



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT



SDLF Platinum-Level of Governance

PLATINUM LEVEL

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

NOTICE OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY Wednesday February 16, 2022 REGULAR MEETING 7:00 P.M.

NOTICE Coronavirus COVID-19

In response to the current proclaimed State of Emergency, indoor masking requirements, and recommended measures to promote social distancing imposed by State and local officials, the Town of Discovery Bay Community Services District Board of Directors will take all actions necessary to carry out the intent and purpose of AB 361, including, ensuring that the Directors and meeting attendees may continue to have the option to access and participate in this public meeting by teleconference to avoid imminent risks to the health or safety of the Directors and meeting attendees.

To accommodate the public during this period of time that the Board's Chambers are closed to the public, the Town of Discovery Bay Community Services District Board of Directors has arranged for members of the public to observe and address the meeting telephonically.

TO ATTEND BY WEBINAR:

Please register for Regular Meeting of the Board of Directors at: *(Copy and paste into your browser the registration URL. You will then be directed to download the webinar to your device and register with LogMeIn, Inc.)*

Registration URL: <https://attendee.gotowebinar.com/register/7607856724627098127>
Webinar ID# 116-582-987

After registering, you will receive a confirmation email containing information about joining the webinar by computer or by phone.

For listen-only mode dial: (562) 247-8422 **ID#** 191-850-641

Download Agenda Packet and Materials at www.todb.ca.gov

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Call business meeting to order 7:00 p.m.
2. Roll Call.

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

During Public Comments, the public may address the Board on any issue within the District's jurisdiction which is not on the Agenda. The public may comment on any item on the Agenda at the time the item is before the Board for consideration. Any person wishing to speak will have 3 minutes to make their comment. There will be no dialog between the Board and the commenter as the law strictly limits the ability of Board members to discuss matters not on the agenda. We ask that you refrain from personal attacks during comment, and that you address all comments to the Board only. Any clarifying questions from the Board must go through the President. Comments from the public do not necessarily reflect the viewpoint of the Directors.

C. CONSENT CALENDAR

1. Approve DRAFT minutes of Board of Directors meeting for December 15, 2021, the Public Financing Authority meeting for December 15, 2021, and the Board of Directors meeting for February 2, 2022.
2. Approve Register of District Invoices.
3. Approve Resolution 2022-05 Re-Authorizing Remote Teleconference Meetings of the Legislative Body of the Town of Discovery Bay Community Services District Pursuant to the Brown Act Provisions.

D. AREA AGENCIES AND LIAISON REPORTS / PRESENTATIONS

1. None.

E. PRESENTATIONS

1. Veolia Presentation.

F. BUSINESS AND ACTION ITEMS

1. Discussion and Possible Action to Award the Coating of 29 Manholes in Cherry Hills Drive to H&R Plumbing.
2. Discussion and Possible Action Regarding the Implementation of a Community-Alert Text (SMS) System.
3. Discussion and Possible Action to Establish an AdHoc Committee for the Purpose of Investigating the New District Office Building.

G. MANAGERS REPORTS

1. Dog Park Update.
2. Pool Progress Report.

H. GENERAL MANAGERS REPORTS

I. DIRECTOR'S REPORTS

J. DIRECTOR'S REGIONAL MEETING REPORTS

1. East Contra Costa Fire Protection District Board of Directors Regular Meeting.
2. Contra Costa County Aviation Advisory Committee Meeting.
3. LUHSD Regular Board Meetings.
5. East County Code Enforcement Meeting.

K. CORRESPONDENCE RECIVED

L. FUTURE AGENDA ITEM(S)

M. OPEN SESSION DISCOLUSRE OF CLOSED SESSION AGENDA

1. None

N. CLOSED SESSION

1. None

O. RETURN TO OPEN SESSION; REPORT ON CLOSED SESSION

1. None

P. ADJOURNMENT

1. Adjourn to the Next Regular Board of Director's Meeting, beginning at 7 PM at the Community Center located at 1601 Discovery Bay Boulevard.

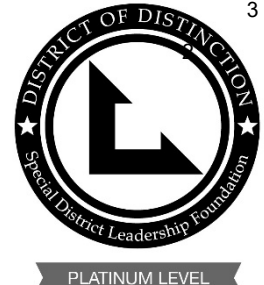
"This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the American with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code § 54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact the Town of Discovery Bay, at (925) 634-1131, during regular business hours, at least forty-eight hours prior to the time of the meeting."

"Materials related to an item on the Agenda submitted to the Town of Discovery Bay after distribution of the agenda packet are available for public inspection in the District Office located at 1800 Willow Lake Road during normal business hours."



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT



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

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
Wednesday December 15, 2021
REGULAR MEETING 7:00 P.M.**

NOTICE
Coronavirus COVID-19

The Town of Discovery Bay Community Services District Board Chambers will be open to the public as well as attendance by video conference and telephone for this meeting. Masks are required for in person attendance. On September 16, 2021, Governor Newsom signed into law AB 361, enabling public agencies to continue using teleconferencing with modified notice and physical access requirements for public meetings during a proclaimed State of Emergency.

In response to the current proclaimed State of Emergency, and recommended measures to promote social distancing imposed by State and local officials, the Town of Discovery Bay Community Services District Board of Directors will take all actions necessary to carry out the intent and purpose of AB 361, including, ensuring that the Directors and meeting attendees may continue to have the option to access and participate in this public meeting by teleconference to avoid imminent risks to the health or safety of the Directors and meeting attendees.

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Webinar ID# 636-389-419

After registering, you will receive a confirmation email containing information about joining the webinar by computer or by phone.

For listen-only mode dial: (562) 247-8321 **ID#** 949-796-620

Download Agenda Packet and Materials at www.todb.ca.gov

REGULAR MEETING 7:00 P.M.)

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Call business meeting to order 7:00 p.m. – By President Gutow.
2. Pledge of Allegiance – Led by President Gutow.
3. Roll Call – All present.
4. Veteran Remembrance – Led by Director Kevin Graves.

This meeting was opened in recognition and remembrance of Pearl Harbor Day on December 7th and the 2,403 American Service members who lost their lives on this tragic day in 1941. Today there are very few Pearl Harbor survivors left (due to age). The sons and daughters of survivors are dutifully keeping the tradition of remembering those lost on this tragic day in our history.

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

Public comment regarding the closing times to pickleball gate of Community Center. Expressed frustration of tennis and pickleball courts being closed 2 days during the Thanksgiving holiday. Presented concerns that the gates are locked up too early when the sun is out. When the time changes, pickleball players want to play at night and are raising funds to install lighting to play at night and hopes the Community Center will allow it. Presented a petition with 120 resident signatures of tennis, pickleball, and dog park users. President Gutow responded that this concern will be addressed as an agenda item in the January 2022 Park and Recreation Committee meeting.

C. CONSENT CALENDAR

1. Approve DRAFT minutes of Board of Directors meeting for November 17, 2021.
2. Approve Register of District Invoices.
3. Approve Resolution 2021-21 Re-Authorizing Remote Teleconference Meetings of the Legislative Body of the Town of Discovery Bay Community Services District Pursuant to the Brown Act Provisions.

Motion made by Vice President Kevin Graves to approve.

Second by Director Carolyn Graham.

Vote: Motion Carried - AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

D. PRESENTATIONS

1. Introduction of Janie Carter, Administrative Assistant/Parks and Recreation Assistant.

Recreation Programs Supervisor Monica Gallo introduced the newest member of her team, Janie Carter. Ms. Carter will be sharing responsibilities between the Community Center and the Water Department.

Ms. Carter addressed the Board and shared that she is very happy to be a part of the team.

