

**BAY POINT MUNICIPAL ADVISORY COUNCIL  
CODE ENFORCEMENT COMMITTEE  
September 2, 2008**

Code Chairperson Siegfried called the regular quarterly meeting of the Code Enforcement Committee to order at 6:00 p.m. held at Ambrose Recreation and Park District, 3105 Willow Pass Road, Bay Point, California.

**MEMBERS PRESENT:** Hoagland, Magleby, Siegfried, and Zumwalt

**MEMBERS ABSENT:** Gabor, Garcia, and Kopitar

Councilwoman Kopitar arrived at 7:05pm

**APPROVAL OF AGENDA:**

M/Hoagland

S/Magleby

Members present approved the Agenda for September 2, 2008. Vote: 4-0

**PUBLIC COMMENTS:**

None

**SHERIFF'S DEPT. REPORT – Lt. Mahoney**

Lt. Mahoney passed out copies and reviewed the statistics for the month of August including comparisons from the same time last year. Of note; there were 7 armed robberies (4 of those commercial), and 2 homicides in Bay Point in August.

Lt. Mahoney stated Supervisor Glover's office has determined the Keller Canyon funds can't afford 2 Resident Deputies, so Deputy Wilhelm's position will not be replaced; Deputy Connie Saunders and 1 School Resource officer is what we have. He stated he wasn't sure yet how this was going to impact all the special events like the Christmas Toy Giveaway & Dinner, having only 1 Resident Deputy to do all the work.

Councilwoman Magleby asked about the homicide in Sacramento involving one of our young people.

Lt. Mahoney stated that he had heard about that today too, that someone had been beat to death at a cricket match.

**PRESENTATIONS:**

**Department of Conservation and Development (formally Community Development) on Keller Canyon Landfill's application to amend their Land Use Permit – Deidra Dingman & Joel Sabenorio**

Chairwoman Siegfried stated before starting this item, all the Board members have a copy of the questions; that she had spoken to Supervisor Glover and if they want to discuss the

ones related to the Keller Canyon Mitigation funds, it would wait until the next meeting when Supervisor Glover could be there to answer the questions.

Chairwoman Siegfried stated Deidra Dingman was here to share information, but that they would not be voting on this LUP tonight; they need all the information before voting, including information on Keller Canyon Mitigation funds.

Ms. Deidra Dingman introduced herself as a Project Planner from the Department of Conservation and Development, and gave an overview of the application from Keller Canyon Landfill to amend their Land Use Permit.

Ms. Dingman stated that what Keller Canyon is proposing to do is to change certain operating parameters, not any physical changes or expansions (their 'footprint' would not change). Some specific changes to conditions of their Land Use Permit include increasing the amount of tons they are allowed to accept for disposal. She stated part of what her department is trying to do, that they hadn't done in the past, is put conditions and limits on the amount of non-disposable material they are allowed to accept.

There was a short discussion on what defines disposable and non-disposable materials. Ms. Dingman stated that the majority of the non-disposable material accepted now are separated, cleaned and used on-site, i.e. concrete rubble, chipped wood waste, etc.

Chairwoman Siegfried asked if this reused waste was counted in the allowable tonnage.

Ms. Dingman stated they have to count the amount of tons that they accept of all materials for the purposes of reporting to the county and the state agencies; they have to track all that tonnage differently. She stated that what limits these count against is one of the items being clarified through her department now. She stated that truck trips will have a limit also.

Ms. Dingman shared past waste flow limits and the reality of needing a rise in the limits as there are obviously rises in the population and the amount of waste being created and needing disposal of.

Ms. Dingman stated that the other thing they are doing in this process of evaluation is taking a look at the conditions as a whole, as it has been 20 years since the original draft; identifying other operational realities, changes in regulations, or conditions that need looking at.

Ms. Dingman addressed the question of additional mitigation for the Road way, Highway 4, and Bailey Road.

Chairwoman Siegfried stated they were particularly interested in Bailey Road because there was obviously going to be more truck traffic, and it is already torn up all of the time. She stated that it was her understanding that the fill on the bed of the road is really not thick enough to support all the truck traffic on it; that it is full of pot-holes. She stated that surely they would have to mitigate funds for repairing Bailey Road.

Ms. Dingman stated "yes", that there are actually conditions; requirements that they contribute to their proportional share of maintenance costs, based on their traffic.

There was a short discussion about looking at the additional truck traffic and its impact on the community, including *no* increased traffic but rather larger trucks. She stated they are

required to track the number of trucks; logging incoming trips as part of one of their environmental permit requirements. She stated those logs are something they obtain and are used by their Public Works department.

Councilwoman Zumwalt inquired who and how often the truck trip logs were inspected.

Ms. Dingman stated they were reviewed by the Environmental Health Department monthly; that it was a part of their record keeping department.

There was a short discussion on 'Waste Flow' in California; that some of what Keller Canyon receives is from in the county but a lot is from outside our county. She stated that a lot of our waste from within our county is being transferred to Alameda or Vallejo County.

There was a short discussion initiated by Chairwoman Siegfried regarding the horrible problem of trash flying out of the large transfer garbage trucks, hanging up along the BART fences running down the middle of Highway 4 into our community, along the sides of the road, and eventually into the delta.

