



TOWN OF DISCOVERY BAY CSD

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NOTICE OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
TOWN OF DISCOVERY BAY CSD
January 6, 2010

1800 Willow Lake Road, Discovery Bay, California
REGULAR MEETING 7:00 P.M.

Website address: www.townofdiscoverybay.org

Board Members

President-Kevin Graves
Vice President-Mark Simon
Treasurer-Brian Dawson
Director-David Piepho
Director-Ray Tetreault

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A. ROLL CALL

President Tetreault called the meeting to order at 7:03p.m. He then led in the Pledge of Allegiance.

General Manager Koehne called roll which reflected that all directors were present.

President Tetreault reported on closed session. He stated that the board had taken the action to meet in another Closed Session, on January 30, 2010, to interview candidates for the position of General Manager.

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

Michael Kent with the County Health Department stated that the County has just formed a new advisory board called the Integrated Pest Management Committee. He stated that there are three (3) open public seats and that they are looking for representation through out the county. He left flyers regarding this at the District Office. Don Flint read a letter regarding comments he had about the stipend issue. This letter was given to the board and General Manager Koehne. Jerry Steinberger welcomed the new board members and stated that he wanted to give his advice to the board, that he felt the information from the last meeting regarding the Wetlands was eye opening about what can be done and that he would like to see the Town go forward with that project.

C. AREA AGENCIES REPORTS / PRESENTATION

1. **DEPUTY SHERIFF /MARINE PATROL REPORT** Lieutenant Burton passed out the monthly report and then went over it. He commented that he felt the Christmas tree lighting went very well. He commented that the new annex in Discovery Bay has had a lot of volunteers, it has been wonderful. He also stated that their event to give gifts to the community went very well.
2. **CHP REPORT** Officer Godman reported that they have received three (3) more officers. He reported that in December they issued 164 citations, mostly for speeding. He reported that they had made 5 DUI arrests. He stated that since there are more officers they can use their radar trailer more. He asked for suggestions of places to put the trailer on top of Newport, Clipper and Discovery Bay Boulevard. Riverlake and Regatta were suggested. He said if there are suggestions they can be given to the District.
3. **FIRE DISTRICT REPORT** Battalion Chief Burris reported Station 58 (on Discovery Bay Boulevard) ran 2 structure fires, 2 auto accidents, 20 medical calls and 2 canceled runs. He reported Station 59 (on Bixler Road) ran 10 medicals calls, 2 exterior fires, 1 smoke investigation, 4 structure fires, and 6 move ups.
4. **SUPERVISOR MARY PIEPHO, DISTRICT III REPORT** Karyn Cornell of Supervisor Piepho's Office reported Supervisor Piepho and several others including Director Graves met with Congressman McNerney to discuss concerns about the Two (2)-Gates Project in December. She stated the meeting was a success and that the project has been pulled from the fast-track and there will be much more methodical review. She stated that Supervisor Piepho asked her to relay that the local citizen advocacy has been instrumental in this matter. She stated their office will continue to monitor the project and keep the community informed. She reported that Supervisor Piepho and the Delta Coalition traveled to Washington DC in the beginning of December to discuss

their concerns over the future of the Delta. She reported that they had found the Federal Delegation and the Obama Administration to be receptive. She reported on the Flood Zone and that they had received the second LOMR and it was accepted. She left a flyer and copies of letters regarding this issue for residents with the District. She reported that their office is working with the County Administrator and other Supervisors on the Sheriff's apparent disregard for the CSD and the P-6 rate payers to have an advisory committee and this puts the funds in direct risk. She reported they will keep the community advised about this issue. She reported that the Fire District is being changed from a board of directors made up of the County Supervisors to a local board of directors. She stated that the Cities of Oakley and Brentwood have appointed their directors. She stated that the County has received applications for representatives from the unincorporated areas and will continue to accept applications until the end of the week. She stated the first meeting of the local Fire District Board will be the first week of February. She reported that Public Works has put in the request to put additional sidewalk on the east portion on Willow Lake Road which would complete the entire Willow Lake sidewalk. She reported that when Mary Haley from Public Works had been out she had been asked about a surface treatment schedule for Discovery Bay. Karyn reported that she had received a schedule and that she had been asked to relay that this is the schedule they hope to do, but it is dependent on the State and County budgets. She left copies of all press releases about these issues at the District Office.

