

**Discovery Bay
P-6
Citizen Advisory
Committee**



Joseph Selby, Chair

**Office of Supervisor Diane Burgis
Contact: Lea Castleberry
3361 Walnut Blvd., Suite 140
Brentwood, CA 94513
925-252-4500**

Joseph Selby, Chair
Bob Mankin, Vice Chair
Richard Kane, Committee Member
Gregory McLendon, Committee Member
Gaylin Zeigler, Committee Member

The Discovery Bay P-6 Citizen Advisory Committee serves as an advisory body to the Contra Costa County Board of Supervisors and the Office of the Sheriff.

AGENDA

**Wednesday, June 9, 2021
6:00p.m.**

To slow the spread of COVID-19, the Contra Costa County Health Officer's Shelter Order prevents public gatherings. In lieu of a public gathering, the Discovery Bay P-6 Citizens Advisory Committee Meeting will be accessible via teleconference to all members of the public as permitted by the Governor's Executive Order N-29-20.

Board meetings can be accessed via Zoom:

<https://ccccounty-us.zoom.us/j/2830849836>

or

**Dial In: (888) 278-0254
Conference code: 142291**

To access the full agenda packet, please visit:

<https://www.contracosta.ca.gov/AgendaCenter/ViewFile/Agenda/3494?html=true>

The Discovery Bay P-6 Citizen Advisory Council will provide reasonable accommodations for persons with disabilities planning to attend the meeting. Please contact Lea Castleberry at least 72 hours before the meeting at (925) 252-4500.

Materials distributed for the meeting are available for viewing at the District III Brentwood Office.

1. Call to Order/Roll Call/Pledge of Allegiance

2. Approval of Agenda

3. Public Comment (3 minutes per speaker) *Time is allotted under Public Comment for those persons who wish to speak for up to three minutes on any item NOT on the agenda. Persons who wish to speak on matters on the agenda will be heard for up to three minutes when the Chair calls for comments. After persons have spoken on an agenda item, the hearing can be closed by the Chair and the matter is subject to discussion and action by the Committee. Persons wishing to speak are requested to fill out a speaker card.*

4. Consent Items

All matters listed under Consent Items are considered by the Committee to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Committee or a member of the public prior to the time the Committee votes on the motion to adopt.

a. DRAFT Record of Actions – April 14, 2021 Special Meeting

5. Office of the Sheriff - Monthly Calls for Service Report

6. Items for Action and/or Discussion

- a. Update on LPR system “Flock”
- b. Update on proposed Fireworks Ordinance
- c. Review P-6 Fund Budget
- d. Discuss potential future projects in the Discovery Bay community

7. Correspondence (R= Received S=Sent)

None.

8. Future Agenda Items

9. Adjourn

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**Respectfully submitted by:
Deputy Chief of Staff, Lea Castleberry**

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Draft Record of Actions

6:02 p.m.

April 14, 2021

MEMBERS PRESENT: Chair Selby, Vice Chair Mankin, Committee Member Kane, Committee Member McLendon, and Committee Member Zeigler

MEMBERS ABSENT: None.

APPROVAL OF AGENDA: Motion to approve agenda as presented made by Committee Member Kane. Second made by Vice Chair Mankin. Motion Carried 5-0. AYES: Kane, Mankin, McLendon, Selby and Zeigler.

PUBLIC COMMENTS:

Terry Mahoney – traffic enforcement on Discovery Bay Blvd.

Sandra – kids driving golf carts; can money be used to support efforts at the Discovery Bay Shopping Center.

CONSENT ITEMS:

a. Approval of Record of Actions for January 20, 2021: Motion to accept the Record of Actions as presented made by Vice Chair Mankin. Second made by Councilmember Kane. Motion carried 5-0. AYES: Kane, Mankin, McLendon, Selby and Zeigler.

OFFICE OF THE SHERIFF – MONTHLY CALLS FOR SERVICE REPORT: Lt. Johnson provided the monthly activity report for the months of January 2021 – March 2021.

ITEMS FOR DISCUSSION AND/OR ACTION:

- a. Discuss the potential use of P-6 Funds for additional crime suppression and traffic enforcement within the Discovery Bay community:** Supervisor Burgis on behalf of the P-6 Committee made the request to the Sheriff's Office for additional funding from the Discovery Bay P-6 Funds for additional crime suppression resources in the amount not to exceed \$10,000. Lt. Johnson reported that the request for additional funding is not being used at this time. Officers are now performing site-releases from jail which is resulting in a dramatic crime reduction. The LPR's recently installed within Discovery Bay have also been able to identify many criminal activities within Discovery Bay. The Sheriff's Office made a request to the Sandy Coves Shopping Center to place cameras at all entrances/exits of the shopping center to help capture criminal activity on their property. No response has been received. A request of the Supervisor's Office to write a letter to Safeway/Albertson's Loss Prevention Bureau requesting on-site cameras, private security, and contact the Sheriff's Office for all criminal activity within the shopping center.
- b. Review and Discuss proposed Fireworks Ordinance:** Lea Castleberry from the Office of Supervisor Diane Burgis and Lt. Johnson provided an overview of the current Fireworks Ordinance and what revisions were being proposed. The current ordinance is framed so the Officer has to physically see the fireworks being discharged from an individual in order to cite for the violation. This method makes it difficult to enforce. Lt. Johnson researched other counties and cities ordinances who cite firework violations based off evidence submitted to the department, and the citation would be issued to the property owner. Motion to support made by Councilmember Kane. Second made by Councilmember McLendon. Motion carried 5-0. AYES: Kane, Mankin, McLendon, Selby, and Zeigler.
- c. Discuss potential future projects in the Discovery Bay community:** No items to report.

