



TOWN OF DISCOVERY BAY CSD

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Board Members

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| President-Ray Tetreault | raytetreault@comcast.net |
| Vice President-Mark Simon | marsi1950@yahoo.com |
| Treasurer-Dave Dove | ddove@sbcglobal.net |
| Director-David Piepho | DApiepho@sbcglobal.net |
| Director-Shannon Murphy-Teixeira | smt@politician.com |

MINUTES OF REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY CSD

May 20, 2009

1800 Willow Lake Road, Discovery Bay, California

Website address: www.townofdiscoverybay.org

REGULAR MEETING at 7:00p.m.

A. ROLL CALL

President Tetreault called the meeting to order at 7:00p.m. He then led in the Pledge of Allegiance. President Tetreault commented that the P-6 Funding passed the Board of Supervisor's and that there should be a sheriff for Discovery Bay. General Manager Koehne called the roll, all directors were present.

B. PUBLIC COMMENTS (Public Comments will be limited to a 3-minute time limit)

Walter MacVittie commented about the board liaison needing to attend the Trans-plan meetings to represent far East County.

C. CONSENT CALENDAR

Vice-President Simon motioned to approve the Consent Calendar. Treasurer Dove 2nd the motion. The motion passed. (3 ayes, 0 nos, 2 abstain)

D. CHAIR REPORT

President Tetreault had no report.

E. DIRECTORS' COMMENTS

Director Murphy-Teixeira commented that she had attended the Excelsior Middle School play, all performances. She commented that the community should attend, it shows support for the children. She commented that she is also one of the Trans-Plan liaisons and that she should have made arrangements for someone to attend in her place and that she will do that in the future.

Director Piepho turned in the written report from the All-Mac meeting which was reported on at the last meeting. He reported on the Special District meeting he had attended on April 20th in Pleasant Hill. He reported that he and President Tetreault had attended a meeting with Mark Armstrong of Pantages to discuss community benefits, there were no decisions made. He had attended the Code Enforcement meeting and turned in the report, which is kept on file at the District Office. He reported that he had met with Eric Prater of the Byron School District and was told they are moving ahead with a lot of their Measure C projects. He reported that he had attended the Board of Supervisor's meeting where the P-6 was approved. He reported

they also approved the Boat Storage overlay. He reported that LAFCo is working on the Fire District's Municipal Service Review (MSR). He reported that on June 8th at 9:00 am there will be the next LAFCo meeting and they will be discussing East County Fire District's MSR.

Treasurer Dove commented that he had given approval to the Financial Audit for 2006/2007. He stated that he had found one area that he did not think was correct so he would be working with General Manager Koehne on that next week.

President Tetreault opened Public Comment.

Fire Department representative Battalion Chief Burris gave his report. Station 58 had 9 calls; 1 structure fire, 2 vegetation fires, 4 auto accidents; all 4 auto accidents required a medical helicopter, and 1 public service call. Station 59 had 16 medicals, 9 auto accidents, 2 structure fires, 1 illegal burn, 1 hazardous condition, 4 grass fires, 1 alarm, and 5 move ups. He reported that Chief Henderson went to a LAFCo meeting and will have an update. Director Piepho asked if the Chief was making a power point presentation could he present it to the Town.

President Tetreault closed Public Comment and opened Directors' Comments.

Director Murphy-Teixeira commented to be sure the record is correct that she had not attended the CSD meeting because of the play and she did not attend the Trans Plan meeting last Thursday and next time she will make sure a liaison is available, she had attended a funeral.

F. REQUEST FOR BOARD CONSIDERATION

1. **Discuss and Direction on Proposed Community Center (Tetreault)** President Tetreault brought this item to the board. He stated that there are several issues that the County would like to make sure that the board is in agreement with so that they can move forward with their meetings and negotiations. He presented the issues.
 - 1.) Director Piepho motioned that the board stay focused on the Sand Point site as the primary site. Treasurer Dove 2nd the motion. The motion passed. (5 ayes, 0 nos, 0 abstain)
 - 2.) Director Piepho motioned that the board will agree to maintain and run the Community Center as a District, taking total ownership. Vice-President Simon 2nd the motion. The motion passed. (5 ayes, 0 nos, 0 abstain)
 - 3.) Director Piepho motioned that the board commit to the ongoing funding. Vice-President Simon 2nd the motion. There was discussion about the CSD being able to partially fund the Community Center by having their offices at the Community Center. The motion passed. (5 ayes, 0 nos, 0 abstain)
 - 4.) Director Piepho motioned that the District is going to approach the Community Center in phases. Treasurer Dove 2nd the motion. The motion passed. (5 ayes, 0 nos, 0 abstain)
2. **Presentation, Discussion and Possible Action on District's Website (Koehne)** General Manager Koehne presented three companies that would show their vision of the District's website. The three presentations were made by Tom Newman of Mission Peak Designs, Jennifer Finetti, and Dan and John of Digital Gear. Director Piepho made a motion to create a Website committee consisting of Director Murphy-Teixeira and have staff and Brian Dawson attend and give input. Vice-President Simon 2nd the motion. The motion passed. (5 ayes, 0 nos, 0 abstain)
3. **Presentation, Discussion and Possible Action on District's 2009 through 2014 Operating & Capital Improvement (CIP) Budgets and Water & Wastewater Rates (Koehne)** General Manager Koehne presented this item to the Board. Gary Hornberger of Hornberger Engineering made a presentation to the board of a five year rate study that he has done for the District. He explained that the study had been based on the operating expenses, Capitol Improvement items that need to be done, possibly moving the District offices to the Community Center and the chance that the State agencies that govern the waste water discharge will require more studies and mitigations for various products that are being discharged into the delta. He explained how by planning a small increase over five years it would allow the District to build toward these probable costs before the time they occur and not hit the residents so hard all at one time. Greg Harris of Herwit Engineering discussed the issue of the State agency requiring the studies and mitigations. He explained that based on the past year and the process

