

Bay Point Municipal Advisory Committee



Charles Tremaine, 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 7, 2012

1. Call to Order/Roll Call/Pledge of Allegiance

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

Others present: Mr. Ed Diokno of Supervisor Glover's office, Mrs. Maureen Toms of Contra Costa County, Lt. Ralph Brown of the Sheriff's Dept., Officer Eric Brewer of the California Highway Patrol, Erin Johnson of East County Alcohol Policy Coalition, Mary Halle & Alex Rivas of County Public Works, Monish Sen of County Transportation, and Tracy Craig of Craig Communications (Shell Pond Project).

Pledge of Allegiance: led by Councilman Douglas Corbin

2. Approval of February 7, 2012 Agenda

Chairman Tremaine stated there were some changes to be made on the agenda; move items 6a & 6b to item 7a & 7b; move original item 7a to 7c, to allow discussion and possible action on 6a and 6b.

Motion made by Councilwoman Mason to approve the January 3, 2012 agenda with changes. Seconded by Councilman Stevenson. Motion carried 7 – 0; Council Members Corbin, Garcia, Kopitar, Mason, Stevenson, Tremaine and Zumwalt voting "yes".

3. Consent items

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

b. Approval of Record of Actions of January 3, 2012

Councilman Stevenson asked that Consent Item 3c, MAC Representatives to MDUSD, be moved to 7d for discussion.

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

4. Public Comments:

None

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

a. Contra Costa County Sheriff’s Department – Lt. Ralph Brown

Lt. Ralph Brown introduced himself as the Assistant Division Commander of the Patrol Division, standing in for Lt. Brady; then distributed and reviewed the activity statistics for January, stating nothing outstanding happened. He stated statistics show that overall crime is down; that it is a misnomer that as unemployment rises, so does crime.

Lt. Brown reported that right after Christmas the Sheriff’s Dept. issued Tasers to all Patrol Deputies. He stated they believe this will be good for all involved as it is a less lethal tool to use with uncooperative, combative, or violent suspects. Lt. Brown stated there are volumes of statistical data on it.

Councilwoman Zumwalt asked about training and Lt. Brown stated they actually received 8 hours of training when only 4 hours were recommended; 4 hours involved with ‘Weak Side Draw’, training your body to draw from your weak side to ensure you are drawing your Taser, not your gun.

Councilman Corbin asked if the Taser use statistics could be added to the monthly report, and Lt. Brown stated it could. Lt. Brown stated right now they have had 3 deployments in just over a month; that usually a suspect settles down after just being warned about being tased and sees the laser dot.

Councilman Stevenson asked what Lt. Brown attributed the reduced crime to, and Lt. Brown stated crime oftentimes follows the weather and in January there were some very cold nights.

b. California State Highway Patrol – Officer Eric Brewer

Officer Eric Brewer reviewed the statistics for January including; 17 DUI arrests, 15 traffic collisions investigated, and issued 111 citations for various traffic offences. He stated the citations were up a bit, but the other numbers are about average for our area.

Officer Brewer stated the Senior Volunteers are up and running; wearing distinctive uniforms, dark blue or black pants and white shirts with patches that read Senior Volunteer, and driving marked black & white patrol vehicles that says Volunteer in the window. He stated they of course can't do any enforcement but instead report things, using the car radio to report emergencies only.

Officer Brewer stated they are also starting to bring out the radar trailer, which had been out here one day last month, and should be seeing it more often now. He stated the Senior Volunteers will also be trained soon on vehicle abatement.

c. Successor Agency to the Redevelopment Staff Report – Maureen Toms

Ms. Maureen Toms reported on behalf of the Successor Agency to the Contra Costa County Redevelopment Agency:

• **Dissolution of Redevelopment**

Ms. Toms stated as of Feb. 1st Redevelopment Agencies throughout California were dissolved, and they are now going through a process of conveying assets over to either the Successor Agency or to the Successor Housing Agency, depending on what kind of assets they have. She stated they are making the case for conveying housing assets, even mixed use assets, over to the Successor Housing Agency; any commercial assets go to the regular Successor Agency, and have Oversight Board oversight.

Ms. Toms stated the reason she brings it up is because of a recent newspaper article suggested that Orbisonion Height's parcels were going to be sold off in a 'Fire Sale'. She stated they are doing what they can to keep that from happening; their argument for doing that is that it is primarily a housing site, 325 residential units, with some commercial as well. She stated that is the direction they want to go with most of the holdings throughout Bay Point; making sure they are developed the way identified in the Specific Plan; more community control over it. Ms. Toms stated there will be some review by the county Auditor's Office and the Department of Finance.

