



TOWN OF DISCOVERY BAY CSD

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**MINUTES OF REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
TOWN OF DISCOVERY BAY CSD
July 15, 2009**

1800 Willow Lake Road, Discovery Bay, California
Website address: www.townofdiscoverybay.org

Board Members

President-Ray Tetreault	raytetreault@comcast.net
Vice President-Mark Simon	marsil950@yahoo.com
Treasurer-Dave Dove	ddove@sbcglobal.net
Director-David Piepho	DApiepho@sbcglobal.net
Director-Shannon Murphy-Teixeira	smt@politician.com

SPECIAL MEETING at 6:30P.M.

A. CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Government Code §54956.8

**Property: Building at 1520 Discovery Bay Boulevard, on a portion of APN# 004-182-006,
Discovery Bay, California**

Owner: Kenneth Harry Hofmann

Negotiating Parties: Above Owner & Ray Tetreault

Under Negotiation: Price and terms of payment

B. Return to open session; report on closed session

REGULAR MEETING at 7:00p.m.

A. ROLL CALL

1. President Tetreault called the meeting to order at 7:00p.m.
2. President Tetreault led in the Pledge of Allegiance
3. President Tetreault stated that there had not been a quorum for the Closed Session so there had been no Closed Session so there was no report.
General Manager Koehne called the roll. Treasurer Dove and Director Murphy-Teixeira were absent.

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

Don Flint commented about the concerns of Bob Mankin from the last meeting and gave President Tetreault a copy of an email that he said he had sent to him. Walter MacVittie stated that he had heard that there was a recommendation that the East County Planning Commission would not be renewed. Director Piepho stated that he was going to report on that tonight and that the Board of Supervisors had voted unanimously not to renew that commission. Jeff Barber stated he would like to be on record that he was in support of Bob Mankin's request to look into the director's stipend requests and that all directors' stipend should be looked at from the beginning of those requests. He also commented about poor attendance of the board and that it should be addressed. He also asked to be called on to comment about approving the minutes. Brian Dawson commented that he had narrowed the companies for the website down to four and that he would advise the board of the results of their responses.

C. CONSENT CALENDAR

President Tetreault stated he wanted to pull the minutes from the Consent Calendar because there was a comment made by Mr. Richardson on the landscaping and that there had not been any mention of it in the minutes. He stated that he had a small thing to add to the minutes to amend this. Director Piepho made a motion to approve the Consent Calendar but pull the minutes until amended. Vice-President Simon 2nd the motion. Jeff Barber commented that the minutes of July 1, 2009 under item 3 do not reflect the comments of the community and the board responding to that item. He suggested the tape be reviewed and that it be rewritten. He stated that he felt the minutes disregard the key issue and are slanted toward the developer. The motion passed. (3 ayes, 0 nos, 0 abstain)

D. CHAIR REPORT

President Tetreault asked that if there is a vote that is not unanimous that he would like the directors and their votes identified. He reported that on April 27, 2009 he attended the Sheriff's Municipal Advisory Committee (SMAC). He stated that they had received an overview from Lieutenant Burton about the Delta Station and spoke generally about the Sheriff's duties. He reported on May 20, 2009 that he and Director Dove had attended a meeting in the Supervisor's office about the Municipal Advisory Committee (MAC) finances. He stated that they were told that even though the Town is not a MAC, they will still get the funding from the Supervisor's office for their Advisory (AC) duties and that there would be a board order stating this. He reported that on July 9, 2009 he and Director Piepho had a meeting at the Supervisor's office regarding the Community Center which was attended by the Hofmann Company and the County. He stated that they had made good progress in identifying a site. He reported that he had attended the Veolia meeting that is held every other week and there was a lot done. About three quarters of their action items have been completed. He commented about the attendance of the Director's and stated that he felt, if you are elected to the board, you should be attending the meetings. He commented that he had missed a couple, and there are some legitimate reasons for missing meetings, but he does not remember people missing so many meetings.

E. DIRECTORS' COMMENTS

Vice-President Simon commented about the attendance of the board, stating that there have been some absences from illness and that it is not uncommon for a director to miss a summer meeting due to vacations but that he does not think the absences have been as excessive as it has been made out to be. He stated that they are discussing it to be sure there is a quorum.

Director Piepho commented about the attendance and that he tries to be sure he makes the meetings. He cautioned the board about critiquing attendance since there is a policy. He commented that another board had been sued for harassment. He commented that he did not think the board had authorized attendance of the SMAC meetings and that if the board wants President Tetreault and Treasurer Dove to attend the board should sanction that. President Tetreault commented that they could put it on the next meeting to discuss. He reported that he and President Tetreault had attended the Community Center meeting and that they had told the county that they wanted to move along incrementally and that there had been a letter sent to the county about that. He reported that on July 9, 2009 he had attended a Code Enforcement meeting and they covered the signage at the Lakeview Business Park, an abandoned camper that has been removed, the Highway 4 signage and a complaint regarding Double Point.

President Tetreault commented about his attendance at the SMAC meetings. He stated that since this is a meeting of the Sheriffs committee and that they are finding information about the Sheriff and getting information for the Town, it would fall under committee assignments. Director Piepho commented that it might be an incompatible office. Legal Counsel suggested that legal take a look at this issue.

F. REQUEST FOR BOARD CONSIDERATION

1. PUBLIC HEARING to consider the following:

Continued Collection of Sewerage and Water Service Charges on County Tax Roll for the 2009-2010 Year with the Approved Annual Consumer Price Index Increase of 3.10% President Tetreault opened Public Comment at 7:19 pm. There were no comments from the audience. President Tetreault closed Public Comment at 7:19 pm. General Manager Koehne reported that staff had not received any documents reflecting any comments either way.

