Point Molate Monthly Status Report November 30, 2010 Steve Duran

Overview:

Site Information - Point Molate covers approximately 290 acres of land above the mean high tide line in the Potrero Hills on San Pablo Peninsula on the eastern shore of San Francisco Bay. The site is located in the northwest portion of the City of Richmond and is 1.5 miles north of the Richmond-San Rafael Bridge. Point Molate is three miles from the Richmond Intermodal Station in Downtown Richmond which provides access to BART, Amtrak, and AC Transit (Alameda-Contra Costa Transit) bus service. Western Drive provides the only road access to Point Molate. While Western Drive is directly accessible to westbound traffic via a marked offramp on I-580, it is only indirectly accessible to eastbound traffic.

Point Molate is surrounded on the north, east, and south by Chevron. Chevron's property to the north and south is used to store and transport petroleum products. To the east, on the other side of Potrero Ridge, is a part of Chevron's oil refinery, where the more active and intensive industrial uses and manufacturing occur. Point Molate's topography ranges from sea level on the western shoreline to nearly 500 feet in elevation on the eastern ridge crest. Slopes range from moderate (0 to 10 percent) to steep (greater than 50 percent). Of the site's 290 acres, approximately 90 acres are developable and generally below a 15 percent slope. Point Molate's hillsides are visible from the Richmond-San Rafael Bridge as well as eastern Marin County, and the site itself has panoramic views of the San Francisco Bay.

Property Transfer: In 2003, the Navy transferred approximately three hundred and seventy one (371) acres of the former Point Molate Naval Fuel Depot (NFD) to the City of Richmond following the execution of a Finding of Suitability for Transfer. On July 29, 2008, the Navy and the City entered into an Early Transfer Cooperative Agreement (ETCA). The remainder of the Point Molate NFD, consisting of approximately forty-one (41) acres was transferred from the Navy to the City in March of 2010 pursuant to a Finding of Suitability for Early Transfer and at that time the Navy provided \$28,500,000 to the City to perform the remaining site remediation activities. Under the federal legislation enabling the transfer of Point Molate to the City, the site must be used for economic development purposes.

Current Status:

Environmental Impact Report. The Draft Environmental Impact Report (DEIR) for Point Molate is substantially complete, but on hold pending City Council Direction in regard to the Point Molate Land Use Alternatives Evaluation, which is a result of a community outreach process directed by the City Council. The final community meeting under this was held on November 17th and the final draft report is scheduled to go before the City Council on December 7th for consideration by the Council and direction to staff. The City Council may decide whether or not to add additional project alternatives to the DEIR. If not, the DEIR is scheduled to be released for public review in January and ready for City Council consideration in February.

<u>Point Molate Land Use Alternatives Evaluation</u>. Staff is completing a community outreach process being conducted by Design, Community & Environment (DCE) to get other alternatives that have not been considered in the Draft Environmental Impact Report. The results will be presented to the City Council on December 7, 2010. The City Council may decide whether or not to add additional project alternatives to the EIR. The draft Point Molate Land Use

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Alternatives Evaluation is complete, has been distributed to the City Council and is posted on the City web-site.

<u>Historic Building Stabilization</u>. A Request for Proposals (RFP) was released in early November for firms to perform building stabilization measures on historical buildings on the Point Molate site. Based on a preliminary engineering report, the current budget of \$200,000 is not adequate to stabilize all the historic structures. Once the RFP responses are received, staff will recommend a final scope of work. The status of milestones is as follows:

- November 3 Release RFP Complete
- November 15 Respondents submit Permission to Enter and Release of Liability Agreement - Complete
- November 17 Site Tour with Respondents Complete
- November 19 Deadline for written questions by respondents Complete
- November 24 City to post answers to questions on Bids-Online Complete
- December 1 Deadline for receipt of proposals
- December 6 Contractor Selected
- December 15 Finalize contract negotiations
- January 7 Staff to present recommendation to the Finance Committee
- February 1 Staff to present recommendation to the City Council
- February 8 City to execute Contract and issue Notice to Proceed
- The construction schedule will be determined based on responses to RFP