D. DISTRICT FINANCIAL REPORT

General Manager Koehne reported that the District has a balance of \$4.3 million, after \$3 million for reserves and encumbrances of just under \$1 million for the water and sewer. He reported that the Lighting and Landscape District #8 had \$1.7 million. He reported that the Lighting and Landscape District #9 had \$230,000.00.

E. CONSENT CALENDAR

Director Piepho made a motion to approve the Consent Calendar. Vice-President Simon 2nd the motion. The motion passed. (5 ayes, 0 nos, 0 abstain)

F. NEW BUSINESS FOR BOARD CONSIDERATION

1. **Presentation to Acknowledge Past Board Member - Dave Dove (Tetreault)** President Tetreault presented Dave Dove with a plaque and jacket for his service to the District. President Tetreault thanked him for his service. President Tetreault commented that Shannon Murphy-Teixeira could not make the meeting but that she had also been given a plaque and jacket to thank her for her service to the District. Director Piepho commented that he wanted to thank both past directors, Dove and Murphy, for their service to the community.

2. **Nominate & Appoint District Board Positions for the 2010 Year (Tetreault)** President Tetreault explained the process of the board to elect new officers at the beginning of each year. He then opened nominations.

Vice-President Simon nominated President Tetreault for a second term.

Director Piepho nominated Mark Simon for President, since the board has switched presidents each year. Director Graves 2nd the motion. Vice-President Simon declined and asked that President Tetreault serve a second term to continue what they have started.

Director Dawson nominated Director Graves. Director Piepho 2nd the nomination. The vote was 5 ayes, 0 nos, 0 abstain.

President Graves nominated Director Tetreault for Vice-President. Director Tetreault declined. Director Piepho 2nd the nomination.

Director Piepho nominated Director Simon for Vice-President. Director Tetreault 2nd the nomination. The vote was 5 ayes, 0 nos, 0 abstain.

Director Piepho nominated Director Tetreault for Treasurer. Director Tetreault declined.

Director Piepho nominated Director Dawson for Treasurer. Vice-President Simon 2nd the nomination. The vote was 5 ayes, 0 nos, 0 abstain.

**General Manager Koehne asked that item F8 be moved up before item F4 since the representative has come to the meeting and he is from out of the area. The board agreed.

3. **Presentation by Michael Kent, County's Hazardous Materials Ombudsman, on Household Hazardous Waste (Koehne)** Michael Kent of the County Health Department commented that he is the Ombudsman for the County's Hazardous Materials Program. He explained his job and spoke about what his department does. He stated that the County has been looking closer at the issue of Household Hazardous Waste. He passed out flyers and brochures and left several with the District Office. He also stated that he is asking if the District

would like to work with him and the Supervisors Office to have an educational meeting for the community. There was discussion about them having a booth at the boat show.

4. **Discuss and Possible Action on Landscape Improvement Projects (Perez)** Landscape Manager Perez explained that she had prepared the handout the agenda package based on the request of the board from the previous meeting. She stated this handout was regarding Capital Improvement Projects. She stated that her handout was based on various standards and criteria such as irrigation issues, hazard issues, and backflow issues. She stated that the handout also took into account the frequency of use of the area to help rank the priority of the project. She explained that there is also a listing based on expense projects and areas such as Clipper are on there because work needs to be done soon but the Capital Improvement Project is still pending because of the levee issue. Director Piepho asked for a meeting with Landscape Manager Perez and the other landscape committee member to go over this listing and see what could be included in the contract so as not to pay twice and then break down the listing for a more usable document. Landscape Manager Perez commented that there is a height limit in the contract for the tree work. There were comments about having maps of where the projects are and also pictures of the current look of the areas. There were comments also about using water conservation and the types of grasses that could be used. Rich Kier commented that Highway 4 was not on the list. He also commented that there were several items that could be done that are small that could be done right away. Director Piepho asked that staff set up a meeting with the Landscape Manager and the sub-committee.
5. **Discuss and Approve Resolution 2010-01 District Bank Account Authorizations-Director Changes (Koehne)** General Manager Koehne presented this item to the board. Vice-President Simon made a motion to approve resolution 2010-01 District Bank Account Authorizations-Director Changes. Director Tetreault 2nd the motion. The motion passed. (5 ayes, 0 nos, 0 abstain)
6. **Review and Approve "District Representative Listing" for the Year 2010 (Koehne)** General Manager Koehne presented this item to the board. The board decided the following:

