

City of Richmond – POINT MOLATE COMMUNITY ADVISORY COMMITTEE

Multi-Purpose Room
440 CIVIC CENTER PLAZA

MINUTES

MONDAY, February 11, 2013, 6:30 PM

1. CALL TO ORDER

Chair Garrett called the meeting to order at 6:37 p.m.

2. ROLL CALL

Present: Committee Members Garrett, Gilbert (6:47), Hite, Kortz (7:01), Martinez, Puleo, Smith, C., Smith, N., Stello (7:01), Sundance, Whitty (6:53).

Absent: Committee Member Beyaert.

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

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. Martinez made motion to adopt the Agenda, Puleo seconded. Passed unanimously.

5. ANNOUNCEMENTS THROUGH THE CHAIR

Chair provided information on the updated schedule for the replacement of the Scofield Drive/Richmond San Rafael Bridge; discussed the written summary provided by Parks Superintendent Chris Chamberlain on details in reopening the Pt Molate Beach Park and the need to get this to City Council by next week; advised PMCAC that Committee Member Otheree Christian has auto-resigned; noted that the current session of the PMCAC will end on May, 2013 and that reapplications need to be in front of City Council prior to PMCAC restarting a new session in June, 2013.

6. OPEN FORUM

No Speakers.

7. PRESENTATIONS, DISCUSSION & ACTION ITEMS

- A. Presentation by University of California (UC) Berkeley Graduate School of Landscape, Architecture and Environmental Planning, Community Outreach Course Project for PMCAC. Findings and Recommendations.

Garrett introduced Jim Hite. Hite introduced other members of the Outreach Subcommittee and reviewed areas that the UC students developed. Hite walked Committee through Power Point presentation of the Outreach work and student report that included demographics report, identification of stakeholders, creation of a tool kit to work with stakeholders, and creation of a marketing brochure. Chair reviewed survey work and training of Outreach SubCommittee in giving the presentation and provided a Community Engagement Plan. Hite reported that this work was part of the students PhD program and also provided a Facebook page. Other discussion areas included surveys at St. Cornelius, Marina Bay and Richmond Mall and survey response areas. Chevron was noted as a Stakeholder and China Camp State Park was compared to Pt Molate. Hite noted that the presentation will be given, a brochure given and then a survey in engaging the community. Hite noted next that will be trained in operation of PowerPoint and has a script to go with the presentation and noted that Martinez will do the Facebook. Garrett noted that Gmail account is still available as well.

B. Draft Outline of proposed 2011-2013 First Session Report.

Garrett presented draft report and noted that this is a quick guidebook for City Council. Garrett reviewed topical areas with PMCAC and asked for each Committee Member's review if there are any other areas that should be included. This document will additionally create a map for those involved in Committee for the second session. Garrett reviewed detail areas including remediation, finance, regulatory and guiding documents, litigation and land use, property management, sub-committees and outreach, goals for second term.

8. STAFF REPORTS

A. Security Contract for Pt. Molate

Garrett reviewed the security reports for December, 2012 and January, 2013. An extract of the amended Security contract was also reviewed with detail that makes up the individual hourly rate for a guard on a 24 hour, 7 day a week basis. Puleo inquired source of funds and Garrett explained it is General Fund. Stello and Kortz noted issues with Security on contacting Chevron. Garrett noted that this would be an area to put in First Session Report regarding security protocols. Puleo inquired that why is it considered trespassing if parking along Western Drive and it is a public road. Garrett noted that it will be important when the Beach Park opens in Summer to show where one can park.

B. Committee Log for PMCAC inquiries to staff, contractors

Garrett noted that there are no changes and one of the outstanding items is with City Attorney items on why public documents are considered confidential.

9. CONSENT CALENDAR

Whitty moved to adopt Consent Calendar, C.Smith seconded. Passed unanimously.

10. FUTURE AGENDA ITEMS

Garrett noted that an upcoming presentation in regards to the Presidio Trust is being sought and they should be available for March. Garrett noted that surveys of the south and north section of the Trail area have been taken. Murray indicated that Jeff Martin of Nichols Engineering is willing to present once he meets with his client East Bay Regional Parks. Garrett indicated that it would be great to get artwork here and perhaps the May PMCAC meeting be a social meeting to celebrate the artists and perhaps consider to move meeting to showcase area. Garrett referenced that with public speaker Hindler on Winters Building/East Bay Center for Performing Arts could be great project for Outreach Subcommittee. Garrett provided details on how to conduct meeting and details. Garrett noted that future the first two meetings of year should be moved to the week after the regular third Monday rather than week before to help compile the Agenda packet.

