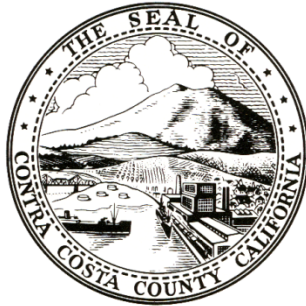


Bay Point Municipal Advisory Committee



Debra Mason, 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, July 5, 2011

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

Others present: Mr. Ed Diokno of Supervisor Glover's office, Mrs. Maureen Toms of County
Redevelopment, and Mr. Michael Kent & Mr. Randy Sawyer of County Hazardous Materials
Dept.

Pledge of Allegiance: led by Chairwoman Mason

1. Approval of July 5, 2011 Agenda

Motion made by Councilwoman Garcia to approve the July 5, 2011 agenda. Seconded by
Councilman Tremaine. Motion carried 5 – 0; Council Members Garcia, Kopitar, Mason,
Tremaine and Zumwalt voting "yes"; Council Member Stevenson absent.

2. Consent items

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

Consent item b: Approval of June 7, 2011 Record of Actions removed for discussion.

Motion made by Councilwoman Zumwalt to approve the Consent Item. Seconded by
Councilwoman Garcia. Motion carried 5 – 0; Council Members Garcia, Kopitar, Mason,
Tremaine and Zumwalt voting "yes"; Council Member Stevenson absent.

3. Approval of Record of Actions of May 3, 2011

Chairwoman Mason stated she appreciated the work Recording Secretary Debra Giles does, and she had found a couple of corrections for the June 7th, 2011 Record of Actions. She pointed out 2 specific spelling corrections on page 2 and page 7; and then shared her copy with the Recording Secretary to assist in locating errors.

Motion made by Councilwoman Garcia to approve the Record of Actions with corrections of June 7, 2011. Seconded by Councilman Tremaine. Motion carried 4 – 0; Council Members Garcia, Kopitar, Mason, and Tremaine voting “yes”; Councilwoman Zumwalt abstaining; and Council Member Stevenson absent.

4. Public Comments:

Mr. Lloyd Mason stated he first wanted to thank PG&E and Ms. Tracy Craig for the opportunity to work; he had done a local project and was able to hire about 6 young men from the community to do some weed abatement around the pond. He stated secondly he was very disappointed having attended the Ambrose Recreation & Park Board meeting last month; was really disgusted with the Board’s behavior. Mr. Mason stated there was at least 150 people present and they made them sit on the floor, in the aisles and the front, with people still in the hallway, and they would not accommodate them and move the meeting to a larger room. He stated the Board Members were rude to the public and didn’t even acknowledge them when the 30+ persons spoke. Mr. Mason stated the Board’s attitude and behavior were just appalling. He stated the Board decided not to approve the After School Program contract, which is unthinkable that they would let that program go that provided services to our community, provided employment for over 70 local residents, and served over 700 Bay Point kids. He stated that the After School Program might continue, but it’s not the program it’s the people behind the programs that make them work. Mr. Mason stated the residents of Bay Point need to pay attention to what is going on with the Park Board, ask questions, and participate in the next Park District election. He stated he will be running again, that he only missed out by 200 votes last time, and that he would “be on Ms. Garcia’s heels”.

5 Agency Reports. The MAC received the following reports:

a. Contra Costa County Sheriff’s Department – Lt. Gwen Brady

None – not present

b. California State Highway Patrol – Officer Eric Brewer

None – not present

c. Redevelopment Staff Report – Maureen Toms

Ms. Maureen Toms reported on:

- **Governor Brown signed State Budget: AB 26X & AB 27X**

Ms. Toms stated the Governor had signed the State Budget last week which also contained 2 trailer bills that affect Redevelopment significantly:

AB 26X eliminates all Redevelopment Agencies throughout the state effective immediately, and

AB 27X (paired together with AB 26X to be considered together), allows Redevelopment Agencies to “opt in” by voluntarily paying a certain amount of money. She stated the amount for Contra Costa County is about 5.4 million dollars for year one, and then subsequently about 1.3 million dollars, for all of the Redevelopment areas including Bay Point, Rodeo, North Richmond, Calvin Manor, and Contra Costa Centre. Ms. Toms stated that these costs are based on 2008 income numbers, and that is important because since 2008 this community has had a loss of AV Assessed Value of about 60%, so the numbers are pretty significant, and to ‘opt in’, only Bay Point and one other area, Montalvin Manors, are running negative; it would take the other 3 Redevelopment areas to step up and contribute if they were to ‘opt in’.

