



## **AGENDA**

### **REGULAR MEETING OF THE CARSON RECLAMATION AUTHORITY**

“In accordance with the Americans with Disabilities Act of 1990, if you require a disability related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the City Clerk’s office at 310-952-1720 at least 48 hours prior to the meeting.” (Government Code Section 54954.2)

**CALL TO ORDER: CARSON RECLAMATION AUTHORITY**

**ROLL CALL:**

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**CLOSED SESSION (None)**

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**ORAL COMMUNICATIONS – CLOSED SESSION ITEMS ONLY**

**ANNOUNCEMENT OF CLOSED SESSION ITEMS**

**RECESS INTO CLOSED SESSION**

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**RECONVENE: OPEN SESSION**

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**REPORT ON CLOSED SESSION ACTIONS**

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**ORAL COMMUNICATIONS FOR MATTERS LISTED ON THE AGENDA (MEMBERS OF THE PUBLIC) (LIMITED TO ONE HOUR)**

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The public may address the members of the Carson Reclamation Authority on any matters within the jurisdiction of the Carson Reclamation Authority or on any items on the agenda of the Carson Reclamation Authority, other than closed session matters, prior to any action taken on the agenda. Speakers are limited to no more than three minutes, speaking once. Oral communications will be limited to one(1) hour unless extended by order of the Chair with the approval of the Authority Board.

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**APPROVAL OF MINUTES: NONE**

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**CONSENT (Items 1-3)**

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These items are considered to be routine items of AUTHORITY business and have, therefore, been placed on the CONSENT CALENDAR. If AUTHORITY wishes to discuss any item or items, then such item or items should be removed from the CONSENT CALENDAR. For items remaining on the CONSENT CALENDAR, a single motion to ADOPT the recommended action is in order.

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**Item No. 1. 2016-013**

**CONSIDERATION OF RESOLUTION NO. 16-01-CRJPA, A RESOLUTION OF THE CARSON RECLAMATION AUTHORITY REMOVING THE HOUSING AUTHORITY SECRETARY FROM THE CARSON RECLAMATION AUTHORITY BOARD AND REQUESTING THE HOUSING AUTHORITY APPOINTS THE CHAIR OF THE ECONOMIC DEVELOPMENT COMMISSION THERETO**

**Recommendation:**

WAIVE further reading by the Authority and ADOPT RESOLUTION NO. 16-01-CRJPA, A RESOLUTION OF THE CARSON RECLAMATION AUTHORITY REMOVING THE HOUSING AUTHORITY SECRETARY FROM THE CARSON RECLAMATION AUTHORITY BOARD AND REQUESTING THE HOUSING AUTHORITY APPOINTS THE CHAIR OF THE ECONOMIC DEVELOPMENT COMMISSION THERETO.

**Item No. 2. 2016-005**

**CONSIDER RESOLUTION NO. 16-02-CRJPA, A RESOLUTION OF THE CARSON RECLAMATION AUTHORITY, RATIFYING CLAIMS AND DEMANDS IN THE AMOUNT OF \$512,927.16**

**Recommendation:**

WAIVE further reading and APPROVE Resolution No. 16-02-CRJPA, "A RESOLUTION OF THE CARSON RECLAMATION AUTHORITY RATIFYING CLAIMS AND DEMANDS IN THE AMOUNT OF \$512,927.16."

Item No. 3. 2016-006

**APPROVAL OF WORK ORDER REQUESTS FROM TETRA TECH BY THE CARSON RECLAMATION AUTHORITY, REPLACING PREVIOUSLY APPROVED CHANGE ORDERS AND AUTHORIZING ADDITIONAL TASKS, AND AUTHORIZING AN AMENDMENT TO THE FISCAL YEAR 2015-16 BUDGET IN THE AMOUNT OF \$393,518.34**

**Recommendation:**

APPROVE the Work Order Requests to approve Work Orders 16, 17, 19, 20, 21, 22, 23, 24, 25, and 26, listed and described below, which have been reviewed and approved by the CRA's project manager and the environmental consultant.

