

Bay Point Municipal Advisory Committee



Vicki Zumwalt, 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, September 1, 2009

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

Others present: Ed Diokno of Supervisor Glover's office, Maureen Toms of County Redevelopment, Lt. Mahoney of the Sheriff's Dept., and Brian Balbas of County Public Works.

1. Call to Order / Pledge of Allegiance led by Lt. Mahoney of the Sheriff's Dept.

Councilwoman Magleby stated as Vice-chair, she would be chairing this meeting in the absence of Councilwoman Zumwalt.

2. Approval of September 1, 2009 Agenda.

Motion made by Councilwoman Mason to approve the September 1, 2009 agenda. Seconded by Councilman Tremaine. Motion carried 5 – 0; Council Members Kopitar, Magleby, Mason, Tremaine, and Stevenson, voting "yes", and Councilwomen Garcia and Zumwalt absent.

3. Review Record of Actions for August 4, 2009.

Motion made by Councilwoman Mason to accept August 4, 2009 Record of Actions. Seconded by Councilman Tremaine. Motion carried 4 – 0; Council Members Kopitar, Magleby, Mason, and Tremaine voting "yes", Councilman Stevenson "abstaining", and Councilwomen Garcia and Zumwalt absent.

4. Public Comments:

None.

5. 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 August including comparisons from the same time last year.

Lt. Mahoney reported we had 23 residential burglaries, 5 armed robberies, and 3 strong armed robberies. He stated that during this time they had made one arrest for residential burglaries and 3 or 4 the prior month. He also stated that the majority of the residential burglaries were during the day when people are away at work.

Councilwoman Kopitar shared that she had be burglarized while they were away on vacation, and she really hopes they are caught.

Councilman Stevenson asked if there was a particular area that was being hit most.

Lt. Mahoney stated they were scattered all over the community; and is one of the Sheriff's Department's main concerns right now.

Lt. Mahoney also stated the new Resident Deputy won't be here next month because she will be on vacation, but she will be at the MAC meeting in November.

There was a discussion about Neighborhood Watch groups including the loss of the Crime Prevention Specialist who worked with them, and the importance of just getting to know your neighbors, and report any suspicious activity.

There was a short discussion regarding 'suspicion' of drunk driving.

b. California State Highway Patrol

None present.

c. Redevelopment Staff Report

Ms. Maureen Toms of Contra Costa Redevelopment reported:

- 1) Regarding the Pittsburg/Bay Point application for an Enterprise Zone designation; two weeks ago they had been advised that the Enterprise Zone application was successful, that they were one of four or five that were selected. She stated they had some work to do, but once they were established there are benefits i.e. firms can earn state tax credits for each qualified employee (resident, low income, veteran, etc.), corporations can earn tax credits on purchases on qualified machinery or parts, lenders to Zone businesses can receive net interest deductions (which will attract lending institutions to take a careful look at projects), companies can earn preferential points for state contracts, and the unused tax credits can be applied to future tax years. Ms. Toms stated there are a number of benefits, and there will be more as they move through the process. She stated they plan on doing a marketing program with Pittsburg once it is up and running, hitting all the MACs and Chambers, and perhaps the CAP if appropriate, at least the businesses associated with the CAP.

- 2) Regarding the Bay Point Waterfront project, this item was recommended by the County Planning Commission last Tuesday for approval, so it will move on to the County Board of Supervisors; estimated time is probably October 6th as they are working with Supervisor Glover's calendar to make sure he will be attending that meeting.
- 3) Regarding the Walgreens project, this item was approved yesterday at the Zoning Administrator's meeting. There is a hint that there may be a resident who's not happy with any development on the site and may appeal it, but that's to be seen, they have 10 days to appeal it. Ms. Toms stated if it is appealed it will go to the County Planning Commission.
- 4) Ms. Toms stated later in the agenda to be discussed is the item about putting together a Budget sub-committee, but worth noting now is in their budget for this year they have estimates of tax increment, and they have fallen by 44% over the last year. She stated it is at the point where they will have very little discretionary funds to do anything except for paying off their bonds; with bond funds you can do more projects like what they are doing at Orbesinian Heights. She stated she will be working with their Director and the MAC budget sub-committee on formulating the budget, and hope to bring it before the MAC as an action item in October.

Chairwoman Magleby stated there was only one negative in Ms. Toms report and that can turn around, being the economy.

Councilman Stevenson asked if there was enough income to cover already existing obligations.

Ms. Toms stated that right now there is, but they have looked at what happens if the tax increment doesn't cover bonded indebtedness, because hopefully they're hitting bottom this fiscal year and will be climbing out of it, but they need to look forward; what if they continue this downward trend, they need to be prepared with what to do. She stated one of the options would be to take a project off of the bond program, calling it unnecessary and calling those bond funds surplus, to be used as debt service. Ms. Toms stated that was an extreme and they are hoping not to go in that direction, but they are at this point exploring all possible avenues.

