



# TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

## SDLF Platinum-Level of Governance



President – Ashley Porter • Vice-President – Michael Callahan • Director – Kevin Graves • Director – Bryon Gutow • Director – Carolyn Graham

### MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY Wednesday June 21, 2023 7:00 P.M.

#### **REGULAR MEETING 7:00 P.M.**

##### **A. ROLL CALL AND PLEDGE OF ALLEGIANCE**

1. Called business meeting to order 7:00 p.m.
2. President Porter led the Pledge of Allegiance.
3. Roll Call was taken, and all members were present with the exception of Director Graves who was trying to connect via telephone.

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

None.

##### **C. CONSENT CALENDAR**

All matters listed under the CONSENT CALENDAR are considered by the District to be routine and will be enacted by one motion.

1. Approve Regular Board of Directors DRAFT Meeting minutes from June 7, 2023.
2. Approve SPECIAL Board of Directors DRAFT Meeting minutes from June 8, 2023.
3. Approve Register of District Invoices.
4. Approve the Extension of Luhdorff and Scalmanini Contract Engineers for Services into FY 2023-24.
5. Approve Town of Discovery Bay Community Services Project Analyst Accountant Class Job Description.
6. Approve Annual Discovery Bay Lighting and Landscape Zone #8 Appropriations Limit for FY 2023/24- Approve and Adopt Resolution No. 2023-15.
7. Approve contract with the California Conservation Corps for maintenance of Town streetscapes.

Director Gutow made a Motion to Approve the Consent Calendar.

Director Graham seconded.

Vote: Motion carried – AYES: 4- Gutow, Graham, Callahan, Porter , NOES: 0, ABSTAINED: 0, ABSENT: 1- Graves

Director Graves joined the meeting at 7:04p.m.

##### **D. PRESENTATIONS**

1. Veolia Presentation.

Anthony Harper, Project Manager for Veolia presented the report for May 2023.

- All water wells were active.
- There was a coliform positive sample taken in May 2023. Several additional samples were taken and retested. The positive result was believed to be human lab error.

**E. DISCUSSION AND POSSIBLE ACTION**

1. Discussion and Possible Action regarding New District Office and AETypic Contract.

President Porter gave a summary of the June 7, 2023 Board of Directors meeting.

- Director Gutow expressed his concerns about the Community Center not being ADA accessible. He apologized for not addressing the issue in his five years on the Board.
- Director Graham stated she wanted guarantees that all options would be discussed at a committee level.

Director Gutow made a motion to authorize the creation of a one-year long, temporary committee to solely evaluate the Community Center as a potential District Office, and that these meetings are agendized and open to the public.

Legal counsel Andy Pinasco clarified how the Board can create committees.

Director Callahan asked for clarification on the motion to include the AdHoc committee be agendized and open to the public, as well as having the committee include Director Gutow and one member of the Finance Committee.

Director Gutow amended his motion to create a temporary committee to solely evaluate the Community Center as a potential District Office for the term of one year, with meetings that are subject to the Brown Act and is made up of Director Gutow and President Porter.

Director Callahan seconded the motion.

Legal Counsel Andy Pinasco stated that any new committee must be adopted by a Resolution of the Board of Directors per the Town of Discovery Bay Bylaws.

Public comment:

- The first speaker stated the motion should simply be to get an estimate to make the building ADA compliant.
- The second speaker agreed with everything that Director Gutow stated.
- The third speaker thanked the Board. He requested that whichever option is chosen, it remain within the \$3 million budget. However any option over this budget must benefit the community.
- The fourth speaker thanked the Board. He suggested building a second story on the Community Center building.
- The fifth speaker feels the public has the right to be involved in the planning of the building.

Legal counsel stated that the terms of the Resolution need to be identified prior to it being presented to the Board.

Director Gutow said the subject of the committee would be analysis of the District Office at 1601 Discovery Bay Blvd. The committee will meet for a period of one year and be comprised of Director Gutow and President Porter.

Vote: Motion carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

Vice President Callahan made a motion to move future discussions regarding the new District Offices to the Water and Wastewater Committee, where the meetings are open to the public.

Director Graves seconded the motion.

Public Comment:

- The first speaker does not see the need for this motion based on the motion that was just passed.
- The second speaker is in favor of a two-track system provided all options are explored.

Vote: Motion carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

Director Callahan made a motion to accept staff recommendation to suspend the contract negotiations with AET. President Porter seconded the motion.  
Vote: Motion carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

Director Graham made a motion to dissolve the Ad-hoc Building Committee. President Porter seconded the motion.  
Vote: Motion carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

There was a break from 8:07-8:08p.m.

2. Public Hearing. Discussion and Possible Action to Adopt Resolution 2023-16 Adopting the Operating, Capital Improvement, and Revenue Budgets for Fiscal Year 2023-2024.

President Porter opened the Public Hearing.

Public Comment:

- The speaker asked if the amount budgeted for a District Office could just state “to be determined.”

Director Gutow made a motion to Adopt Resolution 2023-16 Adopting the Operating, Capital Improvement, and Revenue Budgets for Fiscal Year 2023-2024.

Director Callahan seconded.

Vote: Motion carried – AYES: 4- Gutow, Callahan, Graves, Porter, NOES: 1 - Graham, ABSTAINED: 0, ABSENT: 0

President Porter closed the Public Hearing.

**F. MANAGER’S REPORT**

**G. GENERAL MANAGER’S REPORT**

**H. DIRECTOR REPORTS**

**I. DIRECTORS REGIONAL MEETING AND TRAINING REPORTS**

**J. CORRESPONDENCE**

1. LAFCO – Independent Special District Selection Committee Official Run-Off Ballot.

**K. LEGAL REPORT**

**L. FUTURE AGENDA ITEMS**

**M. ADJOURNMENT**

1. Meeting adjourned at 8:12p.m.to the next Regular Meeting of the Board of Directors on July 5, 2023, beginning at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard.

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