Site Remediation. September 15, 2009, the State Water Control Resources Board vacated the Cleanup Order and remanded it to the Regional Board after granting a petition for review (File A-1972) that contended the Regional Board failed to comply with the California Environmental Quality Act (CEQA) in conjunction with its adoption. The City, therefore, expects the Regional Board to revise and reissue the Cleanup Order after the City of Richmond certifies the Environmental Impact Report/Environmental Impact Statement for the proposed Pt. Molate project.

Under the Land Disposition Agreement (LDA) and the Remediation Agreement (RA), Upstream is responsible for the site remediation and has hired the environmental engineering firm, Arcadis, to accomplish this task. Upstream, Arcadis and City staff have been meeting with the San Francisco Bay Regional Water Quality Control Board (Water Board) to finalize an implementation plan for the Remedial Agreement (RA) between the City and Upstream to clean up the site. The City is in negotiation with Nichols Engineering and will soon finalize a contract to have Nichols assist staff in oversight of Upstream and Arcadis in the site remediation activities.

<u>Financial Status</u>. Attached are two spreadsheets, which track sources and uses of funds pertaining to (1) the Navy's \$28,500,000 for site remediation and (2) the \$1,080,000 provided by Upstream for security, repair and maintenance of the site. \$5,244,227 of the Navy funds have been expended to date and \$668,786 of the Upstream funds have been expended. The Navy funds can only be used for site remediation costs. The Upstream funding of \$115,000 per month will end in April. The cost of building stabilization, when added to other obligations, is expected to exceed available funding, so staff will be recommending budget and expenditure alternatives to the City Council after the first of the new year.

Next Steps:

- City Council to determine if any alternative uses will be studied in the EIR.
- Planning will move forward with Council direction on alternative uses in EIR.
- Staff will finalize contract with Nichols Engineering for remediation oversight assistance.
- Engineering will recommend a contractor, budget and scope of work for seismic stabilization.

