

**BAY POINT MUNICIPAL ADVISORY COUNCIL
MINUTES – October 7, 2008**

Chairwoman Zumwalt called the regular meeting of the Bay Point Municipal Advisory Council to order at 7:14 p.m. (following Supervisor Glover’s Townhall meeting) held at Ambrose Recreation and Park District Board Room, 3105 Willow Pass Road, Bay Point, California.

PRESENTATION OF COLORS:

The Pledge of Allegiance was led by General Chemical’s Manager, Brad Kloch

MEMBERS PRESENT: Garcia, Hoagland, Kopitar, Magleby, Siegfried, and Zumwalt

MEMBERS ABSENT: Gabor

APPROVAL OF AGENDA:

**M/Hoagland
S/Siegfried**

Members present approved the amended Agenda for September 2, 2008, having removed Willow Pass/Clearland LP072075 from the agenda. Vote 6 – 0

APPROVAL OF MINUTES:

Approval of the September 2, 2008 Code Enforcement committee and MAC meeting Minutes

**M/Magleby
S/Siegfried**

Members present approved the Code Enforcement committee and MAC Minutes of September 2, 2008 with three typographical corrections. Vote: 6 - 0

PUBLIC COMMENTS for items not on the agenda:

Resident Christie Chu stated she had walked in at the end of Supervisor Glover’s presentation and was surprised at what she heard, as better water quality, and using Eminent Domain has been discussed at previous meetings, and she doesn’t want to make a lot of people mad but, if Golden State Water Company is saying to the community that they are a water provider that can’t provide clean safe water, so they’re going to act as a water middle man, then we should be looking to Concord, Pittsburg, or directly to Contra Costa Water. She stated we don’t need to be going through a middle man just so we can pay more, and she would ask Golden State Water if they were a water provider or not.

Jeff Adams, candidate for the Mt. Diablo Unified School District Board of Directors, stated there was going to be a debate at the Pleasant Hill Education Society this Thursday night for two hours and will be televised on the Public Access station; four candidates vying for some seats; asked everyone to watch as there are some serious issues facing the school district including the fact there has been some collective bargaining for some time with teachers and others, along with some serious fiscal problems. He stated he has some proposed solutions, and would appreciate everyone taking a look at the debate. Mr. Adams stated he has some endorsements now including the Mayor of Concord, the Mayor of Pleasant Hill, some people

here in Bay Point, and the City Council of Pleasant Hill, and he believes he has their endorsements because of his proposals to solve some of the districts problems, he has a background in collective bargaining, and his professional background is in finance. He stated lastly, for anyone that has been watching the school board, they have been very divisive; finger-pointing and not getting a lot done over the past year, year plus, and he would like to get involved and see if he can't get some things accomplished.

Chairwoman Zumwalt asked Mr. Adams what time the debate was.

Mr. Adams stated it will start at 7:00pm on Thursday, in Pleasant Hill, and it was going to be televised that evening and twice after that; Comcast being the primary sponsor.

Sheriff's Department Report– Lt. Mahoney

Lt. Mahoney passed out copies and reviewed the statistics for the month of September including comparisons from the same time last year.

Lt. Mahoney stated there has been some activity recently in the Hanlon/Bayview area involving weapons; officers taking them off some people in that area. He stated he has spoke with the J-team commander and asked for their assistance too.

Councilwoman Kopitar asked about an incident this last Sunday at Rite Aid where she thought she heard gun shots in the parking lot, and daughter saw people running out pulling jackets over their heads.

Lt. Mahoney stated that would be Pittsburg police as that Center is technically in Pittsburg. He stated that he would check on it.

Councilwoman Garcia asked about the police helicopter flying around Bayview on Sunday night.

Lt. Mahoney stated they were covering a foot-pursuit, that the officers were unable to catch the guy but got the weapon.

California State Highway Patrol Report – Officer McGuire

Officer McGuire stated his update includes that Officer Mitchell had broken his leg during a tussle in Oakley, but he would be OK, just getting a 6 week vacation.

Officer McGuire stated since the last time he had been at a meeting, he had checked on all the traffic surveys and they were all current. He stated they are continuing to work "hot & heavy" on Willow Pass Road, Port Chicago Hwy, and also Evora as they have received complaints. Officer McGuire stated they had the radar trailer on Pacifica by the school a couple of times. He stated that was the only place they had the radar trailer, that they are trying to get another one, and they had just gotten a Cal Trans CMS portable sign that you can program to say 'Slow Down' (not 'Slow Down Dummy' like he would like).