Ms. Toms stated the next thing will be to take a report to the Board of Supervisors next week that reviews how the Board of Supervisors will appoint the Oversight Board. She stated they actually have a lot of control over the Oversight Board for all the former Redevelopment areas throughout the county, not just the unincorporated ones. Ms. Toms stated there are 7 members on the Oversight Board and for the unincorporated areas the Board of Supervisors makes 4 of those appointments; 2 regular Board appointments, 1 entity will be whoever is determined to be the largest Special District (Fire District) and 1 for a former Redevelopment Agency employee. She stated the other 3 positions will be someone from the Department of Education, someone from the Community College District, and the last appointment will be made by the mayor; any unincorporated area that has city jurisdiction, than the mayor of that city with the largest area would make that appointment. She stated in this case, of all the Redevelopment areas within the unincorporated area, they have one case of

there being an annexation, up at Ambrose Park; so because of that the 7th appointment would come from the mayor of the City of Pittsburg; otherwise it would have been the Department of Education getting the other slot. Ms. Toms stated they believe this will be a positive thing.

There was some discussion regarding how the positions would be filled; applications for positions, Supervisors appointing themselves, etc.; and how they have already made a recommendation for the staff position.

Ms. Toms stated the Oversight Board is to review the enforceable obligations payment schedule; they are also in the middle of a number of contracts for infrastructure improvements and will be going before the Oversight Board asking for them to authorize them to continue those contracts. She stated the contract with the City of Pittsburg to improve Bailey Road was done early enough so there is no question about it being completed.

Ms. Toms stated they are looking at entering into a licensing agreement with the contractor of the Bailey Road improvement project to allow him to use part of Orbisonion Heights as their staging area.

Ms. Toms stated the other big thing they are concerned about is all of the work done for the Enterprise Zone; and given the Redevelopment Agency will not be able to staff that, they have been meeting with the Workforce Development Board and the Employment Human Services Department about them taking on the finishing up of the designation and the management of the Enterprise Zone. She stated there are a number of Workforce Development Boards throughout California that do manage their Enterprise Zones. Ms. Toms stated they are also reaching out to the HCD to give them more time because of the dissolution coming so quickly; and also Senator DeSaulnier to see if he can intervene and give them more time to transfer the Enterprise Zone over to Workforce Development, and get the conditional approval finally approved.

- **SB654**

Ms. Toms stated there is a Senate Bill, SB654, that was approved by the Senate but hasn't gone to the Assembly yet, and then would need to be signed, that would allow the monetary assets of the Redevelopment Agency, the housing money of the low-moderate income housing money, to also be forwarded to the Successor Housing Agency. She stated right now the Successor Housing Agency would get just the land but not any of the money that is there.

- **CDBG Grant application for Bella Monte Apartments**

Ms. Toms stated the CDBG group received an application for the Bella Monte apartments to do a fence around the property; they are having some security issues and think that fencing the property will help them with some of the security. She stated it is something that may be coming before the MAC in the next few months.

There was a short explanation and discussion regarding the Enterprise Zone; a designation California offers, offering businesses within the Enterprise Zone incentives for hiring people of certain classifications or buy capitol to expand their business.

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

- Mr. Diokno stated last January 10th, the Board of Supervisor's elected Mary Piepho as their new Chair for 2012 and Supervisor Glover was elected Vice chair; which means if everything goes right, in 2013 he will be the Chair.
- Mr. Diokno stated Supervisor Glover will be holding a breakfast this coming Friday at the Martinez Event Center located at 536 Main St. starting at 7:30am. He stated the guest speaker will be District Attorney Mark Peterson, and one of the topics the DA will speak on is his proposal to charge misdemeanor charges against parents of habitually truant children who should be in school. Mr. Diokno stated the supervisor will also give a State of the County report. He stated if you want more information about the breakfast, which will benefit the supervisor's Officeholder Account, to please see him after the meeting.
- Mr. Diokno stated that as mentioned last month, the supervisor is holding a free grant application writing workshop on February 29th, 8:00am – 4:00pm; to be held at the Hercules Community Center, 2001 Refugio Valley Road in Hercules.
- Mr. Diokno stated plans are underway for the supervisor's annual Youth Summit which will be held at Los Medanos College on March 31st, 8am – 3pm. He stated the theme this year will be anti-bullying. Mr. Diokno stated this year they will be drawing students from all over District V, as well as traditional sources in East County.

There was a discussion regarding upcoming Grant Writing workshop, and how there are definite dates or locations set yet, but historically there have been 2 per year.

6. Presentations Presentations were made by:

a. Shell Pond Update – Tracy Craig & Bob Gray

Ms. Tracy Craig introduced herself and Mr. Bob Gray, and shared a Power Point presentation on the Shell Pond Clean-up Project, including:

- They have been talking to community about this project for over 2 years
- Started the project, the actual remediation, in Sept. 2011
- Started dredging operation in January
- Ran into some technical difficulties
- Project completely shut down right now while they reevaluate options

Ms. Craig stated she wanted to bring everyone up to speed on what's going on and where

they are going from here; she also gave an overview of the history of the project thus far.