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 stated that she checked with Legal staff and there is no new items to discuss and still waiting for clean up issues. Mayor met with Chairs of PMCAC with Carlos Privat of City Attorney and City Manager of Bill

Lindsay. Mayor indicated when item comes forward to City Council that she will inform the PMCAC. Mayor commented on the PMCAC Outreach Committee and the UC Student's outreach work. Mayor stated that she could schedule a Study Session to hear the Pt Molate report rather than just a written report to City Council. C.Smith inquired about developer presenting Housing development at Pt Molate. Mayor indicated that Chair can provide details of that meeting and Garrett indicated it is covered in item 12 e.

12. CHAIR AND SUB-COMMITTEE REPORTS

- a. Clean-Up and Restoration: Synopsis of 2012 Dry Season Groundwater Monitoring Report published on January 31, 2013.

Garrett summarized report by looking at map of wells in question and noted that it is loaded up on repository now. Garrett noted that it is about a 400 page report with the laboratory report. Wells are monitored for free product amount that is visible, detectable total hydrocarbons including Diesel, Bunker and Jet Fuel and measure for volatile organic compounds (VOCs) . Overall, throughout the property the level of contaminants are reducing. Dry season concentrations tend to be higher. Garrett summarized some of the areas that are above reporting levels, such as the TCE column and those within Drum Lot 2, and these are being watched but noted that they are getting to non-detectable levels. Stello inquired who is checking Terraphase. Garrett indicated that there is a chain of custody and third party lab validation.

- b. Community Outreach: Grant Development.

Stello indicated no report.

- c. Finance: Status: Response to Audit comments re: Pt. Molate from FY 2010-2011 Single Audit

Puleo indicated that he spoke with LaShonda White and information is pending. Puleo further clarified that if information is not available to Auditors then it may be answered in the March, 2014 report.

- d. Chair:

Garrett reported on meeting on January 17 with Vice Chair Beyaert, Mayor, City Manager and Carlos Privat of City Attorney's Office. Questions were asked where impetus is coming from to drive IR Site 3 to residential clean-up and how to get log jam broken on information to clean up IR Site 3 because the IR Site 3 FS RAP presentation is about a year late. City of Richmond is pressuring cleanup of all Pt Molate to residential cleanup because it does not want a de facto land use designation due to clean up in order and to keep site as marketable as possible. Garrett indicated that US Navy already created de facto use. Garrett noted that opinion of City Manager is that Water Board is not stressed in terms of timeline. Push is for Terraphase to clean up to these levels. Garrett noted that PMCAC issued letter in February 7 that both Terraphase and NER come in with costing on complete proposal so City and PMCAC can determine if can do with funding available. Garrett noted that it didn't seem that City Manager was not aware of, perhaps because he has no one technical on his staff, that there are some areas commercial and some areas residential and combination of clean up goals in IR Site 3. Puleo noted that cost overrun policy will not pay to clean up to unrestricted use. Garrett noted that we are self-insured for \$29m with cost overrun \$24.5 m and City would have to eat the difference of \$4-5m and policy is based on early transfer goals established with the US Navy.

Garrett cautioned that at any time insurance carrier, with review of each monthly report, could at any time state that Terraphase is going beyond goals. Garrett stated that the plan now is to stay within the ceiling and clean to the highest possible level and hard numbers for the clean-up are needed to prove out to get to the highest possible level. Stello inquired if we switch to NER is a new EIR required. Garrett noted that EIR policy was established in working with US Navy and stated that City had to get a tremendously egregious insurance policy so that the US Navy would never be on any further clean

up hook. Garrett noted that City did not have to get an Insurance Policy for clean up and could Bond and NER is completely willing to Bond. If go with NER, can there be a reduction of the premium that was all prepaid up front and the insurance policy might refund some things back. On the trigger of CEQA, Garrett noted that the EIR outlines two elements: 1. Clean Up itself and exposure and mitigation plan; 2. Construction of the mitigation plan. Remediation discussed in certified EIR was for soil excavation and not thermal desorption. Garrett noted that the Clean-Up SubCommittee needs to look at this if there is a change in clean up remediation techniques, will there be a trigger of CEQA and need to be a change with the environmental document. Mayor referenced Zeneca site is different and highly toxic, more than Pt Molate, and it required a clean-up of unrestricted use and this discussion was noted during the Pt Molate meeting with Senior Staff. Mayor noted that in this meeting, the plan for Pt Molate was discussed that parts of Pt Molate will be cleaned to just commercial standards.

13. ADJOURNMENT

Puleo moved to adjourn the meeting at 8:08 pm, seconded by Martinez. Passed unanimously.

14. Assemblage of PMCAC Standing Sub-Committees

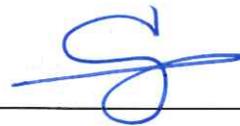
Adjourned to Sub-Committee Meetings.

15. SCHEDULED MEETINGS

Committee Meeting – .

Monday, March 18, 2013, 6:30 p.m., Multi-Purpose Room, 440 Civic Center Plaza

Minutes respectfully submitted by:



Craig K. Murray, PMCAC Staff Liaison