

Bay Point Municipal Advisory Committee



Sterling Stevenson, Chair

Federal Glover, District V Supervisor

*Debra Giles, Administrative Support
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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, February 2, 2010

Council Members Garcia, Kopitar, Magleby, Mason, Stevenson, Tremaine, and Zumwalt were present.

Others present: Ed Diokno of Supervisor Glover's office, Maureen Toms of County Redevelopment, Jerry Fahy, of Contra Costa County Public Works Department Traffic Section, Ken Defries, Processor for Royal Trucking, Shadrick Small, of Black Families Association, Officer Eric Brewer, of California Highway Patrol, and Lt. Mahoney of the Sheriff's Dept.

- 1. Call to Order / Pledge of Allegiance** led by Ms. Julie Nelson of the Bay Point Chamber of Commerce.
- 2. Approval of February 2, 2010 Agenda.**

Motion made by Councilwoman Mason to approve the February 2, 2010 agenda. Seconded by Councilwoman Zumwalt. Motion carried 7 – 0; Council Members Garcia, Kopitar, Magleby, Mason, Tremaine, Stevenson, and Zumwalt voting "yes".

- 3. Review Record of Actions for January 5, 2010.**

Motion made by Councilwoman Garcia to accept January 5, 2010 Record of Actions. Seconded by Councilwoman Magleby. Motion carried 7 – 0; Council Members Garcia, Kopitar, Magleby, Mason, Tremaine, Stevenson, and Zumwalt voting "yes".

- 4. Public Comments:**

None

- 5. Treasurer's Report – Councilwoman Garcia**

Councilwoman Garcia distributed Treasurer's Report to Council members including the balance for this year, and projected spending for the rest of the fiscal year.

Councilwoman Garcia recommended discussing the projected Newsletter expenditure and possible options at a future meeting.

6. Agency Reports. The MAC received the following reports:

a. Contra Costa County Sheriff's Department

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

Lt. Mahoney stated Resident Deputy Katherine Lohanas is off on light duty through the end of this month as she had suffered a broken toe while chasing a stolen vehicle suspect.

Lt. Mahoney stated he would like to offer School Resource Officer, Phil Ordonez, to come make a presentation to the MAC about ongoing gang activity in Bay Point.

Councilwoman Mason inquired and Lt. Mahoney confirmed the "Ride Along" program was still available for interested residents.

b. California State Highway Patrol

Officer Eric Brewer reviewed some Bay Point statistics from January including; 76 total citations issued; including 10 traffic collisions investigated and 19 arrests made for Driving Under the Influence.

There was a discussion regarding the radar trailer's availability and some locations were suggested for placement.

Chairman Stevenson asked about the Highway Patrol Officers on Hwy. 4 using radar guns, and if there were signs letting people know they were being monitored by radar.

Officer Brewer stated that radar is accepted statewide and posting signs is no longer required.

c. Redevelopment Staff Report

Ms. Maureen Toms of Contra Costa Redevelopment reported:

- a. Old Business:** Consideration of Land Use Permit #09-2071, a request to establish a big rig truck yard incorporating a new office building and facility for refueling. The subject site is located at 575 Nichols, Bay Point (APN 099-040-020).

There was a discussion regarding last month's concerns of traffic impact and environment safety. Ms. Toms stated she had spoken with the business owner and he had stated the fueling stations on site have an above ground tank, built to county health standards and they also have a berm around it in case there is a leak, which is unlikely as they are double-hulled tanks.

There was a more lengthy discussion regarding traffic; reports from company's Concord site were shared and concern of possible impacts on nearby neighborhoods including traffic flow during school release times and commute hours were discussed.

Councilwoman Zumwalt stated she was concerned about the increased continuous traffic of large trucks on Port Chicago Hwy. and how the wear on the road would be mitigated.

Ms. Toms stated that much of Port Chicago Hwy. was built to the standards to withstand the vehicle trips from the energy plant, so it was built to withstand much more traffic without creating gridlock, and being new construction, they are required to pay into an Area of Benefit program which funds road improvements throughout Bay Point.

Councilwoman Zumwalt stated it has been difficult in the past to get the AOB funds to for particular road fixes, and she is concerned about Port Chicago Hwy. being degraded by the increase of large trucks using it, and then having difficulty in getting it fixed.

Mr. Ken Defries, of Royal Trucking described the types of trucks using their yard, the route they will use (not Pacifica or Driftwood), and explained more about the business; mostly light maintenance and fueling the trucks. He also shared about the safety record of the company that hires the drivers using his yard, and the trucking company's reputation as a 'Hard Hire'.

Councilman Tremaine stated his concern was the increase of trucks traveling on Port Chicago towards the freeway where there is already gridlock developing during commute hours. He stated he would like to see them meter the trucks coming and going.