2. Veolia Report – Month of November 2021.

Veolia Project Manager Anthony Harper shared that he too served in military for 18 years, and without the military we would not have the America we have today. Veolia Project Manager Harper reviewed the water and wastewater production for the month of November 2021. There were no reported injuries or accidents. Staff has completed Forklift Training and Drinking Water Safety Training. All 6 wells are active. Coming out of peak season now and treatment plants are balancing out now. Qty 25 water and wastewater samples were collected and zero positives. No hydrant flushes, no valve exercises were made in November, those will resume in January 2022. Final pickups to lift station E have been completed. The District continues to satisfy state requirements. All reporting has been submitted to the state as required. Wastewater has all numbers in compliance. Conductivity and salinity comply; However, we are seeing an increased conductivity from our Aquaphor and groundwater. It's a 12 month rolling average, not calendar year. Denitrification project is ongoing. Zero SSOs, zero customer complaints. Veolia Project Manager Harper advised of adjustments to sampling due to a Revised Total Coliform Rule established by the state. Director Graves question: Is Well 5 an active well?

Veolia Project Manager Harper response: Well 5 is an active well. We can use it. We regularly exercise this every 30 days whether we connect into a system or not. Well 5 is located on Newport/Clipper Dr.

3. Landscape Median Project

Parks and Landscape Manager Bill Engelman presented that new water laws are coming in 2022 regarding roadway medians to not contain irrigated turf. He shared some designs to minimize water use and labor dollars. Some of the large shrubs we planted are dormant in the Fall and we will see more greenery in the Spring. His team is working hard to minimize water use and minimize labor dollars to maintain District landscaping.

Director Graham commented that she appreciated effort going into this. She requested to "add something to give it more dimension." Suggested to put up a sign that says 'stay tuned, check back in Spring' so residents won't see it as barren in the fall.

President Gutow concurred.

Parks and Landscape Manager Bill Engelman reiterated that the shrubs are dormant in the Fall; You will see them in the Spring. It will make a huge difference when the greenery comes in.

E. BUSINESS AND ACTION ITEMS

1. Discussion and Possible Action Regarding Sending a Board Member Representative to the Lakeshore Homeowners Association (HOA) Meeting on January 11, 2022.

General Manager Dina Breitstein reminded the Board that Director Graham reached out to some of the local HOAs earlier this year. This was a previous discussion in some of the Communications Committee meetings. The Lakeshore HOA invited a Board Member to come and talk about the District and introduce themselves at the Lakeshore HOA meeting on January 11, 2022. General Manager Breitstein requested for the Board to decide and select a designee to go and represent the District by opening doors of communication with the west side of Discovery Bay to attend meetings, community events, etc.

Director Graham stated that the purpose is to increase communication with two large HOAs in Discovery Bay and hopefully get two-way communication going.

President Gutow question: What is the role of this person? What would they be doing?

Director Graham response: The designated representative would be tasked with talking about the Board, what the Board of Directors do, what has been done, and asking the HOA what they would like to see. Possibly join in any publications that we can such as Facebook, Instagram, etc.

Director Callahan confirmed that this was discussed in the Communications Committee meeting and emphasized the importance of engaging with the local HOAs and getting them involved. He commented, however, that the Board does need to understand the full scope of what the designated District / Board representative would do. If the presentation is just informative, i.e. this is how you can view Board of Directors meetings, this is how you can become involved, then it's a great idea.

Director Graham stated that the District / Board representative can share with the HOA what responsibilities the District has, what the Board of Directors do, how often the Board of Directors and Committees meet, and invite HOA members to attend our meetings. The Town's "Important Phone Numbers Sheet" could also be shared.

Director Porter suggested that both the General Manager and a Board Member, together, go to represent the Board and the District.

Veolia Project Manager Harper stated he would like to attend since a lot of HOAs have serious water assets and lift stations within their perimeters. We do depend on open communication with them. He also emphasized the importance of the community knowing who Veolia is as a representative of the District, especially during a water emergency.

Motion made by Vice President Kevin Graves designating Director Carolyn Graham and General Manager Breitstein to attend the HOA meeting on January 11th, 2022.

Second by Director Ashley Porter.

Vote: Motion Carried - AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

2. Discussion and Possible Action Regarding Caltrans' Proposed Striping Plan for the Intersection of Highway #4 and Discovery Bay Blvd.

Interim Assistant General Manager Mike Davies reported that this matter started six months ago when the Board asked General Manager Breitstein to reach out to Caltrans for a second look at the Hwy 4 intersection with Discovery Bay Blvd. Issues discussed with Caltrans: (1) Blight existing in intersection, (2) Safety concerns erupting through people turning NB into SB lane from Hwy 4, (3) The white and yellow delineators did solve the initial hazard of proceeding through the intersection but continue to confuse drivers. (4) Cars not coming into the right turn only lane. On November 22nd, 2021, a meeting with Caltrans took place. The Town met with some of the engineers and Caltrans proposed to change the right turn only lane from WB Hwy 4 approaching the intersection. Caltrans has ultimate authority over the intersection but Caltrans provided the Town with two options in their proposal: (1) To eliminate the right-turn only lane OR (2) Create a straight ahead only lane. They would remove the delineators and remove the orange markings by the delineators. SB traffic on Discovery Bay Blvd wanting to turn right into Safeway could still make a right turn on red. Feedback will be shared with Caltrans. Interim Assistant General Manager Davies shared his concern that [with the proposed changes] we could have stacking at commute times. If someone were to pull out to make a right turn from SB Discovery Bay Blvd. onto Hwy 4, vehicles coming 50mph to beat a yellow light could shoot through the intersection. The Town inquired about physically changing the merge area and lengthening it or widening it but Caltrans said no as it meets traffic engineering standards as it is.

Public Comment made by resident regarding the delineators. He reached out to Caltrans personally and eventually worked with Interim Assistant General Manager Davies on this matter. They had a Zoom meeting with Caltrans where Caltrans submitted the proposal that is being shared today. Caltrans plan is two lanes each way for Hwy 4 because it is an inexpensive modification. However, concerns for Discovery Bay residents are: (1) The blight issue (2) People turning into head-on traffic leaving Discovery Bay. That's a big safety issue. The grand entrance to Discovery Bay is blocked by these delineators. Caltrans solution to the problem is having two straight away lanes. 600' is the standard for merge lane length. Caltrans said they can work with the Town for the timing of the green right arrow for people to get out at certain times of day to alleviate traffic backups. In the end, it will operate much better than the way it is right now. The community wants to get rid of those delineators.

Vice President Graves commented that if the yellow delineators are eliminated, we eliminate the safety concerns.

President Gutow concurred and expressed the desire to do this incrementally: get rid of the yellow delineators – and see how that works. Then, eventually, incorporate two lanes both ways.

Interim Assistant General Manager Davies asked the Board to make a motion to provide feedback to Caltrans.

Director Porter question: Do we run the risk of losing Caltrans giving this a 2nd look if we do not like their solution?

Interim Assistant General Manager Davies response: I can give them [Caltrans] feedback, letting them know we're not happy with this solution and list the reasons why and request Caltrans provide other potential solutions, but what are we trying to accomplish?

Director Graham commented that safety is the most important.

Motion made by Vice President Graves to request Caltrans to consider removing the yellow delineators, leaving the triangle on the ground, and leaving only the white delineators up.

Second by President Gutow.

Vote - AYES: 2, NOES: 3, ABSTAINED: 0, ABSENT: 0

Town Counsel, Andy Pinasco, esq. addressed the Board and advised that, subject to Rosenberg's Rules, the Board would have to make a motion to reconsider the vote. The item is considered closed unless a motion to reconsider is made by a member who voted in favor of defeating the motion.

Motion to reconsider made by Director Graham to accept Caltrans' proposal as it stands and provide feedback to Caltrans that we approve their suggested change to the intersection.

Second by Director Porter.

Vote: AYES: 2, NOES: 3, ABSTAINED: 0, ABSENT: 0

Director Callahan made another motion to reconsider by sending a letter to Caltrans to request additional options, if possible.

Second by Director Porter.

