

Bay Point Municipal Advisory Committee



Sterling Stevenson, 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

7:30 pm

Tuesday, December 7, 2010

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

Others present: Ed Diokno of Supervisor Glover's office, Maureen Toms of County
Redevelopment, Lt. Fernandez of the Sheriff's Dept., and Officer Eric Brewer of the
Highway Patrol.

1. Call to Order / Pledge of Allegiance led by Councilman Charles Tremaine

2. Approval of December 7, 2010 Agenda

Councilwoman Mason stated they should add the issue of the water rate increase as it is time
sensitive but came to their attention after the agenda had already been posted.

Motion made by Councilwoman Mason to approve the December 7, 2010 agenda with the
addition of item to discuss the Water Rate Increase Issue, to 7a. Seconded by Councilwoman
Zumwalt. Motion carried 6 – 0; Council Members Garcia, Kopitar, Mason, Stevenson, Tremaine
and Zumwalt voting "yes"; Council Member Magleby absent.

3. Consent items

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

b. Approval of Record of Actions of November 2, 2010

Motion made by Councilwoman Mason to approve the Consent Items. Seconded by Councilman
Tremaine. Motion carried 6 – 0; Council Members Garcia, Kopitar, Mason, Stevenson, Tremaine
and Zumwalt voting "yes"; Council Member Magleby absent.

4. Public Comments:

Resident Michael Kerr stated he was speaking regarding the recent newspaper article regarding the County Auditor-Controller's investigative report of the Keller Canyon Mitigation funds, and allegations of abuse of these funds by Supervisors Glover and Piepho. He stated among the Report's recommendations are that there be a public annual report of all Keller Mitigation fund activity to improve accountability with the public, and that the public be involved in defining the Keller fund's mission, application, and selection process to improve governance and transparency. Mr. Kerr stated that currently all the Keller funds are allocated in secrecy by Supervisor Glover's 3 person committee with no public notice of the process nor any published report of the distribution. He stated he highly recommends that both the Bay Point MAC and the Ambrose Recreation and Park District form a taskforce to create community wide town hall meetings on how the Keller monies should be allocated, and establish a Keller Canyon Mitigation Funds community committee to implement those wishes.

Resident Glen Johnson stated he wanted to talk about the drugs and other problems in his neighborhood, keeping his wife awake all hours of the night, and reinforce the idea that it only takes a moment to get on the phone and call the Sheriff's when someone sees or hears something going on; they don't need a name, only an address. He stated as we are a bedroom community with many working during the day it is important for everyone to look out for their neighbors too, for public safety, and just make a call to the Sheriff's Dept. Mr. Johnson stated we all need to work together on keeping our community safer.

Councilwoman Zumwalt read into the record a letter she received:

To Vicki,

Please see if you can do something about the property located at 711 Driftwood Drive, Bay Point. There is an abandoned house, but property is being occupied by two men and a girl. They live in a small trailer and shed. This has been going on for some time now. The county hasn't been able to do anything because they keep the gate locked and claim to be there to feed the animals.

Thank you, Concerned Citizen

Councilwoman Zumwalt stated she wanted County to be aware of this. She gave the letter to Councilman Tremaine to share with Code Enforcement also.

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

a. Contra Costa County Sheriff's Department – Lt. Victor Fernandez

Lt. Fernandez distributed copies and reviewed the statistics for the month of November, including comparisons from last month and the same time last year.

Lt. Fernandez stated the one thing that jumps out is they are recovering a lot of stolen vehicles, in scattered locations. He stated the other item is the armed robberies, one arrested, but robberies continuing, and they're following up on some leads about that.

There was some discussion regarding the new format of the report, and how the older report's map gave more detail and included all of the areas of Bay Point. Lt. Fernandez stated he would speak to the person who put these together about going back to the old format.

b. California State Highway Patrol – Officer Eric Brewer

Officer Eric Brewer stated last month, in November, the CHP made 14 DUI arrests in Bay Point, and he didn't have the citation information for November, but for just today having 3 officers working the area they gave out a total of 42 citations for various violations.

Officer Brewer stated that weather permitting the radar trailer will be over in Shore Acres this coming Thursday.

There was a discussion on the best location to place the radar trailer, somewhere on Riverside.

Officer Brewer stated they had been receiving a lot of complaints about a black Mustang driving fast and doing donuts on Clearland Circle and Clearland Drive (probably the same one being complained about on Riverside); and he happened to be in the right place at the right time to catch him doing it this past Sunday, arrested him, and placed his car in impound; so that problem is solved for at least a month while the car is impounded.

Resident Marie Johnson asked about towing cars parked on the street with expired tags being the CHP's responsibility.

Officer Brewer explained to get a response you must call the CHP office and tell them you want to file a "Traffic Complaint", that all complaints are put on a form that is given to him; he prioritizes and everyone of them is handled.

c. Redevelopment Staff Report – Maureen Toms

Ms. Maureen Toms reported on:

- **Orbisonion Heights**

Ms. Maureen Toms stated escrow had closed on the 2nd to last house, and the two homes on Bailey Road are now owned by the agency; still have tenants but are working on relocating Mr. Stoneking, a lifetime resident, expecting to move in about 2 weeks; and the other property on Bailey Road just closed escrow last week.

