Bay Point Municipal Advisory Committee



Vicki Zumwalt, Chair

Federal Glover, District V Supervisor

Debra Giles, Administrative Support 3105 Willow Pass Road Bay Point, CA 94565

Respectfully submitted by: Debra Giles

The Bay Point Municipal Advisory Committee serves as an advisory body to the Contra Costa County Board of Supervisors and the County Planning Agency.

Record of Actions

7:00 pm Tuesday, April 7, 2009

Council Members Kopitar, Garcia, Magleby, Mason, Stevenson, Tremaine and Zumwalt were present. No Members were absent.

Others present: Ed Diokno of Supervisor Glover's office, Lt. Mahoney of the Sheriff's Dept., and Dick Leonard of Golden State Water Company.

- 1. Call to Order / Pledge of Allegiance led by Mr. Larry Estes.
- 2. Accept public comment on any issue not included on the agenda. No comments were received.
- **3. Review Record of Actions for March 3, 2009**. Motion made to accept Record by Councilwoman Mason. Seconded by Councilman Stevenson. Motion carried 7 − 0; Council Members Garcia, Kopitar, Magleby, Mason, Stevenson, Tremaine, and Zumwalt voting "yes".
- **4. Approval of Agenda.** Motion made by Councilwoman Magleby to approve agenda with name correction of item 8c to 'Department of Conservation & Development'. Seconded by Councilwoman Mason. Motion carried 7 0; Council Members Garcia, Kopitar, Magleby, Mason, Stevenson, Tremaine, and Zumwalt voting "yes".
- **5. Presentations**. Presentations were made by:
 - **a.** Mr. Dick Leonard of Golden State Water Company stated they had some good news; Contra Costa Water District voted on April 1st to go on 15% rationing instead of the 25%. He stated they think they can do that fairly easily, that they still have to go before the PUC to get theirs approved, but they are requesting a 15% voluntary reduction in use.

Mr. Leonard stated that as of now there are no plans for fining customers, instead they will

send someone out to talk to them about ways to conserve; that the only thing they will be fining people for is wasting water, like letting their water just run & run, washing down driveways, and things like that. He stated they would warn you first, in writing, and have it put on your account, then the second time it is \$100.00 fine, and the third time it is \$200.00 fine. Mr. Leonard stated any monies collected in fines will be placed into a separate account, so that if the Water Company is fined it would come out of that account; but if the Water Company stays under their allocation and aren't fined, the money in that account will be returned to *all* customers, a little taken off everyones bill.

Mr. Leonard stated it is a lot more relaxed than they thought it was going to be originally. He also stated the community can help by calling the local office with reports of water waste, as his employees can't be everywhere all the time.

Mr. Leonard also answered some questions regarding how the water bill will look and reflect past use, how they are averaging 2005 - 2007 usage to determine your (minus 15%) allowance, and an appeals process if the water usage for your household has changed and may be increased

- **b**. Councilwoman Garcia presented Outstanding Citizen of the Month Awards to:
 - ~ Bob and Dean from California Muffler, for over 17 years of service in our community, and
 - ~ Jonna and Loc Thu Bui from the Valero Station,
 - with thanks and appreciation for their service to our community and residents. She stated as they are both busy running their businesses and weren't able to attend, she would make sure they receive their awards.
- **6. Agency Reports.** The MAC received the following reports:
 - **a.** Lt. Mahoney passed out copies and reviewed the statistics for the month of March including comparisons from the same time last year.
 - Lt. Mahoney reported there was a homicide on Marin the last day of March, and they have the suspect in custody; that a nearby resident had video of a good portion of the incident, helping them out quite a bit with the arrest.
 - Lt. Mahoney stated the Sheriff's Office now has a method for you to register your mobile phone and receive emergency alerts and updates through your mobile phone. He stated you go to the website www.cws.cccouny.us and go to the registration portion where you put in your cell phone number and click on whichever zip code(s) you want to be alerted about.
 - Lt. Mahoney stated lastly, he would like to introduce Deputy Mike Tiegler, our new resident deputy working with Deputy Connie Saunders, having served already 19 years; bringing with him some forensic science lab experience; he is also a part of their hostage negotiation team; and he is also a field training expert.