Councilman Stevenson asked how close the 44% reduction brought them to being able to meet their obligations.

Ms. Toms stated they had just gotten the estimate so they are at the point of still working up numbers; she stated bonded indebtedness is about 2.4 million dollars, and tax increment is about 2.5 million dollars; they also have some fund balance from previous years; and they also have a number of projects that are encumbered, meaning they have already obligated, set aside, those funds. She stated these are draft numbers at this point, and this is just tax increment, that the numbers don't include the actual bond proceeds that are in the budget.

Chairwoman Magleby stated this is such good news; look at what we have going for us, especially the Enterprise Zone; Walgreens at Bailey Rd. end; La Quinta Hotel on Evora; the Waterfront project coming, and the Bay Harbor Industrial Park. She stated if anyone wants to know about the Enterprise Zone Ms. Toms is going to be a guest at the next Bay Point Chamber of Commerce's luncheon.

Ms. Toms stated she will be explaining what is known at this point, that they will definitely know more towards the end of the year.

Councilman Tremaine stated he understood how tax increments go down, but asked how they go back up as the economy improves.

Ms. Toms stated they go back up by the assessment of properties, which by Proposition 13 limits how fast they can go up. She stated they can drop 44% in one year, but they are only going to climb back up incrementally.

Councilman Tremaine stated that's what was behind his question; the Proposition 13 restrictions.

A short discussion continued on Proposition 13 tax increment restrictions, and how it affects the taxes of sold homes now and in the future. Ms. Toms stated she has heard estimates that it will be about 10 years to recover and be back where we were with real estate.

d. Supervisor Federal Glover General Report – Ed Diokno

Mr. Ed Diokno of Supervisor Glover's Office stated the Supervisor wants to congratulate the county staff for their work on creation of the Pittsburg Enterprise Zone, that includes Bay Point. The initial discussions with Pittsburg about redrawing Pittsburg's Enterprise Zone came out of the Supervisor's office; who hopes that the benefits and incentives offered by the designation to businesses located in Bay Point will help Bay Point's economy.

Mr. Diokno stated that earlier this month they might have heard or read the story about the East County Planning Commission being no longer. He stated they didn't have anything to do, and at their request it was dissolved along with the San Ramon Valley Planning Commission; so that all the planning decisions will now go through the Counties Planning Commissions.

There was a short discussion regarding different responsibilities of the Zoning Administration and the County Planning Commission.

Mr. Diokno stated September was going to be a busy month and reported on some upcoming dates for the MAC including:

- On September 9th the Supervisor is sponsoring another grant-writing seminar at Los Medanos College from 8:00am to 3:30pm as previous grant-writing seminars have been fairly successfully; several agencies have received grants with what they learned at the workshop. He stated because of limited seating, Pre-registration is required at the Supervisor's website www.cccounty.us/supervisorglover.
- On September 11th the Supervisor's Breakfast Club will be meeting at the former Zandenellas, now called the Wedgewood Event Center, at the Pittsburg Golf Club. The guest speaker is County Administrator David Twua who will speak on the impact of the State budget on the County's budget.
- On September 12th the Supervisor will start out attending the Oakley Almond Festival parade and then spending the rest of the day at the Pittsburg Seafood Festival, where he will have a chance to meet and talk with constituents at a booth he will have there.

- On September 17th, the reception for the Keller Grant recipients will be held at the Pittsburg Senior Center, 3:00pm to 6:00pm. The Supervisor is looking forward to meeting the representatives from the Bay Point MAC who may also be attending this event.
- On September 26th the Supervisor is sponsoring another seminar; a free business seminar for new small businesses and/or people who want to start their own business. The event is 8:00am to 1:00pm at Los Medanos College's Community Room L-109. Pre-registration is required for this event also at his website www.cccounty.us/supervisorglover, as again seating is limited.
- Also on September 26th there will be a Joint MAC meeting of all the Municipal Advisory Councils in East County. It will start at 9:00am and is hosted by the Byron MAC; as soon as they have an address it will be forwarded to MAC members.

6. Presentations. Presentations were made by:

a. Councilwoman Garcia presented Outstanding Citizen of the Month Awards to:

Chairwoman Magleby stated as Councilwoman Garcia was absent and there were no Outstanding Citizen of the Month Awards to present, she would like to take a moment and share her thought for the day, "Life isn't about how to survive the storm, but how to dance in the rain."

7. Consent Items.

a. Approval of monthly Recording Secretary invoice - \$80.00

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

8. Items for Discussion and/or Action. The MAC discussed the following items and took the following actions:

a. Discuss and recommend to supervisor Glover for his approval, 3 MAC members as the Budget Sub-Committee to work with Redevelopment Staff on the 09/10 budget – requested by Maureen Toms

Chairwoman Magleby stated she had contact with 3 MAC Board Members already who would love to be on the Budget committee, Council members Tremaine, Kopitar, and Garcia.