Officer McGuire stated he would like to remind everyone if they have issues or a specific traffic complaint to contact their office 925-646-4980 and talk to talk to Sgt. Joe Johnson, the new special enforcement Sgt. He stated they had just implemented a new complaint form procedure, and when they call in please don't just say there are speeders on my street, be very

specific with your complaint, give them a time slot, car type, car color, and they can do a better job of catching them.

Mr. Ed Diokno of Supervisor Glover's office asked Officer McGuire to clarify the jurisdictions between the Sheriff's office and the CHP, their roles and responsibilities.

Officer McGuire stated he believes people that live in unincorporated areas actually have an advantage of having two law enforcement agencies working in their area; the Sheriff's Dept. who works very, very hard and is very busy in this area and the California Highway Patrol. He stated they have a Memorandum of Understanding about what kind of crimes they each take care of and that generally speaking, if it involves a vehicle; a crash, drunk driver, stolen car, speeders, etc., it is usually handled by the CHP. He stated if it is anything else; a property crime, a sex crime, etc., it is usually handled by the Sheriff's Dept.

Officer McGuire stated that doesn't mean if you see him on the street and you've just been burglarized that you can't go talk to him. He stated he likes to tell people not to worry about the jurisdictional issue, but to report the crime and it will get to the appropriate agency.

CONSENT CALENDAR:

- 1 Brief review and approval of monthly correspondence - Secretary Kopitar**
- 2 Approval of monthly Recording Secretary Invoice of \$120.00
– Councilwoman Garcia**
- 3 Recommendation to approve outstanding LUP's – Councilwoman Siegfried**

Councilman Hoagland recommended the Walgreen LUP be removed from the consent calendar to New Business so that it might be voted on after the presentation.

M/Hoagland

S/Magleby

Members present approved the amended Consent Calendar moving the Walgreens LP08-2044 from the consent calendar to New Business. Vote 6 – 0

PRESENTATIONS:

Bay Point Outstanding Citizen of the Month Award – Councilwoman Garcia

Councilwoman Garcia presented this month's first Outstanding Citizen of the Month Award to Judy Dawson, a wonderful community leader, with many thanks.

Councilwoman Garcia presented this month's second Outstanding Citizen of the Month Award to Fernandez Towing Company (not present) for their outstanding business leadership and help with Bay Point's first parade, decorating one of their tow trucks.

Walgreens Drugstore Presentation – Grant Elliott

Mr. Grant Elliott handed out the preliminary plan for the Walgreens on Willow Pass Road, at the end of Bailey Road, pointing out a small change made from the plan shown at the PAC meeting regarding the additional parking on the left side of the building, and more

landscaping.

Mr. Elliott stated he worked for Aventine Development Corporation, a preferred developer for Walgreens, and the developer contracted for the Bay Point property. He stated Bay Point's was a unique Walgreens project, not the prototype stand alone building with circulation, 360 degrees, around their building, with rows of parking in the front and the sides. Mr. Elliott pointed out some of the unique aspects of this store created by the Bay Point design guidelines and the community's active involvement;

- A more pedestrian type store, located directly on the streetscape, built basically up to the sidewalk, with the sidewalks being extended from 5 feet to 10 feet on Willow Pass Road (not Broadway).
- Had to be creative with getting the drive-through pharmacy put in, as well as
- Compromising on putting the main entrance at the back of the building

Mr. Elliott then elaborated on some of the building and landscaping details, stating now Walgreens can now come up with a floor plan including a photo-center, convenient store type services, as well as the pharmacy.

Chairwoman Zumwalt asked if there would be competition with Rite Aid.

Mr. Elliott stated he believed them to be separate trade areas, being on the other side of the freeway, with different traffic going through, and a different kind of community.

Chairwoman Zumwalt asked if there were plans to put in a Starbucks coffee shop.

Mr. Elliott stated it wouldn't be a Starbucks, that they sometimes have a little café.

Councilman Hoagland asked if Mr. Elliott would please point out the drive-through for the public and Mr. Elliott did so, explaining some of the other areas of landscaping and a bike rack.

Chairwoman Zumwalt asked about a turn signal for the driveway on Willow Pass Rd.

Mr. Elliott stated that part of the project includes redesigning that intersection, turning it into a four-way intersection; having to modify the entire intersection and probably having to put in new signal poles on each corner.

Councilman Hoagland asked Mr. Elliott to show how the delivery trucks were going to come and back in.

Mr. Elliott explained how the drive-through is made special to allow the trucks to also back in. He stated there has been some discussion about restricting the access of unloading to after hours only.

Chairwoman Zumwalt asked how that might impact the neighbors if they were delivering after hours.

Mr. Elliott stated they would do whatever was asked of them, whatever works better for the community.