Ms. Toms stated they are currently running those numbers and it would be beneficial for them to ‘opt in’ even with those numbers. She stated in addition, the League of California Cities and the California Redevelopment Association have been preparing a lawsuit and intend to challenge the 2 trailer bills, particularly because of proposition 22, which passed just last November, and was intended to protect local funds. Ms. Toms stated for right now they have to move forward with those two Assembly Bills being the law, unless it is overturned, so they are currently looking at the budgets throughout the county in the Redevelopment areas, and looking to determine where they might come up with 5.4 million dollars to ‘opt in’, so they can continue the programs that are already under way. She stated the alternative would be for elimination of Redevelopment; would be for all the assets owned by the agency to be turned over to another agency that includes the county, school districts, and fire districts; the idea being to pay off the debt of the agency and sell off the agencies assets; an overseer type situation.

Ms. Toms stated when the Senate was talking about this Assembly Bill, Speaker Steinberg did indicate there are some agencies that are hurting that do want to ‘opt in’, and perhaps they should do some clean-up legislation that would provide some flexibility to agencies to ‘opt in’; but she hasn’t seen any language that would take care of that yet.

- **Orbisonion Heights – Land Assemblage**

Ms. Maureen Toms stated they have several projects underway including the Land Assemblage at Orbisonion Heights to do some transferring to development.

Ms. Toms stated they have some other significant projects elsewhere in the county in the Redevelopment Agency that will definitely be impacted by the 2 trailer Assembly Bills.

There was a discussion regarding the ‘opt in’ process. Ms. Toms explained the county

Redevelopment Agency would need to adopt an ordinance by November 1st Opting In to continue as a Redevelopment Agency with the understanding the payment that's made in this fiscal year and subsequent years is a voluntary payment. She stated the money will be used to back-fill the states obligations, including school and fire districts. Ms. Toms stated she will keep the Council informed as this issue moves along; as for now they are moving forward as if they would be 'opting in', but that decision is ultimately made by the Board of Supervisors.

Also discussed was how AB26 & 27 would affect Orbisonion Heights and the widening of Bailey Road. Ms. Toms stated the Bailey Rd. project is protected because those funds are obligated as the Board of Supervisors had authorized them to enter into a MOU with the City of Pittsburg and the county Redevelopment Agency. She stated anything that is already obligated by a contract is protected; but as of July 1st they cannot enter into any new contracts, acquire new land, and a number of other things they are prohibited from doing; until they determine they will 'opt in' and have that ordinance adopted.

d. Supervisor Federal Glover's General Report – Ed Diokno

- Mr. Diokno stated Supervisor Glover attended the Unity in Community event on June 25th and was very pleased with the results. He stated there was a Health theme; County Health services provided free immunizations, John Muir brought their van for check-ups, and Kaiser donated food and provided some health oriented entertainment. He stated he heard there had been up to 700 people attend this year, and a good time was had by all. Mr. Diokno stated he wanted to thank Debra Mason for helping work Supervisor Glover's table representing the county.
- Mr. Diokno stated before he had left on vacation the office had been scurrying about to write a grant for the implementation of the Re-entry Strategic Plan, drafted by the county and consultants. He stated the Re-entry Strategic Plan is where the state prisoners would be shifted to local jails; sometimes called re-alignment; but under the Supreme Courts decision the only order was to reduce the state prison's population. He stated if the money is not there for re-alignment one of the options is to return inmates to their communities. Mr. Diokno stated the Strategic Plan is to deal with this by providing services to those inmates returning to the community, whether they're in jail or on the streets, so they can get jobs, find a home, receive training, medical treatment, therapy, or whatever else they need. He stated otherwise the 75% recidivism rate of that population would create havoc with our law enforcement agencies. Mr. Diokno stated the Board of Supervisors had passed the Plan two months ago and this grant, despite the short application period, was submitted on time; and they are keeping their fingers crossed as this grant would help in implementing that Strategic Plan.
- Mr. Diokno stated the other thing Supervisor Glover has been occupied with is the Redistricting. He stated you may have read in the newspaper about the different plans, and some of you attended the public forums on redistricting. Mr. Diokno