Deputy Tiegler stated he has worked all over the county during his 19 years but that his best two days in law enforcement were 1) when he and his partner pulled an infant who wasn't breathing out of a pool, and they revived him, and 2) when there was a predator driving around trying to lure little girls into his car; both of these incidents were in Bay Point, so it has a special place in his heart. Deputy Tiegler stated he has always been very fond of Bay Point, that he started his career here, and has molded with the community very well.

He stated the people are really neat to work for and are always very appreciative of work done for them, and he is looking forward to being a mediator between the Sheriff's Department and Bay Point residents, helping make this a better place to live.

- **b.** California State Highway Patrol Department had no officer present.
- **c.** Mr. Ed Diokno of Supervisor Glover's office stated as we may have heard, Supervisor Glover had to be hospitalized last week, but is back and full of vigor. He stated what it comes down to is a return to dialysis until further notice; but he wishes to thank everyone who sent cards and phoned him during his brief stay at the Mt. Diablo Medical Center.

Mr. Diokno stated the Driftwood Drive landscaping project has completed its planning phase and will be going out to bid soon. He stated in addition to the landscaping replacement, a small pot of money has been found to pay for a bike lane to connect the DeAnza Trail with the Bay Trail, so that will be included in the road redesign. Mr. Diokno stated he would give the Council information on the groundbreaking this summer and soon as those details become available

Mr. Diokno stated he had received this report from one of the Keller Canyon Mitigation Fund recipients, the County's General Services Department which oversees the East County Beautification Program; Through Feb. 28, 2009 – about halfway through the fiscal year – the program has spent approximately 621 hours removing 105 yards, or 21.63 tons of trash and waste, from the roadsides of Bay Point and Bethel Island.

Mr. Diokno stated he is pleased to announce that one of Bay Point's crossing guards has been chosen as the 2009 Outstanding School Crossing Guard of the Year for the County of Contra Costa; Jose de Jesus Barrios is a 14 year resident of Bay Point serving in his first year as a crossing guard at Riverview Middle School at the intersection of Pacifica and Inlet Drive. He stated the crossing guard program in one of the recipients of the Keller Canyon Mitigation Fund managed by Supervisor Glover. Mr. Diokno also stated Bay Point is one of very few unincorporated areas with crossing guards, and even Pittsburg is thinking about fazing theirs out.

Mr. Diokno stated he also wanted to remind the MAC that County's Code meeting is tomorrow night (Wed. April 8th).

Mr. Diokno stated the Council should have received by now an invitation to attend the Joint MAC meeting on April 11th hosted by the Bethel Island Municipal Advisory Council. He stated they promise a great lunch; it will be held at a fine restaurant on the island, GR Marshall's, 6277 Bethel Island Road, and hopes some of the Bay Point MAC members will be able to attend and represent Bay Point at that meeting.

Mr. Diokno stated he had given Council Members a flyer on the 2009 Youth Summit being held April 25th at Los Medanos College, and stated it's shaping up to be one of the best the Supervisor has sponsored. He stated it will have workshops on a variety of subjects, from dating relationships to college aid, from positive attitudes to how to get a job; there will be music, entertainment, games and free food. Mr. Diokno stated last year Ambrose's Teen Center had to rent their own bus to get to the event at Freedom High School, but this year a free shuttle

bus has been arranged to take local kids from the Bay Point BART station to Los Medanos College.

Councilman Stevenson asked how teens were being told about this upcoming event and Mr. Diokno stated they were going to the schools, advertising on the radio (KMEL), the newspaper, and some posters at the Ambrose Center and Teen Center. It was also suggested that flyers be passed out by Sheriffs and maybe posted on light poles to reach teens on the street.

