Molate Development and thinks need review by legal. Garrett stated we know that the Chinese Shrimp Camp abuts the Beach Park and there are some classified Native American sites but haven't heard any at Pt. Molate Beach Park and it would be important for Terraphase to make a map of that. Garrett noted that Pt. Molate Beach Park has never been a remediation site. Garrett noted need to coordinate with Terraphase and really outlay, grid that park if there are concerns with toxics and cultural resources. Beyaert noted that the EIR states that the Beach is clean. Garrett agreed need to do things the right way such as coordinating with Terraphase and legal for CEQA if need to put in a vault toilet but will not be upset if it is not opened next season. Garrett indicated need to get everyone to work on philanthropic support for the additional costs to open the park. Whitty inquired if EBRPD operate the park via a lease and noted that there are about five members in a JPA to operate the park under the SF Bay Bridge. C.Smith indicated importance of getting people to park to see it, to save it and noted there used to be railroad club with steam engines that would take families with kids on rides and there was barbeques. C.Smith also noted that Porta-Potties were the first toilets available to open up Pt. Isabel Dog Park and improvements were finally made and evolved over the years. C.Smith indicated an organization, PIDO, was formed to keep getting money to the park and thinks it is the best in the world with ramp for dogs to get to the bay, dog wash but when this park started out it was raggedy. Hite noted that 20 years ago park had a nice swing set and no restrooms and that wasn't a problem then for families with kids.

Martinez advised that he is a member of the Rec and Parks Commission and everything that PMCAC should advise Rec and Parks Commission of those things of similar interest and decisions made by about them in order to have buy in. Martinez motioned that PMCAC should arrange a presentation to Rec and Parks Commission to understand PMCAC reasoning to have this park opened immediately, C.Smith seconded. Passed unanimously.

Chamberlain noted that he advocate for what PMCAC is saying and will report back to the Public Works Director and City Manager with PMCAC comments to open park and seeing if that strategy can be implemented.

Beyaert motioned that PMCAC support re-opening Pt. Molate Beach Park using Porta-Potties and re-examine vault toilets at a later date and to open the Pt. Molate Beach Park immediately. C.Smith seconded. Passed unanimously.

B. Discussion of recently awarded landscape maintenance contract at former NFD, Pt. Molate

Garrett introduced item and that PMCAC simply would like to know what areas will be involved and what will be performed. Chamberlain indicated that the contract was last put out to bid two years ago and he adopted contract and the specifications were horribly written, unclear, didn't make sense and Chamberlain has since rewrote the specifications, clarified the work and rebid the contract with a savings of approximately \$100,000 by getting the right contractor out there. Contractor started on July 1, 2012. Chamberlain noted it is a vegetation management not a landscape management contract. Chamberlain noted that during month of March through October the primary goal is vegetation management for fire fuel reduction including proper building clearances and stated one of the guidelines to mow vegetation to less than 3 inches if within 100 feet of any structures, vegetation within 10 feet of the roadway to be maintained to less than 3 inches and further discussed other locations such as 16 tank sites during fire season. Chamberlain indicated that during the winter months efforts are limited to storm water and debris clean-up and cleaning up v-ditches, drain inlets and reporting any significant road erosion areas. Chamberlain noted that previous contract had Beach Park alternate for work to be done in the beach park but wasn't enacted due to lack of funds, but now the Contractor will mow during summer starting in March to November. Chamberlain stated that contractor has been very proactive limbed up trees impeding mower and surprised how much they have done in the park. Chamberlain indicated that City could mow in winter months as needed but needed offset by this contractor for summer and this frees up Chamberlain's staff to work on the other 53 Parks in Richmond. Chamberlain noted that contractor provides monthly reports and can provide to PMCAC if needed. Garrett noted that the Pt. Molate Beach Park really looks good and estimates about 1/3 of the vegetation material has been cleared out and thanked Chamberlain.

C. Committee Log for PMCAC inquiries to staff, contractors

Garrett noted that in respect to the log that there is now updated Financial Information and asked for copies of audit. Fiscal Year 2010-11 audit is completed and available and Garrett will provide everyone with a link and the 2012-13 Audit is being worked on and will not be available until March, 2013 and will also get a link. Two items closed. Mayor sent a follow-up request to Carlos Privat on what is privileged and Confidential and still waiting for a response. Murray reported that Privat emailed real time during meeting on Item 15 that he will provide those materials and reported out that several items such as Item 30, as 8e5 and 8e1 are included tonight.

D. Notice of AB 1234 Compliance Options

Garrett noted that Committee thought that just those Committee members in the City that receive compensation would need attend. Murray read statement from Shannon Moore of City Attorney's office in regards to request by PMCAC if should attend this training and Murray noted that Moore stated that all members of City's Boards should attend the ethics training. Mayor noted that every two years have to attend this training and get a certificate and noted that it could also be done online. Mayor thought at least the first training session may be best to attend in person.