stated he would call attention to most of the plans having Pittsburg stay in District 5, but at the last Board of Supervisor's meeting a proposal was made to take Bay Point out of District 5 and put it in District 4, which is Karen Mitchoff's district; in an attempt to supplement District 4's population, if Supervisor Karen Michoff would give Supervisor Mary Piepho, of District 3, part of Walnut Creek; a trade-off.

Chairwoman Mason stated her concern was that this new proposal was made after they had met in our community where people gave their input, and now they want to pitch-hit; that it wasn't fair to do so. She asked if they needed to attend another meeting.

Mr. Diokno stated there was another public hearing on July 12th on this issue at the Board of Supervisor's meeting at 9:30am for anyone to share their input on this; or they could email the Board of Supervisors declaring your desire.

There was some discussion regarding the importance of the Board to hear from their constituents; how right now it appears Supervisor Mitchoff is the swing vote; that if she agrees to that proposal they would have the majority vote; that residents could also email her directly.

6. Presentations Presentations were made by:

a. Michael Kent and Randy Sawyer of County Hazardous Materials Dept. – Danger from natural gas odors.

Mr. Michael Kent, of the County's Office of Hazardous Materials program introduced himself and stated he had been invited to come and answer some questions regarding dangers from Natural Gas emissions, but that is really Randy Sawyer's role as Director of the Hazardous Materials program.

Mr. Randy Sawyer stated that as a little background, PG&E has a place off of Evora Road where they bring in the gas and natural gas doesn't have any odor by itself, but for protection an odor is added to the natural gas so that if it does get released it can be detected and action can be taken to correct it; and that odor is added at the station on Evora Road. He stated they have had at least a couple of incidents where they've had leaks of that odor and it spread all around this area. Mr. Sawyer stated the odorant is called Scintintl 1050 Gas Odor, and it is very strong so as not to have to add a lot to the gas to make it smell. He stated that even at higher concentrations there are no long term health effects from this chemical, but it doesn't take too much for some people to really react from the odor, like nausea, sickness, or exasperate any breathing conditions; but after getting some fresh air, and odor passes, everything is back to normal.

Councilwoman Zumwalt asked if PG&E is required to notify them if there is an odorant release.

Mr. Sawyer stated they are required to; haven't always done that very well in the past, but

are very clear now that they must report *any* release.

Councilwoman Zumwalt asked if they had any pull with PG&E in getting a response to questions put to them at a meeting a couple of months ago; Jonathon Little was going to get back to the Council.

Mr. Sawyer stated he would follow-up on that and see what the status was.

Councilman Tremaine inquired and clarification was made regarding odors along Evora Road possibly being only the odorant additive and not natural gas. It was recommended that any odor be reported to PG&E immediately.

There was a short discussion regarding the notification and information sent by PG&E to customers who lived with a certain distance from transmission pipelines.

Mr. Ray O'Brien asked if they had any statistics about local releases being only odorant or any actual natural gas release. He also asked if they intentionally released gas as he had read a news report that certain facilities have to release some gas for testing purposes.

Mr. Sawyer stated the incidents they had responded to, the large reported incidents, were of just the odorant itself. He stated natural gas releases could be made if they needed to clear a line to test or repair it.

Mr. O'Brien asked if there were any dangers or health hazards because of those releases.