Project / Program Name: Pt. Molate Remediation Oversi	ght					
Project / Program Manager(s): Steve Duran						
Project Description: Pt. Molate						
			Point Molate			
		1	Site Remediation			
			Capital Budget			
				•		
Sources of Funds:			Navy Funds	Interest		Total
Socioco oi i ando.		1				
Total Revenue for Site Remediation		S	28,500,000.00	48,237.23	\$	28,548,237.2
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			· · · · · · · · · · · · · · · · · · ·			
			Expenditures	Revenues		Balance
Transactions	Date		As of 11/08/10	As of 11/08/10		As of 11/08/10
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City of Richmond	4/16/2010	\$	630,000.00		\$	27,870,000.0
Alliant Insurance Services, Inc - Insurance Payment	4/20/2010	\$	4,130,000.00		\$	23,740,000.00
First American Fund Control (FAFC) Setup Fee	4/20/2010	\$	1,000.00		\$	23,739,000.0
Upstream Point Molate - Remediation Work	4/30/2010	\$	170,000.00		\$	23,569,000.0
Savings Interest - April 2010	5/10/2010		110,000.00	1,989.85	\$	23,570,989.8
Savings Interest - April 2010	5/12/2010	+		3,218.95		23,574,208.80
Savings Interest - May 2010	6/11/2010	+		2,712.51		23,576,921.3
Savings Interest - May 2010 Savings Interest - May 2010	6/11/2010			4,521.30		23,581,442.6
	7/15/2010	\$	165,343.93	4,021.00	\$	23,416,098.68
Arcadis US Inc.	7/15/2010	\$			\$	
Contra Costa County			1,264.00	493.14		23,414,834.68
Savings Interest - June 2010	7/26/2010	+			_	23,415,327.82
Savings Interest - June 2010	7/26/2010	-	00.00	493.14		23,415,820.96
FAFC Bank Charge	7/26/2010	\$	20.00		\$	23,415,800.96
FAFC Bank Charge	7/26/2010	\$	20.00	0.050.44	\$	23,415,780.96
Savings Interest - June 2010	7/26/2010			2,852.41	\$	23,418,633.37
Savings Interest - June 2010	7/26/2010	_		5,330.73	\$	23,423,964.10
Savings Interest - July 2010	8/11/2010			732.37	\$	23,424,696.47
Savings Interest - July 2010	8/11/2010			732.37	\$	23,425,428.84
Savings Interest - July 2010	8/11/2010			2,409.34	\$	23,427,838.18
Savings Interest - July 2010	8/11/2010	-		4,830.04	\$	23,432,668.22
FAFC Fee Slip - May - July 2010	8/16/2010	\$	900.00		\$	23,431,768.22
City of Richmond - MoFo Reimbursement	8/20/2010	\$	4,016.25		\$	23,427,751.97
FAFC Fee Slip - August 2010	9/13/2010	\$	300.00		\$	23,427,451.97
Savings Interest - August 2010	9/15/2010	-		773.33		23,428,225.30
Savings Interest - August 2010	9/15/2010	\perp		773.33		23,428,998.63
Savings Interest - August 2010	9/15/2010			2,564.97	\$	23,431,563.60
Savings Interest - August 2010	9/15/2010			5,136.59	\$	23,436,700.19
FAFC Fee Slip - September 2010	10/7/2010	\$	300.00		\$	23,436,400.19
City of Richmond - MoFo Reimbursement	10/18/2010	\$	15,503.75		\$	23,420,896.44
Arcadis US Inc.	10/18/2010	\$	121,923.17		\$	23,298,973.27
Contra Costa County	10/18/2010	\$	632.00		\$	23,298,341.27
Savings Interest - September 2010	10/20/2010			725.31	\$	23,299,066.58
Savings Interest - September 2010	10/20/2010			725.31	\$	23,299,791.89
Savings Interest - September 2010	10/20/2010			2,405.12	\$	23,302,197.0
Savings Interest - September 2010	10/20/2010	\perp		4,817.12	\$	23,307,014.1
First American Fund Control - need to look into this	11/1/2010	\$	2,704.15		\$	23,304,309.98
FAFC Fee Slip - October 2010	11/8/2010	\$	300.00		\$	23,304,009.9
		T				
Current as of 11/08/10	A STANDARD	\$	5,244,227.25	48,237.23	\$	23,304,009.9