Vote: Motion Carried: AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

3. Discussion and Possible Action Regarding the Town of Discovery Bay Water System Emergency Response Plan (ERP).

Veolia Project Manager Anthony Harper presented the Emergency Response Plan (ERP). In 2018, the USEPA mandated that all public water systems of various sizes implement an ERP and complete a self-assessment for vulnerability. The Town completed the self-assessment earlier this year. By December 31, 2021, the Town needs to submit a statement to USEPA showing them we have an ERP specific to drinking water and include any new findings from this year. Instead of revising the previous document, Veolia decided to start completely over. Veolia took the State of CA water ERP guide and turned it into our ERP and used CA language. We left a lot of the guidance material to use this document not only as ERP, but as a training manual. The first time people will see this, it will be during any emergency and we will not have the time to learn 132 pages during an emergency. This ERP / training guide is a living document that can be updated continuously. We also took the extra step and made a quick guide which is only 44 pages long. Although it is a standalone document, it is comprehensive and contains: a site plan, vulnerability assessment, water quality notification plan, and public notices in English and Spanish. This guide covers all of the potential risks or threats and will be used in conjunction with the District's EOP. Seeking the Board's approval to submit this document to the USEPA and train with it annually, as required.

No public comments.

Director Graves stated that the Water and Wastewater Committee reviewed the document already and supports it.

Motion made by Vice President Graves to adopt this plan document and approve submittal to USEPA.

Second by Director Porter

Vote: Motion Carried - AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

4. Discussion and Possible Action Authorizing the General Manager to Enter into Agreements with 1) Brandis Tallman, A Division of Oppenheimer & Co., Inc. for Municipal Bond Underwriting Services; 2) Jones Hall Law Firm for Bond and Disclosure Counsel Services; 3) Fieldman, Rolapp & Associates for Municipal Advisor Services.

Finance Manager Julie Carter presented funding needs for the District's two major projects: the Denitrification Project is estimated at \$20M and the building of new Well 8 is estimated at \$5M. In 2020, the District conducted the rate study with Leschwitz and Zhang. According to the Rate Study these projects were going to be funded through a combination of utility rates, reserves, and issuance of new debt. In order to issue new debt, the District needs to contract with the following professional services: (1) Municipal Bond Underwriters, (2) Bond and Disclosure Counsel, and (3) Municipal Advisor. Previously, the District hired Brandis Tallman in 2017 and they provided excellent services. Brandis Tallman has continued the relationship with the Town and have been giving us legislative and financial updates over the years. Staff is requesting that the Board accept the recommendation that we continue with Brandis Tallman for the next round of financing that is coming soon. We asked them for recommendations of bond counsel and municipal advisors. They provided us with two recommendations for each. General Manager Breitstein and Finance Manager Carter met with all four participants. Staff is asking the Board to authorize General Manager Breitstein to enter inter agreement with: (1) Brandis Tallman, A Division of Oppenheimer & Co. for municipal bond underwriting services, (2) Jones Hall Law Firm for Bond and Disclosure Counsel Services, and (3) Fieldman, Rolapp & Associates for Municipal Advisor Services.

Vice President Graves stated that these suggestions were reviewed by the Finance Committee and moves for staff recommendation.

Motion made by Vice President Graves to accept Staff's recommendation.

Second by President Gutow.

Vote: Motion Carried - AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

5. Discussion and Possible Action Regarding Authorization to Waive Annual \$224 Vacant Lot Fee for Contra Costa Water District Los Vaqueros Pipeline Parcel Crossing Wastewater Plant #2 Property in Order to Complete Annexation of Plant #2 Property and Removal of Two Previously Detached Parcels from the Town Sphere of Influence.

Project Manager Mike Yeraka presented that the District has a project going on right now to annex Plant #2 and Newport Treatment Plant with the Pantages property into the boundary of Discovery Bay. The LAFCO officer contacted Mike Yeraka indicating that LAFCO policy is that when they come in with an annexation request that the boundary of the Town remain is contiguous. LAFCO does not want to see a break in the boundary line. Within your packet you will see a sketch that was prepared by blue rectangle going through northern portion of Plant #2 property shown in red. LAFCO indicated that in the blue rectangle is Contra Costa Water District Los Vaqueros Pipeline Parcel and that LAFCO Crossing Wastewater Plant #2 Property. Our boundary will wrap around the blue rectangle. LAFCO reached out to CC Water District who owns the parcel, and their concern was if there was any annual charge for this change. The District does have a \$224 vacant lot fee. If this parcel was not included in the annexation, we would not get the \$224/year. This land will never be built on and will always remain vacant. Action items requested by Staff: (1) Recommend board waiving the vacant lot fee for this parcel to allow this annexation to proceed. It will save us about \$11,000 in property taxes when this annexation does finally get complete. (2) LAFCO mentioned that back in 2016 when a parcel was removed from the District's boundaries to the Byron Bethany Irrigation District. Those parcels are shown in Exhibit B on your agenda packet. Darker shaded parcels shown that were detached from the TODBs boundary and were not detached from the Sphere of Influence. LAFCO would like to clean that up as long as we have an application into them, LAFCO can take care of this change in her staff report to fully remove those 2 parcels from our SOI. If Board concurs with these items, the Town will notify LAFCO of Board approval to include these changes to our annexation.

Director Porter shared that this matter was heard in the Water and Wastewater Committee.

Director Porter made a motion to approve Staff's suggestion.

Second by President Gutow.

Vote: Motion Carried - AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

6. Discussion and Possible Action to Approve a Second Amended and Restated Memorandum of Understanding for Implementation of a Groundwater Sustainability Plan for the East Contra Costa Subbasin.

Item removed from the agenda.

7. Discussion and Possible Action to Approve the Storage Space Lease Agreement between the Town of Discovery Bay and the Discovery Bay Lions Club and a Storage Space Lease Agreement with the Discovery Bay Community Foundation.

Since President Gutow is an executive on the Lyon's Club board. He recused himself from this particular item.

Interim Assistant General Manager Mike Davies presented this item. Every year since 2015, the District has leased out Wells 3 and 4 to two community service groups: (1) The Lyons Club rents Well 4 for \$1,500 annually, and (2) The Discovery Bay Community Foundation rents Well 3 for \$1,500 annually. This year, Staff proposes increasing the rent 6%. Rent will increase from \$1,500 to \$1,590. Staff requests the Board to approve the increase and authorize General Manager Breitstein to engage into these two lease agreements. Motion made by Director Porter to approve Staff's recommendation to renew the lease agreements with Lyon's Club and Discovery Bay Community Foundation with a 6% increase.

Second by Director Graham.

Vote: Motion Carried - AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

8. Decide whether the Town's Board of Directors want to consider a future agenda item to adopt a proposal limiting the number of terms a Director may serve on the Town's Board of Directors and direct the Town's General Manager and staff accordingly.

Staff deferred item to Legal Counsel to present. Town Counsel, Andy Pinasco, esq. addressed the Board and advised that this item was requested to be brought back for discussion. The item is whether or not the District's Board of Directors want to take action on Term Limits. As a Community Services District, Directors are voted in and serve for a limit of 4 years as a term. Currently there are no term limits for CSD directors by law. CA legislature has allowed two ways to limit the number of terms a Director can serve: (1) By initiative and voters to bring it to the Registrar and voted on by district, or (2) The Board of Directors can request to place a ballot question on the ballot to ask the voters of the District to ask if there should be terms (in a certain amount of time to service). Counsel explained that we can short circuit the initiative process and the Board can submit to registrar and gets placed on ballot instead of getting signatures. The first step is for the Board to take action by resolution which would identify the limit on the term and send that limit on term to registrar who would place it on the ballot. Then this question would be on a regular Board of Director's election. The District would be responsible for payment on those elections. If more people vote on ballot for term limits, then it comes back to Board and a new ordinance can be adopted. If you want to unwind that, then you ask to take away term limits and then rescind the ordinance.

