

CASTRO VALLEY MUNICIPAL ADVISORY COUNCIL

Minutes for June 25, 2007

Castro Valley High School Center for the Arts
19501 Redwood Road, Castro Valley, California

A. Call to Order- The Chair called the meeting to order at 6:55 p.m. Council members present: Dean Nielsen, Chair; Ineda Adesanya, Vice Chair. Council members: Andy Frank, Jeff Moore, Cheryl Miraglia, Carol Sugimura and Dave Sadoff. Council members excused: None. Staff present: Chris Bazar, James Sorensen, Maria Elena Marquez and Maria Palmeri. County Counsel Brian Washington was also present. There were approximately 300 people in the audience.

B. Regular Calendar

Common Boundary Between the Eden Area General Plan and the Castro Valley General Plan – El Portal Ridge Area

Alameda County has received public comment related to the mutual boundary cited above. A request to discuss the mutual boundary has been made. Any changes to the boundary would affect both the Draft Eden Area General Plan and the Draft Castro Valley General Plan, and require significant modifications to the plans.

- Note:** Setting of the plan area boundaries has no effect on other governmental boundaries including, but not limited to: census tract boundaries, precinct boundaries, postal service areas (zip codes), school districts and/or special districts.

Mr. Nielsen instructed everyone on the procedure for today's meeting. He asked that anyone wanting to speak fill out a speaker card. He stated that the Sheriff's Office is present so that civility will prevail at this meeting. He introduced several letters for the record. They were as follows: Mr. Rhodes, Mr. Sadia, Mr Beckman, Mr. Mathison, Mr. Reek and Sheila Cunha.

Chris Bazar, Planning Director, reminded everyone that the last meeting on May 29th had to be cancelled because the room was too small. He thanked the Castro Valley School District for accommodating this meeting at the Arts Center. He stated that the last meeting on June 18, 2007, was well attended by El Portal residents who expressed a clear desire to stay in the Castro Valley General Plan. There are other options to the boundary issue. There could be one general plan with sub-areas. The other option would be to have the boundary line follow the service district lines for the schools and sanitary districts. He did emphasize that most people would rather keep the same general plan boundary line for 1985. He introduced Matt Raimi, the Eden Plan consultant, who gave his own perspective on what transpired at the Eden General Plan meeting back in 2002.

Mr. Raimi explained that there were several meetings at different communities on the Eden Plan. The purpose was to have parallel meetings and come together at the end with commonality of all meetings. He stated that some meetings were not well attended. The meetings were a way of introducing to the public the general plan process, its issues and a way to find out what the various communities wanted. He remembers that at the first meeting some of the residents present expressed the desire to have the west side of the hill included in the Eden plan. They said that there is strength in numbers and should stay with the Eden Area. They also expressed that

this area, on the west side, should stay in the Eden Area because it functions and relates better to this area. In response to public comments the boundaries were changed. He explained that he did not remember a lot of the details of the meetings but remembers that the boundary line was a non issue at the time. At the start of the process there was public notice sent out to various neighborhood organizations, churches, non-profit organizations and gradually a list was created for approximately 400 names. The list included the various organizations. The current boundary issue is not a surprise. This sort of thing happens sometimes during the public process. The important thing is not where the boundary is located but that the community is happy with how and where it is drawn.

Jim Panico, questioned how people were notified of these meetings. He wanted to know why the residents were not notified. Mr. Raimi stated that the notification process sometimes varies. The notification process was not sent to every homeowner. There was not a mailing to every single property owner. There is an official notice that is required to happen and that has to happen at the end of the process. A mailing to all residents is very expensive and as long as it meets the legal requirement, a decision was made not to mail to each resident.

Therese Silva, stated that she recently learned about the process, does not understand why a plan had to be developed if there was not a problem. Chris Bazar explained that under California law, a general plan has to be done for any community in the County. Because unincorporated Alameda County has many different areas with 150,000 residents, there are many components to the general plan and plans for the various different areas. The debate tonight is the divide between two segments.

Resident from Crest Avenue asked what they can do to stay in Castro Valley. Mr. Nielsen said they will be taking a poll at the end of the meeting. There is a need to go through the process.

April Stewart, resident of El Portal Ridge asked why should the boundary line be redrawn. Mr. Raimi said that the change of the boundary was in response to community input at the time. He said the important thing is that you can have your input and change the process.

Mr. Amaral, stated that it is all about demographics and people not wanting this area in their general plan. He said he met Supervisor Miley at the door and told him that he voted for him and he better do the right thing. Mr. Nielsen asked Mr. Amaral if he had a question. Mr. Nielsen told him that Mr. Raimi was the consultant for the County.

Luba Suhova questioned how the boundary line was determined. Chris Bazar stated that the boundary line was developed when the incorporation effort for Castro Valley was under way. This boundary was created for LAFCO. When the Eden Plan was developed, this module came as a logical boundary. There was also discussion between community residents and county staff and eventually the boundary line was developed. Generally these lines follow service areas boundary lines. Sandi Rivera said that for the incorporation process the county tried to follow the service area boundary lines.

Connie Jackson asked who benefits from this process. Mr. Nielsen said that Castro Valley would lose around 2200 homes. He said the residents would benefit from being under the sphere of influence for MAC.