Project / Program Name: Pt. Molate Remediation Oversight						
Project / Program Manager(s): Steve Duran	1		-			
Project Description: Pt. Molate						
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		pital Budget				
	CE	ibital Budget			-	
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		1,000,102.00				
	Annr	oved FY 10-11	Amount Received		Revenue	
Sources of Funds:		eted Revenue	As of 11/30/10		Difference	
Sources of Pullus.	Duur	leren L/GABIING		<u> </u>		illerence
D. J. (1.10	S	4 000 000 00	\vdash			
Budgeted Amount In Adopted Budget (\$90K/mo * 12)	12	1,080,000.00	S	115,000.00	 	_
Upstream - June 2010	 	_	S	115,000.00		
operiodiii buly 2010	+		5	115,000.00	 	
Jpstream - August 2010	+		\$	f15,000.00		
Upstream - September 2010 Upstream - October 2010	+		\$	115,000.00	 	
Upstream - October 2010 Upstream - November 2010	 		\$	115,000.00		
Upstream - November 2010 Upstream - December 2010	+		-	115,000.00	 	
Jostream - December 2010 Jostream - January 2011			\vdash			
Jpstream - February 2011	+					
Jpstream - March 2011			\vdash			
Jpstream - April 2011	+					
Spatiballi - Apili 2011	-					
	+					
TOTAL REVENUE	O STRUCK	1,080,000.00	\$	690,000.00	a Cimer	390,000.0
			200			TO THE SECOND
						Budget
	FY 2010-2011		Costs		Remaining	
Uses of Funds:	Budget		As of 11/30/10			of 11/30/10
		-				
1000000						
			-	127,895.72		
MoFo Contract - Land Use & Remediation	. L		\$	121,000.14	<u> </u>	
MoFo Contract - Land Use & Remediation Welss, Janney et al - Emergency Stabilization (PO carry forward from FY 09-10)	·		\$	3,000.00		
Welss, Janney et al - Emergency Stabilization (PO carry forward from FY 09-10)						
Welss, Janney et al - Emergency Stabilization (PO carry forward from FY 09-10) Scharff et al - Indian Gaming (PO carry forward from FY 09-10)	\$ 2000	220,339.00	\$	3,000.00	\$ 800	79,304.3
Velss, Janney et al - Emergency Stabilization (PO carry forward from FY 09-10) Scharff et al - Indian Gaming (PO carry forward from FY 09-10)	\$ 100	220,339.00	\$	3,000.00 10,138.96	\$ 150000	79,304.3
Welss, Janney et al - Emergency Stabilization (PO carry forward from FY 09-10) Scharff et al - Indian Gaming (PO carry forward from FY 09-10) BUB-TOTAL - LEGAL & PROFESSIONAL SERVICES			\$	3,000.00 10,138.96 141,034.68		
Welss, Janney et al - Emergency Stabilization (PO carry forward from FY 09-10) Scharff et al - Indian Gaming (PO carry forward from FY 09-10) SUB-TOTAL - LEGAL & PROFESSIONAL SERVICES DP Security	\$	328,378.00	\$ \$ \$	3,000.00 10,138.96 141,034.68 328,377.92	\$	0.0
Welss, Janney et al - Emergency Stabilization (PO carry forward from FY 09-10) Scharff et al - Indian Gaming (PO carry forward from FY 09-10) SUB-TOTAL - LEGAL & PROFESSIONAL SERVICES OP Security Willie Agnews - COR Caretaker & Benefits	S S	328,378.00 99,301.00	\$ \$ \$ \$	3,000.00 10,138.96 141,034.68 328,377.92 31,504.05	\$	0.0 67,796.9
Welss, Janney et al - Emergency Stabilization (PO carry forward from FY 09-10) Scharff et al - Indian Gaming (PO carry forward from FY 09-10) SUB-TOTAL - LEGAL & PROFESSIONAL SERVICES DP Security Willie Agnews - COR Caretaker & Benefits Groeger - Grounds Maintenance	\$ \$ \$	328,378.00 99,301.00 231,500.00	\$ \$ \$ \$ \$	3,000.00 10,138.96 141,034.68 328,377.92 31,504.05 167,700.00	\$ \$ \$	0.0 67,796.9 63,800.0