7. Consent Items.

- a. Approval of monthly Recording Secretary invoice \$120.00
- b. Approval of 2008 yearly meeting room rental invoice \$480.00 (3 hour rental)
- c. Approval of 1st quarter 2009 meeting room rental invoice \$102.00

Motion made by Councilwoman Mason to accept Consent Items. Seconded by Councilman Stevenson. Motion carried 5 - 0; Council Members Kopitar, Mason, Stevenson, Tremaine, and Zumwalt voting "yes," and Council Members Garcia and Magleby recusing themselves (as they are also on the ARPD Board of Directors).

- **8. Items for Discussion and/or Action.** The MAC discussed the following items and took the following actions:
 - **a.** Request MAC volunteer to lead the yearly residential clean up activity working with Supervisor Glover's office and the local waste company to determine a date to provide residential refuge disposal, e-waste and hazardous waste disposal at a local site in Bay Point.

Chairwoman Zumwalt stated they were looking for someone to help set up the next clean-up date where large dumpsters are made available to residents to assist in cleaning up the community.

Mr. Diokno stated part of the planning is when and where the dumpsters are to be placed; but the MAC volunteer mainly works at coordinating the volunteers, because they can't leave the dumpsters unattended, otherwise people throw all kinds of stuff in them.

After some discussion Councilwoman Garcia stated she would volunteer and agreed to meet with Mr. Diokno and get more information, as long as it occurred after May as she is very involved with Bay Point's 'Spring Derby'. Councilman Stevenson agreed to assist Councilwoman Garcia.

b. Discuss, and approve recommendation to Supervisor Glover on supporting Senator Feinstein's bill to allow regions to have a voice in expansion of applications from gambling casinos.

Councilwoman Magleby stated this was just a recommendation to ask Supervisor Glover to join Senator Feinstein in giving communities opportunity to speak before they put in casinos, and all the bad stuff that comes along with casinos. She stated she believed it was SB 338.

Councilwoman Garcia stated she disagrees with Councilwoman Magleby in that she believes casinos bring in positive things too, like employment and revenue for the communities.

Motion made by Councilwoman Magleby to recommend Supervisor Glover join Senator Feinstein and support SB338. Seconded by Councilman Tremaine. Motion carried 6 – 1; Council Members Kopitar, Magleby, Mason, Stevenson, Tremaine, and Zumwalt voting "yes," and Council Member Garcia voting "no".

c. Discuss, and approve recommendation to Department of Conservation and Development on LP97-2085-C-cell phone tower site north of SR4 off of Evora Road.

Ms. Martha Hudak distributed handouts and stated she was with Channor Law Group of Long Beach California, and outside consult for American Tower Corporation, here tonight regarding renewal of the land use permit for the cell phone tower. She stated the current permit was granted in 1997 and the tower has operated controversy free since then; that they were seeking only 2 modifications in the permit renewal application; 1) being a reduction in the amount of equipment on the tower, and 2) planting vines and some trees around tower.

Ms. Hudak stated it is not only beneficial to residents of this county but also other wireless phone users (increasing all the time), emergency services dependent on it a lot also, and channel 2 has a traffic camera on the tower also.

After some questions and discussion about other tower locations, site generators, and landscape watering:

Motion made by Councilwoman Mason to approve recommendation to Department of Conservation and Development to accept LP97-2085-C-cell phone tower site, north of SR4 off of Evora Road. Seconded by Councilwoman Kopitar. Motion carried 7-0; Council Members Garcia, Kopitar, Magleby, Mason, Stevenson, Tremaine, and Zumwalt voting "yes".

d. Discuss, and approve recommendation to support Convoy of Hope. Request a volunteer to coordinate with Calvary Temple Church, sponsor of Convoy of Hope.