Council Members Stevenson and Mason stated they also would like to be on the committee.

Chairwoman Magleby asked if they could have 5 members, and was informed they could not.

Ms. Toms stated she could use 2 or 3 members.

Chairwoman Magleby stated what they would have to do then was take the first 2 that had offered, and that was Council Members Garcia and Tremaine.

Ms. Toms stated she would like to add that it would be good to have some consistency from previous years, from a previous PAC member; that this would be her request as County staff.

Chairwoman Magleby asked if Council Member Stevenson would like to be the one from the PAC, and stated she liked the idea of getting people who haven't been involved a chance to be involved; so the committee would be Council members Stevenson, Garcia, and Tremaine.

Ms. Toms stated that would be fine.

b. Discuss and endorse letter sent from Supervisor Glover to the East Bay Regional Park District to reconsider the allocation of WW funding – Councilwoman Mason

Chairwoman Magleby recused herself from this item's discussion because of her seat on the Ambrose Recreation & Park District Board, and turned the Chair over to Councilwoman Kopitar for this item.

Councilwoman Kopitar read the item, to be introduced by Councilwoman Mason, asked if Mr. Brian Balbas was present, and then stated to just familiarize herself; that this was funding Contra Costa County had decided to give to Ambrose Recreation & Park District.

Mr. Diokno suggested Councilwoman Mason explain it.

Councilwoman Mason stated in May the MAC had the General Manager from Ambrose Recreation & Park District make a presentation about the Master Plan and one of the things he shared was the various funds going into it, and one of the funding he talked about was the WW funds. She stated at that time she had brought up Ambrose Park being in the jurisdiction of the City of Pittsburg, and had they approached Pittsburg about using some of their WW funds, and his response was "no". She stated her next question was how the decision was made that all of it was to go the ARPD. Councilwoman Mason explained that the way the WW funds works is that 75% goes directly to East Bay Regional Park District and they spend it on projects they have in our community; prior to putting it on the ballot last year EBRPD had gotten public input from the community about what they would like to see that money spent on. She stated the other 25% is given out per capita to each community; for the community to decide how they would like it spent, and that is the step that was somehow missed here in Bay Point; all of a sudden it was just reported that whole 1.1 million dollars designated for Bay Point was going to be spent on Ambrose Park.

Councilwoman Mason stated we have other parks in the community that some people feel need attention as well, and she was trying to find out where this decision was made because as a MAC, they would have been a Board that should have been at least consulted, or have the public come to give their opinion on where that money might be spent. She stated it got very confusing for her during this time; she has the Minutes from the LAFCO meeting when Ambrose Park was annexed in Pittsburg, where Mark Grisham from the City of Pittsburg stated that the purpose of the annexation was to bring the Park into city limits so it would be easier to spend city funds on improvements; that's where she got the idea Pittsburg's WW funds could be of help. Councilwoman Mason stated that also in the Minutes of the July 7th EBRPD meeting the Assistant General Manager gave an update on the Ambrose Funds saying that the Park District (EBRPD) had not received further information from the county demonstrating why they should receive funding, which is not what she understood to be fact, and what Mr. Brian Balbas from County could

probably step in now and talk about; what input the county had and how this decision was ultimately made that all the 1.1 million would be spent on Ambrose Park, and none on the county parks in Bay Point.

Mr. Brian Balbas of county Public works stated he would like to first take a quick step backwards and add a little bit more to what Councilwoman Mason had reported. He stated there was a Measure AA passed in 1988 which was a similar type of bond measure for this type of funding which had run out in 2008, a 20 year bond measure; and Measure WW was intended to take its place to provide funding for parks and recreation services throughout Alameda and Contra Costa County, part of the EBRPD area. He stated there was a lot of really good work done between Supervisor Goia and Supervisor Glover to work with EBRPD to include the county in this funding opportunity, which was not included in the past measure. Mr. Balbas stated it is important to point out that there was an understanding before this Measure WW was even voted on, that that was the intent, to share the funds; and all of county staff, including himself, was appreciative of EBRPD being willing and able to do that, working with the Supervisors offices.

Mr. Balbas stated in terms of how the decision was made, county had worked from ARPD staff and EBRPD staff to try to come to some equitable split of the 1.1 million dollars coming to the Bay Point area, and it was county's understanding that the intent and the desire of the measure when it was passed that there was an overlapping jurisdiction in Bay Point, including county as well as Ambrose. He stated it was left relatively vague on how the allocation would be split in the initial language, but it did say very clearly in the guidelines that there was an overlapping jurisdiction and there should be some equitable split. Mr. Balbas stated the way it was left to be figured out by EBRPD staff was that they had hoped county could work with ARPD to come up with some split; and they had tried to do that, with some initial meetings with ARPD staff, and they really couldn't come to a resolution of what the best way to split the money. He stated the way it is calculated is per capita, and given they really couldn't split Bay Point, county had recommended to Supervisor Glover that it be done on an acreage basis, feeling it was at least some equitable way to put a number to it, and willing to work through that, but unfortunately that did not turn out to be the way it was split up, so they continued and had another 3 meetings with ARPD and EBRPD staff; and basically at the end of those meetings it was determined by EBRPD staff that they could not recommend to their board that they could split the money because there was no governance change from the previous measure.