Ms. Craig reviewed the project's construction phases:

- Phase 1a: Access Road built from pond out to Port Chicago Hwy, to become part of the Great Bay Delta trail in the future. – completed
- Phase 1b: Materials Handling Area – completed
- Phase 2 Excavation, Dredging, Off-Site Disposal – Began dredging work Jan. 9th
 - Jan. 11th & 12th significant on-and off-site odors
 - Community complaints received about odors and lights
 - Operations shut down January 13th
 - Over MLK weekend the odor control system is expanded
 - Door-to-door outreach and work with schools and local agencies
 - Restart system on Jan. 19, and shut-down based on odor level, and that's where they are right now.
- Phase 3: Levee Breach – everything on hold for now

Ms. Craig gave an extensive report on the odor complaints, the analysis and remedial process put in place; the outreach, and the efforts made to control the odors. She stated she had learned a lot about smells over the last couple of weeks.

There was a short discussion regarding the date and time when most complaints were received.

Mr. Gray reported on what the smell was exactly, including:

- They are TPH and sulfides
- Low-odor threshold
- Heavy molecular structure – odor hangs around
- Classified as nuisance odor by Bay Area Air Quality Management District
- Nuisance odors impact people in different ways.

Mr. Gray stated something happened when mixing the large volume of water during the dredging, and the water was not their friend as they had experienced during their pilot study, rather the water was taking on the qualities of the chemicals, and really making it smell bad. Mr. Gray stated they want to clean up the pond the right way, and this way with the smell is unacceptable to everyone. He stated they are now back to the drawing board.

Mr. Gray stated they had received an email from their lead agency, the Department of Toxics, stating before anything else is done, they need to have approval from them; they are in pattern now of gathering a lot more data about the odors, how it can be handled, and the wind patterns here.

Ms. Craig stated they will have a plan in place with the schools in moving forward; that the project is stopped while they reevaluate; they will continue to report to the community; looking at 6 months to a year to start again, they really don't know at this time; and they realize that local hires are really important.

There was a discussion about wind currents, wind models, and local companies maybe sharing their wind studies with the project.

Councilwoman Zumwalt stated she felt PG&E has taken all the right steps, really kept the community informed, making themselves readily available; going above and beyond to do right by this community; and thanked them.

Ms. Craig stated they are looking at a lot of options; they still intend on doing the project; they just aren't sure what that's going to look like yet.

b. East County Alcohol Policy Coalition – Erin Johnson

Mr. Erin Johnson stated the report that he had planned on giving tonight was going to be on Gateway High School's participation with the coalition regarding the Responsible Alcohol Merchants program, more specifically its store assessment training. He stated the store assessment training was planned for Jan. 25th; however he became ill and was unable to do sufficient outreach or meet with Gateway; so it has been postponed until Feb. 27th. Mr. Johnson stated that information will be shared at a later date; but he had met with the principle of Gateway HS, gave a presentation to the students, and shortly after that presentation received a tremendous outpouring of support from volunteers who want to participate in the store assessment and the coalition. He stated he would like to come back next month and report on their progress.

7. Items for Discussion and/or Action

a. Bel Air Elementary School Safe Route to School Application for Canal Road – Mary Halle and Alex Rivas of County Public Works Department

Mr. Alex Rivas distributed information to the Council and Ms. Mary Halle thanked the Board for getting them on the agenda, to share about a grant funding opportunity that is due March 2nd, 2012.

With the aid of a map, Mr. Rivas described the location along Canal Road, from Bel Air Elementary school to Loftus Road, where Supervisor Glover at the request of a constituent, had asked them to look at for possible grant opportunities in making it safer for pedestrians and bicyclists. He stated a really good one is now available and they are looking for a letter of support from the Council.

Mr. Rivas reviewed the plan to add bike lanes on Canal from Bailey Road to Loftus, and closing the sidewalk gap from Bel Air to Emerald Cove Trailer Park; to facilitate safe access to the school, community facilities on Bailey Rd., and access to BART, and to relieve congestion on Canal.

Mr. Rivas stated they are looking at two possible grants; 1) Safe Props to School grant and 2) Lifeline Transportation Program grant; and reviewed them.

After a lengthy discussion it was decided:

Motion made by Councilwoman Garcia to approve having a letter of support written [through Supervisor Glover's office] for the 2 grant applications. Seconded by Councilman Stevenson. Motion carried 7 – 0; Council Members Corbin, Garcia, Kopitar, Mason, Stevenson, Tremaine and Zumwalt voting "yes".