Chairwoman Zumwalt stated that Calvary Temple had sponsored the Convoy of Hope the last couple of years and is asking now that churches, businesses, organizations, and individuals come together and support this city-wide compassion outreach. She stated they are looking for someone to act as liaison to the MAC and our community on Convoy of Hope updates; there is a meeting on April 29th, and the event is scheduled for September 19th.

There was some discussion on MAC's role in the previous events as getting volunteers; the appropriateness of working at this event, and the intent of making this inclusive of other churches and as many others as possible as this is a big burden for Calvary Temple to take on by itself every year.

Councilman Tremaine agreed to be the liaison to the MAC this year as he is a member of Calvary Temple Church and already involved with the Convoy of Hope.

e. Discuss and approve recommendation to support Community Wellness program, www.wellnesscitychallenge.com.

Councilwoman Mason distributed handouts and described the Wellness City Challenge; that it was started by Walnut Creek and picked up and supported by many other cities since then. She

stated the MAC would basically be endorsing these three simple guidelines for people to follow about eating healthier and being healthier.

After some discussion, and suggestion this also be put in the Newsletter:

Motion made by Councilwoman Magleby to approve recommendation supporting the Community Wellness Program. Seconded by Councilwoman Garcia. Motion carried 7 – 0; Council Members Garcia, Kopitar, Magleby, Mason, Stevenson, Tremaine, and Zumwalt voting "yes".

f. Discuss and approve 2009 MAC budget.

Councilwoman Garcia presented the proposed MAC budget outline for 2009 and after some clarification and discussion:

Motion made by Councilwoman Mason to approve the 2009 MAC budget outline. Seconded by Councilman Stevenson. Motion carried 7 – 0; Council Members Garcia, Kopitar, Magleby, Mason, Stevenson, Tremaine, and Zumwalt voting "yes".

g. Discuss and approve letter to be sent to Atilla Gabor requesting he change or eliminate web site www.bpgov.org which gives the impression that this site is the official Bay Point web site. This website was previously being paid for and updated by Atilla Gabor.

Chairwoman Zumwalt stated she would like to approve a letter going to past MAC Member Atilla Gabor, requesting he change or eliminate the website that had been the MAC's site some time ago, as it gives the impression that *it* is the official site, and it no longer is.

Resident Michael Kerr stated if the website domain is allowed to expire, others watch out and grab them up, using them as links to such things as pornography, and suggested buying the old website name (for 5 - 10 years) and put a link on it to the current website.

After some discussion about past attempts to contact Mr. Gabor, and attempts to access the old website:

Motion made by Councilwoman Mason to approve forwarding to Supervisor Glover's office the letter written by MAC Secretary, Terrilynn Kopitar, to be sent to Mr. Atilla Gabor requesting he change or eliminate web site www.bpgov.org. Seconded by Councilwoman Garcia. Motion carried 7 – 0; Council Members Garcia, Kopitar, Magleby, Mason, Stevenson, Tremaine, and Zumwalt voting "yes".

Mr. Diokno stated they would need to put it on the next agenda to consider spending money to buy the old website name.

Chairwoman Zumwalt requested Mr. Kerr do some research on the cost of buying the old website name and pass that information along to her.

Chairwoman Zumwalt stated along the same line, Supervisor Glover had sent out a letter, that Board Members should have received a copy of, regarding the MAC website; confirming his website is the official site for Bay Point, including the MAC, and it will be going out tomorrow.

h. Discuss and approve recommendation to send a letter to all Bay Point community committees as well as notify residents through newsletter that the official website for Bay Point can be found on the District 5 website www.co.contra-costa.ca.us/depart/dis5/.

Chairwoman Zumwalt stated that apparently the old website was given to several community organizations i.e. the Garden Club, the Partnership etc., and we want our residents and community groups to know the correct official website.

Motion made by Councilman Stevenson to approve sending a letter to all Bay Point community committees, as well as notifying residents through newsletter, that the official website for Bay Point can be found on the District 5 website www.co.contra-costa.ca.us/depart/dis5/. Seconded by Councilwoman Kopitar. Motion carried 7 – 0; Council Members Garcia, Kopitar, Magleby, Mason, Stevenson, Tremaine, and Zumwalt voting "yes".