that they had gone through with the State to renew the District's NPDES permit that they have already been asked to do studies for particulates such as salinity and that they believe that they will have to do more studies and, most probably, mitigation for these particulates. He commented that they do not know for sure when, or if, these other studies will be required but based on their research and the work that they have already done with the State agencies, they feel that it is just a matter of time. He commented that a small increase to the rates would ensure that at the time these requirements are put on the District there would be sufficient funds to cover the cost rather than waiting until the time and raising the rates a much larger percent to make up for the difference. After extensive discussion of the necessity of a rate increase, the board decided that Treasurer Dove and Vice-President Simon would go through the budgets for the 2009/2010 year and look at possible income that will be generated by Large Water users that are being added to the District meter reading program to see if a rate increase will be necessary. The board also decided to continue the item to a Special Meeting to be held on Thursday May 28, 2009. The board asked that Gary Hornberger revise Alternate number 1 to have the funds designated for the District Office changed to a Mitigation Fund for waste water and bring that back to the board for the meeting on May 28, 2009.

4. **Discuss and Possible Action to set a Public Hearing Date for Possible Water & Wastewater Rate Increase (Koehne)** General Manager Koehne presented this item to the board. Treasurer Dove made a motion to set a date for the public hearing date for possible rate increase for July 22, 2009. Director Piepho 2nd the motion. The motion passed. (5 ayes, 0 nos, 0 abstain)
5. **Discuss and Possible Action on Large Water User Program (Koehne)** Vice President Simon asked for a report of the revenue that is produced by the Large Water users. Director Piepho asked for a spreadsheet of the Large Water users and if they are on the metering system, if they have been billed, if they are paying and when the ones that are not on meters will be on meters.
6. **Discuss and Approve Temporary Construction Easement for Construction of Well 6 (Koehne)** General Manager Koehne presented this item to the board explaining that the District needs a temporary easement through the church property to bring in a forty foot rig for construction of Well 6. Vice-President Simon made a motion to approve the temporary construction easement not-to-exceed \$3,200.00. Director Piepho 2nd the motion. The motion passed. (5 ayes, 0 nos, 0 abstain)
7. **Discuss and Possible Action to Receive Input for the Newsletter Items of the Annual Consumer Confidence Report/Water Quality Report (Koehne)** President Tetreault asked if there were any changes for the Consumer Confidence Report. Director Piepho asked that there be an item added to the report about the reason for the possible rate increase and that the Board is doing everything in it's power to hold down the increases. He also asked that the line item about the Community Center be pulled and instead put something about the P-6 monies being approved and the District getting a resident deputy and a dedicated Discovery Bay police vehicle. Vice-President Simon stated that if Director Piepho got him the information about the P-6 he would write it up for the report. Director Piepho also commented that the line about the Parks in Discovery Bay "being their own" needs to be re-worded.

G. GENERAL MANAGER REPORT

1. Veolia Monthly Operations Rpt for April

General Manager Koehne reported that there was not much new in regards to Veolia Water. He reported that he would be working on the new potential law suit from the California Sportfishing Protection Alliance.

H. LEGAL COUNSEL REPORT

No report.

I. CORRESPONDENCE – (Possible Action or Discussion)

1. R-Letter from Supervisor Piepho re: Letter from Governor Schwarzenegger on Dept of Boating & Waterways – April 2, 2009
2. R-Letter from Supervisor Piepho re: To Sheriff Rupf on P-6 Expenditure Plan – April 27, 2009
3. R-Letter from Supervisor Piepho re: Termination of offer of roadway dedication – April 29, 2009

4. R-Hwy 4 Bypass Meeting Minutes of March 12, 2009
5. R-Transplan Committee Meeting Minutes of March 12, 2009
6. R-Public Hearing Notice of CCC to Consider Planning Matter of Proposed Boat Storage (-BS) Combining District – Meeting for May 19, 2009
7. R-Letter from Supervisor Piepho re: Grand Jury Report – Aquatic Junkyards Exist in CCC – May 1, 2009
8. S-Letter to CRWQCB – May 6, 2009 Response to Notice of Violation & Compliance Evaluation of April 6, 2009
9. S-Letter to CRWQCB – May 11, 2009 Response to Notice of Violation & Compliance Evaluation of April, 6, 2009

J. FUTURE AGENDA ITEMS

President Tetreault commented that staff will bring back a report on the Large User information. He also asked to put on the next agenda discuss and possible action to make changes to the Representative listing. Vice-President Simon asked for the timeline of when meters will be installed in old Discovery Bay.

K. ADJOURNMENT

The meeting was adjourned at 10:53 pm to the next Regular meeting of June 3, 2009.

lh 5/28/09