Director Porter asked Counsel for further clarification.

Director Callahan addressed the Board and would like to consider beginning this process of implementing term limits. Adopting term limits for elected officials is not a new or radical proposition even for special districts of our size. In the last three California election cycles, there have been 46 measures around term limits. It's clear citizens want to implement term limits on their elected officials. The arguments for term limits are pretty

strong. Term limits help reduce corruption, give more choices at the ballot box, produce fair elections, and provide more people with real world experience from all walks of life to participate in elected office. I believe term limits will help restore political courage. Elections are not term limits. If you look at the approval rating of Congress, the re-election rate is always over 95%. We would limit the productivity and quality of decisions that experience provides. The most important critical infrastructure in the Town is to provide Water/Wastewater services. These services are managed by an outside provider and overseen by hired staff. The Board's responsibility is to approve expenditures and help guide the managed services through the direction of the Town Manager. Experience is very valuable. With our staggered cycles, we will always have a board member with at least 2 years' experience to guide and mentor newly elected members. I strongly advocate for the implementation of term limits for the BOD not to exceed 2 terms.

Director Graham concurred but asked the record reflect that the person on the Board with the most experience is invaluable.

Vice President Graves addressed the Board suggesting that (Director Graham) was talking about him and stated term limits would not affect his term. Vice President Graves understands this is not personal but disagrees with this agenda item.

Director Callahan made a motion to direct Staff to continue the process, gather more information, and offer this as a future agenda item where the Board can vote.

Second by Director Graham.

Vote: Motion Carried - AYES: 4, NOES: 1, ABSTAINED: 0, ABSENT: 0

F. MANAGERS REPORTS

1. Competitive Grant Update.
2. Per Capita Grant Update.

Rec Supervisor Monica Gallo presented both items 1 and 2. Unfortunately, the Town of Discovery Bay was not awarded our competitive grant thru Proposition 68. There was only 1 grant awarded to all of Contra Costa County, and that was to Bay Point. We are not a financially disadvantaged community and although we were not awarded this grant, we do have some ideas on how to spruce up Clipper Drive that we will bring to a future Park and Recreation Committee meeting. Prop 68 received \$2.42B in requests, with a total of 468 project applications and had \$548.83M to award. Although California will be getting 50 new parks and 60 expansions to existing parks. We do want to congratulate all those who were granted funds to improve their communities. We thank the community members that participated in the workshops. Truly an exciting collaboration with our residents. Bay Point got it.

General Manager Breitstein applauded community members involved and thanked Rec Supervisor Gallo and Parks/Landscape Manager Engelman for writing the entire grant proposal. Rec Supervisor Gallo shared some good news. The District was awarded \$187,441 of per capita money. These funds will be improvements to Cornell Park. Contract signed by General Manager Breitstein with prop 68. Will be replacing the basketball surface, hoops, benches, BBQ area, prep table, and rehab the lawn in front. Play surface and all trash, recycle, dog waste receptacles will be replaced. We will put signs up letting people know what changes are coming and will post updates on Facebook and Instagram. We will do the lawn in the fall and begin the process of ordering materials in the summer. Summer use of park will not be impacted.

3. Contra Costa County Per Capita Grant Update.

Parks and Landscape Manager Bill Engelman provided update on this item. The county informed Engelman that they will be adding some complimentary play equipment to the existing structure. The County will be presenting the District with approximately \$100k-\$150k. The County received an allotment and they are splitting equally to some of their special districts. We will bring back to future park/rec committee meeting to discuss.

4. Synthetic Turf Update.

Parks and Landscape Manager Bill Engelman provided update on this item. The General Contractor will get notice to proceed to begin on Jan 17th, 2022. They will spend 2-4 weeks prepping the area. Then there will be a 3-4 week delay while we wait for materials. In that time, Town staff will go in there and do a few things and then the turf will be laid before end of March. Pool opens up in the end of May.

5. Additional update not on calendar: President Gutow called upon Finance Manager Julie Carter to share an update on transferring District's funds from County hands to managing in house.

Finance Julie Carter shared an update with regards to transferring funds and treasury duties from the County to in-house. Over the past year, we have been working on bringing treasury duties inhouse from County control. I am pleased to announce that on December 7th, 2021, the Board of Supervisors approved our resolutions which transfers duties to be handled by the District. Finance Manager Carter is in contact with the auditor/controller's office for timing of the transfer and come up with a timeline for mid-January 2022.

G. GENERAL MANAGERS REPORTS

None

H. DIRECTOR'S REPORTS

1. Special Finance Committee Meeting (Committee Members Kevin Graves and Bryon Gutow)
December 15, 2021.

President Gutow reported regarding the items that were covered in the Special Finance Committee: (1)

Selecting professional services for obtaining bond debt, (2) Moving management of District funds from 9 County to General Manager Breitstein, and (3) Presentation on potential overlay project with regards to trying to generate more revenue for the District. Committee received a report on what will be discussed at a future meeting before bringing to Board for consideration.

2. Special Water & Wastewater Committee Meeting (Committee Members Kevin Graves and Ashley Porter) December 15, 2021.

Vice President Graves reported that the Committee discussed ERP and there was a compliance evaluation by the Central California Water Board and we passed with flying colors. Discussed the contract between us and LCSE to get work going for the Well 8 and the good news is the projected budget is a couple hundred thousand dollars less. So that's a good thing.

I. DIRECTOR'S REGIONAL MEETING REPORTS

1. ECCFPD Meeting 11-10-2021 attended by Director Graves.
2. ECCFPD Meeting 11-15-2021 attended by Director Graves.
3. Aviation Meeting 11-15-2021 attended by Director Graves.

J. FUTURE AGENDA ITEM(S)

None; President Gutow announced that this is his last meeting before handing over the President's gavel to Kevin Graves.

K. ADJOURNMENT

1. Adjourned at 8:46 p.m. to the Next Regular Board of Director's Meeting on January 19th, 2022, beginning at 7 PM at the Community Center located at 1601 Discovery Bay Boulevard.

"This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the American with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code § 54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact the Town of Discovery Bay, at (925) 634-1131, during regular business hours, at least forty-eight hours prior to the time of the meeting."

"Materials related to an item on the Agenda submitted to the Town of Discovery Bay after distribution of the agenda packet are available for public inspection in the District Office located at 1800 Willow Lake Road during normal business hours."



DISCOVERY BAY PUBLIC FINANCING AUTHORITY

SDLF Platinum-Level of Governance



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

**MINUTES OF THE REGULAR MEETING
OF THE MEMBERS OF THE
DISCOVERY BAY PUBLIC FINANCING AUTHORITY
Wednesday December 15, 2021
REGULAR MEETING 7:00 P.M. (or after the adjournment of the regular District meeting)**

TO ATTEND IN PERSON: Masks are required to be worn inside the building.

TO ATTEND BY WEBINAR:
Please register for Regular Meeting of the Board of Directors at: *(copy and paste into your browser the registration URL)*

Registration URL: <https://attendee.gotowebinar.com/register/2033902315064351246>
Webinar ID# 636-389-419

After registering, you will receive a confirmation email containing information about joining the webinar by computer or by phone.

For listen-only mode dial: (562) 247-8321 **ID#** 949-796-620

Download Agenda Packet and Materials at www.todb.ca.gov

REGULAR MEETING 7:00 P.M. (Or after the adjournment of the regular District meeting)

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Call business meeting to order 8:46 p.m. (after the adjournment of the regular District meeting).
2. Roll Call – All present.