Julie Nelson, introduced herself as speaking on behalf of the Bay Point Chamber of Commerce, and stated she is aware of the high level of environmental and other regulations that cover the parking industry, and she and the Chamber are perfectly comfortable with the Royal Trucking Company's perfect record in the city of Concord. She stated the traffic study had also been reviewed and they believed the impact to be relatively negligible; the area is already determined to be a light industrial area and being located next to the old Naval Weapons Station makes it an ideal location. Ms. Nelson stated the Chamber wants to encourage the MAC to support granting the Land Use Permit as it will increase the tax base of Bay Point, will add to the traffic impact fee used to benefit the traffic mitigation, will bring needed business, and serve as an example to other companies to relocate in Bay Point. She stated the Chamber would also like to encourage the MAC to become more business friendly and less confrontational, while doing their due diligence; a particularly sensitive issue considering Pittsburg is known to be business friendly and having even adopted incentives to relocate there. She stated economically Bay Point cannot afford to lose possible and valuable opportunities for business growth in the community.

After some further discussion regarding hours of operation, trucks stored on the site, outreach to community for possible input, the benefit to the community versus possible risks, and the next step of this going to the zoning commission:

Motion made by Councilwoman Mason to support LUP #09-2071. Seconded by Councilwoman

Garcia. Motion carried 6 – 0; Council Members Garcia, Kopitar, Magleby, Mason, Tremaine, and Stevenson, voting “yes”, and Councilwoman Zumwalt abstaining.

d. Supervisor Federal Glover General Report – Ed Diokno

- Mr. Ed Diokno of Supervisor Glover’s Office stated the February 17th Grant Writing Seminar is already full, and because of the high demand another one will be scheduled later in the year.
- Mr. Diokno stated the Youth Summit, sponsored by Supervisor Glover, will be on April 24th at Los Medanos Community College.
- Mr. Diokno stated the Gang Task Force will be meeting later this month to discuss the growing presence of gangs. He stated the East County Gang Force was initiated by Supervisor Glover to deal with this problem, and is in its fourth year. Mr. Diokno stated Lt. Mahoney and Deputy Ordonez sit on the Task Force.
- Mr. Diokno stated it is still in the planning phase of developing the ReEntry Initiative to prepare the county for the expected influx of inmates being released. He stated the release probably won’t occur until 2011, although there are some inmates being released presently, in our communities, but without any support facilities or services available to them right now. He stated the recidivism rate for released inmates is 50% right now; when the (up to) 40,000 inmates are released in 2011, if we don’t have plan underway, recidivism rate could be up to 70 – 75%. Mr. Diokno stated the county is taking this very seriously; they want to be prepared. He stated the reason for this inmate release is because California jails were built to hold 80,000 prisoners and there are 160,000 in them right now.
- Mr. Diokno stated the Supervisor’s Faith Community Breakfast will be February 6, at the Pittsburg Golf Course, 9am – 11am to discuss the 2010 Census.
- Mr. Diokno reported Supervisor Glover will be attending the groundbreaking of the new Habitat for Humanity development at 32 Bayview on February 4th.

7. Presentations. Presentations were made by:

a. Citizen of the Month Award – Councilwoman Garcia

None

b. Black Families Association of Contra Costa County – Shadrick Small

Mr. Shadrick Small introduced himself and thanked the MAC for the invitation to come this evening to share. He stated there was a Kwanza celebration in December, and he is here tonight to announce and remind everyone, as reported previously, their main fundraiser is coming up at the end of this month. Mr. Small stated it is being held at the Walnut Creek Marriott Hotel on February 27th; with a no host bar and an auction beginning at 6:00pm, and dinner at 7:30pm. He stated tickets are \$60 each and are tax deductible. Mr. Small shared the guest speaker this year is recently retired county Public Defender, Mr. David Coleman, and he encouraged all to come and support their 23rd annual scholarship fundraiser.

Chairman Stevenson stated in the time he has been aware and involved with the Black Families Association, what he has seen in the work they have done over the years in providing scholarships in Contra Costa County, the number of High School students from this area being provided for goes unnoticed, and he wants to acknowledge and thank them for their work.

Mr. Small stated just as a reminder, in the 23 years they have held this fundraising event, they have awarded 121 scholarships, and after Concord, where 47 of the scholarships have been awarded, the second largest number is concentrated in this area, so it speaks well of the young people who applied with them for the scholarships. Mr. Small shared their website that is under construction, BFACCC.org.

8. Consent Items.

- a. Approval of monthly Recording Secretary invoice - \$120.00

Motion made by Councilwoman Magleby to accept Consent Items. Seconded by Councilwoman Zumwalt. Motion carried 7 – 0; Council Members Garcia, Kopitar, Magleby, Mason, Tremaine, Stevenson, and Zumwalt voting “yes”.