Mr. Rivas stated he would keep the MAC updated on the progress of the grant applications, and would also keep in mind the other areas Council Members had suggested also needing safety upgrades, for future grant opportunities.

b. Increase pedestrian safety on Willow Pass Road – Monish Sen

Mr. Monish Sen, Traffic Engineer from Contra Costa County, shared information with the Council and demonstrated on map, concerning proposed removal of a crosswalk on Willow Pass Road at Marin Ave., as part of phase II of the Willow Pass Road Improvements Project. He stated they have a policy that whenever there is a mid-block crossing they feel is not necessary anymore they have it removed; and this location is an uncontrolled crosswalk; recently TriDelta moved a bus stop from this location at Marina, closer to Kevin Drive where there is a signal controlled crosswalk.

After some discussion it was decided:

Motion made by Councilwoman Mason to support removal of the crosswalk at Marina Ave. through phase II of Willow Pass Road Improvement Project, with work to be done this summer. Seconded by Councilwoman Garcia. Motion carried 7 – 0; Council Members Corbin, Garcia, Kopitar, Mason, Stevenson, Tremaine and Zumwalt voting "yes".

c. Adopt a Road program update – Councilman Stevenson

None

d. MAC Representatives to Mt. Diablo Unified School District (MDUSD)

1. Debra Mason (Monthly Committee Report)
2. Sterling Stevenson
3. Douglas Corbin

Councilman Stevenson stated if only two persons were allowed to represent the MAC, he would like to be the alternate.

Motion made by Councilwoman Garcia to approve Council Members Corbin, Mason, [and Stevenson if three are allowed or as an alternate], to represent the MAC at the MDUSD. Seconded by Councilwoman Zumwalt. Motion carried 7 – 0; Council Members Corbin, Garcia, Kopitar, Mason, Stevenson, Tremaine and Zumwalt voting "yes".

8. Committee Reports The MAC received the following reports:

a. CAP – Councilwoman Kopitar

Councilwoman Kopitar stated they had met at Henkel for last month's meeting. She stated Henkel is doing well compared to the other companies who have had layoffs. Councilwoman Kopitar stated it was interesting that Henkel is still a family run operation with the granddaughter still sitting on the Board.

b. Code Enforcement – Chairman Tremaine

Councilman Tremaine stated he had attended the last Code meeting and there will be some cameras set up around Bay Point to let everyone who wants to dump illegally get their picture taken and have them posted in places they'd really rather not be posted. He stated they have one camera installed right now; nobody will know which is the real working camera or a dummy, and it will be moved around all the time.

Councilman Tremaine stated he also wanted to comment on two particular groups; one being the Skyline group of residents, that it is absolutely noted the change they have made; and secondly the work that is being done where the 'Welcome to Bay Point' sign is, it is looking very good. He stated he would be pleased if more community groups would step up and help in the effort to keep Bay Point looking good – community makes a difference.

A Representative from the California Skyline group gave a brief description of the successful work-day this past Saturday including picking up 41 30-gallon bags of litter from Driftwood Dr., and 7 bags on Evora, bringing their total to about 100 bags of litter picked up.

9. Members' Reports

Councilwoman Zumwalt stated she believed she was done for the year reporting on the Keller Canyon, but she has been called to attend a Keller Canyon Committee meeting this Thursday, so will have something to report next month.

Councilwoman Garcia stated she would like to report to the Council on their finances next month.

Councilman Stevenson stated he would be interested in hearing an update from Pittsburg on the proposed development and changes to the BART parking that were presented to the MAC last year.

Councilwoman Zumwalt stated she was pleased to report she and her neighbors had finally received their recyclable disposal containers.

Councilman Corbin stated last month he had attended the first of three planned community safety meetings, along with Councilwomen Garcia and Kopitar. He stated it had been very informative regarding how to respond to a fire in your home. Councilman Corbin stated the next two meetings will cover different aspects of safety in our community, and upon completion of the series the goal is to establish a C.E.R.T. committee or team for our area; local citizens who respond in case of a major disaster. He stated the next meeting is next week, flyers were available on the back table, and he encouraged everyone to attend.

Councilman Tremaine stated that going forward we are all going to have to take our community back, so however we do it, it needs to be people from our community, as it's not going to come from the outside.

10. Correspondence.

None to report

11. Future Agenda Items.

- a. Update on School Safe Route to School Application for Canal Road - Mr. Alex Rivas
- b. Keller Canyon Feb. meeting update – Councilwoman Zumwalt
- c. MAC Financial Report – Councilwoman Garcia
- d. Update on Pittsburg's plan for BART parking changes – Councilman Stevenson
- e. Golden State Water Co. report on rebates for overcharges – Councilman Corbin

12. Adjourn to meeting scheduled for Tuesday, March 6, 2012, 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.