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

None

C. CONSENT CALENDAR

1. Approve DRAFT minutes of Public Financing Authority meeting for December 16, 2020.
Motion made by Director Graves to approve.
Seconded by Director Porter.
Vote: Motion Carried - AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

D. NEW BUSINESS AND ACTION ITEMS

1. Status Report and Update of the Discovery Bay Public Financing Authority.
Finance Manager Carter presenting: In 2012, the Discovery Bay Public Financing Authority (PFA) issued \$14.1M in enterprise revenue bonds to finance \$1.5M in water projects and \$12.6M in wastewater projects. In April 2017, the PFA issued \$8.8M in enterprise revenue bonds to finance \$1.5M in water capital projects (also known as the Water Meter Project) and \$7.4M in wastewater capital projects. As of June 30, 2021, the combined bond balance totals \$19.9M and all projects financed by the 2012 and 2017 bond have been completed. All payments have been made on time and our current credit reading is AA.
No public comment.
Motion made by Director Graves to approve Staff recommendation.
Seconded by Director Porter.
Vote: Motion Carried - AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

E. CHAIR'S REPORT AND MEMBER'S COMMENTS

11

None

F. ADJOURNMENT

1. Adjourn at 8:50 p.m. to the Public Financing Authority Meeting at the Community Center, 1601 Discovery Bay Boulevard.

"This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the American with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code § 54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact the Town of Discovery Bay, at (925)634-1131, during regular business hours, at least forty-eight hours prior to the time of the meeting."

"Materials related to an item on the Agenda submitted to the Discovery Bay Public Financing Authority after distribution of the agenda packet are available for public inspection in the Authority's Office located at 1800 Willow Lake Road during normal business hours."



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT



SDLF Platinum-Level of Governance

PLATINUM LEVEL

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

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
Wednesday February 2, 2022
REGULAR MEETING 7:00 P.M.**

NOTICE
Coronavirus COVID-19

In response to the current proclaimed State of Emergency, indoor masking requirements, and recommended measures to promote social distancing imposed by State and local officials, the Town of Discovery Bay Community Services District Board of Directors will take all actions necessary to carry out the intent and purpose of AB 361, including, ensuring that the Directors and meeting attendees may continue to have the option to access and participate in this public meeting by teleconference to avoid imminent risks to the health or safety of the Directors and meeting attendees.

To accommodate the public during this period of time that the Board's Chambers are closed to the public, the Town of Discovery Bay Community Services District Board of Directors has arranged for members of the public to observe and address the meeting telephonically.

TO ATTEND BY WEBINAR:

Please register for Regular Meeting of the Board of Directors at: *(Copy and paste into your browser the registration URL. You will then be directed to download the webinar to your device and register with LogMeIn, Inc.)*

Registration URL: <https://attendee.gotowebinar.com/register/4176430464157960718>
Webinar ID# 531-059-227

After registering, you will receive a confirmation email containing information about joining the webinar by computer or by phone.

For listen-only mode dial: (213) 929-4212 **ID#** 625-635-650

Download Agenda Packet and Materials at www.todb.ca.gov

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Call business meeting to order 7:00 p.m.
2. Pledge of Allegiance – Led by Vice-President Porter
3. Roll Call – all present

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

Public Comment regarding safety concerns of intersection at Discovery Bay Blvd. and HWY 4; In favor of Caltrans original proposal. Also commented on lack of CHP enforcement for speed; noise complaint; concern regarding piping on Discovery Bay Blvd.

President Graves recommended caller contact Town office during regular business hours and talk to General Manager Breitstein or Assistant General Manager Davies regarding any water / leak concerns. Caltrans item is a future agenda item for Board of Directors Meeting at a later date. Sheriff's office on the line heard concerns regarding noise and speed issues.

C. CONSENT CALENDAR

1. Approve DRAFT minutes of Board of Directors meeting for January 19, 2022.
2. Approve Register of District Invoices.
3. Approve Resolution 2022-03 Re-Authorizing Remote Teleconference Meetings of the Legislative Body of the Town of Discovery Bay Community Services District Pursuant to the Brown Act Provisions.

Motion made by Director Gutow to approve

Seconded by Director Graham

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

D. AREA AGENCIES AND LIAISON REPORTS / PRESENTATIONS

1. Supervisor Diane Burgis, District III Report.

County Supervisor's Office Representative Lea Rodriguez informed the Board that County Supervisor Burgis unexpectedly lost her husband in December 2021 and appreciates all the love and support received. Updated the Board that Covid cases in the County are down substantially this week compared to last week but the number of people hospitalized (due to Covid) is still high. Hospitals continue to experience staffing issues. Contra Costa County population is 80% fully vaccinated. The focus is now on booster shots and 48% of eligible County residents have received their booster dose of the Covid-19 Vaccine. Same-day no-cost booster / vaccine clinics are still available in Contra Costa County and appointments can be schedule online at cchealth.org. No-cost Covid-19 home test kits are also available for all households and can be ordered online at covidtest.gov. Moving on to discuss transportation items, Public Works will be replacing the rumble strip markers on Byron Highway between Byron Hot Springs Road and Bruns Road; Work is scheduled for Tuesday February 8 – 9, 2022 from 9:00 a.m. – 4:00 p.m. Electronic message boards will be placed in advance to alert drivers of the scheduled work. State Route 239 Online Open House is now available at www.sr239project.net and will remain open until February 4, 2022; the website offers important details about the environmental evaluation and process of this project and displays a poster gallery for easy viewing of technical information and allows for multiple ways for the public to ask questions and leave comments. Last, County Supervisor's Office Representative Lea Rodriguez announced her resignation but announced she will stay on board until a replacement for the position is found to ensure a smooth transition.

2. Sheriff's Office Report. – not present
3. CHP Report. – not present
4. East Contra Costa Fire Protection District Report. – not present

E. PRESENTATIONS

1. None.

F. BUSINESS AND ACTION ITEMS

1. Discussion and Possible Action to Adopt a Proposal to Submit to Discovery Bay Voters Limiting the Number of Terms a Town of Discovery Bay Board of Director May Serve.

Legal Counsel Pinasco gave a brief overview of the Town's December 15, 2021 meeting when the Board asked that this item be brought back with an opportunity to take action. Staff abided by the request and is presenting the findings now. In the agenda packet there was an attachment, Resolution 2022-04, which memorializes the decision and would be sent to the Registrar Office. The second attachment was the Proposed Draft Ordinance which outlines term limits; Legal placed sample language from other similar sources (special districts) just as example framework. The impact of moving forward with this decision would be twofold: 1) The term limitation sent to Registrar Office would be placed on ballot and voters would decide 2) cost estimate: \$2-\$3 per voter, \$20-\$40K does not included additional cost to put measure in voter guide. Information received from the Registrar Office is that it would be an additional \$3K per page – calculating that the information would be provided in 3 languages that's 2-3 pages, with an additional \$9K cost to place this measure on the ballot and up for vote by Discovery Bay residents.

Director Callahan expressed his thoughts on it being too expensive and it might be best to let the public petition for this change if it's really an ordinance they wish to adopt.

President Graves asked Legal Counsel Pinasco if this can be done by a public petition with no cost to the town.

Legal Counsel Pinasco responded in the negative; it will still cost the Town and it will not diminish the cost at all but yes, the Town residents can initiate the process.

President Graves and Director Callahan do not feel it is fiscally responsible to spend that much money without taking a temperature of what Town residents really want in regard to this item.

Director Graham asked how the Board could get information from the public to see if they are interested. Commented that if Discovery Bay citizens are interested in this ordinance, then spending \$80K would be justified.

Vice-President Porter voiced the need for Town residents to also be aware of the cost of doing this; if we are going to ask for public input then we need to be transparent about the cost and where that money would come

from.

Director Graham asked if there's any flexibility in the cost.

President Graves stated that's the standard election costs – bylaws require elections and therefore included in the budget, but to add something new like this it's an additional cost not previously accounted for in the annual budget.

Legal Counsel Pinasco discussed the initiative process for the public gathering signatures and the procedure for verifying those signatures as registered voters before the petition is submitted to the County Board of Elections who would then submit a proposal to the Town for adoption.

President Graves asked, who determines the threshold?

