Boundary change upsets MAC members

Dave Roberts

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Credit - Photo by Richard Wisdom

The area of far East County represented to the Board of Supervisors by the Knightsen Town Advisory Council shrank by about half when the supervisors voted this week to standardize the way boundaries throughout the county are determined.

The Contra Costa County Board of Supervisors this week adopted a new policy aimed at improving consistency in the way municipal advisory councils (MACs) are established and run, a move that has upset members of two far East County bodies.

The MACs are appointed by the supervisors to provide input on issues facing unincorporated communities in the county, although final decisions are ultimately rendered by the supervisors. There are 11 MACs countywide, including Byron, Knightsen and Bethel Island in far East County. The Discovery Bay Community Services District (CSD), while not technically a MAC, performs the advisory functions provided by the other MACs, and the "referral area" it represents is included in the new policy.

The MACs have been operated under a hodge-podge of procedures for years, even though their functions are essentially the same. For example, their membership varies between five and seven, with one, two, three or no alternates. Some receive county help with administration; others do not. And the boundaries of the areas they represent have been drawn with no uniform criteria.

While members of local MACs agree with most of the provisions of the new policy, the re-drawing of boundaries for the Byron MAC and the Knightsen Town Advisory Council (KTAC) has upset some of their members. The new policy calls for the boundaries to be drawn along, among other things, established borders (such as city and county limits), special district boundaries (including community service districts) census tracts, geographical features (such as roads and waterways) and the approved Urban Limit Line. Other considerations included population density and community affiliation.

The result for Byron and Knightsen is that their representative areas have been cut roughly in half. In Byron, the boundaries now run from Marsh Creek Road on the north

to the southern boundary of the Byron Airport, and from the 94514/94505 ZIP Code boundary on the east to Vasco Road (plus properties along Camino Diablo) on the west.

"Of course we're not happy," said Kathy Leighton of the Byron MAC. "Those (now-excluded) areas have been under our umbrella since the MAC was formed."

Of the 11 MACs, the only ones seeing dramatic reductions are Byron and Knightsen, both of which border Discovery Bay, home of District III Supervisor Mary Piepho. Piepho and District V Supervisor Federal Glover formed the ad-hoc subcommittee that has been working on the MAC plan since December of 2005. Piepho's husband, David, is a member of the CSD Board of Directors.

Although none of the excluded areas were attached to Discovery Bay's area of representation, Leighton feels the changes are part of a long-term effort to make Discovery Bay's acquisition of those areas easier in the future, thus enhancing its prospects for incorporation. She also believes that Mary Piepho's input in the ad-hoc committee was influenced by her husband's service on the Discovery Bay CSD.

KTAC member John Gonzales agrees with Leighton. Knightsen's area of representation has been reduced to just the areas served by the Knightsen CSD, excluding land east of Byron highway and Holland Tract to the northeast. He believes Discovery Bay's area of representation, which was left extending beyond the CSD borders to the east, has been treated more favorably than Knightsen's.

Also, removing Knightsen's representation of the marinas that have been covered by various Knighsten organizations for more than 50 years, he said, is simply a move to prepare the areas for eventual annexation to Discovery Bay.

"They haven't taken it yet, but they've set the stage for it," he said. "Discovery Bay will be able to expand north and south and eventually incorporate."

Mary Piepho denied there is any "ulterior motive" for the changes, especially Discovery Bay's expansion.

"There are many other agencies far more powerful than me that will guide those decisions, including a vote of the people," she said. The reason Byron and Knightsen are seeing major reductions, she said, is because those are the MACs most out of alignment with the border criteria under discussion since October of 2007.

Those criteria, said Catherine Kutsuris, Deputy Director of Current Planning in the Contra Costa County Community Development Department, were designed and applied to maps with the input of all those affected.

"The goal was to identify the core community area," said Kutsuris. "This has been a three-year, multi-prong process of involving the MACs and soliciting their comments."

One of the criteria, Piepho said, was population density. Remote, sparsely populated rural land in agricultural areas was excluded unless there was the potential for development. The area east of Discovery Bay, she said, was left within the CSD's area of referral because it is within the Urban Limit Line and active plans are under way to develop it.

The only area added to the DB CSD's referral area, she said, is land to the north that includes Old River School, which is served by the utilities of the CSD. Because the school is attended by Knightsen residents and thus is also a part of Knightsen's identity, that area is part of a "special notification area," which means any items that come to the DB CSD concerning the area will also be referred to KTAC. (Another special notification area is the Byron Airport, information on which will not only go to the Byron MAC, which represents the area, but also to the DB CSD, since it is a regional facility and flight patterns go over Discovery Bay.)

Gonzales said he thinks the final maps showing areas covered under the new board policy, which were sent to MAC members last week, should have been sent out further in advance of this week's supervisor's meeting at which they were adopted.

Kutsuris and Piepho, however, both said the maps showing the areas under discussion had been reviewed numerous times, both at local MAC meetings and at all-MAC meetings in April and November of this year. The concerns now being raised by Gonzales, Kutsuris said, had not been brought forward earlier despite numerous requests for input from Knightsen. The final maps simply showed the final layout that was arrived at during those public input sessions.

Even though the new MAC policy was adopted this week, Knightsen representatives will have one more chance to provide input. Piepho attached to the motion a provision allowing Knightsen 60 more days to respond to the provisions of the policy.

Those representatives, however, will not include Gonzales. On Tuesday, he sent Piepho an e-mail message stating, "I believe the distance between us will not allow me to serve under you in a productive way," and tendering his resignation from KTAC.

Piepho said that Gonzales' reaction to the changes are the sort of challenge she has faced trying to correct "20 years of neglect" that far East County has endured under previous supervisors. An example, she said, is seen in the drawing of the MACs' original boundaries set in 1993:

Then-Supervisor Tom Torlakson simply handed community representatives a map and a pen, she said, and let them draw the boundaries they wanted. The result is that those communities feel they have a stake in areas well beyond the core area that actually makes up their community.

"It's a false stake," she said. "It's not like the 49er days when you throw up (a line on a map) and it's yours. Government has to be responsive to everybody equally, and you shouldn't ask anything less of your government."