Mr. Balbas stated that what was decided was that since the original measure (AA) went all to Ambrose, nothing had changed during those 20 years in how the governance took place in Bay Point, that they should follow that same formula. He stated the county's argument against that decision was, that wasn't the intent, that wasn't what was voted on by the public, and requested again to get about 24%, based on acreage, of the 1.1 million dollars; and that was not what was taken to the EBRPD Board for recommendation, unfortunately. Mr. Balbas stated they have found themselves essentially shut out from any funding for the county parks in Bay Point from the WW funds, that are not operated or maintained by ARPD.

Mr. Balbas stated that there are a series of parks, that they actually have a capitol improvement plan for in the Bay Point area including Lynbrook park, as well as a couple of the other smaller parks within the county unincorporated area, and it amounts to about half million dollars worth of work they were looking to do in the next year or so, and unfortunately their only funding source was these type of opportunities; that the assessments county collects in the various landscaping zones are currently used completely to maintain what they have. He stated county wanted to do

these capital improvements in part to offset some of the maintenance costs, i.e. Lynbrook Park's irrigation that is always needing repair, and has flooding issues. Mr. Balbas stated that is basically where the county stands today, but by way of background, the ARPD is also asking county for the 'lion's share' of the Park Dedication Fees; approximately \$446,000 is in the Park Dedication fund, and ARPD is asking for \$400,000 of that for their community park. He stated he didn't say that to try to cut the knees out from under their project, they do have an excellent project they are trying to move forward with, but a more global view of the Bay Point community in its entirety is important, as there's a lot of work to be done in the Bay Point area parks, and putting all of our eggs in one basket was difficult for county staff to take; so they wanted to bring this item up and work with Supervisor Glover's office again to reiterate this stance. Mr. Balbas stated he should also add they did have a EBRPD liaison meeting about a month ago and there were several members of the EBRPD Board that were there and concurrent that perhaps staff should go back and look at this equity in how the money is split up; nothing has come from that yet, but they are hoping to continue to work on that and get what county feels is a more equitable split.

Councilman Tremaine asked if he knew why Pittsburg is not contributing any of their funds to the Ambrose Park.

Mr. Balbas stated Pittsburg did contribute, that he wasn't sure exactly what fund it came out of, but they contributed about \$600,000 towards the Ambrose Park Master Plan project, however that was pre-WW money. He stated in addition the City of Pittsburg has a substantial amount of Park Dedication money in their coffers as well, that perhaps ARPD could approach them about assisting the funding of their Ambrose Park project. Mr. Balbas stated he knows the ARPD really wants to get the pool part and all of those improvements done of their project; it's a substantial size project, about 1.2 million dollars, and they are trying to get to that amount of money to get it done; and really appreciates that, as they are all fighting to get their projects through, but again a more equitable split would be best for the citizens of Bay Point. Mr. Balbas stated he thinks Pittsburg is a resource for ARPD to perhaps pursue.

Councilwoman Kopitar stated she believes Pittsburg is having their own financial issues as well.

Mr. Diokno stated Sullenberger pool is closed also for upgrades.

Councilwoman Kopitar stated she had been here at a meeting ARPD had regarding the project at Ambrose Park, and there was some concerns about some of the other parks, but she knows a lot of the community is really looking forward to the pool getting started, and they do realize it's going to cost a lot of money.

Mr. Diokno stated to keep in mind that besides the Park Dedication Fund Pittsburg has, they also receive part of Keller Canyon Mitigation fund. He stated it is a mitigation fund for this specific community. Mr. Diokno stated he doesn't know how they use it; it is put in their General Fund and it sort of disappears, but it is there.

Mr. Balbas stated unfortunately their department gets no additional funding for these capital projects, it all comes from these types of sources, like the WW, Dedication Fund money, or in some rare cases they are able to save up enough in their maintenance money they get through the assessments to cover some smaller projects. He stated however the amount of work they are looking at for Lynbrook is quite substantial, about \$400,000 for just that park. He stated he had driven by Lynbrook Park on his way here, and it is amazing how many people use that park; there

was a soccer game going on, kids playing on the playground, and a lot of activity going on.

Councilwoman Kopitar stated the only thing she wanted to raise was that a lot of people showed up for the Ambrose Park project meeting, really participated, and without a lot of funding it won't happen. She stated she knows it will take a long time for the park to come around, but that park is used a lot too, so she's not sure what the best thing to do is.