Chairwoman Zumwalt asked about the number of parking spaces.

Mr. Elliott stated there were 64 spaces in this plan, but after meeting with Public Works today, they may take two compact spaces to put in more landscaping, trying to reach an 80% threshold for landscaping. He stated another element is there are 10 feet of sidewalk and another 4 feet of concrete between the street and the store, and they would like to landscape that 4 feet between the sidewalk and the store, some shrubs maybe for separation from the building.

As there were no further questions from the Council, Chairwoman Zumwalt thanked Mr. Elliott for coming and making the presentation.

AGENCY REPORTS:

Supervisor Federal Glover's Office – Ed Diokno

Mr. Ed Diokno reported that last month, on September 10, County held its Homeless Connect day at the Antioch Fairground. He stated they had a really good turn out of volunteers, about 125 people, at the day long event to provide services to the 600 homeless individuals, who came from all over the county, for haircuts, wheelchair or bike repairs, medical checkups, dental work, and other services. He stated it was a very successful day, and there were some of Bay Point's homeless persons there also; that they found a way to get there.

Mr. Diokno stated the supervisor attended the Convoy of Hope held here in Bay Point sponsored by the Calvary Temple church for the second year in a row. He stated Supervisor called it a "great day" and extends his appreciation to Pastor Franks and his congregation for organizing the event, probably the largest community event in Bay Point, with about 5,000 people showing up.

Mr. Diokno stated Contra Costa County schools will be joining thousands of schools from around the world to celebrate International Walk to School Day on Wednesday, October 8th to reduce traffic and air pollution around school zones. He stated students from Rio Vista elementary in Bay Point, Bayview elementary in Richmond and Cambridge Elementary in Concord will walk to school that day for an event that promotes improving traffic safety skills, safer school zones, and physical activity.

Mr. Diokno stated County Health Dept. will be offering flu shots on October 16th at the Pittsburg Senior Center from 2:00pm – 3:30pm. He stated no one will be turned away but a \$15 donation is being requested.

Mr. Diokno stated they had a meeting with Driftwood Dr. residents last night at Calvary Temple. He stated it went well with about 40 people attending, allowing residents to tell county staff their preferences for landscaping; and there will be another community meeting before the end of the year regarding the final landscaping plan.

Mr. Diokno stated the Joint MAC meeting is on October 18, from 9:00am – 1:00pm.

Mr. Diokno stated on October 25th, La Clinica de la Raza will be having their Health Fair at the Pittsburg Boys and Girls Club. He stated last year they serviced 5,000 people; besides the health related events and checkups, there will be entertainment and food.

Mr. Diokno stated that lastly, the Bay Point Clinic closed down since July 28, is undergoing renovations to install a dental clinic, but is taking longer than expected to complete and will most likely reopen sometime in November.

Chairwoman Zumwalt asked if Supervisor Glover would take the lead in the Water Company issue, and be checking with legal council.

Mr. Diokno reviewed what had been discussed during the Townhall meeting previous to the MAC meeting regarding County Health Staff sharing a letter received from Golden State Water Company in response to the PUC's requirement of fluoridation being added to the Golden State Water services. He stated the Water Company's response in this letter was how this might be done, with intended costs. Mr. Diokno stated the letter would have to be examined by County's legal council and a response drafted.

ITEMS OF BUSINESS:

A. OLD BUSINESS

None

B. NEW BUSINESS

1. Discussion/Recommendation and Approval of MAC budget for 2008-2009 – Treasurer Garcia

Treasurer Garcia reviewed the end of last fiscal year's budget and the projected budget proposal for this fiscal year, including the possible increased cost of the MAC's newsletter.

Chairwoman Zumwalt made copies of the budget available to the public.

Councilwoman Magleby asked about the postage costs of the newsletter, and if the MAC had a postal permit to reduce the cost.

Councilwoman Garcia reminded Councilwoman Magleby that the MAC does not qualify for a postal permit because it is not a non-profit entity.

There was a short discussion regarding the previous details of increased printing costs because of the difference in the postage not being taken into consideration before. It was determined that Councilwoman Garcia would look into it further.

M/Magleby

S/Kopitar

Members present approved the MAC budget for 2008 – 2009 with an inquiry of Ready Print about postage costs. Vote: 6 - 0

There was an inquiry and a short discussion regarding the date of the next newsletter publication; how the delayed state budget has affected a definite answer from Public Works on their budget; and how it is already late to be planning a November newsletter.

2. Discussion/Recommendation and Approval of expenditures for All-MAC

**meeting, including room rental and food expenses; not to exceed \$600.00
– Treasurer Garcia**

Treasurer Garcia reviewed what was planned for the Joint MAC meeting and the projected costs.