Welss, Janney et al - Emergency Stabilization (PO carry forward from FY 09-10) Scharff et al - Indian Gaming (PO carry forward from FY 09-10) SUB-TOTAL - LEGAL & PROFESSIONAL SERVICES DP Security Willie Agnews - COR Caretaker & Benefits Groeger - Grounds Maintenance Miss. & Office Supplies	\$ \$ \$ \$	328,378.00 99,301.00 231,500.00 2,000.00	\$ \$ \$ \$ \$ \$	3,000.00 10,138.96 141,034.68 328,377.92 31,504.05 167,700.00 169.02	\$ \$ \$	0.0 67,796.9 63,800.0 1,830.9
Welss, Janney et al - Emergency Stabilization (PO carry forward from FY 09-10) Scharff et al - Indian Gaming (PO carry forward from FY 09-10) SUB-TOTAL - LEGAL & PROFESSIONAL SERVICES OP Security Willie Agnews - COR Caretaker & Benefits Groeger - Grounds Maintenance lists: & Office Supplies	\$ \$ \$	328,378.00 99,301.00 231,500.00	\$ \$ \$ \$ \$ \$	3,000.00 10,138.96 141,034.68 328,377.92 31,504.05 167,700.00	\$ \$ \$	0.0 67,796.9 63,800.0 1,830.9
Welss, Janney et al - Emergency Stabilization (PO carry forward from FY 09-10) Schaff et al - Indian Gaming (PO carry forward from FY 09-10) SUB-TOTAL - LEGAL & PROFESSIONAL SERVICES DP Security Willie Agnews - COR Caretaker & Benefits Groeger - Grounds Maintenance Jisse. & Office Supplies	\$ \$ \$ \$	328,378.00 99,301.00 231,500.00 2,000.00	\$ \$ \$ \$ \$ \$	3,000.00 10,138.96 141,034.68 328,377.92 31,504.05 167,700.00 169.02	\$ \$ \$	0.0 67,796.9 63,800.0 1,830.9
Welss, Janney et al - Emergency Stabilization (PO carry forward from FY 09-10) Schaff et al - Indian Gaming (PO carry forward from FY 09-10) SUB-TOTAL - LEGAL & PROFESSIONAL SERVICES OP Security Willie Agnews - COR Caretaker & Benefits Groeger - Grounds Maintenance Misc. & Office Supplies SUB-TOTAL - LANDSCAPING & SECURITY (#6 as of 11/18)	\$ \$ \$ \$	328,378.00 99,301.00 231,500.00 2,000.00 661,179.00	\$ \$ \$ \$ \$ \$ \$	3,000.00 10,138.96 141,034.68 328,377.92 31,504.05 167,700.00 169.02 527,750.99	\$ \$ \$ \$	0.0 67,796.9 63,800.0 1,830.9 133,428.0
Welss, Janney et al - Emergency Stabilization (PO carry forward from FY 09-10) Scharff et al - Indian Gaming (PO carry forward from FY 09-10) SUB-TOTAL - LEGAL & PROFESSIONAL SERVICES OP Security Willie Agnews - COR Caretaker & Benefits Groeger - Grounds Maintenance Misc. & Office Supplies SUB-TOTAL - LANDSCAPING & SECURITY (#6 as of 11/18) /arious Contractors - Pending	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	328,378.00 99,301.00 231,500.00 2,000.00 661,179.00	\$ \$ \$ \$ \$ \$	3,000.00 10,138.96 141,034.68 328,377.92 31,504.05 167,700.00 169.02 527,750.99	\$ \$ \$ \$	0.0 67,796.9 63,800.0 1,830.9 133,428.0
Welss, Janney et al - Emergency Stabilization (PO carry forward from FY 09-10) Scharff et al - Indian Gaming (PO carry forward from FY 09-10) SUB-TOTAL - LEGAL & PROFESSIONAL SERVICES OP Security Willie Agnews - COR Caretaker & Benefits Groeger - Grounds Maintenance Wilsc. & Office Supplies SUB-TOTAL - LANDSCAPING & SECURITY (#6 as of 11/18) Various Contractors - Pending	\$ \$ \$ \$	328,378.00 99,301.00 231,500.00 2,000.00 661,179.00	\$ \$ \$ \$ \$ \$ \$	3,000.00 10,138.96 141,034.68 328,377.92 31,504.05 167,700.00 169.02 527,750.99	\$ \$ \$ \$	0.0 67,796.9 63,800.0 1,830.9 133,428.0