9. Items for Discussion and/or Action.

- a. Discuss/Review/Approve and Recommend Action on Clearland Drive Median Islands.

Mr. Jerry Fahy, of county Public Works Traffic Section stated he had been here several months ago to discuss this item, and came out of that meeting expecting a field meeting with Mrs. Hicks and others, which never came about, and then got a call from Mrs. Hicks last week saying it was on tonight’s agenda, so he doesn’t have anything to report because nothing had happened since the last meeting. He stated the option to meet with Mrs. Hicks and neighbors is still available.

Mrs. Bobbie Hicks stated she had sent out 140 questionnaires last month, had received 10 of those back, and also heard verbal comments. She stated the majority of the people wanted the medians removed but the Clearland Circle and Maryann median to remain because it is at a dead end street where the kids hang out and do a lot of graffiti.

Mr. Diokno stated that Supervisor Glover is concerned about removing the medians and the ‘donut’ makers returning because if kids find an open space they will return to their old habits, even though the ones who had done it before are now 30, generations of young people will follow them. He stated if they are removed, they will most likely not come back. Mr. Diokno stated his suggestion is that Mr. Fahy and the neighbors in the Clearland area get together right after this session, meet in the hall, and set up another meeting for them to get together and talk to decide exactly what they can do and cannot do.

Chairman Stevenson stated he believed there had to be other options and Mr. Diokno responded they hadn’t had a chance to get to that stage yet as the neighbors hadn’t yet met with Mr. Fahy.

There was a lengthy discussion regarding the concern of the ‘donut’ problem reoccurring if the medians are removed, the unattractive appearance of the street because of the medians, the inconvenience of all the red curbs, the purpose of the red curbs, the desire for upgrading the

community and having families move in instead of just investors for rentals, the different size barriers and their purposes, wanting more input than just 10 responses, and finally the necessity of a meeting before anything is to be determined.

Mr. Juan Escobar stated he lives on Clearland Circle and that instead of removing the islands he would like to see more because right now he sees how unbelievably people speed, and in front of his house are making 'donuts'. He stated he is too afraid right now to let his kids play outside because it is unbelievable how people are driving there, not caring whether it is 11 in the morning, the afternoon, or in the middle of the night. Mr. Escobar stated they do this right in front of them, that he abides by the law, and people pass him up; that he would like to have speed bumps. He stated they have trouble with stolen cars being dumped at the end of his street too, and he's not sure if it is only some of the neighbors or if people are coming from outside the neighborhood also.

Chairman Stevenson suggested everyone exchange contact information and set a date to meet with Mr. Fahy, and he would also try to make the meeting.

b. Consideration of a minor modification to Development Plan #DP04-3084 (Discovery Builders, Inc. – Applicant and Owner), this is a request to modify the proposed house design plans for an eight lot single-family residential subdivision that was approved in October of 2005. The site is located at 170 – 180 Bella Vista Ave., Bay Point, (APN 095-060-002). – Department of Conservation and Development

Ms. Toms stated this subdivision started over 10 years ago at the very end of Bella Vista with 8 lots previously approved of larger lots, and are interested in building the development sooner than later, but smaller floor plans meet the current market conditions better at this time, and referred Council Members to the site plans they had received in the mail for review.

Mr. Dana Owyong introduced himself and Mr. Monte Davis, of Discovery Builders, and stated they are very interested in pursuing the construction of this project and reviewed the site plans with the Council and stated they will be good quality family homes. He stated they are excited about moving forward with the project, and would like to have the MAC's support.

There was discussion regarding the new plans including the smaller homes, larger yards, two car garages, 3 planned to be 2-storied and 5 single storied, estimated purchase cost, the condition of including trail improvement, (paving and lighting suggested), width of street, the new Habitat for Humanity dwelling completed, and other large lots empty and available for developing.

Motion made by Councilwoman Zumwalt to approve minor modification to Development Plan #DP04-3084 with condition of putting lighting on the trail. Seconded by Councilwoman Mason. Motion carried 7 – 0; Council Members Garcia, Kopitar, Magleby, Mason, Tremaine, Stevenson, and Zumwalt voting "yes".

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

- **Concord Reuse Plan CD - Mason**
Councilwoman Mason stated they had received a CD of the Concord Reuse Plan which will be available here at the Community Center (and online) if anyone is interested in borrowing it and

getting their comments in as they are due by February 23rd.

- **All County MAC meeting – Magleby**

Councilwoman Magleby reported that 4 members had attended the meeting and that the Chair had done a fabulous job of sharing what they had done over the year. She stated while they were there they had seen a beautiful map of Discovery Bay and Supervisor Glover asked if they had a map of Bay Point, and asked if we would like one as we had not.