Mr. Stevenson stated that many of our parks are being used by organized groups for their own purpose, and asked if it was reasonable to charge those groups a fee for using the various parks and fields.

Mr. Balbas stated it was a distinct possibility, and they actually do have in some cases some parks permits that are issued in various county parks. He stated what they find in some cases is some of the semi-organized or organized groups they go out and do it, and county doesn't necessarily know if they are being used in an organized way or not, so enforcement becomes a bit of a problem. He stated they had that very problem a couple of years ago at Lynbrook, basically some large groups took over the park, residents complained, and they worked with the Sheriff's Department to help in that situation and he believes it has improved. Mr. Balbas stated it was something they could look at doing, bringing that kind of program a little further along, and try to keep it a little more equitable in use of the parks by these organized groups.

There was a short discussion about the organized groups using other places too like Rio Vista elementary school, making a mess of parking, littering, and that they would contact county public works department to address those issues.

Resident Lloyd Mason stated he wanted to address some concerns; first he used to do maintenance on county parks and Lynbrook park is a major work for irrigation and turf, on 4+ acres. The other issue was about Pittsburg supposedly designating \$600,00 for Ambrose Park, and he had checked back 8 months of their meeting minutes online and they haven't discussed Ambrose Park at all. He stated he went to the LAFCO meeting when they annexed the park, and that is how they sold the idea, that ARPD was going to get all this money from Pittsburg, and so far not a dime has been designated in any documents of their meetings. Mr. Mason stated Ambrose Park was annexed into Pittsburg, and when WW was passed by the voters it was supposed to be global of the whole county to use for all the parks that people use, and he knows for a fact that Lynbrook is a highly used park as he used to maintain it. Mr. Mason stated all the other parks should not be neglected because of all of the money going to one entity, it should be split, as that was the purpose of that money, the Measure WW was not set up on the ballot to be an Ambrose initiative, rather a county wide initiative. He stated he would encourage the MAC board and some of the people here to go to the Ambrose Park Board and ask them why they aren't discussing this more with Pittsburg, because that was the whole reasoning behind the annexation of the park, why isn't there some movement on Pittsburg's side to invest, the park is in their jurisdiction now. Mr. Mason stated he wanted to really encourage the MAC Board, as representatives of the community, to support the letter from Supervisor Glover to EBRPD, that it shouldn't just be their decision, that he knew other outlying communities got to have public input as to how they wanted their WW funds spent, and we should also.

Resident Bridget Welty stated she lives on Kenneth Court which is right next to Lynbrook Park and wanted to say about the 'gatherings' at Lynbrook, that even if they required permits, they are still going to happen; that she wanted them to know for like the soccer games and tournaments the

whole community comes out, that it is so exciting, that people come from all over; they really are a community event. She stated there are vendors, people participating, people watching, and it isn't chaos it is really exciting, to see people come out and rally around something that is healthy. Ms. Welty stated she understood what was being said about the money being divided up by acreage, but what if they thought about instead of acreage *used*; like Lynbrook parks 4 acres with (oh my gosh) so much going on there, even an Eagle Scout project to redo the play equipment – that is community action right there. She stated she played there as a kid and her niece plays there now, and she's heard them talk about irrigation, but what she'd really like to see is more lights and a bathroom; with that many people using the park, lack of a bathroom is a real concern. Ms. Welty stated she knows focusing on the future and dreams for the future is really vital and important to our community, but focusing on what is happening now is just as important; and right now there are a lot of people using that park.

Councilman Tremaine asked and received clarification that this was for a motion to support a letter from Supervisor Glover to take a second look at the WW funds allocation, not for anything absolute in the matter of the WW funds.

Motion made by Councilwoman Mason to support Supervisor Glover's letter to the East Bay Regional Park District to reconsider the allocation of WW funding. Seconded by Councilman Tremaine. Motion carried 3 – 1; Council Members Mason, Stevenson, and Tremaine, voting "yes", Councilwoman Kopitar voting "nay", Councilwomen Garcia and Zumwalt absent, and Councilwoman Magleby had recused herself from this item.

Councilman Tremaine stated he wanted to make a comment that he is very much in favor of spreading infrastructure money around, that he doesn't like one area to go up at the expense of another area. He stated the reason he had asked for clarification was that he is concerned about the ramifications of what this may cause, that he felt the MAC didn't have enough information regarding Pittsburg's involvement and what ARPD is doing; that he would say that Ambrose Park is on the other side of the highway for us now, not really in our community, and that is an important consideration. Councilman Tremaine stated he is generally in favor of what Mr. Balbas said, because he would like to make sure what is in Bay Point stays attractive, and he didn't feel they had enough information to fully express what they should be doing on this, and they don't know why Pittsburg's large pool of money can't finance Ambrose Park all by itself. Councilman Tremaine stated on the other hand he didn't want to hurt a project, so he wanted everyone to know he was torn in two directions on this.