AUTHORIZE amendment to the Fiscal Year 2015-16 budget of the CARSON RECLAMATION AUTHORITY to cover Work Orders 16, 17 and 26 in the amount of \$393,518.34 from the unallocated 2015 CSA Tax Allocation Bond proceeds to account no. 78-70-982-965 (CRA). Individual four-digit account codes will be assigned to the three tasks.

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**SPECIAL ORDERS OF THE DAY (None)**

Public testimony is restricted to three minutes per speaker, speaking once (excepting applicants who are afforded a right of rebuttal, if desired), unless extended by order of the Chair with the approval of the Authority.

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**DISCUSSION (None)**

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**ORAL COMMUNICATIONS FOR MATTERS NOT LISTED ON THE AGENDA (MEMBERS OF THE PUBLIC)**

The public may at this time address the members of the Carson Reclamation Authority on any matters within the jurisdiction of the Carson Reclamation Authority. No action may be taken on non-agendized items except as authorized by law. Speakers are requested to limit their comments to no more than three minutes each, speaking once.

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**ORAL COMMUNICATIONS (AUTHORITY MEMBERS)**

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**ANNOUNCEMENT OF UNFINISHED OR CONTINUED CLOSED SESSION ITEMS (AS NECESSARY)**

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**RECESS TO CLOSED SESSION**

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**RECONVENE TO OPEN SESSION**

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**ADJOURNMENT**

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File #: 2016-013, Version: 1

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## Report to Carson Reclamation Authority

Tuesday, January 05, 2016

Consent

### SUBJECT:

**CONSIDERATION OF RESOLUTION NO. 16-01-CRJPA, A RESOLUTION OF THE CARSON RECLAMATION AUTHORITY REMOVING THE HOUSING AUTHORITY SECRETARY FROM THE CARSON RECLAMATION AUTHORITY BOARD AND REQUESTING THE HOUSING AUTHORITY APPOINTS THE CHAIR OF THE ECONOMIC DEVELOPMENT COMMISSION THERETO**

### I. SUMMARY

On January 5, 2015, the Carson Housing Authority will consider modifying its bylaws, such that the Carson City Clerk will no longer automatically be designated as the Housing Authority Secretary, and that the Housing Authority Secretary would be appointed and serve at the pleasure of the Housing Authority. Furthermore, the Carson Housing Authority will also consider taking action to remove City Clerk Jim Dear from the office of the Housing Authority Secretary. Mr. Dear serves on the Reclamation Authority's Board by virtue of his being the Housing Authority Secretary. Mr. Dear will no longer be qualified to serve on the Reclamation Authority's Board if he is removed from the office of the Housing Authority Secretary. If on January 5, 2015 the Carson Housing Authority modifies its Bylaws and removes Mr. Dear from the office of the Housing Authority Secretary, this Carson Reclamation Authority action is to consider: affirming and confirming that Mr. Dear is no longer a member of the Reclamation Authority's board due to his no longer being qualified; declaring that Mr. Dear's seat on the Reclamation Authority Board is thereby vacant; and, recommending that the Housing Authority (pursuant to applicable Bylaws) appoint to such vacancy the Chair of the Economic Development Commission.

### II. RECOMMENDATION

TAKE the following actions:

WAIVE further reading by the Authority and ADOPT RESOLUTION NO. 16-01-CRJPA, A RESOLUTION OF THE CARSON RECLAMATION AUTHORITY REMOVING THE HOUSING AUTHORITY SECRETARY FROM THE CARSON RECLAMATION AUTHORITY BOARD AND REQUESTING THE HOUSING AUTHORITY APPOINTS THE

CHAIR OF THE ECONOMIC DEVELOPMENT COMMISSION THERETO.

**III. ALTERNATIVES**

1. TAKE no action.

1.