Welss, Janney et al - Emergency Stabilization (PO carry forward from FY 09-10) Scharff et al - Indian Gaming (PO carry forward from FY 09-10) SUB-TOTAL - LEGAL & PROFESSIONAL SERVICES OP Security Willie Agnews - COR Caretaker & Benefits Groeger - Grounds Maintenance Millie Agnews - COR Caretaker & Benefits Groeger - Grounds Maintenance Millie & Office Supplies SUB-TOTAL - LANDSCAPING & SECURITY (#6 as of 11/18) Various Contractors - Pending SUB-TOTAL - EMERGENCY BUILDING STABILIZATION*	\$ \$ \$ \$ \$	328,378.00 99,301.00 231,500.00 2,000.00 661,179.00	\$ \$ \$ \$ \$ \$ \$ \$	3,000.00 10,138.96 141,034.68 328,377.92 31,504.05 167,700.00 169.02 527,750.99	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	0.0 67,796.9 63,800.0 1,830.9 133,428.0
Welss, Janney et al - Emergency Stabilization (PO carry forward from FY 09-10) Schaff et al - Indian Gaming (PO carry forward from FY 09-10) SUB-TOTAL - LEGAL & PROFESSIONAL SERVICES OP Security Willie Agnews - COR Caretaker & Benefits Groeger - Grounds Maintenance Misc. & Office Supplies SUB-TOTAL - LANDSCAPING & SECURITY (#6 as of 11/18) Various Contractors - Pending SUB-TOTAL - EMERGENCY BUILDING STABILIZATION*	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	328,378.00 99,301.00 231,500.00 2,000.00 661,179.00	\$ \$ \$ \$ \$ \$	3,000.00 10,138.96 141,034.68 328,377.92 31,504.05 167,700.00 169.02 527,750.99	\$ \$ \$	0.0 67,796.9 63,800.0 1,830.9 133,428.0
Welss, Janney et al - Emergency Stabilization (PO carry forward from FY 09-10) Scharff et al - Indian Gaming (PO carry forward from FY 09-10) SUB-TOTAL - LEGAL & PROFESSIONAL SERVICES OP Security Willie Agnews - COR Caretaker & Benefits	\$ \$ \$ \$ \$	328,378.00 99,301.00 231,500.00 2,000.00 661,179.00	\$ \$ \$ \$ \$ \$ \$ \$	3,000.00 10,138.96 141,034.68 328,377.92 31,504.05 167,700.00 169.02 527,750.99	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	0.0 67,796.9 63,800.0 1,830.9 133,428.0
Welss, Janney et al - Emergency Stabilization (PO carry forward from FY 09-10) Schaff et al - Indian Gaming (PO carry forward from FY 09-10) SUB-TOTAL - LEGAL & PROFESSIONAL SERVICES OP Security Willie Agnews - COR Caretaker & Benefits Groeger - Grounds Maintenance Misc. & Office Supplies SUB-TOTAL - LANDSCAPING & SECURITY (\$ as of 11/18) Various Contractors - Pending SUB-TOTAL - EMERGENCY BUILDING STABILIZATION* COST POOL**	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	328,378.00 99,301.00 231,500.00 2,000.00 661,179.00	\$ \$ \$ \$ \$ \$ \$ \$	3,000.00 10,138.96 141,034.68 328,377.92 31,504.05 167,700.00 169.02 527,750.99	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$	0.0 67,796.9 63,800.0 1,830.9 133,428.0
Welss, Janney et al - Emergency Stabilization (PO carry forward from FY 09-10) Scharff et al - Indian Gaming (PO carry forward from FY 09-10) SUB-TOTAL - LEGAL & PROFESSIONAL SERVICES OP Security Willie Agnews - COR Caretaker & Benefits Groeger - Grounds Maintenance Millie Agnews - COR Caretaker & Benefits Groeger - Grounds Maintenance Millie & Office Supplies SUB-TOTAL - LANDSCAPING & SECURITY (#6 as of 11/18) Various Contractors - Pending SUB-TOTAL - EMERGENCY BUILDING STABILIZATION*	\$ \$ \$ \$ \$	328,378.00 99,301.00 231,500.00 2,000.00 661,179.00	\$ \$ \$ \$ \$ \$ \$ \$	3,000.00 10,138.96 141,034.68 328,377.92 31,504.05 167,700.00 169.02 527,750.99	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	0.0 67,796.9 63,800.0 1,830.9 133,428.0