M/Garcia

S/Kopitar

Members present approved expenditures for All-MAC meeting, including room rental and food expenses; not to exceed \$600.00 for the All-MAC meeting Vote: 6 – 0

Councilwoman Garcia stated she would be calling the MAC members to get their input on dessert ideas.

3. Information Only – Keller Canyon Landfill Tour for MAC members on October 11, 2008 – Councilwoman Siegfried

Councilwoman Siegfried stated the tour was for MAC members only, and they will be shown all the different areas of the landfill. She stated she also has, and will make available to the public, a document with the questions asked at the last Code meeting and their answers, and the MAC members will have this fact sheet before the tour.

Chairwoman Zumwalt asked if they couldn't ask Keller for a second tour.

Councilwoman Siegfried stated yes, that was her intention.

Councilwoman Garcia asked about letting Councilwoman Siegfried know that she was coming, and where & when to meet them (Council members Siegfried and Hoagland), once she got to the Landfill.

**4. Discussion/Recommendation of LP08-2044 – Application for a Walgreens drugstore at the end of Bailey Road on Willow Pass Rd.
– Councilwoman Siegfried**

Councilman Hoagland stated he was very excited to even think about having something as exciting as a Walgreens at the end of Bailey Road.

Councilwoman Siegfried stated that the PAC was also happy with the project but had asked they include a coffee shop.

M/Magleby

S/Kopitar

Members present approved LP08-2044 – Application for a Walgreens drugstore at the end of Bailey Road on Willow Pass Rd. Vote: 6 - 0

OFFICERS/COUNCIL MEMBER REPORTS:

Councilwoman Siegfried stated they had received a letter back regarding the alcohol license for the restaurant on Bella Monte; that they are doing some reviews and investigation

because of some of the information they had received.

Councilwoman Siegfried stated that things are going downhill for Code Enforcement, with all of the foreclosures going on there's no way for Dan, one man, to handle it all. She stated to keep sending him complaints, violations we see, but know there's only so much he can do, as he's trying to keep up with the foreclosures, banks, and realtors right now.

Councilman Hoagland asked Mr. Diokno if he would check with Maureen Toms as to why there was activity going on at the Jack's Market location on Willow Pass Road.

Mr. Diokno asked what kind of activity.

Councilman Hoagland stated construction type activity; like remodeling is being done, seemingly without permits.

Councilman Hoagland reported from Ambrose Recreation & Park District, they are excited that Anuta Park is lit, and is being used quite often by soccer teams, also that there are new picnic tables, and it is looking great.

Councilwoman Garcia clarified that because of Supervisor Glover's Townhall meeting tonight, that the TAC meeting will be next month, in November, and the Code meeting will be the following month, in December.

Councilwoman Garcia stated that even without a definite date for publication, if anyone has ideas for the next newsletter, to please let her know.

Councilwoman Kopitar stated she wants to encourage everyone to stay proactive with the water situation in Bay Point.

Councilwoman Magleby stated she had attended the Antioch Chamber of Commerce Economic Summit and that Bay Point was well represented with its own Chamber of Commerce and Maureen Tom's presence. She stated she was proud to be there, and they heard from Lt. Governor John Garamendi whom she thought should be Governor some day; and she is a Republican.

Councilwoman Magleby stated the Bay Point Historical Society had their annual luncheon and it was another success. She stated they had a very good speaker from the University of California to learn about the past and future of Bay Point and this entire area; a positive move forward from their usual very local speakers.

Councilwoman Magleby stated the Bay Point Pride is still cleaning up, but they had lost one of their best workers, Michael Gaxiolla. She stated there was a lot of Graffiti on a wall on Bayview, and they were a little hesitant about removing it as it had been put there by gang members, so they had waited until school had started and went back to clean up the wall, and will probably continue to do those clean-ups during school hours. She stated she wanted everyone to know that the graffiti is no worse in Bay Point than anywhere else.

REQUEST FOR ITEMS ON NEXT AGENDA:

1. Willow Pass Apartments – not approved yet by PAC
2. Water Issue

3. Report on Keller Canyon Landfill tour
4. Outstanding LUPs
5. Newsletter Information

ADJOURNMENT:

M/Magleby

S/Siegfried

Motion approved to adjourn the meeting. Vote 6 - 0

There being no further business before the Bay Point Municipal Advisory Council, Chairwoman Zumwalt adjourned the meeting at 8:30 p.m. to the next regular scheduled meeting at 7:00pm on November 4, 2008, to be held at the Ambrose Recreation and Park District Board Room at 3105 Willow Pass Road.

Submitted by
Debra Giles
Recording Secretary