**IV. BACKGROUND**

On January 5, 2016, the Board of the Carson Housing Authority (“CHA”) will consider taking action to remove City Clerk Jim Dear as its Housing Authority Secretary. Mr. Dear was appointed to the Carson Reclamation Authority (“CRA”) by virtue of being the Housing Authority Secretary, pursuant to Section 2.02 of the Bylaws of the Carson Reclamation Joint Powers Authority and Section 3.07(b) of the First Amended Joint Powers Agreement of the Carson Reclamation Authority, dated March 17, 2015.

The CRA bylaws require that the fifth member of the Board, appointed by a vote of the Housing Authority, be either the Secretary of the Housing Authority or the Chairman of the Economic Development Commission.

If the Housing Authority removes Mr. Dear as its Housing Authority Secretary, the CRA may confirm and affirm that Mr. Dear is no longer a CRA Board member, due to he is no longer qualified, because of his removal from the office of the Housing Authority Secretary.

If the CRA Board does affirm and confirm that Mr. Dear (as the former Housing Authority Secretary) is removed from the CRA Board, then it is recommended to declare the seat vacant, and then to request the Housing Authority to appoint either the Chair of the Economic Development Commission, or the replacement Housing Authority Secretary, to fill the vacancy, pursuant to Section 2.02 of the Bylaws of the Carson Reclamation Joint Powers Authority and Section 3.07(b) of the First Amended Joint Powers Agreement of the Carson Reclamation Authority, dated March 17, 2015.

Since there is a question of whether the replacement Housing Authority Secretary would automatically fill this position on the CRA Board, and since that position will be an appointed position that serves at the pleasure of the Carson Housing Authority, it is considered inappropriate for the appointed replacement Housing Authority Secretary to serve on the CRA Board, since the CRA Board engages in policy making. Therefore, removal of the Housing Authority Secretary position from the CRA Board is warranted, by appointment of the Chair of the Economic Development Commission to the CRA Board.

The City Council of the City of Carson had previously requested that the Carson Reclamation Authority by a majority vote remove Mr. Dear from the Board of the Carson Reclamation Authority. Subsequent to honoring this request, the Carson Reclamation Authority Board requests that the Housing Authority then fill such vacancy on the CRA Board by appointing the Chair of the Economic Development Commission to serve as a member of the CRA Board.

**V. FISCAL IMPACT**

NONE.

**VI. EXHIBITS**

1. RESOLUTION NO. 16-01-CRJPA, A RESOLUTION OF THE CARSON RECLAMATION AUTHORITY REMOVING THE HOUSING AUTHORITY SECRETARY FROM THE CARSON RECLAMATION AUTHORITY BOARD AND REQUESTING THE HOUSING AUTHORITY APPOINTS THE CHAIR OF THE ECONOMIC DEVELOPMENT COMMISSION THERETO. (pgs. 4-6)

Prepared by: John Raymond, Community Development Director

RESOLUTION NO. 16-01-CRAJPA

A RESOLUTION OF THE CARSON RECLAMATION AUTHORITY REMOVING THE HOUSING AUTHORITY SECRETARY FROM THE CARSON RECLAMATION AUTHORITY BOARD AND REQUESTING THE HOUSING AUTHORITY APPOINTS THE CHAIR OF THE ECONOMIC DEVELOPMENT COMMISSION THERETO.

WHEREAS, the Carson Housing Authority's bylaws previously provided that the Carson City Clerk was automatically designated as the Carson Housing Authority Secretary ("Carson Housing Secretary"); and

WHEREAS, the Carson Reclamation Authority's ("CRA") bylaws provide that either the Carson Housing Secretary or the Chair of the Carson Economic Development Commission serve on the CRA Board; and

WHEREAS, as a result of the above, City Clerk Jim Dear sat on the CRA Board; and

WHEREAS, on January 5, 2016, the Carson Housing Authority took action to modify its bylaws such that the Carson City Clerk would no longer be automatically designated as the Carson Housing Secretary, and also took action to remove City Clerk Jim Dear from being the Carson Housing Secretary; and

WHEREAS, on January 5, 2016, the Carson Housing Authority took further action to modify its bylaws such that the individual serving as the Carson Housing Secretary would be appointed by the Carson Housing Authority and serve at its pleasure; and

