

**BAY POINT MUNICIPAL ADVISORY COUNCIL
MINUTES – February 3, 2009**

Chairwoman Zumwalt called the regular meeting of the Bay Point Municipal Advisory Council to order at 7:02 p.m. held at Ambrose Recreation and Park District Board Room, 3105 Willow Pass Road, Bay Point, California.

PRESENTATION OF COLORS:

The Pledge of Allegiance was led by county Supervisor Federal Glover

MEMBERS PRESENT: Garcia, Kopitar, Magleby, Stevenson, Tremaine and Zumwalt

MEMBERS ABSENT: Mason

OFFICIAL SWEARING IN CEREMONY

This year's Officers:
Vicki Zumwalt – Chair
Gloria Magleby – Vice chair
Terrilynn Kopitar – Secretary
Eva Garcia – Treasurer

Supervisor Glover swore in the MAC Officers for 2009.

Supervisor Glover stated he also wanted to present Certificates of Appreciation to former MAC members for their contributions to the community as MAC members, saw none present tonight, but would be making sure they received them.

APPROVAL OF AGENDA:

Approval of the February 3, 2009 Agenda

**M/Garcia
S/Stevenson
Members present approved the Agenda for February 3, 2009. Vote 6 – 0**

APPROVAL OF MINUTES:

Approval of the January 6, 2009 MAC meeting Minutes

**M/Magleby
S/Garcia
Members present approved the MAC Minutes of January 6, 2009. Vote: 6 - 0**

PUBLIC COMMENTS for items not on the agenda:

None

CONSENT CALENDAR:

1 Brief review and approval of monthly correspondence - Secretary Kopitar

There was a short discussion about a letter from Golden State Water Company regarding their switch to using water directly from Contra Costa Water District, eliminating their need to treat water.

Chairwoman Zumwalt also shared a letter received from Assemblyman Torlakson regarding the Union Pacific rail cars parked on tracks alongside Port Chicago Hwy.; that he is still asking them to remedy the situation. She also made the letter available to anyone who wanted to see it.

2 Approval to extend contract for 2009 Recording Secretary, Debra Giles' services

3 Approval of monthly Recording Secretary Invoice of \$120.00

4 Approval of Recording Secretary Replacement of equipment and tapes – not to exceed \$100.00

M/Garcia

S/Magleby

Members present approved the Consent Calendar. Vote 6 – 0

PRESENTATIONS:

Keller Canyon Landfill, design and operations – Mike Caprio, General Manager

Environmental Manager, Laughlin Caffee, introduced himself and distributed materials about Keller Canyon operations, and proposed modification of existing Conditions of Approval info. He then gave an overview of the facility and site including;

- Owner – Keller Canyon Landfill Co., a wholly-owned subsidiary of Allied Waste Industries, Inc.
- Project Site – approx. 2,628 acres (including 1,036 acre Buffer Area reserved for open space and agricultural uses).
- Primary Project Area – approx. 1,592 acres (includes Disposal Area as well as portions of the site that contain the on-site access road, engineered features like the Toe Berm as well as other landfill related improvements and monitoring systems).
- Estimated Closure Date – Year 2030 – 2040 (actual date will depend on volumes of incoming disposal).
- Date Landfill Began Operation – May 7, 1992
- Maximum Tons of Disposal Per Operating Day – 3,500 (LUP does not contain tonnage limits for other non-disposed materials used beneficially on-site, like green waste used to cover active working face or concrete used on internal roads).
- Maximum Daily Traffic Volume – 320 incoming trips according to the 1989 Environmental Impact Report (includes trips for disposal plus trips for material used as on-site beneficial reuse; LUP does not currently contain maximum daily traffic limit).

Susan Hurly, of Allied Waste gave a brief description of the Wetlands program she does at Keller Canyon wetlands in cooperation with the Pittsburg Unified School District; also stated they might be doing something in the future with Bay Point schools.

Mr. Caffee spoke on the landfills Waste Containment System, including a life-size model of the different levels involved; explaining each level and what was involved with each one. He stated they are also fortunate at this site to have a gravity drain system, not having to rely on sumps and pumps to drain and collect the water that runs off the landfill; they have two, 50 thousand gallon tanks to hold the water.

There was a short discussion on how the land was originally prepared; excavation, ground flattened, etc., in order to prepare the landfill site with the Waste Containment system.

Chairwoman Zumwalt stated last year some of the MAC members had participated in a tour of the landfill, and asked if they might have that available to them again this year.

Mr. Caffee responded yes.

Mr. Diokno asked what was done about plastic bag containment, on site and from the trucks that are coming in.