Legal Counsel Pinasco responded that thresholds are determined by the population of voters, a percentage of the amount of voters and all signatures need to be registered voters.

President Graves affirmed that the Board would not be responsible for initiating, following, or verifying this process because it would be initiated by The People. However, if this was initiated by The People and it was a successful process leading to the obligatory adoption of this new ordinance then at that point the Board is following the guidance of the majority of the population, which justifies the cost.

Director Gutow asked, where would the funds come from to pay for this? Would it be water & wastewater?

General Manager responded that the cost would be spread out amongst all zones.

Director Callahan thanked the Town and Legal Counsel for the effort of finding the information.

No Public Comment.

No Action on item F1.

2. Discussion and Possible Action to Set the Date and Time of the 2022 Annual Board Workshop.

General Manager Breitstein suggested the date of Thursday March 24, 2022, from 4:00 - 6:00 p.m.

Motion made by Vice-President Porter to approve staff recommendation.

Seconded by Director Graham.

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

G. MANAGERS REPORTS

1. None

H. GENERAL MANAGERS REPORTS

1. None

I. DIRECTOR'S REPORTS

Director Callahan gave a brief overview of the Internal Ops meeting regarding the Community Alert System coming to a future Board of Directors meeting for approval.

Director Gutow participated in the Finance Committee meeting where there was a presentation from a 3rd party consulting firm for the Capacity and Connection Fee Study for new construction and a presentation from Landscape Manager Bill regarding Willow Lake. The Finance Committee sent the project back for review to the Park & Recreation Committee to priorities projects.

Vice-President Porter provided an overview of the Water and Wastewater Committee meeting: Presentation regarding the Capacity and Connection Fee Study (same presentation that was given to the Finance Committee), discussion regarding the waterline replacement off Discovery Bay Blvd., and brought attention to traffic flow during project hours (Monday – Friday, 8:30 a.m. – 4:30 p.m.) estimated to be a 2-3 week project; denitrification project update – challenges and surprises, ripping Plant 2 apart overall adding three new Anoxic Basins, two new Headworks, new Ox Ditch, and more. In the process they've encountered issues with weather, Covid, and additional repairs needed which has pushed out the date of completion from June 15, 2023, to July 7, 2023. Also discussed a manhole project that will be brought to the Board at a later date.

J. DIRECTOR'S REGINAL MEETING REPORTS

Vice-President Porter attended the Code Enforcement meeting last week and provided an update: discussed the sweep made for the boats and trailers, safety issues regarding fireworks and the 49ers game, and garage sale signs.

K. FUTURE AGENDA ITEM(S)

1. Caltrans discussion regarding Discovery Bay Blvd intersection at HWY 4.

L. CLOSED SESSION

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS FOR WELL 8 AS ALLOWED UNDER GOVERNMENT CODE SECTION 54956.8

Property: A portion of APN 011-220-010, Discovery Bay

Agency Negotiator: Dina Breitstein, General Manager

M. RETURN TO OPEN SESSION; REPORT ON CLOSED SESSION

No reportable action.

N. ADJOURNMENT

1. Adjourned at 7:56 p.m. to the Next Regular Board of Director's Meeting, beginning at 7 PM at the Community Center located at 1601 Discovery Bay Boulevard.

"This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the American with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code § 54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact the Town of Discovery Bay, at (925) 634-1131, during regular business hours, at least forty-eight hours prior to the time of the meeting."

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Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

February 16, 2022

Prepared By: Julie Carter, Finance Manager & Lesley Marable, Accountant
Submitted By: Dina Breitstein, General Manager

Agenda Title

Approve Register of District Invoices.

Recommended Action

Staff recommends that the Board approve the listed invoices for payment.

Executive Summary

District invoices are paid on a regular basis, and must obtain Board authorization prior to payment. Staff recommends Board authorization in order that the District can continue to pay warrants in a timely manner.

Fiscal Impact:

Amount Requested \$ 737,101.75

Sufficient Budgeted Funds Available?: Yes (If no, see attached fiscal analysis)

Prog/Fund # See listing of invoices. **Category:** Operating Expenses and Capital Improvements

Previous Relevant Board Actions for This Item

Attachments

Request For Authorization to Pay Invoices for the Town of Discovery Bay CSD 2021/2022

AGENDA ITEM: C-2

Request for Authorization to Pay Invoices
For The Meeting On February 16, 2022
Town of Discovery Bay CSD
Fiscal Year 7/21 - 6/22

Anderson Pacific	\$340,850.50
Veolia Water North America	\$207,812.26
Silicon Valley Paving, Inc.	\$49,875.00
Herwit Engineering	\$43,226.96
Luhdorff & Scalmanini	\$35,928.14
Water Utility Refund Customer	\$13,181.48
U.S. Bank Corporate Payment System	\$11,829.22
City Of Brentwood	\$5,808.81
Robert Half	\$4,709.75
Precision IT Consulting	\$4,315.77
Paul E. Vaz Trucking, Inc.	\$2,490.04
National Aquatic Services, Inc.	\$2,265.15
Bill Brandt Ford	\$2,025.31
Karina Dugand	\$1,203.75
Brentwood Ace Hardware	\$1,035.30
Office Depot	\$922.47
ECS Imaging, Inc.	\$900.00
Verizon Wireless	\$853.75
Mt Diablo Resource Recovery	\$825.49
Contra Costa Health Services	\$730.00
Daniel Elliott	\$687.00
Kevin Graves	\$575.00
Core & Main LP	\$574.90
Lincoln Aquatics	\$499.65
Univar Solutions USA Inc.	\$496.65
Streamline	\$480.00
Big O Tires	\$420.78
W.J. Kirk Welding	\$391.00
Ashley Porter	\$345.00
Bryon Gutow	\$345.00
UniFirst Corporation	\$241.80
Carolyn Graham	\$230.00
Michael Callahan	\$230.00
Geotab USA, Inc.	\$193.05
Cash	\$171.29
ULINE	\$111.95
Discovery Pest Control	\$99.00
Cintas	\$89.50
County Of Contra Costa, Dept of Info Tec	\$59.25
Watersavers Irrigation Inc.	\$42.53
Bay Area Driving School, Inc.	\$29.25
	\$737,101.75



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT
RESOLUTION 2022-05**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TOWN DISCOVERY BAY
COMMUNITY SERVICES DISTRICT RE-AUTHORIZING REMOTE TELECONFERENCE
MEETINGS OF THE LEGISLATIVE BODY OF THE TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT PURSUANT TO BROWN ACT PROVISIONS**

WHEREAS, the Town of Discovery Bay Community Services District (the “Town”) is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of the Town’s legislative body are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District’s legislative body conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, the Town’s Board of Directors previously adopted a Resolution, Number 2021-16 on October 20, 2021, finding that the requisite conditions exist for the legislative body of the Town to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Board of Directors must make findings that the Board has reconsidered the circumstances of the state of emergency that exist in the Town, and that either the state of emergency continues to directly impact the ability of the members to meet safely in person, or State or local officials continue to impose or recommend measures to promote social distancing; and

WHEREAS, the March 4, 2020, Governor proclaimed a State of Emergency continues to exist throughout California as a result of the threat of COVID-19; and

WHEREAS, currently the dominant strain of COVID-19 in the country continues to be more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations, therefore, meeting in person would present imminent risks to the health or safety of attendees and members; and

WHEREAS, the Cal-OSHA adopted emergency regulations (Section 3205) imposing requirements on California employers, including measures to promote social distancing remain in effect; and

WHEREAS, the health orders issued by the Contra Costa County Health Officer to preserve the public health, including requiring all people in Contra Costa County who aren’t fully vaccinated, to adhere to indoor masking requirements, recommending measures for social distancing from non-household members for vaccinated individuals that have been exposed to COVID-19, and measures acknowledging that close contact to other persons increases the risk of transmission, remain in effect.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. AB 361 Compliance. The Board of Directors began using teleconferencing in accordance with subdivision (e) of Section 54953 of the Government Code, as amended by AB 361, on October 20, 2021, and have made the requisite findings by majority vote not later than 30 days after October 20, 2021, and every 30 days thereafter.