Sakina Sami stated that since the mailings to each resident is very expensive why not mail it with the tax bill. Mr. Raimi stated that it has to do with timing. It has to work right with other official mailing.

Diana England, resident on Roland Avenue, asked if people in San Lorenzo, Ashland and Cherryland were notified since it seems that the county is more familiar with that area. Mr. Raimi stated that the El Portal area was added to the list. She asked how often are these plans revised for boundary lines and is it based on demographics. Chris Bazar said that by law it is every twenty years. In 2003 the Eden Plan was started. She stated that she wanted to let everyone know that they support and spend a lot of their money in Castro Valley. Chris Bazar said that he understands from the input in the last few meetings that most people identify with Castro Valley. This is not the impression we got early on, five years ago during the initial process for the Eden Plan.

A resident of El Portal asked for the mailing list from the original meetings for the Eden Plan. Chris Bazar welcomed anyone that wanted to look at the documents from 2002 for review.

Jeff Moore inquired how the boundaries were changed; he questioned the reasoning for the change. County staff stated that there were public meetings and after various discussions the boundaries were changed. Chris Bazar said that there was also a letter from RAFTA expressing their desire to change the boundaries. He said at the time there were not too many people involved in the process. Not sure if people did not know about it but lately we have heard from residents in this area questioning this change. Mr. Bazar said that this item came before the MAC board for discussion in 2003. Mr. Bazar also welcomed everyone to check the website under El Portal Ridge for additional information.

Mr. Nielsen called names from the speaker cards. (*Please refer to audio recording of this meeting on the County website for specific comments from each speaker*)

Mr. Richard Rhodes explained the reasons for the issues of El Portal. He stated that the natural boundary is the freeway. He stated that El Portal identifies with Castro Valley and not San Lorenzo. No one asked where they wanted to be. RAFTA claimed this area. RAFTA does not speak for us or even the Fairmont Terrace. The support to be in the Castro Valley general plan is wide based. The boundary should remain with the freeway boundary.

Mr. Nielsen asked if anyone wanted to give up their right to speak. Per County Counsel's instructions Mr. Nielsen asked if anyone wanted to waive their right to speak. The following chose to speak:

Mark Lowry thanked Lester Friedman for bringing up this issue. He expanded on the role of RAFTA in the boundary line for the Eden plan. He stated that Mr. Richard Hancocks, who was the president and is now on the Planning Commission, had a lot of influence on how the boundary was created. He said RAFTA does not represent El Portal and does not represent Fairmont. He mentioned that Richard Hancocks and Kathy Ready were involved in the San Lorenzo incorporation and they do not represent El Portal Ridge. He said they live in Castro Valley. He said that he has documentation that RAFTA falsely represented the El Portal area. He also asked that the MAC board review the composition of the Planning Commission because Mr. Hancocks and Ms. Ready are biased. He asked that Mr. Hancocks be removed from the Planning Commission and that Ms. Ready recuse herself and if she does not, she should also be removed from the Planning Commission.

Mr. Lester Friedman explained to the crowd that now they have the answers on why this process happened. There is evidence why RAFTA and Mr. Hancocks was involved. The message to RAFTA is: the tail is not going to wag this dog no more. You have probably read in newspapers and how they called me a liar. That I spread inflammatory lies. There is proof and evidence that

you have been denied the process. This will affect our land values and a lot more. This 34 person organization does not represent us. We are going to form an organization for our community. We are not going to live in fear anymore. We are not San Lorenzo, we do not want to be San Lorenzo. I will explore legal options against RAFTA. If there ever was a community coming together, we see here today.

Mr. David Star representing real estate agents in California spoke on the affects of real estate prices in the El Portal area. He said that if El Portal is moved to the Eden Area general plan, it will negatively impact the property values. He urged MAC members to do the right thing.

Shannon Ross stated that she is tired of RAFTA speaking for El Portal and does not want El Portal to be removed from the Castro Valley plan.

Pauline Viera explained how they found out about the plans to be El Portal moved to the Eden Plan and how she collected many signatures against this change. This previous action was underhanded. Mr. Hancocks does not speak for us. El Portal was in the Castro Valley plan in 1985. A terrible wrong has been committed. The residents of this area have been betrayed by Mr. Hancocks. She asked that Mr. Hancocks be removed from the Planning Commission so as not to vote on either plan.

Jack Lindon asked that everyone keep the momentum going and announce the next two meetings.

Mr. Amaral stated that he will decide on how he votes at the next election for MAC members after he sees how they vote on this issue.

Mr. Nielsen closed public hearing.

Mr. Nielsen took a poll of how many residents wanted to be in the Castro Valley plan. 100% of residents present voted to remain in the Castro Valley plan.

Andy Frank moved to recommend that El Portal remain in the Castro Valley general plan and Cheryl Miraglia seconded the motion. All in favor.

A speaker asked that the MAC also recommend the removal of Mr. Hancocks and Ms. Ready from the Planning Commission. County Counsel advised the speaker that these issues were not in the agenda for tonight and according to the Brown Act can't be discussed or voted on.

C. Adjourn

The meeting was adjourned at 8:56 p.m.

Next Hearing Date: July 9, 2007