WHEREAS, as a result of the Carson Housing Authority's above mentioned actions on January 5, 2016, City Clerk Jim Dear is no longer qualified to serve on the CRA Board; and

WHEREAS, it is also now inappropriate for the Carson Housing Secretary to be on the CRA Board, because the CRA Board engages in policy making, and the Carson Housing Secretary now serves at the pleasure of the Carson Housing Authority; and

WHEREAS, Section 2.02 of the Bylaws of the Carson Reclamation Joint Powers Authority, and Section 3.07(b) of the First Amended Joint Powers Agreement of the Carson Reclamation Authority, provide that CRA Board members must be removed by a majority of the CRA Board; and

WHEREAS, Section 2.02(e) of the Bylaws of the Carson Reclamation Joint Powers Authority and Section 3.07(a)(5) of the First Amended Joint Powers Agreement of the Carson Reclamation Authority, require that a seat on the CRA Board be filled by either the Carson Housing Authority Secretary or the Chair of the Carson Economic Development Commission.

NOW, THEREFORE, THE CARSON RECLAMATION AUTHORITY OF THE CITY OF CARSON, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

**Section 1.** The foregoing recitals are true and correct and are incorporated by reference herein.

**Section 2.** The Carson Reclamation Authority Board hereby confirms and affirms that City Clerk Jim Dear is no longer qualified to be a member of the Carson Reclamation Authority Board, due to the Carson Housing Authority's January 5, 2016 actions to both modify its bylaws such that the Carson City Clerk would no longer be automatically designated as the Carson Housing Secretary, as well as to remove City Clerk Jim Dear from being the Carson Housing Secretary.

**Section 3.** Pursuant to Section 2.02 of the Bylaws of the Carson Reclamation Joint Powers Authority, and Section 3.07(b) of the First Amended Joint Powers Agreement of the Carson Reclamation Authority, the Carson Reclamation Authority Board hereby removes the Carson Housing Secretary from the Carson Reclamation Authority Board and declares vacant the seat described in Section 2.02(e) of the Bylaws of the Carson Reclamation Joint Powers Authority and Section 3.07(a)(5) of the First Amended Joint Powers Agreement of the Carson Reclamation Authority.

**Section 4.** Pursuant to Section 2.02(e) of the Bylaws of the Carson Reclamation Joint Powers Authority and Section 3.07(a)(5) of the First Amended Joint Powers Agreement of the Carson Reclamation Authority, the Carson Reclamation Authority Board hereby requests that the Carson Housing Authority appoint the Chair of the Carson Economic Development Commission to fill the vacancy described above.

**Section 5.** The Carson Reclamation Authority Board hereby authorizes and directs staff to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated by this Resolution, and pursuant to the Bylaws of the Carson Reclamation Joint Powers Authority and the First Amended Joint Powers Agreement of the Carson Reclamation Authority.

**Section 6.** The Secretary of the Carson Reclamation Authority shall certify to the adoption of this Resolution.

**PASSED, APPROVED and ADOPTED** at a regular meeting of the Carson Reclamation Authority on this 5th day of January, 2016.

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Chair of the Carson Reclamation Authority

ATTEST:

\_\_\_\_\_  
Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

**CERTIFICATE OF ATTESTATION AND ORIGINALITY**

I, \_\_\_\_\_, Secretary of the Carson Reclamation Authority, hereby attest to and certify that the foregoing resolution is the original resolution adopted by the Carson Reclamation Authority at its regular meeting held on the 5th day of January, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
, Secretary



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File #: 2016-005, Version: 1

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## Report to Carson Reclamation Authority

Tuesday, January 05, 2016

Consent

### SUBJECT:

**CONSIDER RESOLUTION NO. 16-02-CRJPA, A RESOLUTION OF THE CARSON RECLAMATION AUTHORITY, RATIFYING CLAIMS AND DEMANDS IN THE AMOUNT OF \$512,927.16**

### I. SUMMARY

This action approves claims and demands for the Authority for contractor work done in October, November and December.