Mr. Caffee stated they try to orient their filling operation in the best position during windy months and litter fences try to catch and stop flying debris. He stated the trucks are to be covered with screens and tarps, but the drivers must apply them properly.

Councilman Tremaine asked about gases that accumulate from the landfill and what is done about it.

Mr. Caffee stated the by-product of degrading garbage, methane gas, is collected through wells and lines and burned off. He stated the work is done by a department of Bay Area Air Quality District, and there is surface testing done also. He stated another feature at the site that will be up-and-running in the spring, is a landfill gas energy plant, where the gas will run an engine, generating electricity to go into the power grid.

Keller Canyon Landfill, on-going land use permit amendment process and CEQA review – Deidra Dingman

Ms. Deidra Dingman, who works with the county's Department of Conservation and Development as a planner, has been a key project planner for Keller, stated the information she distributed can also be found on their website, and more information will be made available as it develops for people to see at www.cccounty.us/kcl.

Ms. Dingman stated Keller Canyon's application (LP082026) proposed to modify the existing Conditions of Approval (COA) to increase the current maximum daily tonnage limit for disposal from 3,500 to 4,900 tons per day; that the LOP COA be revised to identify a separate maximum daily tonnage limit on organic material accepted for use as alternative daily cover and inert material accepted for beneficial re-use on-site.; that approximately 1,300 tons per day of non-landfill materials be specifically excluded from the daily disposal tonnage limitation.

Ms. Dingman stated that other than the proposed changes, no other substantive alterations are proposed to the landfill facility design or operations; including no changes to facility components such as the waste types to be accepted, hours of operation, permitted waste disposal boundary, disposal area and maximum fill elevation.

Ms. Dingman reviewed the multiple steps involved in getting their application processed

including a Supplemental EIR (Environmental Impact Report) and going before the planning commission.

Councilman Stevenson asked about who they service as all the trucks seem to come from the easterly direction.

Ms. Dingman stated the Contra Costa Transfer Station in Martinez is where they are coming from; they are a main source of waste, but not the only one. She stated the waste from the Pittsburg Transfer Station goes to a landfill in Solano County.

There was a short discussion of various landfill sites and possible changes in the future.

Councilman Tremaine asked about sorting at Keller Canyon.

Ms. Dingman stated sorting was done at the transfer station, not at Keller landfill.

There was a short discussion regarding the proposed amended Tons per Day affecting the estimated closure date of Keller landfill. Ms. Dingman stated a good guess would be in about 50 years, which is close to the original estimated date.

Resident Janess Hanson stated she wanted to comment on it being a good idea to work with students at the seasonal wetlands. She also wanted to know the source of the water they use at the landfill.

Mr. Caffee stated they use well water.

Citizen of the Month by Councilwoman Garcia

Councilwoman Garcia stated that neither of her recipients was present this evening but she wanted to mention them anyways and will be sure they receive their awards.

Councilwoman Garcia presented this month's first Outstanding Citizen of the Month Award to Barbara Enes-Middleton, with thanks for the many things she learned from her about Bay Point's history.

Councilwoman Garcia presented this month's second Outstanding Citizen of the Month Award to Mr. & Mrs. Ben Nguyen, owners of Ben Burgers, with many thanks for their 26 years of serving the Bay Point community and the people who come from out of town to eat there too.

Councilwoman Garcia also invited people to nominate others in the community who they believe deserve recognition, to receive the Citizen of the Month award, by contacting her.

East County Alcohol Policy Coalition, Center for Human Development – Allison Fine

Mrs. Allison Fine introduced herself as working for the Center for Human Development as Coordinator of the newly formed East County Alcohol Coalition, funded last September by the Alcohol and Other Drugs Services of Contra Costa County, and gave a presentation by PowerPoint on the history, overview and goals of the East County Alcohol Policy Coalition.

Mrs. Fine stated some of their short term goals include completion of a community assessment, establishing a working group of at least 10 – 12 community members to talk about

alcohol policy once a month, and begin organizing specific 2009 – 2010 coalition goals.

Mrs. Fine stated the first Coalition meeting will be held later this month, February 19th, and will be a voice of the Bay Point/Pittsburg community. She stated the model for their group is from another Coalition in West County, in Vallejo, that was started 15 years ago, and gave an overview of their successes.

Ms. Fine stated the big thing for discussion at their first meeting will be attending a Townhall meeting in San Ramon in April to discuss the Social Host Ordinance as Supervisor Piepho is one of the starters of this ordinance, in order to educate people about this and other ordinances, and to recruit people for the Coalition.