E. US Navy Remediation Funds Escrow Status

Garrett noted that there is updated information in the packet. Since last review about 5 months ago an additional \$506,000 has been spent on Terraphase and additional \$71,000 has been spent on the Water Board. Garrett noted that Water Board, George Leyva charges by the hour and is expensive. Garrett cautioned that Terraphase has received \$1.765M and the Navy fund is down to \$21.8M and it is crucial to have a projected budget from Terraphase and that City will still within this budget. Garrett noted that PMCAC will be looking for the Escrow Budget from Terraphase for the December meeting. Garrett reviewed the City General Fund

budget for Pt. Molate for DP Security and D&H Landscaping comes out of this General Fund line item and for the moment in OK shape but an emergencies such as electrical may be a problem.

F. PMCAC 2013 Calendar, Doodle Poll Results

Garrett noted Jan.14 and Feb.11 for 2013 meetings and calendar as presented in board packet would be 2013 PMCAC meeting dates. All meetings will be held on Mondays.

9. **CONSENT CALENDAR**

Beyaert moved to adopt Consent Calendar, Whitty seconded. Passed unanimously.

10. **FUTURE AGENDA ITEMS**

Garrett noted Terraphase presentations and that if presentations are kept to one or two per meeting will make meeting much faster.

Beyaert indicated to include the Baykeeper clean-up report.

Murray noted that the Security Reports, as requested previously by PMCAC, are currently being reviewed by Legal and will be available in December.

Rosing noted that would like to perform a scrub and try to get it back prior to the next meeting.

Kortz asked if Chevron can report on items such as the fire, emissions and know that Chevron will be working to reduce to lowest emissions especially with re-opening Park. Mayor thought that PMCAC could write a letter to Chevron stating that it supports City Council position in regards to Chevron. Garrett indicated that need to agendize to vote on writing a letter. Garrett indicated that it can be placed on December agenda.

Murray indicated that Terraphase October monthly report is available to review for December meeting.

11. **CITY COUNCIL LIAISON REPORTS**

A. REPORT BY COUNCILMEMBER/MAYOR McLAUGHLIN REGARDING RECENT ISSUES IN RICHMOND RELEVANT TO THE ADVISORY COMMITTEE

B. PMCAC APPOINTMENT STATUS

Mayor noted that this is a short report and the Discovery being pulled together that Plaintiffs have asked for is a very slow process. Mayor noted that there will be another Case Management Conference (CMC) in January, 2013. Mayor read a note from Privat that there will be a report from Water Board on Installation Remediation (IR) Site 3 restrictions. Mayor indicated that could invite Privat. Garrett noted that would like to also invite George Leyva to attend and discuss since he hasn't been to PMCAC for a while.

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

a. Clean-Up and Restoration:

1. Synopsis of Terraphase September Monthly Status Reports

Kortz provided summary of Terraphase actions found in the Monthly September, 2012 Status Report. Remediation actions included submitting Final Soil and Groundwater(GW) Management Plan to the Water Board, On IR Site 3 Terraphase developed and submitted the draft work plan for the waste characterization of the industrial waste area for the Water Board, Upstream and the City of Richmond, On IR Site 4 Terraphase did GW monitoring to determine extent of contamination, and prepared a step out investigation summary report for the area around Building 87, On USTs Terraphase conducted the routine closure monitoring inspections and cleaned out drainage structures needing maintenance, On remediation status reports in addition to regular status reports Terraphase submitted the Insurance budget summary and status report to Upstream, the City and the ACE group, On IR Site 3 pump

operation and maintenance everything was routine and in October installed scaffolding on tanks for access to perform maintenance on tanks and did some work on the oil water separator discharge pump, On site wide GW monitoring Terraphase conducted the semi-annual GW monitoring event in October and there was no report written about UST #12. Garrett noted that PMCAC can read the October report online, it was distributed today and will be reviewed in December.

- b. Community Outreach Hite reported that the UC Berkeley team project is moving forward and forwarded to Beyaert on questions to be answered. Garrett noted that group closes out in December.
- c. Grant Development Stello reported out and noted especially after meeting with National Park Service still need some budget discussion for beach park maintenance items such as fence and bluff restoration. Stello reported that grant would be \$25,000. to \$100,000 and will still need the detail list for park restoration not maintenance.
- d. Chair Garrett asked if any Committee member sees any conflict with the next meeting date of December 17. No comments received.

13. ADJOURNMENT

C.Smith moved to adjourn the meeting at 8:49 pm, seconded by Hite. Passed unanimously.

14. SCHEDULED MEETINGS

Committee Meeting – .

Monday, December 17, 2012, 6:30 p.m., Multi-Purpose Room, 440 Civic Center Plaza

Minutes respectfully submitted by:



Craig K. Murray, PMCAC Staff Liaison