### II. RECOMMENDATION

WAIVE further reading and APPROVE Resolution No. 16-02-CRJPA, "A RESOLUTION OF THE CARSON RECLAMATION AUTHORITY RATIFYING CLAIMS AND DEMANDS IN THE AMOUNT OF \$512,927.16."

### III. ALTERNATIVES

1. TAKE another action the AUTHORITY deems appropriate.

### IV. BACKGROUND

Since May, 2015 the CRA Board has taken a number of actions to move the remediation of the former Cal-Compact Landfill project forward and to create systems that allow the review and approval of the work undertaken by the remediation contractor, Tetra Tech, and other contractors and consultants in a fair but transparent manner.

This action includes the approval of a Claims and Demands Resolution approving several Tetra Tech invoices, which have been reviewed and approved by the CRA's Project Manager (SEG Advisors) and Environmental Services Advisor (SCS Engineers) and Michael Baker International, Inc. prior to staff approval. It also approves monthly payments to SCS and SEG as well and the renewal of the Contractor's Pollution Liability

Insurance policy to December 21, 2016 billing from the Department of Toxic Substances Control JLT Specialty Insurance Services in San Francisco. The coverage is for \$25,000,000 and the premium is \$50,000 for the entire year, to December 21, 2016, plus \$1,500 Surplus Lines Tax and Stamping Fee of \$100.00. This is a significant reduction in premium from the most recent renewal, which had been \$75,000 for six months.

**V. FISCAL IMPACT**

The total approved expenditure is \$512,927.16.

**VI. EXHIBITS**

1. Resolution No. 16-02-CRJPA

1.

Prepared by: John S. Raymond, Executive Director

**RESOLUTION NO. 16-02-CRJPA**

**RESOLUTION NO. 16-02-CRJPA, A RESOLUTION OF THE CARSON RECLAMATION AUTHORITY RATIFYING CLAIMS AND DEMANDS IN THE AMOUNT OF \$512,927.16**

**THE CARSON RECLAMATION AUTHORITY DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:**

SECTION I: The following claims and demands have been audited as required by law and are hereby approved in the amount hereinafter set forth:

<u>Payee Name</u>	<u>Payment Number</u>	<u>Purpose</u>	<u>Invoice Number</u>	<u>Payment Amount</u>
TETRA TECH, INC.	50	COR 201 Perimeter Air Monitoring	50983691	\$31,422.13
TETRA TECH, INC.	51	COR 202 Vector control	50983758	\$4,532.49
TETRA TECH, INC.	52	COR 203 Site security & site maintenance	50983761	\$40,373.76
TETRA TECH, INC.	53	COR 204 Watering the prescriptive cover	50983768	\$10,281.34
TETRA TECH, INC.	54	COR 206 Quarterly soil gas monitoring	50983773	\$8,697.12
TETRA TECH, INC.	55	COR 209 SWPPP Design and Implementation	50984097	\$113,713.19
TETRA TECH, INC.	56	COR 211 Alternative Compliance Plan for the Landfill Gas Collection and Control Systems	50984100	\$12,101.54
TETRA TECH, INC.	57	COR 213 Reclaimed Water for Dust Control System	50984102	\$8,724.90
TETRA TECH, INC.	58	COR 200 Project Management	50983994	\$56,158.14
TETRA TECH, INC.	59	COR 208 Construction Management of LFGES	50983997	\$12,361.43
TETRA TECH, INC.	60	COR 214 Support the CRA in Developing a Request for AIG Coverage for LFG OM&M	50984510	\$13,419.39
TETRA TECH, INC.	61	COR 205 Annual Storage Yard Maintenance	50984507	\$1,230.99
TETRA TECH, INC.	62	WOR 215 Crushing of Concrete Rubble for SWPPP	50984514	\$2,973.01