Section 3. State of Emergency. The Board of Directors hereby reconsiders the circumstances of the current State of Emergency proclaimed by the Governor on March 4, 2020, and find that the ongoing conditions of the State of Emergency directly impact the ability of members to meet safely in person.

Section 4. Measures to Promote Social Distancing. The Board of Directors hereby finds that Cal-OSHA and the County Health Official continue to recommend measures to promote physical distancing.

Section 5. Remote Teleconference Meetings. The General Manager of the Town of Discovery Bay Community Services District is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 6. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption.

Kevin Graves
Board President

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Town of Discovery Bay Community Services District at a meeting, held on February 16, 2022, by the following vote of the Board:

AYES:
NOES:
ABSENT:
ABSTAIN:

Dina Breitstein
Board Secretary

A thick white vertical bar on the left side of the slide.

Water and Waste Water Monthly Report Town of Discovery Bay

Presented in: February 2022

Safety & Training

Safe Work Days: 4,540

VNA University:

HazCom – OSHA annual

Emergency Preparedness & Response

Weekly Safety Topics:

1/5 – 2022 Health & Safety Program Review

1/12 – Veolia University 2022 Schedule of Trainings Review

1/19 – Safety Point Lesson: Carbon Monoxide

1/26 – Fire Prevention Plan and Protection Systems

1/27 – Additional Training: Portable Fire Extinguisher Use

Water Well Status

Willow WTP

01

Active

02

Active

06

Active

Newport WTP

04

Active

05

Active
(Emergency)

07

Active

Water Production & Chemicals

Willow WTP	Production (MG) 17.36	Chemicals (gal) (Sodium Hypochlorite) 660	
Newport WTP	Production (MG) 23.38	Chemicals (gal) (Sodium Hypochlorite) 1,401	
TOTAL	Production (MG) 40.74	Chemicals (gal) (Sodium Hypochlorite) 2,061	Last Year Total (MG)

Water Compliance

Coliform Samples Collected: 20

Coliform Positive Results: 0

Water Quality Complaints: 1

Hydrant Flushing: 5

Valve Exercising: 5

Lift Station Status

A

Active

C

Active

D

Active

E

Active

F

Active

G

Active

H

Active

J

Active

R

Active

S

Active

Newport

Active

Lakeshore

Active

Lakes

Active

Lakes 4

Active

Bixler

Active

Wastewater Flow & Chemicals

WW Plant 1	Total Flow (MG)	Influent Flow avg. (MG)	Discharge Flow avg. (MG)
	0	0	0
WW Plant 2	Total Flow (MG)	Influent Flow avg. (MG)	Discharge Flow avg. (MG)
	35.57	1.28	1.15
	Last Year Flow (MG)	Polymer (gal)	Alum (gal)
		0	0

Wastewater Compliance

Effluent BOD₅, mg/L < 10: 1.4

Effluent TSS, mg/L < 10: 0.9

Total Coliform 7 day median < 23: ND

Total Coliform daily max < 240: ND

Eff NTU daily avg < 2: 1

Eff Ammonia (N), mg/L < 8.4: ND

Removal BOD₅, monthly > 85%: 99.4%

Removal TTS, monthly > 85%: 99.7%

Conductivity annual avg < 2,400: 2,402

Maintenance & Improvements

SSOs: 0

Customer Inquires: 0



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

February 16, 2022

Prepared By: Gregory Harris, District Engineer
Submitted By: Dina Breitstein, General Manager

Agenda Title

Discussion and Possible Action to Award the Coating of 29 Manholes in Cherry Hills Drive to H&R Plumbing.

Recommended Action

It is recommended that the Board take the following Action:

- a. Award the coating of 29 manholes in Cherry Hills Drive to H&R Plumbing
- b. Authorize the General Manager to Execute the Town's Construction Contract Agreement with H&R Plumbing to perform the work contained in the attached vendor proposal in the amount not to exceed \$81,500.
- c. Authorize the General Manager to Execute change orders to the Construction Contract for up to 10% of the contract value.

Executive Summary

The Town has worked with H&R Plumbing in the past to repair and apply a proprietary coating system to the Town's manholes, including those in Cherry Hills Drive. The manholes in Cherry Hills Drive and the golf course valve station face intense exposure to Hydrogen Sulfide released by the force mains that drop into them.

Veolia took a survey of the manholes in Cherry Hills Drive and the golf course valve station and identified 29 manholes with extensive to moderate damage that need to be repaired and recoated before they deteriorate to the point they have to be replaced. Veolia's report is attached.

Given the extensive nature of the damage, HERWIT is recommending immediate repair of the damaged surfaces and recoating of the manholes. The proposed coating system from H&R Plumbing is a good coating system for installation in a live manhole with high Hydrogen Sulfide exposure. HERWIT does not know of a better coating product that can be installed in this manner for this service.

HERWIT investigated installing PVC liner instead of recoating and the cost was 10 times the cost of the repair and recoating from H&R Plumbing.

During research to acquire quotes for coating the manholes staff discovered that H&R Plumbing is the only company in this area licensed to do this type of work.

Previous Relevant Board Actions for This Item

The cost of recoating manholes was included in the current rate study at approximately \$400,000.

Fiscal Impact: Included in the budgeted for this fiscal year.

Amount Requested: \$89,650 (bid amount plus 10%)

Sufficient Budgeted Funds Available?: Yes.