- **Notice of preparation for an Environmental Impact Report**

Ms. Toms stated she had just received an email today for this Impact Report for the City of Pittsburg's Master Plan; meeting is on Dec. 14th for opportunity to share concern if you think there are impacts to the environment to be studied and included in that document.

d. Supervisor Federal Glover General Report – Ed Diokno

- Mr. Ed Diokno of Supervisor Glover's Office stated as a reminder to those interested in attending, the next Bay Point Code Enforcement committee meeting is January 4th, 10:30am at the Supervisor's office.
- Mr. Diokno stated the MAC's Annual Report and plan for 2011 will be due by the next MAC meeting, on January 4th, done by the MAC Chair and approved by the Council.
- Mr. Diokno stated the annual training for Advisory Bodies to the Board of Supervisors will be held February 28th, 4:30pm – 6:00pm in Martinez. He stated that although it is not mandatory for every to attend, it is highly recommended that at least the MAC officers who are elected in January attend.
- Mr. Diokno stated Supervisor Glover's annual Crab Feed will be January 8th at the new Community Center in Antioch (located at Prewett Park off of Lone Tree Way. He stated proceeds will go towards the Supervisor's Office Holder's Account; not a campaign account but permits them to attend conferences, provide refreshments at meetings, pays for lunches at conferences, people who ask for donations for souvenir programs for advertising, and a host of other things. Mr. Diokno stated they will be serving pasta, sausage, garlic bread, and if anyone wants to buy tickets to please see him after the meeting.
- Mr. Diokno stated lastly, the Supervisor wishes you all a Merry Christmas and Happy New Year.

6. Presentations Presentations were made by:

None

7. Items for Discussion and/or Action

a. Discussion of Golden State Water Company's Notice of Rate Increase Request - Councilwoman Mason

Councilwoman Zumwalt introduced the Golden Sate Water Co.'s Notice of Request issue to increase the Water Rate by 36%, to cover the cost of building the pipeline. She stated it would behoove them all to attend the Public Utilities Commission (PUC) meeting.

Mrs. Judy Dawson distributed copies of the newspaper article to the Council and stated on December 16th at 9:00am, in San Francisco, at 505 Vaness Ave., the PUC will be holding its hearing on several matters including the one relevant to Bay Point, whether to grant Golden State Water Co. a 36% rate increase. She stated she didn't know about everyone else but she feels this increase is outrageous. Mrs. Dawson stated Bay Point will really be a desert in 2011 if this rate increase is approved, and many of the homes will not look attractive to perspective buyers; with residents already struggling with financial responsibilities and current over-the-top water rates, yards take a back seat already. She

stated residents have already taken on the challenge by Golden State to conserve water, and now we may be paying substantially more for water if this is passed. Mrs. Dawson stated if there is no opposition expressed at the PUC hearing then the commissioners will think that the residents of Bay Point don't care or its not important enough; they have no idea how this will impact us if we don't speak up; they will approve the rate increase, guaranteed. She stated she will be at the hearing speaking as a resident of Bay Point, and anyone interested should join her.

Councilwoman Zumwalt requested Supervisor Glover write a letter as he did the last for the last rate increase request, sharing eloquently his concern about the increase.

Mr. Diokno stated 'yes'.

Councilwoman Mason stated it should be checked to make sure you can make public comments without prior notice as some meetings you have to call ahead. She also stated that she had been to many meetings last year and her understanding is when you try to compare our community to others its as apples and oranges, because every repair that is made in the water line is shown in our water rate, unlike in a city like Concord where the repairs are in their taxes and their water rate is separate; that's why it looks so lopsided. She suggested to Mrs. Gonzalez of Golden State that the next time they make a presentation they could do something to show how that is done, and make it more understandable. Councilwoman Mason stated that having gone to PUC meetings she knows that there are advocacy groups that look at the requests and the judges look at how much the company is spending and not just say 36% sounds good and approve it; there are laws and regulations that they have to look at as well. She stated there is a lot that goes into their decision, not just that there is or is not anyone there to complain.

There was further discussion regarding the requested rate increase by Golden State Water Company, the upcoming PUC meeting on December 16th in San Francisco, and the importance of community leaders to attend these meetings.

b. Consideration of an Administrative Permit to allow installation of a Redbox Kiosk to be located on the western exterior of the Tower Mart located at 1805 Willow Pass Rd., (APN 095-420-037) – Maureen Toms

Ms. Maureen Toms distributed information and pictures of proposed Redbox location on the exterior of Tower Mart at corner of Loftus and Willow Pass Rd. She stated the concern county had with the project was it being located on the exterior of the building.

Mr. Michael Kerr stated he lives on Loftus and is concerned about the already limited parking at the store, and with the addition of the Redbox he believes it will create a very difficult traffic and parking problem.