TETRA TECH, INC.	63	WOR 218 Evaluate the New Conceptual Mall Development Plan	50984516	\$4,378.42
TETRA TECH, INC.	64	COR 212 Landfill Gas System OM&M for Cells 3 and 5	50984920	\$68,112.88
Total Tetra Tech				\$388,480.73
SCS ENGINEERS, INC.		Environmental Review- October	0265612	\$18,329.00
SEG ADVISORS, INC.		Project Management – November	SEG-2015-0032	\$20,000.00
SEG ADVISORS, INC.		Project Management – December	SEG-2015-0036	\$20,000.00
JLT Specialty Insurance Services		Contractor's Pollution Liability Insurance to December 21, 2016.	Policy No. G2390164 A 001	\$51,600.00
Michael Baker International, Inc.		Services from September 28 – November 1, 2015	922699	\$14,517.45
TOTAL				\$512,927.16

ON JANUARY 5, 2016, THE CARSON RECLAMATION AUTHORITY RATIFIED THE ABOVE DEMANDS AND THE CITY TREASURER IS HEREBY DIRECTED TO PAY, OUT OF THE FUNDS NAMED HEREON, TO EACH OF THE CLAIMANTS LISTED ABOVE, THE AMOUNT OF WARRANT APPEARING OPPOSITE THEIR RESPECTIVE NAMES, FOR THE PURPOSE STATED ON THE RESPECTIVE DEMANDS, MAKING A TOTAL OF \$512,927.16.

PASSED, APPROVED and ADOPTED this 5th DAY OF JANUARY, 2016.

CARSON RECLAMATION AUTHORITY, a  
public body

By:

\_\_\_\_\_  
Chairman Albert Robles

ATTEST:

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Secretary

CERTIFICATION

In accordance with Section 37.202 of the California Government Code, I hereby certify that the above demands are accurate and that funds are available for payment thereof. I certify under penalty of perjury that the foregoing is true and correct.

EXECUTED THE \_\_\_\_\_ DAY OF  
\_\_\_\_\_ AT CARSON, CALIFORNIA

\_\_\_\_\_  
EXECUTIVE DIRECTOR  
JOHN S. RAYMOND



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File #: 2016-006, Version: 1

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## Report to Carson Reclamation Authority

Tuesday, January 05, 2016

Consent

### SUBJECT:

**APPROVAL OF WORK ORDER REQUESTS FROM TETRA TECH BY THE CARSON RECLAMATION AUTHORITY, REPLACING PREVIOUSLY APPROVED CHANGE ORDERS AND AUTHORIZING ADDITIONAL TASKS, AND AUTHORIZING AN AMENDMENT TO THE FISCAL YEAR 2015-16 BUDGET IN THE AMOUNT OF \$393,518.34**

### I. SUMMARY

These work orders requested by Tetra Tech replace several Change Orders that have been approved by the Carson Reclamation Authority (“CRA” or “Authority”) since July, 2015, and establish the work program for the remediation and infrastructure on the 157-acre site through the end of the fiscal year. The CRA Board had approved most Change Order Requests at a percentage less than 100% of the requested dollar amount in July, August and September. CRA staff and its consultants worked with Tetra Tech on developing a review and approval process for the payment of invoices as well as the work program for the entire year. These “Work Orders” will replace the existing Change Orders for contracting and billing purposes. Several previously approved change orders will remain in place, and there are Work Order requests for new tasks as well. These items are recommended for approval.

### II. RECOMMENDATION

APPROVE the Work Order Requests to approve Work Orders 16, 17, 19, 20, 21, 22, 23, 24, 25, and 26, listed and described below, which have been reviewed and approved by the CRA’s project manager and the environmental consultant.

AUTHORIZE amendment to the Fiscal Year 2015-16 budget of the CARSON RECLAMATION AUTHORITY to cover Work Orders 16, 17 and 26 in the amount of \$393,518.34 from the unallocated 2015 CSA Tax Allocation Bond proceeds to account no. 78-70-982-965 (CRA). Individual four-digit account codes will be assigned to the three tasks.