AGENCY REPORTS:

Supervisor Federal Glover's Office – Ed Diokno

Mr. Ed Diokno stated he would first like to give his personal congratulations to the new MAC members and to the new MAC officers; that he believes this will be a good year.

Mr. Diokno reported the Bay Point Health Clinic has reopened. He stated after their meeting room was remodeled, the clinic reopened last month and now has dental care for its clients. Mr. Diokno stated, if you recall, based on the Health Department's studies, the dental needs of Bay Point children are greater than most of the rest of the county.

Mr. Diokno stated he had attended the Environmental Justice Workshop held by the Environmental Justice group. He stated about 60 people were there to listen to the report about environmental concerns of Bay Point residents. He stated, as we have heard in Wendy Cervantes's report from the group; better water quality, cleaner indoor and outdoor air and illegal dumping were the top concerns of the residents based on a survey of over 400 people.

Mr. Diokno stated Supervisor Glover also held hearings yesterday on The State of the Safety Net, about how the nonprofit agencies who are delivering services to East County residents are doing in these severe economic times. He stated the message delivered is not good, and to sum up the hearing; more people are applying for food assistance, financial assistance and medical assistance at a time when county staff has been reduced and finances have been cut. Also of note: they are seeing what they call the newly poor, people who have been working at low-paying jobs but are now seeking public assistance for the first time. Mr. Diokno stated social service agencies also confirm what we have suspected for some time, East County has a higher proportion of first time applicants than the rest of the county; some of the numbers are not rosy:

- Between August and December of 2008, over 16,400 people a month came into Employment and Human Services offices seeking assistance. In that same period, 6,000 of those cases visited the Antioch office.
- In 2006, the Antioch CalWORKS office handled 42% of the county caseload. By 2008, two years later, that number has increased to 47% of the county's applications.
- Medi-Cal 2008 applications increased by 76% over 2007.

Mr. Diokno stated on that somber note, and trying to end on a more hopeful tone, on February 25th, Supervisor Glover will be sponsoring a free grant-writing workshop at Los Medanos College, in the library's community room (room 109). He stated for more information

or to register, call the supervisor's office and ask for Tonya.

Mr. Diokno stated that lastly, Supervisor Glover's annual Youth Summit will be held April 25th, at Los Medanos College.

Report by Sheriff's Department – Lt. Mahoney

Lt. Mahoney passed out copies and reviewed the statistics for the month of January including comparisons from the same time last year, on a newly computerized version.

Lt. Mahoney stated this month they also began their new online recording program, Cop Logic, where you go to the Sheriff's website if you want to file a report but don't necessarily need to talk to a deputy. He stated if you have any questions you can call dispatch and they will explain it to you. Lt. Mahoney stated it is just another option for people.

Councilwoman Magleby asked about the suspect they were looking for around Sharon Drive, and the Shelter-In-Place that had been issued.

Lt. Mahoney stated he had been captured by Concord Canine unit, and the Shelter-In-Place had been issued by the Watch Commander.

Councilman Tremaine asked about stolen and abandoned cars and having them tagged and towed.

Lt. Mahoney stated they no longer had that program for abating cars, that when someone reports a car, a deputy or student worker will come out to tag the car, that both the Sheriff's Department and Highway Patrol can do that.

Chairwoman Zumwalt asked about an article she had read regarding cut-backs in the Sheriff's Department, at the jails, and officers on the street, and specifically how that is going to affect Bay Point.

Lt. Mahoney stated that it was not affecting Bay Point yet; that it was not going to affect the 2nd resident deputy. He stated that he had spoke with Mr. Diokno earlier and Officer Tiegler should be with them later this month. Lt. Mahoney stated there were layoffs coming for county workers, but he didn't know what they were yet.

Chairwoman Zumwalt asked if Lt. Mahoney had any knowledge of Federal Officers being in town last month.

Lt. Mahoney stated he had no knowledge of them being here specifically last month, but knew they are out here sometimes.

Report by California Highway Patrol – Officer Eric Brewer

Officer Eric Brewer introduced himself and stated he was on the Community Response Team taking traffic complaints and also attending community meetings. He stated he had no stats to report, however knowing he coming here tonight, he himself had been in Bay Point today patrolling problem areas and had written 16 tickets; 10 for speeding, 1 for child restraint, the others for stop sign violations; and had two cars towed. He stated he has been working this area for over 9 years and knows well the problem areas.

There was a short discussion about the Sheriff's vehicle abatement program not in place anymore, and the timely process now for taking care of abandoned cars; having to tag them and come back in 72 hours to have it towed; and the limited number of officers available to handle this issue.