Mr. Sawyer stated the biggest health concern is people becoming sick from the odors themselves, but it is a transient type of situation.

Councilwoman Zumwalt asked about how we are supposed to know if an odor that's been reported is received, or acted on; to know if it is safe. She stated with the San Bruno tragedy we are just looking for assurances that we are safe.

Mr. Sawyer stated 911 can always be contacted too; the Sheriff's dispatch will make sure they are made aware. He stated that is usually how they hear about it first because people are calling the Sheriffs to ask what is going on. Mr. Sawyer stated they could then call him to follow up at 925-335-3200.

Mr. Bruce Ohlsen asked about the station on Evora being staffed or by itself; and if the odorant was stored in 55 gallon drums or is it stored under pressure.

Mr. Sawyer stated he believed it was staffed, that he hadn't actually been up there himself. He stated the odorant had to be stored under pressure to be able to get into the gas line, as the gas line is stored under pressure.

Mr. O'Brien asked what kind of danger from explosion is there at this storage site.

Mr. Sawyer stated that natural gas itself is very flammable as well as the odorants, so if there was a release in the form of a cloud, there could be a fire close to being an explosion.

There was a discussion regarding the exact location of site off of Evora, and Mr. Sawyer agreed to send a map with the exact location to Board members. Also brought up were questions regarding the amount of security at the sight, the danger of grass fire to the site, and whether they would allow a tour of facility; to be answered to the Board.

7. Items for Discussion and/or Action

a. Adopt a Road Program – Councilman Stevenson

None – not present

b. Consideration of Development Plan #DP11-3013 (Sikh Society of Central Costa County), applicant and owner, for the development of 8,000 sq. ft. temple and 1,400 sq. ft. storage building. The subject site is located at 788 Port Chicago Hwy., Bay Point (APN 098-030032)

Ms. Maureen Toms stated this application is for a temple, made by the Sikh Society of Central Costa County, with Mr. Govinder and some others available for questions about the application. She stated this is a development plan so what they are looking at is not whether or not it can be there, rather what the design of the development would look like.

Mr. Kanwar Singh corrected the address on the agenda to 778 Port Chicago Hwy. and stated it is the lot right next to where the Corner Club was located, and shared about building their own temple as they are now using a leased building. He stated over the last few years they've had quite a number of new families join them, now have four to five hundred members here, and the closest temple is in El Sobrante or Fremont. Mr. Singh stated a temple here would help our community as its members from around this area, Oakley to Concord, would be living here, shopping here, needing services here, and maybe more moving here, closer to their temple; he stated they are assimilated into the community and are looking for a place to worship.

After some discussion regarding the buildings structure and a review of the Planning Dept process of review, it was decided:

Motion made by Councilwoman Zumwalt to approve Development Plan #DP11-3013, for development of 8,000 sq. ft. temple and 1,400 sq. ft. storage building located at 778 Port Chicago Hwy. Seconded by Councilwoman Kopitar. Motion carried 5 – 0; Council Members Garcia, Kopitar, Mason, Tremaine and Zumwalt voting “yes”; Council Member Stevenson absent.

c. Consideration of Land Use Permit #LP11-2034 (Pawan Garg, applicant and owner) requesting approval of an infant and toddler daycare facility for up to 26 children. The site is located at 33 Ambrose Avenue, Bay Point (APN 097-303-010)

Ms. Toms stated this is for location on Ambrose Ave. for an infant and toddler daycare facility, next door to the existing childcare center on Willow Pass Rd. and Ambrose Ave. She stated the operators of that childcare center have purchased the adjacent property, a residential structure, are looking to create an infant and toddler center, and having one of their family members run that facility. She stated the parking may be tricky, that there is some tandem parking proposed; and having talked to the property owner, one of the conditions may be that they enter into a parking easement with the existing childcare center, to provide shared parking for employees; necessity of this still being evaluated by the Planner.

