

**ALAMEDA COUNTY  
BOARD OF SUPERVISORS'  
UNINCORPORATED SERVICES COMMITTEE**

Wednesday, January 24, 2007

Supervisor Nate Miley, Chair  
Supervisor Alice Lai-Bitker

Location: San Lorenzo Village Homes Association  
377 Paseo Grande  
San Lorenzo, CA 94580

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**SUMMARY ACTION MINUTES**

Supervisor Lai-Bitker called the meeting to order.

**I. PUBLIC COMMENT**

**Howard Beckman, San Lorenzo resident:** The delays in the Eden General Plan are largely due to lack of staff in the Planning Department. There has been a request among residents for the establishment of design guidelines new construction, which will require additional staff time. Mr. Beckman urged this Committee to request that the County Administrator add an increase in funding for the Planning Department in the upcoming budget.

Mr. Beckman also spoke of the two murders, which had recently occurred San Lorenzo Village. Mr. Beckman stated there should be a cap on the number of people gathered at a house party.

**Kathie Ready, San Lorenzo resident:** Concerning the two murders in the San Lorenzo Village, it is not okay for San Lorenzo Village. It took a long time for East Oakland to become what it is today. The Village was fortunate for the noise ordinance and the Sheriff's Office needs to enforce the ordinance 24 hours a day.

**Sonya, San Lorenzo resident:** Sonya's 13 year-old daughter witnessed one of the victims from the party, which was across the street from her home. A solution could be to register parties in the Village and the Association can work with the Sheriff's Office.

**Keith Barros, San Lorenzo resident:** Something needs to be done about the parties. There needs to be proactive policing, not reactive. Mr. Barros believes that residents do not think the police will respond to excessive noise complaints. The police and the dispatchers are annoyed with "nuisance" calls. The Sheriff needs to be proactive about contacting violators and the violators should be fined.

**Mark Winchel, San Lorenzo resident:** The residents are constantly getting PR from the Sheriff's Office to call if there is a problem and the deputies act as if they are irritated. Mr. Winchel stated his home was burglarized and car broken into in the past and he was harassed by the Sheriff's Department for attempting to call in and report the crimes.

**Mary Cedarholm, San Lorenzo resident:** New neighbors are threatened with harassment and are too afraid to report or sign petitions. Ms. Cedarholm stated that she is one of very few in her neighborhood to call the Sheriff's Office.

**Bob Campisi, San Lorenzo resident:** Stated that the San Lorenzo residents complain at the meetings, however, they do not complain to the California Highway Patrol or the Sheriff's Office, and their problems are their own fault. The shooting could have been avoided if someone would have called; the Sheriff's Office would have been there.

**Nancy Van Huffel:** Ms. Van Huffel has personally talked to the Sheriff, several people have called, and the Sheriff has said that there are other priorities. The solution may not be to register parties. Perhaps the residents can sit down with the law enforcement and discuss solutions to get everyone involved.

**Supervisors' Comments**

Supervisor Lai-Bitker expressed that she was alarmed by the incident (murders) and glad that Sonya called the District 3 Office to voice her concerns. Supervisor Lai-Bitker believes that part of the solution is to get all the

neighbors involved. Supervisor Lai-Bitker met with Sheriff Ahern. She believes the Sheriff should meet with the Village Homes Association to discuss ways of dealing with violators proactively.

Supervisor Lai-Bitker distributed a draft ordinance, "Social Host Ordinance" to address holding parents accountable for under age drinkers. The draft ordinance will be discussed at the next meeting.

Supervisor Miley agreed that the Social Host Ordinance is a good idea. The County has a Violence Prevention Plan in place, and it is everybody's issue. Supervisor Miley does not want the unincorporated area to regress. Supervisor Miley stated that he lives in East Oakland and there have been several murders in his area, however he does not have the answers, but experience in dealing with violence. After the unincorporated residents meet with the Sheriff and Supervisor Lai-Bitker, then some of the proposals can be agendized for discussion.

## **II. REPORT ON WASTEWATER TREATMENT SYSTEM (SEPTIC SYSTEM) ORDINANCE**

Ron Torres, Environmental Health Department, reported on the Wastewater Treatment (Septic System) Ordinance. Russ Handzus presented a PowerPoint presentation.

### **Questions/Discussion**

**Howard Beckman:** A copy of the implementing regulations developed by the Public Works Agency was presented to the Planning Commission as an informational presentation. Is it the intent of the Environmental Health Department that the regulations are approved by the Board at the same time the Septic System Ordinance is approved? Will interested parties be able to identify modifications in the regulations easily, because it is a very large document?

**Ron Torres:** Environmental Health is proposing to present the regulations and the ordinance as a package to the Board of Supervisors on February 6, 2007.

**Howard Beckman:** Is there a rule where the setback of a septic system from a stream protects the stream from leached water? Can residents get information about criteria to relax setbacks near a stream?

**Ron Torres:** The standard is a 100-foot setback from an active stream and a 50-foot setback from a seasonal stream. In certain cases, Environmental Health would consider situations to determine to relax a setback near a stream. To relax the setbacks, one would have to pursue a variance to the current standards.

