

# **SUNOL CITIZENS' ADVISORY COUNCIL**

**Wednesday, March 20, 2019  
6:30 p.m.**

## **SUNOL GLEN ELEMENTARY SCHOOL**

### **MINUTES**

1. **CALL TO ORDER** – Council Member Johnson called the meeting to order at 6:30 p.m.

**Board Members present:** Connie DeGrange, Gerry Beemiller, Jordan Franco, Rosemary Chang, and Nzingha Johnson

**Board Members excused:** None

**Staff present:** Bonnie Terra, Alameda County Fire Department; Chris Miley, Supervisor Valle's Office; Deputy Jon Hamm, Alameda County Sheriff's Department; Edward Labayog, Community Development Agency; Melissa Rydman, Clerk, Board of Supervisors Office; Rodrigo Orduno, Community Development Agency; Sondra Greene, County Administrator's Office

2. **PUBLIC COMMENT/OPEN FORUM/PUBLIC ANNOUNCEMENTS**

Molly Barnes thanked Member Chang for the coordination with the Livermore Valley Opera to visit Sunol Glen School and the arrangement for 10 free tickets to be given to students to attend the opera. The School District adopted Social Emotional Learning as part of curriculum to address student's mental health. School District staff can now get trained as a Mental Health first aid responder. Bingo for Books is occurring on March 20, 2019, located in the cafeteria, around 50 families participating; and the book sale is on the same date and will be held in the library.

A community member reported on mobile citizen app for phones. The citizen had personally submitted 20 items through the app and will return to report on progress of the submissions.

A community member commented that there is a 4-H Pancake Breakfast on Sunday April 14, 2019, 8 AM - 12 PM at Sunol Glen School. On Wednesday, March 27, 2019, there is a Rural Roads Group meeting at the Martinelli Event Center from 4 PM - 6 PM.

Community member Kelly spoke about the importance of the Niles Canyon pedestrian/bicycle proposal.

Community member Jim commented on the removal of the berms from Main Street and that a long term solution for the railroad crossing is in process.

### **3. REPORTS/UPDATES – Informational Items:**

**Alameda County Fire Department** – Bonnie Terra, Alameda County Fire Department, reported 21 calls for service in the area. The only damage was a car that caught fire.

**Alameda County Sheriff's Office** – Deputy Jon Hamm, Alameda County Sheriff's Department, reported that on March 9, deputies received a call – through investigation, found \$10,000 of stolen properties and suspect arrested for burglary and drug paraphernalia. Sheriff's Deputies were able to catch suspect thanks to owner's video surveillance.

### **PROGRESS REPORTS (AS NECESSARY) – Informational Items:**

**Sunol Septic Working Group** – Member DeGrange reported that at the last meeting the eight options for the feasibility study on the treatment of wastewater were discussed. One of the proposed options is an upgrade to the leech field at the Sunol Depot Garden. The next meeting is Tuesday, April 9, 2019 (second Tuesday of each month) in the cafeteria at Sunol Glen School. All agendas and handouts are at the County website at [https://www.acgov.org/aceh/landuse/sunol\\_septic.htm](https://www.acgov.org/aceh/landuse/sunol_septic.htm)

**Sunol Fire Safe Coalition** – No updates.

### **4. COUNCIL/STAFF COMMENTS**

Chris Miley, Supervisor Valle's Office, reported the Sunol Stroll and Roll is tentatively scheduled for Sunday, September 22, 2019. More information will be available in May 2019.

### **5. COMMUNITY DEVELOPMENT AGENCY UPDATE ON CANNABIS BUSINESS PERMIT APPLICATION PROCESS**

Rodrigo Orduna, Community Development Agency (CDA), reported there are currently two applications for cultivation in East County. One is close to Sunol on Mission Road for the cultivation of young plants that will be sold as seedlings. The other location is in Livermore, where the application is to grow the plants to harvest the buds. There is a potential for a dispensary on Andrade Road, no application has been filed yet. An application has been filed for a cannabis delivery service based in Alameda County.

### **6. FILL IMPORTING ORDINANCE – Approval of draft regulations for the importing of fill onto properties in the unincorporated areas of Alameda County**

[Attachment](#)

Members Franco and Beemiller recused themselves.

Rodrigo Orduna, CDA, reported that the Moratorium on soil importing expired on March 17, 2019. The CDA has completed a draft Ordinance for the Alameda County Board of Supervisors to consider. The Ordinance affects R-1-L (single family residential, limited agricultural) zones. The current Grading Ordinance is not affected by the Fill Importing Ordinance. The expected first reading of Ordinance before the Board of Supervisors is at the Tuesday June 11, 2019 Board Meeting, second reading on Tuesday, June 25, 2019. The Ordinance is effective 30 days following final approval by the Board of Supervisors

Community Member Debbie Ferrari expressed concerns about enforcement of the current Grading Ordinance and the proposed Fill Import Ordinance as there have been previous instances where soil was imported but not used for the stated purpose.

Bill Rose stated that an administrative conditional use permit should be required for importing soil and that the five foot fill limit should be eliminated.

Andrew Turnbull summarized results from an informal survey and stated that he would send the survey in full to the Commission Board Members.

Jim O’Laughlin stated that this is a complex issue that gets more ambiguous and that information regarding this issue has been very confusing and filled with discrepancies.

Kelly Abreu provided a transcript of the discussion of Item #1 from the October 26, 2017 Agenda for the East County Board of Zoning Adjustments. Kelly stated that Alameda County accepts a fee of \$4.34 per ton of earthen material; and there have been problems in enforcing Grading codes. Kelly proposed that the Clean Water codes should be used instead of what is proposed in the new Ordinance.

Member Beemiller stated that the quantities of allowable soil importing in the current draft of the Ordinance are too small and that the limits originally discussed were not as small. The current proposal is too costly and restrictive for his current and future winery/event center plans.

Member Chang expressed concerns about existing soil that has been dumped, that the Board of Supervisors has made no allowances to hire people to enforce the regulations, and that the involvement of Environmental Health has been removed from the Ordinance.

Member DeGrange asked for clarification regarding lot sizes and why the Ordinance was more restrictive for small properties than the larger properties. Member DeGrange expressed her concerns about the use of a bill of lading as proof of soil quality due to the lack of information on a bill of lading.

Member DeGrange recommended to remove the word “substantially” from Conditional Use Permits Item “g”, that the special findings should also apply to Administrative Conditional Use permits, that there be more equivalency between small and large properties for 1-10 cubic yards of fill, that the bill of lading includes the location that the soil came from and that soil from areas zoned for dirty activities be excluded.

Recommendations and comments from the public and Council will be forwarded to the Board of Supervisors for consideration

Motioned by Member Chang, seconded by Member DeGrange - Approved 3, recused 2.

## **7. APPROVAL OF MINUTES – FEBRUARY 20, 2019**

Edits were given Item 2, to add read '...current balance of Sunol Business Guild maintenance money is \$17,624; and Item 5, to change PLA to Transcontinental Railroad.

Motioned by Member Franco, Seconded by Member Beemiller - Approved 4 Ayes, 1 Excused

## **ADJOURNED**

Motioned by Member Johnson, Seconded by Member Chang - Approved 5 Ayes

Recommendations and comments from the public and council will forwarded to the Board of Supervisors.

Motioned by Member Chang, seconded by Member DeGrange - Approved 3, recused 2.