

Scanned copy to
Council
Arsenal

The Arnold Law Practice

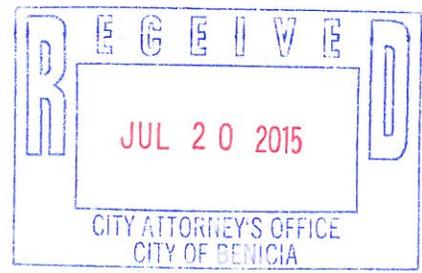
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**BY EMAIL,
ORIGINAL BY USPS**

July 16, 2015

Heather McLaughlin, Esq.
City Attorney
City of Benicia
250 East L Street
Benicia, CA 94510



Re: 50 Series Complex – Air Sampling Plan: Request for contribution

Dear Heather:

This letter is Historic Arsenal Park, LLC’s formal request to the City of Benicia to share costs. The current costs are those incurred and to be incurred in implementing the Air Sampling Plan prepared by our client’s consultant (AEI Consultants) with input from the City’s consultant (ERS Corporation). Currently, the DTSC is reviewing the Plan. Costs for work conducted under the Plan are expected to be borne by the DTSC designated “Responsible Parties” (“RPs”). As you know, the DTSC has named both Historic Arsenal Park, LLC and the City as Responsible Parties. And, the DTSC is expecting cooperation among the RPs.

In order to implement the Plan, Historic Arsenal Park, LLC asks that the City commit to paying 50% of the costs for each air sampling event performed in accordance with the Plan. As you know the Plan was prepared – with City input – to address DTSC’s requirement for semi-annual sampling at the 50 Series Complex as long as mitigation measures are needed.

AEI has informed us that the cost for each air sampling event, which will be performed semi-annually, is **\$8,700**, which includes sampling, reporting, and consulting. Historic Arsenal Park, LLC is asking the City to contribute half of the cost for each air sampling event for the next 3 years. Accordingly, Historic Arsenal Park, LLC asks that the City earmark approximately **\$30,000** to cover costs associated with the Plan, as well as any unforeseen costs that arise or if DTSC requires further amendments.

Heather McLaughlin, Esq.
June 16, 2015
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Please share this letter with the City Council and its Finance Committee. Our client appreciates the opportunity to work with the City of Benicia on the 50 Series Complex.

Please let us know if you, the City Council, or the Finance Committee has any questions or concerns.

Very truly yours,



James R. Arnold

Cc: Client
JAB