Councilwoman Kopitar stated she totally agreed with Councilman Tremaine, that she was in favor of looking for different funding, Keller Canyon funding, or whatever else they can do; but again she remembered all of the people who came to the Ambrose Park meeting that really want to see one huge, beautiful park that they can all go to, that she doesn't want to see the plan slid under the rug.

Mr. Balbas stated he appreciated the action taken tonight and that he agreed 100% about having more information, but unfortunately that in order to have the entire story and the information everyone is looking for we would need to have everyone here; but Tarry Smith of ARPD and Jeff Rasmussen of EBRPD couldn't make it here tonight. He stated he would be glad to have those discussions continue, that he sees the concerns, understands and appreciates the things said, but the county has extremely limited funding.

Councilman Tremaine stated this resonated very well with him, that he is pro doing what county is asking, but would like to know what the ramifications are. He stated maybe somebody needs to voice to Pittsburg that they wanted the park, now step up to the plate and kick up some more money. Councilman Tremaine also stated he liked the amount of homework done on this item by Councilwoman Mason.

Councilwoman Magleby thanked Councilwoman Kopitar for the covering that item as Chair, and took the seat as Chair again.

c. Discuss a future trip to the Keller Canyon site – Councilwoman Stevenson

Councilwoman Stevenson stated he had just read somewhere about an open house for the general community and it includes a landfill tour, so why couldn't they just get involved with that one.

Councilman Tremaine stated that generally when they open it up to the public it is a very cursory tour, and if MAC wanted to have a detailed tour they would probably be able to handle them as a small group.

Councilwoman Kopitar stated she was glad to see this on the agenda again, as she had tried to set up a date; that it is difficult to get in touch with them, and when she had dates for the Board to choose from, she hadn't gotten (email) responses from any of the MAC members about the tentative dates.

After a short discussion it was decided Councilwoman Kopitar would contact Keller Canyon, and either send the date information to Chairwoman Zumwalt to distribute through email as there was an issue of some members not receiving Councilwoman Kopitar's emails, or Councilwoman Kopitar would bring the information to the next meeting.

d. Discuss, review and approve selling information from various groups, for example the Bay Point CAP or Ambrose Recreation & Park District, who may wish to publish information for a fee in the Bay Point Newsletter – Councilwoman Magleby

Chairwoman Magleby stated they had done this at one time, the CAP had bought a page in one of the newsletters spending about \$400 and the ARPD had bought a page and paid the same to advertise. She asked how the Board felt about selling space in the newsletter, not advertisement of a commercial business, something more community based.

Mr. Diokno asked who would determine who pays and who doesn't pay.

Chairwoman Magleby stated all she knew was that the CAP and ARPD had paid at one time, that they were the only two that had paid.

Councilwoman Mason stated one of her concerns was didn't county fund one of the newsletters?

Ms. Toms stated that in the past they had funded one, but it was unclear whether or not going forward they would be able to so.

Councilwoman Mason stated also a concern was we had just had a long discussion at July's MAC meeting about their budget, and when it came time to putting money towards National Night Out or

the Newsletter, we were perfectly happy at that time to ditch one of the Newsletters to give money to the National Night Out event; but now to come back another month and say we need to raise money for the newsletter after it seems we had money to do one newsletter from our Keller funds; maybe we should just go ahead with the first one and see where we are and maybe revisit it at that time if it looks like we aren't going to be able to afford a second one.

There was a discussion about the other alternatives that were mentioned at the July meeting such as asking about placing it our local news publication, making it available as an electronic mailing, and having local merchants make it available for people to pick up.

Chairwoman Magleby stated sending it electronically is the way they will eventually have to end up, that it would cut the cost of the newsletter drastically. She stated if they send out 2 newsletters a year they barely tell residents what is going on, so if they could send 3 or 4 it would be superb. Councilwoman Magleby stated it was up to the Board whether to make it an action item or not.

Councilman Stevenson stated he didn't know how they could sell information, what would constitute selling instead of just telling in the newsletter.

There was another discussion about recognizing (in the publication) which pages were paid for by whom, and maybe a disclaimer about the MAC neither agreeing or endorsing the paid pages information, and that the pages would be sold only to community organizations, not businesses.

Councilwoman Mason suggested, and it was agreed, to table this item until after the budget committee meeting.

Chairwoman Magleby stated in the meantime she would personally be asking ARPD, the CAP, and also the Chamber of Commerce if they would be interested in buying a page in the newsletter.

e. Discuss, review and approve recommendation to Supervisor Glover to write a letter to Golden State Water Company and the PUC in opposition to a water rate increase for Bay Point – Councilwoman Mason

Councilwoman Mason stated she wasn't sure why her name was on this item except Councilwoman Zumwalt had mentioned it one in passing, and she knew she wasn't going to make this meeting.