CORRESPONDENCE/ANNOUNCEMENTS:

This meeting record is provided pursuant to Better Government Ordinance 95-6, Article 25-2.205(d) of the Contra Costa County Ordinance Code.

- a. S-02/10/21 Letter from Supervisor Burgis to Sheriff Livingston

FUTURE AGENDA ITEMS

- a. Update on new LRP system 'Flock'
- b. Update on Fireworks Ordinance
- c. P-6 Funds Budget Review

ADJOURNMENT

There being no further business before the Discovery Bay P-6 Citizen Advisory Committee, Chair Selby adjourned the meeting at 7:04pm. The next regularly scheduled Discovery Bay P-6 Citizen Advisory Committee meeting will be held on June 9, 2021 at 6:00p.m. – location to be determined due to Covid-19.

FIREWORKS

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

SECTION I. SUMMARY. This ordinance amends Chapter 44-2 of the County Ordinance Code to regulate the possession, manufacture, sale, use, and discharge of fireworks in the unincorporated areas of the County.

SECTION II. Chapter 44-2 of the County Ordinance Code is amended to read:

**Chapter 44-2
Fireworks**

44-2.002 Definitions. For purposes of this chapter, the following words and phrases have the following meanings:

- (a) "Fireworks" has the meaning set forth in Health and Safety Code section 12511.
 - (1) The term "fireworks" includes the following:
 - (A) "Dangerous fireworks," as defined in Health and Safety Code section 12505.
 - (B) "Safe and sane fireworks," as defined in Health and Safety Code section 12529.
 - (2) The term "fireworks" excludes the following:
 - (A) "Exempt fireworks," as defined in Health and Safety Code section 12508.
 - (B) "Party poppers" and "snap caps," as each is defined in California Code of Regulations, Title 19, section 980.
- (b) "Responsible party" means any of the following:
 - (1) A person that owns, rents, leases, or otherwise has possession of, or is in immediate control of, a residence or other private property or a vessel.
 - (2) A person that organizes, supervises, sponsors, conducts, allows, controls, or

controls access to, the possession, manufacture, sale, offer for sale, use, or discharge of fireworks at a residence or other private property or on a vessel.

If a residence or other private property is rented or leased for a period of more than 30 consecutive days, the landlord or lessor is not a responsible party unless the landlord or lessor: has possession of, or is in immediate control of, the residence or other private property; or has knowledge of the possession, manufacture, sale, offer for sale, use, or discharge of fireworks at the residence or other private property.

- (c) "Vessel" has the meaning set forth in Harbors and Navigation Code section 651. (Ords. 2021-XX § 2, 72-19 § 1: prior code § 3220; Ord. 684.)

44-2.004 Prohibition. No person shall possess, manufacture, sell, offer to sell, use, or discharge, any fireworks. (Ords. 2021-XX § 2, 72-19 § 1: prior code § 3220; Ord. 684.)

44-2.006 Exceptions. This chapter does not prohibit the proper use of flares by railroad personnel, peace officers, fire officials, or motorists. (Ords. 2021-XX § 2, 72-19 § 1: prior code § 3220; Ord. 684.)

44-2.008 Responsible party liability. A responsible party shall maintain, manage, and supervise the residence or other private property, or vessel, for which they are responsible to prevent violations of this chapter. A responsible party violates this chapter if any person possesses, manufactures, sells, offers to sell, uses, or discharges, any fireworks at the residence or other private property, or on the vessel, for which the responsible party is responsible, regardless of whether the responsible party is present when the violation occurs. (Ords. 2021-XX § 2.)

44-2.010 Enforcement. The County may seek compliance with this chapter by any remedy allowed under this code and any other remedy allowed by law. (Ords. 2021-XX § 2.)

SECTION III. Section 14-8.008 of the County Ordinance Code is amended to read:

14-8.008 Infraction arrest and citation.

- (d) The following officers, or their designated subordinates, shall have and are hereby vested with the authority to arrest any person who violates the following provisions of this Code and other codes as indicated, punishable as infractions:
- (1) Director of health services: Division 413, Division 445, Chapters 414-4, 414-6, 416-14, 418-2, 418-6, 418-12, 418-16, 420-2, 420-6, and 450-6, and Labor Code Section 6404.5.
 - (2) Director of building inspection: Title 7.

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- (3) Director of community development: title 8.
 - (4) Director of public works: Divisions 1002, 1010, 1014, 1106, and 1110.
 - (5) Sheriff: Chapter 44-2, Division 54, Chapter 54-2, and Divisions 410 and 1110.
- (e) The above-listed officers, or their designated subordinates, may issue citations for infraction violations of the above-listed code provisions.
- (f) The county administrator may by written order issue regulations to provide for administration, procedures, and policy direction for this section. (Ords. 2021-XX § 2, 2016-24 § 5, 2012-05 § 3, 2006-66 § 8, 2004-30 § 2, 2003-01 § 5, 2002-48 § 2, 2001-03 § 1, 98-31 § 1, 98-22 § 2, 96-21 § 2, 95-36 § 1, 90-122 § 2, 86-80 § 2; Penal Code §§ 19.7, 836.5, and 853.6; Labor Code § 6404.5).

SECTION IV. EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days after passage shall be published once with the names of supervisors voting for or against it in the East Bay Times, a newspaper published in this County.

PASSED on _____, by the following vote:

AYES:
 NOES:
 ABSENT:
 ABSTAIN:

ATTEST: MONICA NINO,
 Clerk of the Board of Supervisors
 and County Administrator

 Board Chair

By: _____
 Deputy

[SEAL]

KCK:
 H:\Client Matters\2021\Ordinance No. 2021-19 Fireworks.wpd