Representative of applicant stated they had done some research in the community and found the closest infant/toddler facility is all the way on Railroad Ave. and there is a need in our community. He stated their existing facility is licensed to accommodate up to 97 children ages 2 – 12 years old and have purchased the abandoned property next door to open an infant/toddler facility for 26 children. He stated one big issue for our community is traveling quite a distance for their secondary childcare, often times licensed home daycares, and parents at their school are excited about having this facility right next to the center they are already using. He stated in addition they would be looking to hire up to 6 employees from local community.

After some questions and discussion regarding existing childcare business and traffic considerations it was decided:

Motion made by Councilwoman Zumwalt to approve Land Use Permit #LP11-2034 (Pawan Garg, applicant and owner) requesting approval of an infant and toddler daycare facility for up to 26 children. The site is located at 33 Ambrose Avenue, Bay Point (APN 097-303-010). Seconded by Councilman Tremaine. Motion carried 5 – 0; Council Members Garcia, Kopitar, Mason, Tremaine and Zumwalt voting “yes”; Council Member Stevenson absent.

8. Committee Reports The MAC received the following reports:

a. CAP – Councilwoman Kopitar

None.

9. Members’ Reports

Councilwoman Zumwalt stated as appointee to the Keller Canyon Grant Application Review Committee for the MAC, she wanted to report she had met for the first time with the committee and they received information before they actually began going through the applications. She stated there were 116 grant applicants; they have about \$1,000,000.00; and if they are to fund the Office of the County Council, the Sheriff’s Residents Officer’s Department, the Bay Point Residents Deputy, School Resource Officer, and the District Code Enforcement; is about \$650,000.00 of the \$1,000,000.00. Councilwoman Zumwalt stated she wants community to know where that money is going. She stated she has been busy reading

the applications and had already read 100 of them, which includes the budget for their program, the tax information, all about what they plan to do, and how they plan on evaluating their program; they are quite lengthy. Councilwoman Zumwalt stated she is really looking out for Bay Point as the community to receive the dollars, but technically the funding can go to primary (Bay Point & Pittsburg) and secondary (Antioch) areas. She stated she just wanted to give us an update and if anyone had feedback to please contact her about programs they would really like to see funded.

Councilwoman Garcia distributed and reviewed updated budget including Board Room rental for last year.

Councilwoman Garcia stated she believed \$234.00 would be an appropriate amount to budget for painting supplies for graffiti abatement; paint was being donated so cost would only be for painting equipment, i.e. paint brushes, rollers, etc.

Councilwoman Garcia stated she had contacted Pittsburg Disposal and Allied Waste about the possibility of getting debris boxes and maybe doing a couple more Neighborhood Clean-up days.

Councilwoman Garcia stated she would also be submitting the request for payment of the MAC's Post Office Box.

Councilwoman Garcia stated with exception of Gloria's Plaque and payment of Post Office Box, there was still a balance of \$3,400.00 left; enough to cover cost of mailing Councilman Stevenson's letters to give notice of Adopt-a-Road program.

10. Correspondence.

Chairwoman Mason reviewed list of correspondence and made available for public viewing:

- 2 letters from Golden State Water Co.

11. Future Agenda Items.

- a.** Susan Cohen from County (regarding assessment district and overgrown weeds)

Chairwoman Mason stated that Pittsburg Disposal is not interested in coming to a MAC meeting until they are done negotiating their franchise agreement. She stated she would also ask Supervisor Glover if it would be appropriate for her to look over the proposed franchise agreements.

Chairwoman Mason stated maybe if all they had to talk about in August was weeds, and she and Ms. Toms were not able to attend next month's MAC meeting, maybe they didn't need to meet in August.

Motion made by Councilwoman Zumwalt to cancel August 2nd's meeting. Seconded by Councilwoman Garcia. Motion carried 4 – 0; Council Members Garcia, Mason, Tremaine and

Zumwalt voting “yes”; Council Member Kopitar abstaining; and Council Member Stevenson absent.

11. Adjourn to meeting scheduled for Tuesday, September 6th, 2011, 7:00pm, at Ambrose Community Center’s 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.