Councilwoman Mason stated she believes Supervisor Glover had done this in the past, so she was just inquiring whether he would be doing it again on behalf of the Bay Point community.

Mr. Diokno stated that Supervisor Glover could do so.

Chairwoman Magleby stated "yes", that we would like the Supervisor to write a letter notifying GSWC (Golden State Water Company) that we are not in favor of a rate increase. She stated a GSWC representative (Tina Gonzalez) was present to make a comment if she wanted, but the MAC could make the decision on its own.

Councilman Stevenson stated he would really like to hear from GSWC's representative what they would like to share before making a decision about a letter.

Tina Gonzalez, Manger of Bay Point's GSW Co. stated that her comment is that they had their public meeting, a very good meeting she thought, Councilwoman Mason was there, and they gave a presentation explaining about the chlorination, a water quality issue, and the infrastructure. She stated the upcoming rate increase is to cover the cost of the interconnections of the multi-purpose pipeline coming in.

Councilwoman Mason stated it was the first time she had been to a water meeting and she finally understood why we pay more than others; it has absolutely nothing to do with the water, and everything to do with the infrastructure, and the fact that in cities it looks like they're paying less because the cost of the pipes and the infrastructure isn't included in their bills, its paid from their General Fund; for us because we are not a city and we don't have that General Fund to reflect it, its all reflected in our water bills. She stated it makes it look like our bills are way out of whack, and they're actually not very much more. Councilwoman Mason stated she is just so happy to have safe water now to drink; she is willing to pay a little more.

Chairwoman Magleby asked Board members how they felt about supporting the letter, and there was a lengthy discussion about the improved water quality, the PUC's role in this, how the rate increase may affect our community's residents, and GSW's reduced rate program for low and fixed income families.

Motion made by Councilwoman Kopitar to recommend to Supervisor Glover writing a letter to Golden State Water Company and the PUC in opposition to a water rate increase for Bay Point. Seconded by Councilman Stevenson. Motion carried 4 – 0; Council Members Kopitar, Magleby, Stevenson, and Tremaine, voting "yes", Councilwoman Mason abstaining, and Councilwomen Garcia and Zumwalt absent.

f. Discuss, review and approve Calvary Temple's Community Outreach Day scheduled for a Saturday in March 2010. Need a MAC volunteer to spear head and coordinate volunteers for this effort – Councilman Tremaine

Councilman Tremaine stated 2 years ago Calvary Temple did a 'Day of Service' in the Bay Point community, that they didn't do one last year, and there is a strong feeling inside the church that they would like to do another one, possible in March 2010.

Councilman Tremaine stated he didn't mean for the MAC to pick a point person, rather that different people in the community and the MAC could come up with projects they would like to have done, and bring it to the church secretary; rather than have him present all the projects to the church, making it look like it is all his projects; not resonating well with Calvary Temple. He stated he is willing to help collect the ideas, and help connect people to the church secretary, but he would like the community to come up with projects. He stated one of the projects he would like to see is organizing something to clean up some of the trash all along the side of some roads, trying to get ahead of the problem. Councilman Tremaine stated what he is trying to avoid is being the person to present every idea to Calvary Temple, as it would look like he is orchestrating it, and he would like the community to be directly involved with Calvary and present their own projects.

Chairwoman Magleby stated what should be done then is place this information in the newsletter, as the event isn't until March, and let the community respond to what Calvary Temple might be able to help us with, because otherwise we would just sit here and let the community do it and they don't know what to do.

Councilman Tremaine stated he was willing to be the point person to facilitate getting people connected to Calvary Temple; he just wants the people to present their own projects to the church.

Mr. Diokno asked if Calvary had a person that could come and express exactly what Councilman Tremaine is expressing; maybe a person to facilitate a meeting to gather input from the community at a workshop prior to the regular MAC meeting.

Councilman Tremaine stated part of the issue is the church is working with an interim Pastor at this time so there are different people stepping to the plate to take different areas of responsibility, and they don't know what they're going to look like in 2 months, 3 months, 5 months, etc. because they don't know when they are getting a new Pastor. He stated Ron and Jean Nichols, who have taken over a lot of things like the home groups, is the couple who is trying to put this event together, and maybe he could get them to come in and talk to people, possibly for the October MAC meeting.

Councilwoman Kopitar stated she wanted to thank Calvary Temple for the clean-up day they did have, it really did help to clean up a lot of the community, and it was also enriching to work side by side with people she had never met before; having wonderful conversations. She stated she didn't know if the getting to know each other was the point of the day besides cleaning up; but it was good idea, and very enjoyable.

Councilman Tremaine stated it was intended to be an annual event; but its always the same people who get behind every program and they were experiencing some burn-out; and they thought Convoy of Hope was more important a project last year but at this point they aren't prepared to put on another; so they were thinking about doing another clean-up date.