Chairwoman Zumwalt stated Councilwoman Magleby had graciously agreed to email the website information to everyone on her extensive email list.

Public Comments were reopened at this time by Chairwoman Zumwalt.

Resident Larry Estes introduced himself, and stated he has lived on Sycamore Court along with his mother since 1964. He stated several property fences (including his) on the west side of the court borders Criterion Catalyst property; and the problem is that previously Shell Chemical would go out and disk the land as fire prevention, but the last few years there has only been a few people working with weed-eaters cutting it down. He stated two years ago there was a fire, that his property had been spared as he had cut a fire break, but his neighbor hadn't been so lucky, and when he talked to the Fire Department they hadn't seemed too worried about it and didn't follow up on it. Mr. Estes stated he had done the same thing along his fence last year and this; that the weeds/grass is 3 – 4 feet high in some places and he was wondering if a fire break isn't required, and he thinks Criterion should be better neighbors and make sure the weeds are taken care of.

It was determined that Councilwoman Kopitar, liaison to the CAP, would mention this situation, on behalf of Sycamore Court residents, to Criterion at the next CAP meeting and also write them a letter. Chairwoman Zumwalt suggested Mr. Estes be introduced to the CAP and possibly join as a member of the community, and also contact Supervisor Glover's office for the correct phone number to get county involved with this issue.

9. Committee Reports/Member Reports. The MAC received the following reports:

Councilwoman Garcia reported the deadline for articles being submitted for the MAC Newsletter is the end of April.

Councilwoman Garcia also reported on the Bay Point Spring Derby Parade and Festival, scheduled for Memorial Day, May 25th, including the 'Canine Capers' this year, not exclusively Chihuahuas as last year's.

Councilwoman Magleby reported the East County Coalition of Alcohol had been meeting regularly and also the Bay Point Partnership is planning this year's Unity in the Community.

Councilwoman Kopitar reported she has been attending the Bay Point CAP meetings and had been a part of their evaluation committee; that it had been a valuable experience and not as hard as she thought it was going to be. She stated the CAP would also like a spot in the upcoming Newsletter and would get Councilwoman Garcia that information.

Councilwoman Kopitar stated the next Keller Canyon Landfill tour was tentatively set for April 18th, but that date is being revisited as it didn't appear to be a good day for many of the members.

Councilman Stevenson asked about his participation on the Education Committee and exactly what that will involve.

Councilwoman Garcia stated that she read the minutes from the Mt. Diablo Unified School District Board meeting, online at their website, and reported on any items that pertained to Bay Point schools and students.

Mr. Diokno stated they also have a newsletter he could subscribe to and receive information from.

Chairwoman Zumwalt also suggested Councilman Stevenson could coordinate with Councilwoman Magleby and see about the Principles from our schools coming to a MAC meeting and making a presentation about their school.

Councilwoman Magleby stated the Bay Point Chamber of Commerce is sponsoring little gifts to the elementary schools for good attendance; like a coupon for a free taco; and it is very important to do things to encourage our students.

10. Correspondence. The MAC received and discussed the following correspondence:

- ~ Housing Authority request for information
- ~ Letter about Los Vagueros Reservoir expansion
- ~ American Tower project correspondence
- ~ Several items from Golden State Water Company
- ~ First 5 correspondence

11. Future Agenda Items.

- a. Website information (on old website)
- b. National Night Out
- c.

There was some discussion about inviting the new Superintendent from Mt. Diablo Unified School District to come and speak, and it was determined this was not a good time, but rather some time after the new school year begins.

12. Adjourn to meeting scheduled for April 11, 2009 at 9:00am at Bethel Island.

This meeting record is provided pursuant to Better Government Ordinance 95-6, Article 25-2.205(d) of the Contra Costa County Ordinance Code.