**Ray McKay:** To qualify for the variance, the applicant would need to show that the proposed system is safe and effective and will not harm the environment.

**Mark Winchell:** Can you put the language in the ordinance that the \$264 per year for inspections fee will dissolve when the system is up and running?

**Ron Torres:** Environmental Health is proposing the \$264 per year for advanced systems and it may take a few years before there will be no need for the inspections.

**Brian Morrison:** Mr. Morrison explained that for his 60 acre lot, in which he draws water from a well, he had to hire engineers to design the septic system to make sure it would not fail. Mr. Morrison said if the ordinance goes through there would be a lawsuit.

**Ron Torres:** The ordinance states that there are other kinds of technology available, which have proven to be successful, and the County will consider those systems.

**Bob Fienbaum, Director of Hydro Nova:** Hydro Nova is a non-profit organization that deals with wastewater issues. Hydro Nova is adamantly opposed to the operating permits contained in the ordinance. Mr. Fienbaum stated that the idea for permits for some operating systems goes against the Environmental Protection Agency, State of California in on-site regulations, and most regions in California.

**Kelly Green:** How much does the advance septic system cost? The packet reads 2 to 5 times the cost of a standard system.

**Brian Morrison:** In response to Ms. Green's questions, Mr. Morrison responded the cost of the advance system is \$14,000 to \$28,000 dollars.

### **Supervisors' Comments**

Supervisor Lai-Bitker stated that the Environmental Health Department presented the ordinance to the Health Committee more than a year ago. At that time, the ordinance was forwarded to the Board and was approved at the first reading, however, there were complaints about the ordinance and the second reading was not approved.

Supervisor Miley stated that he is hesitant to support the ordinance because residents have raised too many questions. Mr. Miley stated that the Environmental Health Department should appropriately respond to questions before moving ahead with the ordinance. Supervisor Miley will speak with Supervisor Gail Steele, District 2, as she has spoken with Ariu Levi, Director, Environmental Health Department about the ordinance.

### **III. REPORT ON RESTAURANT INSPECTION, REGULATION AND THE PROS AND CONS OF LABELING**

Ron Browder, Chief of the Division of Environmental Protection, presented a PowerPoint presentation on restaurant inspection and regulations. The presentation contained background information on scoring and grading retail food facilities. Alameda County does not have a grading system at this time; however, the Environmental Health Department is interested in implementing a system after some research is completed on the subject. In addition, the Department would have to become fully staffed.

#### **Questions/Discussion**

Q. Do food facilities know when an inspection will take place?

A. Alameda County's inspections are unannounced.

Q. Will you expand your training information into languages other than English and Spanish?

A. There hasn't been a large demand for other languages, however, the Department usually refers people who speak other languages to the San Francisco Environmental Health Department.

Q. How many food facilities does the County close every year based on inspections and the violations?

A. There have been very few closures due to violations, due to the inspectors' training. Usually a facility will be closed temporarily until it comes up to code. There are several closures because of non-payment of fees.

Johnnie Foster Downs, Local Affairs Director, California Restaurant Association commented on the Environmental Health Departments presentation. Ms. Foster Downs worked very closely with Sacramento County on their grading system. One thing to consider is because of media reports, consumers believe that after a grading system has been implemented, that food facilities are operating at much higher levels. When cities and counties implement a grading system food facilities usually increase staff, increase the frequency of inspections, and increase education. The training and education of operators makes for a comprehensive program and better compliance.

Supervisor Miley: When do you anticipate having the program fully functional?

Ron Browder: The first priority is to become fully staffed. We could likely have a full staff within a year. After that moving towards

Supervisor Miley would like the Environmental Health to come back at the end of the year or beginning of 2008 to give this Committee an update.

### **IV. PROPOSAL TO CREATE A FINANCING MECHANISM (COMMUNITY FACILITIES DISTRICT) TO FUND STORMWATER TREATMENT FACILITIES RELATED SERVICES FOR NEW**

## **DEVELOPMENT**

Stanley Fung, Public Works Agency, presented PowerPoint presentation concerning creating a financing mechanism to fund stormwater treatment facilities.

The Public Works Agency recommends that the Board of Supervisors approve a Request for Proposal to create the legal framework and procedures necessary to create the Community Facilities District for stormwater treatment facilities.

## **V. STATUS REPORT ON THE CREEK TASK FORCE**

Alex Amoroso, Community Development Agency, reported on the status of the Creek Task Force. There is a creek moratorium in place, which began May 2006 and will likely be in place for two years. The Task Force has not been fully formed; there will be fifteen (15) members. CDA has received approximately forty (40) applications of interest to sit on the Task Force from area residents. The applications are currently being reviewed for selection by the three (3) supervisorial districts (2, 3, and 4) which represent the creek areas. It is likely that the Supervisors will return recommendations to CDA and then go on to the full Board in March.

## **ADJOURNMENT**

The meeting was adjourned to February 28, 2007.

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