Councilwoman Magleby stated this item would be tabled until the October meeting when hopefully the Nichols' can come and present it to the MAC.

Councilman Stevenson asked if there was still a Bay Point Website.

Mr. Diokno stated "no", what they have is page on Supervisor Glover's webpage.

Councilman Stevenson stated he was thinking the website would be a good way to get the information out about the church looking for projects to do on a clean-up day in Bay Point.

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

- **Residential clean up – Garcia and Stevenson**

Mr. Diokno stated he could speak for Councilwoman Garcia; that they had made contact with Allied Waste and they are all for helping us in the fall clean-up which is scheduled for November (probably the 7th). He asked if they had 2 dumpsters in the past.

Chairwoman Magleby stated they had 2 companies, Allied Waste and Pittsburg Disposal.

Mr. Diokno stated they were thinking of having one company do the fall event and the other do the spring event.

There was a discussion about past clean-up events, and the concern that 2 dumpsters wouldn't be sufficient for the day, that the past Franchise Agreement had 10 dumpsters rotated in, and when they were all full that was it until the next clean-up day. There was agreement that 10 dumpsters would work.

Councilman Stevenson requested his name be taken off of this committee.

Chairwoman Magleby stated he was welcome to do that as Councilwoman Garcia would not want someone who didn't want to be on the committee.

Councilman Stevenson stated he had spoke to Chairwoman Zumwalt about it before, that Councilwoman Garcia does not include anyone in her planning or discussions.

Chairwoman Magleby stated Councilwoman Garcia was in touch with Mr. Diokno.

Councilman Stevenson stated he really didn't mind helping; but if he's not involved in it and his name keeps showing up as being a co-chair, he's not really being a part of it.

Chairwoman Magleby stated he may be the Foreman that day, Councilwoman Garcia may ask him to do that.

- **Code Enforcement – Stevenson and Tremaine**

Councilman Stevenson stated he had not attended the last meeting.

Councilman Tremaine stated he had attended and they hadn't really discussed too much. He stated they were going to get an Excel spread sheet from Ms. Norma Siegfried and because of her kidney transplant it hasn't been done; that he needs to get in touch with her to see what progress she is making.

- **Community Wellness Program/County Planning Commission Updates – Mason**

Councilwoman Mason stated there wasn't anything to report other than she will not be at the October MAC meeting as she will be presenting at a workshop at the School Wellness Conference in Anaheim.

- **CAP – Kopitar**

Councilwoman Kopitar stated she was unable to attend the last CAP because of her daughter's school registration; and asked Councilwoman Mason if she would like to mention anything as she was at the meeting.

Councilwoman Mason stated the meeting was held at General Chemical and they gave a PowerPoint presentation on the CAER (Community Alert Emergency Response) program; including how their company deals with emergencies, and they had actually had a couple of drills recently just because they like to make sure their staff is up to date on the procedure. She stated no one could make it from Criterion, and there was a brief report from Henkel who said they were also going to be running drills; for the community to know if it looks like something is going on over there in the next couple of months its only a drill.

Councilwoman Kopitar stated she would like to mention they did get information if anyone wanted

to take a tour of the Keller Canyon Landfill; there is an Open House on Saturday, October 3rd, from 10:00am – 2:00pm; and they do have a website. She placed the information for the public to access if they were interested.

Councilwoman Kopitar stated she was also the coordinator for the CERT (Community Emergency Response Training) and that it will be held here at the Ambrose Center; that she had placed flyers on the table in the back with the dates and times on it for anyone interested; and to call her to register for the class at 768-9100.

- **Spring Derby – Garcia**

In Councilwoman Garcia's absence Chairwoman Magleby stated there will be another Spring Derby, on Memorial Day, 2010.

10. Correspondence.

Councilwoman Kopitar reported they had received correspondence from:

- California Public Utilities,
- Golden State Water Company,
- Supervisor Glover, approval of the \$10,000 Keller Grant for the MAC,
- Post Office Box bill,
- Land Permit approval for the Walgreens at Willow Pass/Bailey Road,
- Land Permit request for 12 multi-family residence at Saponi/Willow Pass Rd.
- Land Permit approval for a mobile home going into an existing space at Club Marina,
- Information from the Health Care Services; Seneca, John Muir, Contra Costa Health Services, Sutter Delta, about trying to pull their services together to better serve residents,
- Concord Naval Weapons radiology assessment results,
- Ready Print, and
- Application for Alcoholic Beverages.

Correspondence was made available for viewing.

11. Future Agenda Items.

- a. Budget
- b. Calvary Temple Presentation
- c. P.O. Box fee
- d. Illegal Dumping – Signs and/or enforcement; Neighborhood Watch,

12. Adjourn to meeting scheduled for August 4, 2009, 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.