This led to a discussion of plastic bags (too many around), trash containers, recyclables, personal responsibility, and calling the Sheriff's or CHP when you see trash flying out of the garbage trucks.

There was also a discussion about violations, citations, corrections, notice of order, and there being no fines involved; Chairwoman Zumwalt asked if Ms. Dingman could look into and report to the MAC about any violations involving Keller Landfill.

Mr. Joel Sabenorio stated he was a consultant to Ms. Dingman, and works directly with her regarding the Keller Canyon Landfill. He stated he just wanted to add that he has observed load checking procedures at the gate on a regular basis; that he is out there at least 3 times a month to spot check. He stated that he follows trucks from the transfer station directly to Keller watching for bounce-outs, torn tarps and covers on the transfer trucks; he stated that it is rare, but when he does see anything he notifies the transfer station operator, management, of the truck number and the problem, and that they are very responsive.

There was a discussion of the mighty Bay Point winds and the flying plastic bags, being blown all over from multiple sources in our community, creating an eye-sore for all to see traveling through our community on the freeway or on our roads; and also some possible solutions in sharing the clean-up responsibilities.

Ms. Dingman stated the waste handling operations hours are 7:00am – 7:30pm.

Councilwoman Magleby initiated a short discussion on curb recycling belonging to the garbage company, and it being illegal for others to take it; however people are reluctant to call the Sheriff's for this.

Resident Connie Tolleson initiated a short discussion on use of the Keller Mitigation funds in an ongoing grant request form to clean up all the stuff that gets blown all around Bay Point.

Ms. Dingman stated that regarding the litter clean up there are several things they can require directly through a new condition in their contract, but it would have to be specifically

identified such as their hauling route; and secondly, “a definite possibility”, is clean up crews to routinely take care of other specific areas. She stated the funds are administered by District V’s Supervisor Glover, and the whole Board ultimately decides the allocation of those funds. She stated she believes that kind of activity should be explored.

Councilwoman Kopitar asked if the Keller fund should be used to pay for clean up, or should they just be cleaning up because they are making the mess?

Ms. Dingman stated the Mitigation funds are to be used in whatever ways are deemed appropriate by the “powers that be”.

Chairwoman Siegfried stated the Mitigation Funds were originally set up to mitigate and offset the effects of the dump on the communities that surround it. She stated a politician in the past changed that to become a discretionary fund of District V, so every year you have to apply for a grant, which is one of the things they want to look at, but aren’t allowed to speak on at this meeting.

Councilman Hoagland stated that one of the things he had brought up was the potential of having the Council invited out to tour the Keller Landfill facility, get a better visual, and see for themselves before it comes up for a vote.

Chairwoman Siegfried asked if they had any idea of how many years of fill they had left.

Mr. Sabenorio stated approximately 35 years, depending on the rate of fill, the rate of compaction, and upon all kinds of unforeseen circumstances. He stated that really isn’t a long time in the life of a landfill facility. He stated it is not in danger of closing or reaching capacity in the near future.

Councilman Hoagland stated that just in his lifetime they have seen 3 dumps in our area closed for being over-filled.

Mr. Sabenorio initiated a discussion on putting together the details on the Council taking a tour of the Keller Canyon Landfill in the near future, contacting Chairwoman Siegfried for confirmation.

Councilwoman Magleby initiated a discussion on who brings waste to the Landfill, besides its own company, Allied Waste; and how strange it is that Bay Point has two different garbage companies servicing it, with two different standards and different rates.

### **CALIFORNIA HIGHWAY PATROL REPORT – Officer McGuire**

Officer Tom McGuire stated that he has been assigned to attend these Municipal Advisory Council meetings, and didn’t have much to report on since the last time he was here.

Officer McGuire stated they are continuing to work on Willow Pass Road, and requested some help from the MAC in getting the traffic survey for Willow Pass Road, so they can continue speed enforcement, as county had let the survey lapse.

There was some discussion among Council members regarding the report from Community Development’s Jerry Fahy, a few months ago, that the Board of Supervisors had approved all of the surveys from Bay Point.

Officer McGuire stated that if that is the case then someone at county had “dropped the ball” and not forwarded them to the CHP. He stated that if he is wrong he will come back and make a personal apology, but he’s afraid that the problem is with county.

Officer McGuire stated he was going to double-check; Councilwoman Magleby stated she would check with Jerry Fahy from county; and they would contact each other with what they find out.

Officer McGuire stated that school has started again so they have been concentrating on morning and afternoon patrols and that was all he had to report.

Councilman Hoagland asked if Officer McGuire had heard the presentation on the Landfill, and would he please remind the other officers if they see anything flying out of the back of any of the garbage trucks that they turn them in.

Officer McGuire stated it would be no problem to remind the other officers, and in addition to that they do special enforcement days for litter enforcement in our area too.

**REQUEST FOR ITEMS ON NEXT AGENDA:**

- 1.
- 2.
- 3.

**ADJOURNMENT:**

There being no further business before the Bay Point Municipal Advisory Council Code Enforcement Committee, Chairman Siegfried adjourned the meeting at 6:56 p.m. to the next (adjusted) regular quarterly Code Enforcement Committee meeting on December 2, 2008 at 6:00 p.m. to be held at the Ambrose Recreation and Park District Board Room at 3105 Willow Pass Road.

Submitted by,  
Debra Giles  
Recording Secretary