### III. ALTERNATIVES

TAKE another action the Reclamation Authority deems appropriate.

#### **IV. BACKGROUND**

Pursuant to Sections 4.a. and 4.b. and Section 8 of a Settlement, Release and Indemnity Agreement (“Agreement”) by and between the City of Carson (“City”), the Carson Reclamation Authority (“Authority”), the Successor Agency to the Carson Redevelopment Agency (“Successor Agency”), and Carson Marketplace, LLC, a Delaware limited liability corporation (“CM”), “Assignment and Assumption of Obligations” and “Remediation Work”, the Authority assumed the obligation to continue the remediation of the 157-acre project site under a Fixed Price Operations and Maintenance Environmental Assurance Agreement (“EAA”) dated December 31, 2007 with Tetra Tech, Inc.

The contract issued under the original EAA with Carson Marketplace is the baseline scope of work. Direct remediation construction costs under the original EAA are paid through a Trust Account held with Wells Fargo Bank. Work beyond the original scope is considered a “Change Order” and subject to the review and approval of the CRA Board. The CRA’s Change Order approval process commenced after it took title to the Property on May 18, 2015.

The Authority and Tetra Tech have established a Change Order Request process for items outside the scope of the original EAA, with initial review by the Authority’s environmental consultants and approval by the Authority Board. On July 7, the Board approved Change Orders 200, 207 and 208 at 85% of the requested amount. On August 4, 2015, Change Orders 201, 202, 203, 204, 205, 206, 209, 210, 211 and 212 were approved at a percent of the requested amount. Invoices were reviewed in August and approved at the September 1, 2015 Board meeting. These “partial” approvals allowed Tetra Tech to begin work on the various items, while allowing time for the environmental consultant to work with Tetra Tech and the CRA staff to review and refine the work program for these items. On August 4, 2015, Change Orders 201, 202, 203, 204, 205, 206, 209, 211 and 212 were approved at a percent of the requested amount. These actions allowed Tetra Tech to continue to work on the various tasks while allowing additional time for the environmental consultant to work with Tetra Tech and the CRA staff to review and refine the work program for these items. On October 6, 2015 Change Orders 207 and 208 were amended to 100% of the requested amount.

In September and October, the parties developed the work program for the remainder of the fiscal year, which will replace the existing Change Orders for contracting and billing purposes. The original Change Order Requests were requested through March 31, 2016, and were generally approved at an amount of 80% - 85% of the requested amount, meaning that many of those tasks were actually only effectively funded through the end of January. These items are recommended for approval. The CRA’s annual budget, however, was established at 100% of the requested amount and extrapolated to include the additional months up to June 30, 2016.

There are two new items, Work Orders 16 and 17. Work Order 16 is related to the import of fill dirt for filling the “Lenardo Depression” and levelling the site for future development. The Lenardo Depression is a below-grade section of Stadium Way that was a design feature of The Boulevards project but will need to be filled to accommodate the proposed stadium or the

alternative major retail center. Work Order 17 is related to the start-up of the Landfill Gas System in Cells 3 and 5 and an effort to remedy the intrusion of air into the landfill gas system through approximately four (out of 64) wells that were installed. It involves excavation around the well and the placing of a temporary liner over the wellhead to prevent air from being drawn into the soil by the vacuum action of the well. Most of the wells have worked without needing this fix, since the system began collecting gas in July and the perimeter monitors have reported a significant decline in methane emissions since the installation of the system.

The item related to Change Order 214 shown below is funding for additional work performed by Tetra Tech related to the claim made by the CRA to the EAA insurer AIG to cover the cost of the Operation and Maintenance of the Landfill Gas System (“LFGS”). Negotiations with AIG continue and Tetra Tech has been asked to do some additional technical work. AIG pays for the operation and maintenance of the Groundwater Collection system under the EAA, and will ultimately pay for the LFGS when fully installed; this is an effort to pay for the part already installed under a directive from DTSC, which comprises about 40% of the Site.