<u>Committee</u>	<u>Primary</u>	<u>Alternate</u>
Community Center	David Piepho	Ray Tetreault
Code Enforcement	David Piepho	Mark Simon
CCSDA	David Piepho	Kevin Graves
EC Fire Protection	Ray Tetreault	Mark Simon
LAFCo	Mark Simon	Ray Tetreault
Parks & Landscaping	Mark Simon	David Piepho
Police Services	Ray Tetreault	Brian Dawson
School District	David Piepho	Brian Dawson
Transportation	David Piepho	Kevin Graves
Water/Sewer Vendor	Ray Tetreault	Kevin Graves

Director Piepho made a motion to accept as read into the minutes. Vice-President Simon 2nd the motion. The motion passed. (5 ayes, 0 nos, 0 abstain)

7. **Discuss and Approve Lowest Responsive Bidder for Phase 2 of the Well 6 Project (Koehne)** General Manager Koehne presented this item to the board. Director Tetreault motioned to accept Elkins Industrial for not-to-exceed \$140,000.00. Director Dawson 2nd the motion. The motion passed. (5 ayes, 0 nos, 0 abstain)
8. **Discuss and Approve Purchase of One (All-in-one) Copier/Fax/Scanner/Printer Machine (Koehne)** General Manager Koehne explained that there was a spreadsheet with the cost to purchase versus leasing a copy machine. He explained that the spreadsheet also included the cost of maintenance. He stated that based on the cost and research done staff would recommend purchasing the Ricoh copier. Director Piepho motioned to approve the purchase of Ricoh Copier Model MPC5000 not-to-exceed \$10,500.00. Vice-President Simon 2nd the motion. Mike McCleery commented that the Ricoh machine might have attachments to the copier that could fold and stuff the water billing. General Manager Koehne explained that this would be brought back at another time along with other options.

G. COMMITTEE/LIAISON REPORTS

1. **Trans-Plan Report** No report.
2. **Code Enforcement Report** Director Piepho stated there was no meeting in December and the next meeting would be on January 21, 2010.
3. **Special Districts Report**** The next meeting will be January 25, 2010.

**These meetings are held Quarterly

H. DIRECTORS' COMMENTS

Director Dawson had no comment.

Director Tetreault had no comment.

Vice-President Simon had no comment.

President Graves commented that he was surprised to be President of the board and hopes to keep things running smoothly.

Director Piepho asked for a Closed Session for next week, on Monday or Tuesday, to discuss a communication issue between the General Manager and the Water and Sewer vendor. Legal Counsel asked if Director Piepho would like to do a Performance Review of the General Manager regarding that issue. Director Piepho responded yes. Director Piepho made a motion to have a Special Closed Session for a Performance Review of the General Manager on Monday, January 11, 2010 at 6:30 pm. Vice-President Simon 2nd the motion. The motion passed. (5 ayes, 0 nos, 0 abstain)

I. GENERAL MANAGER'S REPORT

General Manager Koehne reported that he and Veolia Water were working Christmas Eve at Lift Station "A". He reported that security cameras at a facility were stolen on December 16, 2009. He reported that there is a pump being repaired at Lift Station "C". He reported that the Public Address System should be working by the next meeting. He reported he had received new Water regulations from the EPA regarding pharmaceuticals.

Landscape Manager Perez passed out a report that details action items she is working on. She went over it briefly with the board. She asked how often the board would like to receive these reports. It was responded that once a month would be good for the time being.

J. CORRESPONDENCE – Discussion and Possible Action

1. R – CCC – Department of Conservation & Development – Board Recommended Review of Second Unit Ordinance dated December 11, 2009

2. R – Letter from CRWQCB – Adm. Civil Liability Complaint dated December 17, 2009

3. R – Letter from LAFCo – Announcement of Independent Special District Selection Committee Meeting – January 25, 2010

4. R – East County Water Management Association Final Draft Meeting Report of September 29, 2009

No comments on the correspondence.

K. FUTURE AGENDA ITEMS

1. Extending Veolia Water's Contract, scheduled for n/a.

2. Comment on Final Development Plan for Newport Pointe, scheduled for 01/20/2010

Director Piepho asked to agendaize for the next meeting a board approval for board members to attend an event, "Citizen of the Year", which the board has been invited to on January 23, 2010.

Director Dawson asked to discuss the directors switching to a Town official e-mail so that it can be used for Public Records request, since they are putting together a new web-site.

Director Piepho commented on the new agenda packet and that there could be an agenda item in the future to see if they wish to tweak them in any way. He thanked staff for changing the packet.

L. ADJOURNMENT

The meeting was adjourned at 8:53 p.m. to the next regular meeting on January 20, 2010.

lh 1/14/10