- **Code Enforcement – Stevenson and Tremaine**

Councilman Tremaine reported they had a guest, Sergio from the East Bay Regional Park District, who talked about trail maintenance and how complicated it was knowing who was responsible for what on each trail; so that one of the things agreed to do was to come up with a definitive list of trails in Bay Point and include who is responsible so contacting them would be easier.

Councilman Tremaine stated the priority list which has been talked about for a long time is pretty well set, but in not any particular order but Code is going to concentrate on: 1) Garbage, Illegal dumping; 2) Yard Upkeep, junkyard conditions and foreclosed properties; 3) Graffiti; and 4) Public Land Maintenance.

Councilman Tremaine stated Supervisor Glover is also looking into getting some cameras placed in strategic locations. He stated there is no funding for this right now, so it is just being investigated.

There was a short discussion of video quality, monitoring of camera, moving of camera location, that this was just beginning to be investigated, and the support of this idea being looked at. Also discussed was amount of trash still being dumped at some sites.

Councilman Tremaine stated they are also going to be looking at Neighborhood Clean-up Program done in Antioch, and how it is run. He stated there was also a discussion of getting Allied and Pittsburg Disposal to help in picking up some of material and waiving some fees for dumping clean-up trash. He stated there was a lot accomplished at the last meeting.

Ms. Toms stated the Building Inspection Department is reviewing the Nuisance Ordinance and will be recommending some changes. She stated they have yet to go to County Council, and if it passes there would probably go to Public Protection Committee before it goes to the Board. Ms. Toms stated she will keep the MAC in the 'loop' as Bay Point has always been a community who comes out to these meetings and urged the Supervisor to move forward on stricter ordinances in regard to cleaning up areas or inspection ordinances.

Ms. Toms stated that one of the priorities Redevelopment would prefer is if there is a code violation on a property, even if it is foreclosure, the sooner it could be reported to Code Enforcement and a notice put on the property the better, because then it will show up in a Title Report, so when the new owner comes in they're not surprised when Code Enforcement hands them a letter about 30 days to fix something.

Councilwoman Zumwalt asked about the Disposal companies sharing in clean-up, possibly in lieu of the 2 clean-up dates during the year, and also that Pittsburg disposal has never made it to a MAC meeting to make a presentation as they had talked about doing. She stated Allied Waste has come to a meeting, and Pittsburg Disposal is long overdue in coming.

There was a discussion about future clean-up dates, possibly in Spring, more advance notification, possibly posting something outside the Community Center for advertisement, and possibly posting it in the Water Company's Newsletter (per Tina Gonzalez, Manager).

- **Community Wellness Program/County Planning Commission Updates – Mason**
Deferred to next month due to lateness.

- **CAP – Kopitar**

Councilwoman Kopitar stated there were only a couple of small incidents, and the companies had gone a long time without any. She stated Henkel had a small burn, but it had been put in a burn cage so that it is contained and none of it gets out into the air. She stated she feels much safer in Bay Point now with the companies here, and going to the CAP meetings to learn about all of the improvements they've made, all the safety precautions they take, and all the regulations they are required to pass.

Councilwoman Kopitar stated there has also been new interest in taking the CERT training so she will be looking at putting together some dates for that also.

11. Correspondence.

Councilwoman Kopitar reported on the following correspondence:

- Application Article approved for the last water increase.
- Announcement about tomorrow night's informational meeting about another water rate increase
- Invitation to be on a realtor's email list

Correspondence was made available for viewing.

Councilwoman Kopitar inquired about a letter that was requested to be sent last year to Criterion regarding maintenance of the property surrounding their site, and if it had been sent, as they are still not maintaining the property as they should.

Mr. Diokno stated he would look into it.

Councilwoman Kopitar also inquired if she could send a thank you card for the site visit to Allied Waste done some time ago.

Mr. Diokno stated yes if it was alright with the Council.

Councilwoman Kopitar also asked if the Council would like her to request another site visit date as only a couple of the members were able to make the last date.

It was agreed that another date for visiting Allied Waste's Keller Canyon site would be good.

11. Future Agenda Items.

- a. Newsletter costs and alternatives
- b. Discuss spending on marketing items

- c. Gang Task Force presentation
- d. Discuss Spring clean-up dates
- e. Pittsburg Disposal presentation
- f. Discussion of starting meeting at 6:30pm
- g. Discussion of using first MAC hour for county meetings, when necessary

12. Adjourn to meeting scheduled for Tuesday, March 2, 2010, 7:00pm, at Ambrose Community Center Board Room.

This meeting record is provided pursuant to Better Government Ordinance 95-6, Article 25-2205(d) of the Contra Costa County Ordinance Code.