The following Work Order Requests are recommended for approval:

Work Order #	Previous Change Order #	Description	Requested Amount
16	New	Import of Fill and Stockpiling (up to 50,000 CY)	\$330,062.47
17	New	Interim Air Intrusion Controls	\$53,455.87
19	201	Perimeter Air Monitoring	\$243,058.11
20	202	Vector Control	\$57,313.48
21	203/205	Site Security & Site Maintenance (includes signs and test pile removal)	\$486,106.10
22	204	Water Prescriptive Cover	\$71,700.14
23	205	Annual Site Maintenance	\$24,046.00
24	212	LFGETS OM&M for Cells 3 and 5	\$373,769.80
25	200	Project Management	\$517,524.73
26	214	Additional AIG OM&M Work	\$10,000.00
		<b>TOTAL</b>	<b>\$2,167,036.70</b>

Once the new Work Orders are approved where a previous Change Order number is shown, the previous Change Order will be terminated.

The following is a table showing the status of the previous approved change orders, most of which will be replaced by the work orders listed above. Two exceptions are Work Orders 15 and 18 listed below, which were approved in October and will remain in force, and Change Order 209, related to the Storm Water Pollution Prevention Plan (SWPPP). That will remain in force as it may be amended (increased) over the next few months based on the effects of El Nino. There remains over \$400,000 in that account, which will handle a number of major storm events, but could fall short with a heavy and prolonged El Nino season.

The amount "to be billed" in the Change Orders below, related to the same tasks listed in the Work Orders above, is \$955,430. Therefore, the additional request from the new approved Work Orders is \$1,187,560.70. This is comprised of the following:

New Work Orders 16, 17, and 26	\$393,518.34
Difference between TT Request and Approved Amount	\$547,040.55
<u>April 1 through June 30 Costs</u>	<u>\$247,001.85</u>
Total	\$1,187,560.70

However, the budget was established at 100% of the requested amount and extrapolated to include the additional months up to June 30, 2016, so there should only be a budget impact of \$393,518.34 due to New Work Orders 16, 17, and 26 over the remaining term of the fiscal year.

		Requested Amount	CRA Approve %	Approved Amount	Billed to Date	Remaining to be Billed
200	Project Management	723,128	85%	614,658.80	377,870.86	236,788
201	Perimeter Monitoring	512,621	80%	410,096.80	212,083.13	198,014
202	Vector Control	114,557	80%	91,645.60	31,123.75	60,522
203	Site Security	528,395	80%	422,716.00	265,577.95	157,138
204	Watering Perimeter	142,869	80%	114,295.20	61,226.00	53,069
205	Storage Yard Maintenance	50,465	80%	40,372.00	1,230.99	39,141
206	Quarterly Soil Gas Monitoring	66,001	80%	52,800.80	25,353.73	27,447
207	Closure of windows	47,335	85%	47,335.00	41,357.32	5,978
208	CM for GCCS	91,490	85%	91,490.00	84,149.52	7,340
209	SWPPP	865,283	80%	692,226.40	254,343.09	437,883
210	Insurance Deductible	10,001	100%	10,001.00	10,000.57	0
211	SCAQMD ACP	123,869	35%	43,354.15	19,046.81	24,307
212	LFG OM&M	482,257	65%	313,467.05	102,708.85	210,758
213	Reclaimed Water	21,477	100%	21,477.00	8,724.90	12,752
214	AIG OM&M Work	20,000	100%	20,000.00	19,313.61	686
15	Crushing of Concrete Rubble for SWPPP	\$143,103	100%	143,103.00	2,973.01	140,129.99

18	Evaluate and design the new conceptual shopping mall alternative	\$105,313	100%	105,313.00	4,378.42	100,934.58
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**V. FISCAL IMPACT**

The original amounts related to the Change Orders were budgeted in the CRA budget. The budget impact of approving New Work Orders 16, 17, and 26 is an additional \$393,518.34 and that amount is requested to be appropriated from the 2015B Tax Allocation Bonds deposited with the CRA.

**VI. EXHIBITS**

None.

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