- 2. Adoption of Resolution No. 2009-06 to Continue Collection of Sewerage and Water Service Charges on the County Tax Roll for the 2009-2010 year with the Approved Annual Consumer Price Index Increase of 3.10% (Koehne)** General Manager Koehne presented this item to the board. He stated this is an annual process. Director Piepho made a motion to approve Resolution 2009-06 to Continue Collection of Sewerage and Water Service Charges on the County Tax Roll for the 2009-2010 year with the Approved Annual Consumer Price Index Increase of 3.10%. Vice-President Simon 2nd the motion. The motion passed. (3 ayes, 0 nos, 0 abstain)

G GENERAL MANAGER REPORT

1. Large User Status Report

2. Veolia Quarterly Report

General Manager Koehne reported that Filter A at the Newport water treatment plant has had the media replaced and is back on line. He reported that they had a pump at Lift Station "F" rebuilt and reinstalled. He reported that staff is looking at new Ultra-Violet systems for the Waste Water Treatment Plant. He reported that on July 4th the security alarm went off and it was found to be some balloons from a celebration on the 3rd of July. He reported that they are working on a design for a station to dump the Vac-Truck. He stated that they are finishing the design work on the equipment carport. He reported that there had been a couple of leaks since the last meeting and they were located just before the water meters. He reported staff had submitted a letter to the California Sport Fishing Protection Alliance in regards to our storm water. He reported that in response to this letter we have sealed up the last storm water outfall from Plant 1 going to a drainage ditch, so all storm water going forward will be collected at the plant and treated. He reported that staff had to replace about a thirty foot section of concrete walkway at Slifer Park. He reported that staff had the landscaping renovated at the corners of Regatta and Highway 4 and Porthole and Highway 4. He reported that the golf course is in the process of doing some roadwork which revealed a sink hole near a water line and sewer line and a storm drain line. He reported that it turned out that the storm drain line had failed and that had been repaired. A resident asked about low pressure in the last couple of weeks. General Manager Koehne responded that was because of Filter "A" and that the pressure should be fine now. Rich Kier asked if the dump station for the Vac-Truck could be used for RV dump. General Manager Koehne commented that it was being designed as a big box for the Vac-Truck to back up to but that he could bring that back to the board to discuss. Vice-President Simon asked about Valley Crest commenting that they had shut off water to different areas. General Manager Koehne responded that during the Fourth of July weekend and last weekend he had asked the landscaping companies to stop all watering to compensate for the low water pressure being created by the change out of Filter "A". He stated that last Saturday and Monday he had given them all the okay to turn the irrigation back on. An audience member asked if there was a back up filter to alleviate the loss of pressure during a change out and if the upgrade of UV system would cause any down time. General Manager Koehne responded that there would be down time and that staff would have to coordinate it with the process. He also responded that staff was going to go back and discuss with the engineers if we need to construct another filter as a back-up and staff is looking at stocking up on the filter media. He also stated that they are looking at replacing the filter media of the next filter during the winter when the usage is not so high. He reported that this year the water usage has gone down compared to last year. He reported that at the Marina 5 out of 6 water meters have been installed. He stated that the 6th one should be installed by next week. He reported that the Yacht Club is working on theirs. He reported that the Country Club has started on their water meter and should be done in about two weeks. He reported that Sand Bay Isle has one installed and there are a couple more to install there. He reported that at Harbor Bay Condos one has been installed and there are 3

more to be done there. He reported that Discovery Bay Elementary is working on installing a meter in the front, they already have their meter for the irrigation of the field. President Tetreault asked about the due dates of all these meters. General Manager Koehne responded that they should be done shortly.

Gerald Smart of Veolia gave a power point presentation which is on file at the District office. Walter MacVittie commented that he thinks that it would be good to have timelines of when the projects would be completed. Gerald Smart responded that in one of their programs they can put in tasks with due dates. Gerald Smart and President Tetreault commented that they go over the projects, recommendations and progress at each of their meetings. Mr. Richardson asked for a copy of the presentation and report be given to the board. Director Piepho asked that this be put on the agenda for review and then made available to the public also. He also commented about the overflows and asked if they could look at trends and how those situations are being solved. There was discussion about the presentation.

H. LEGAL COUNSEL REPORT

Legal Counsel reviewed two items of direction; one for legal counsel to look into the issue of compatibility of offices regarding involvement in SMAC and also in directing staff to add the name of the directors as to their votes in the minutes. Director Piepho made a motion to direct legal counsel to look into the incompatibility of office and the vote be reflected of who voted what whenever there is not a unanimous vote. Vice-President Simon 2nd the motion. The motion passed. (3 ayes, 0 nos, 0 abstain)

I. CORRESPONDENCE – (Possible Action or Discussion)

1. R – Letter to Sheriff Rupf from Supervisor Piepho –CC Sheriff's Personnel Deployment dated June 18, 2009
2. R – Letter from Supervisor Piepho – Closure of Marsh Creek Road between State Route 4 Bypass & Camino Diablo from July 15, 2009 through October 15, 2009 dated June 24, 2009
3. R – Minutes of the June 11, 2009 Meeting for the State Route 4 Bypass Authority

J. FUTURE AGENDA ITEMS

Veolia Water report on next agenda.
The minutes to be brought back.

K. ADJOURNMENT

The meeting was adjourned at 8:03 pm to next Regular meeting of August 5, 2009.

lh 7/29/09