After some discussion it was decided:

Motion made by Councilwoman Mason to approve the Administrative Permit to allow

installation of a Redbox Kiosk to be located on the western exterior of the Tower Mart located at 1805 Willow Pass Rd., (APN 095-420-037). Seconded by Councilwoman Kopitar. Motion carried 6 – 0; Council Members Garcia, Kopitar, Mason, Stevenson, Tremaine and Zumwalt voting “yes”; Council Member Magleby absent.

c. Budget Report – Councilwoman Garcia

Councilwoman Garcia distributed a copy of the budget to Council members and stated this year they have a balance of \$8,934.50 until July; including Secretary’s Invoice through December, the All-MAC meeting, and the refreshments for tonight. She stated this total was verified by Lynn at Supervisor Glover’s office.

Councilwoman Zumwalt stated they were given the money from Keller Canyon funds for the MAC’s Newsletters that are done now electronically, and they should think about their fiduciary responsibilities and spending \$8,900 on things they really don’t need, considering the county is in a financial crisis they shouldn’t just go spend this money because they have it. She stated it is something they should all think about.

d. Update on the Welcome to Bay Point sign – Chairman Stevenson

Chairman Stevenson distributed an illustration of proposed sign design and asked Ms. Toms whom he should give it to in county for approval.

Ms. Toms stated the current sign is posted on the East Bay Mudd right-of-way, and possibly an encroachment permit which costs little to nothing for community groups. She stated she would have to check to see what exactly was required.

There was a lengthy discussion including: the Chamber of Commerce’s’ prominent position and size on the sign, the possibility of leaving room for additional groups being added to sign, the “Welcome to Bay Point” in English and Spanish portion of the sign, the group’s logos instead of their names, and criteria about who can place their logo on the sign.

It was decided to place this item on the next month’s agenda after presenting the suggestions to the Chamber of Commerce.

e. Update on the County’s Adopt a Road program – Chairman Stevenson

Chairman Stevenson stated the only reason he had placed this item on the agenda was because there was 5 or 6 different owners on Willow Pass Rd., that in order for them to develop an Adopt-a-Road program the owners would have to agree for them to come onto their property. He asked if he needed to draft a copy of the letter sent to them or could he just send the letter out to the property owners.

There was some questions and discussion regarding cleaning along the frontage of Willow Pass Road and needing permission of property owners to do so, and it was

suggested to table the item until paperwork could be seen about requiring permission.

Chairman Stevenson distributed some bark samples and stated the other issue regarding the Adopt-a-Road program was deciding on what kind of bark to use to cover and beautify the area on Willow Pass Rd.; where the Welcome to Bay Point sign is.

There were some questions and a lengthy discussion regarding the appropriateness of the MAC being the group to handle this, that the property belongs either to county or East Bay Regional Park District, and landscaping not being the responsibility of the MAC.

Mr. Diokno stated that any letter should be vetted through Supervisor Glover's office; but he still wasn't clear about what Chairman Stevenson was asking for.

It was decided to table this item due to time constraint and the need to move on to other agenda items.

**f. Discuss forming a committee to work with the Mt. Diablo School District
- Chairman Stevenson**

Chairman Stevenson stated at last month's meeting there was a suggestion of forming a committee to work with the Mt. Diablo School District.

After some discussion regarding the objective of the committee being to work closely and meet on a quarterly or semi-annual basis, to be proactive, stay in touch, represent our community, and keep the School District accountable to our community; Council Members Mason and Stevenson volunteered to be on the School Committee with Council Member Garcia acting at an alternate. It was decided they meet with Rose Locke of MDUSD and establish some parameters before inviting a few select community leaders to join also.

Mrs. Dawson suggested formatting the meetings as they had done when she was on the Measure 'C' committee, where the community sat around the outside of the table where the committee sat, allowing limited participation in the meeting.

g. Completion of Code Enforcement Report – Councilman Tremaine

Item eliminated – see 8a

8. Committee Reports The MAC received the following reports:

a. Code Enforcement – Councilmen Stevenson and Tremaine

Councilman Tremaine stated because of limited time he wanted to report the biggest issue of the last Code meeting was the significant increase of illegal dumping occurring in our community; that one day after the county cleans up it is dumped on again. He stated he doesn't think anyone appreciates the amount of trash being hauled out of Bay Point by the county.

b. CAP – Councilwoman Kopitar

None

9. Members' Comments

Councilwoman Zumwalt stated a member of the community noted there was a lot of tagging on Pacifica Ave. fences and her suggestion was to ask the owners of those properties to paint their fences white, and ask the school district if they have students that would like to paint murals on the fences. She stated if you look at the murals at the school and the store on that street are not tagged.

Councilman Tremaine stated there may be a clear paint you can put over the murals that will not allow other paint to stick to it.

Councilwoman Mason stated she would mention it to the Service Club at the After School Program at Riverview Middle School; maybe they would like to be a part of it.

10. Correspondence.

Due to time constraint Councilwoman Kopitar stated the only correspondence, regarding a Permit for a cash register, needs be tabled and placed on next month's agenda as Ms. Toms from County hadn't received it yet.

11. Future Agenda Items.

- a. Election of Officers
- b. Welcome to Bay Point sign - Stevenson
- c. Adopt a Road program - Stevenson

12. Adjourn to meeting scheduled for Tuesday, January 4, 2011, 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.