ITEMS OF BUSINESS:

A. REDEVELOPMENT STAFF REPORT – Maureen Toms

(Prior to the MAC meeting, Maureen Toms, Bay Point Redevelopment Project Manager, had presented background on redevelopment and the specifics of the Bay Point Redevelopment Program, as Redevelopment education for the MAC members).

Mrs. Maureen Toms described the process of the Bay Point Waterfront Strategic Plan and General Plan Amendment. She stated the General Plan involves a shift of less than 25 acres of the urban limit line eastward from the East Bay Regional Park District property to the Marina area. The shift is necessary to implement the vision of the strategic plan, which includes a multiple family medium density residential uses, along with an upgraded marina, park and recreation uses, and open space. Mrs. Toms stated the General Plan Amendment also includes adding two road extensions into the Circulation Element of the General Plan. Pacifica Avenue would be extended eastward from Port Chicago Highway and Alves Lane would be extended northward from Willow Pass Road.

Councilman Stevenson asked about the dispute with a resident about this project and if it had been resolved.

Ms. Toms stated it had been resolved, that it had to do with the Bay Harbor Commerce Center and that she had heard from county council that the courts had dismissed it.

M/Stevenson

S/Magleby

Members present approved recommending approval of General Plan amendment for the Bay Point Waterfront Strategic Plan. Vote 6 – 0

B. OLD BUSINESS

None

B. NEW BUSINESS

- 1. Discussion, recommendation and approval to continue 2009 MAC meetings on the first Tuesday of every month, beginning at 7:00pm and ending at 9:00pm.**

There was some discussion and agreement about being flexible and leaving the 6:30pm – 7:00pm hour open for quarterly TAC meetings and those times when Redevelopment issues need more time to be addressed, otherwise they will be taken care of during the regular MAC meeting.

**M/Zumwalt
S/Garcia**

Members present approved having 2009 MAC meetings continue to be held the first Tuesday of every month, beginning at 7:00pm and ending at 9:00pm.

Vote 6 – 0

2. Discussion, recommendation and approval to combine 2009 MAC Code meeting with redevelopment issues.

Members present discussed and agreed to combine the Code issues with Redevelopment issues, and perhaps appoint a representative to attend Supervisor Glover's Code meeting, the first Tuesday morning of every other month.

Councilman Stevenson stated he would try to make the supervisor's Code meetings.

Councilman Tremaine stated he would alternate months with Councilman Stevenson in attending the supervisor's Code meetings.

There was a short discussion regarding who participated at the supervisor's Code meeting; that it occurred 10:30am – 12:00pm, the first Tuesday every other month; and the next meeting will be in April.

Ms. Toms reminded the MAC members that no more than 3 MAC members could attend the same meeting.

Mr. Diokno stated he would include Council members Stevenson, Tremaine, and Garcia on his email list for that meeting.

3. Discussion, recommendation and approval of frequency for 2009 TAC meetings once per quarter.

There was some discussion and agreement on the TAC meeting quarterly, and the TAC Chair appointment was tabled to next month.

There was more discussion on the operation of the TAC committee, and it was agreed the TAC was a part of the MAC, instead of a committee.

4. Discussion, recommendation and approval to continue 2009 MAC Citizen of the Month awards.

Members present agreed to continue the Outstanding Citizen of the Month awards.

5. Discussion, recommendation and approval for 2009 Bay Point MAC Citizen Newsletter.

Tabled to next month's meeting.

6. Discussion, recommendation and approval for MAC appointee to the CAP committee.

It was discussed and Councilwoman Kopitar agreed to continue representing the MAC at the CAP meetings.

OFFICERS/COUNCIL MEMBER REPORTS:

Forgone due to late hour.

REQUEST FOR ITEMS ON NEXT AGENDA:

1. Allied Waste – Susan Hurly
2. Write a letter of ‘Thanks’ on regular basis to our Sherri’s Department
3. Status of Renter’s Ordinance
4. Add a ‘Do you know?’ column to our Newsletter
5. Pittsburg ENews campaign
6. Tabled items

ADJOURNMENT:

M/Kopitar

S/Magleby

Motion approved to adjourn the meeting. Vote 6 - 0

There being no further business before the Bay Point Municipal Advisory Council, Chairwoman Zumwalt adjourned the meeting at 9:03 p.m. to the next regular scheduled meeting at 7:00pm on March 3, 2009, to be held at the Ambrose Recreation and Park District Board Room at 3105 Willow Pass Road.

Submitted by
Debra Giles
Recording Secretary