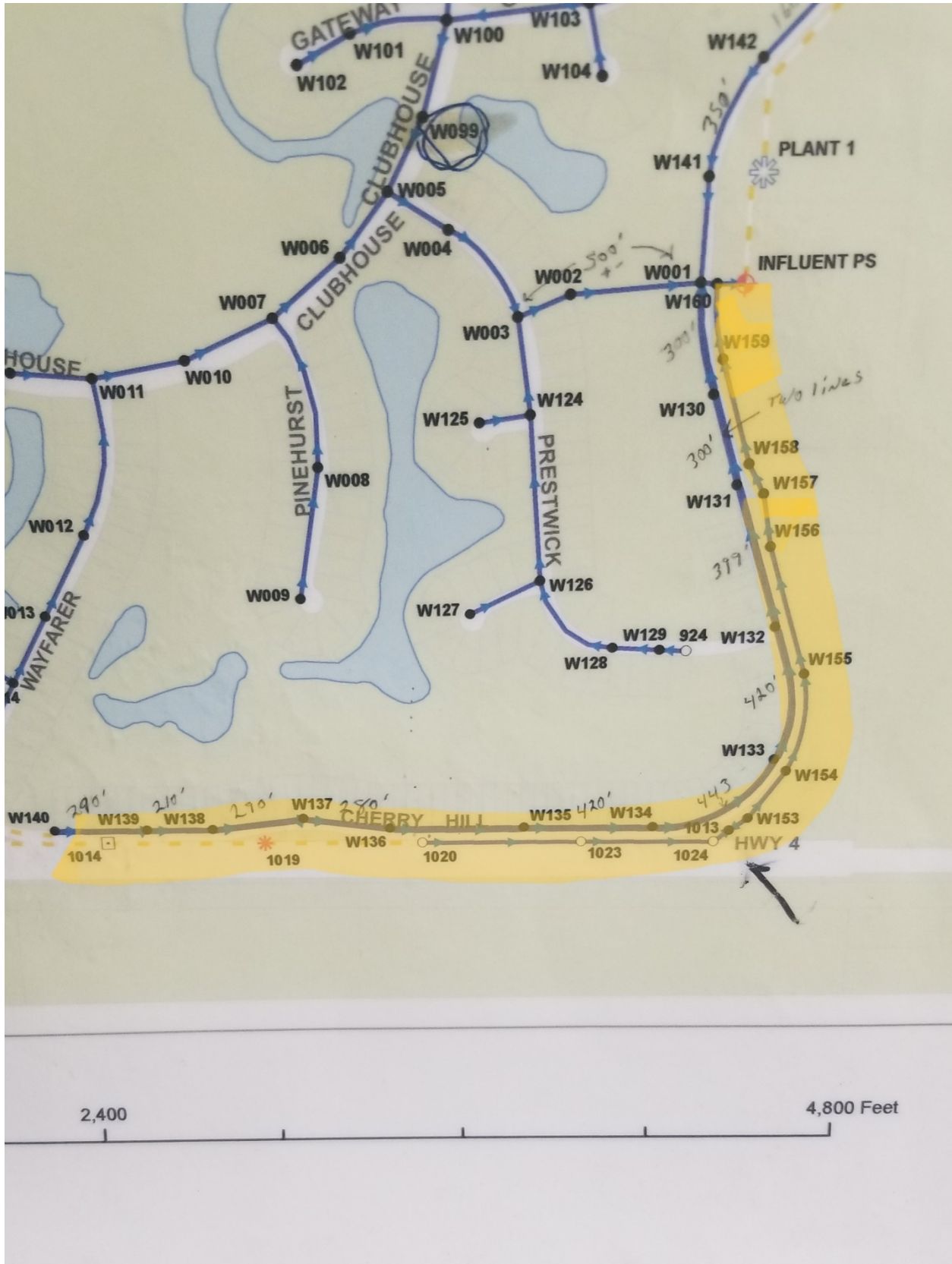
Prog/Fund # Category: TBD

Attachment

1. Veolia report.
2. Vendor Quote from H&R Plumbing

AGENDA ITEM: F1

Discovery Bay Manhole Inspection





MH-131: Cherry Hills Drive



MH-132: Cherry Hills Drive



MH-133: Cheery Hills Drive



MH-134: Cherry Hills Drive



MH-135: Cherry Hills Drive



MH-136: Cheery Hills Drive



MH-137: Cheery Hills Drive



MH-157: Golf Course Maintenance Yard



MH-158: golf Course Maintenance Yard



W-018: Wayfarer Drive



W-019: Wayfarer Drive

Estimate



H & R PLUMBING AND DRAIN CLEANING, INC.
 dba H&R Underground

4221 Appian Way
 El Sobrante, CA 94803
 Ph: (510) 222-5556 Fax: (510) 222-4627
 DIR # 1000009915 Lic 878364

Date	Estimate #
1/18/2022	5979

MBE, DBE, SB

BILL TO
Herwit Engineering Gregory Harris 6200 Center Street Suite 310 Clayton, CA. 94521

Job
Gregory Harris Manhole Rehabilitation Various Locations Discovery Bay, CA 94505

Project	Terms	Other	PHONE NO.	FAX NO.	E-mail
Manhole Rehab Town of...	Net 30		925 672 6599	925-672 6599	

Item	Description	Qty	Rate	Total
MANHOLE R...	<p>Manhole Rehabilitation (Epoxy Coating: Madewell Products)</p> <p>Scope of Work: The Manhole Interior Lining & Coating work includes: Preparation of interior surface of Manholes using hydro-blasting to remove all debris, materials and loose concrete to get to a good substrate, according to product's manufacture. Repairing any existing leaks consider as weepers (if the leak are bigger than weepers, an extra charge for T&M will apply) using Mainstay ML-10, (Mainstay ML-10 is a fast setting blend of special cements and fillers that is used to stop leaks through cracks and holes on underground concrete and brick structures). Applying up to 1" of Mainstay ML-72 (Mainstay ML-72 is a Portland cement-based, microsilica-enhanced, high-strength structural restoration and resurfacing mortar designed to be applied at a minimum of 1/4", and up to 5" on vertical and overhead surfaces) and troweled it to get a smooth finish. Spraying 100 mils of Mainstay DS-5, (Mainstay DS-5 is a 100% solids epoxy coating). Creating a smooth transition between the bench and the walls of the manhole to avoid debris accumulation (Manhole rehab is done from the bench up only) Sealing, plugging, patching and coating of the Manholes structure. Rehab is from the bench up to the frame no work on channel included. Unless otherwise specified. * Mainstay ML-72, ML-10, Mainstay 806 and Epoxy DS-5 are products made by the same manufacture company, therefore they are considered to be superior products.</p> <p>Certifications: H & R Plumbing and Drain Cleaning, Inc. is a certified applicator by Madewell Corporation for over seven years; each one of our employees has been trained specifically to work in confined spaces and each hold a certificate issued by Enviro-Safetech per CAL OSHA GISO 5157 & 29CFR1910.146. The owner of H & R Plumbing and Drain Cleaning, Inc. is a certified Manhole Rehabilitation Inspector by NASSCO.</p> <p>Warranty: This job includes a one-year guarantee of material from the manufacture company and a one year on workmanship from H & R Plumbing and Drain Cleaning, Inc.</p> <p>Pricing: Estimate price is based on regular business working hours to perform the job. Prime contractor will provide traffic control. Prime Contractor must provide legal right of way access and physical access to all Manholes for equipment and personnel to perform all aspects of Manhole lining or rehab. Manhole or pit access to all Manholes must be provided for Manhole lining or rehab. Proposal assumes work will be performed in accordance with a</p>	21	3,700.00	77,700.00

Total



H & R PLUMBING AND DRAIN CLEANING, INC.
dba H&R Underground

4221 Appian Way
El Sobrante, CA 94803
Ph: (510) 222-5556 Fax: (510) 222-4627
DIR # 1000009915 Lic 878364

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Estimate

Date	Estimate #
1/18/2022	5979

MBE, DBE, SB

BILL TO
Herwit Engineering Gregory Harris 6200 Center Street Suite 310 Clayton, CA. 94521

Job
Gregory Harris Manhole Rehabilitation Various Locations Discovery Bay, CA 94505

Project	Terms	Other	PHONE NO.	FAX NO.	E-mail
Manhole Rehab Town of...	Net 30		925 672 6599	925-672 6599	

Item	Description	Qty	Rate	Total
	mutually agreed upon schedule. General Contractor is responsible for any bonds if needed. If required, we will provide bonds for an additional charge of 3% of the total cost of the project or full price of bonds depending on whichever one is higher. Visual inspection is included NO other testing is included on this price. General contractor must provide the following, Water source to be within project limits and no cost will be associated whit its use and bypass if needed. Dumpsite at or near the project site for materials removed from pipeline with no cost to H & R Plumbing and Drain Cleaning. If Wet Well has coating of any type H & R Plumbing requests that Prime Contractor removes it at no cost to H & R.			

Total



H & R PLUMBING AND DRAIN CLEANING, INC.
 dba H&R Underground

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40

Estimate

Date	Estimate #
1/18/2022	5979

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Project	Terms	Other	PHONE NO.	FAX NO.	E-mail
Manhole Rehab Town of...	Net 30		925 672 6599	925-672 6599	

Item	Description	Qty	Rate	Total
MOBILIZATI...	MOBILIZATION H & R Plumbing and Drain Cleaning, Inc. insists on executing all proposal work in one mobilization to and from project site. Any additional mobilization will be negotiated. We request at least 90% of the job to be ready before we start so that we have only one mobilization.	1	3,800.00	3,800.00

Total	\$81,500.00
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Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

February 16, 2022

Prepared By: Michael Davies, Interim Asst. General Manager
Submitted By: Michael Davies, Interim Asst. General Manager

Agenda Title

Discussion and Possible Action Regarding the Implementation of a Community-Alert Text (SMS) System.

Recommended Action

Authorize the General Manager to implement a Community-Alert Text (SMS) System and select SlickText as the initial SMS vendor.

Executive Summary

At the request of the Internal Operations Committee, preliminary research was conducted to determine the feasibility and practicality of implementing a Discovery Bay Community-Alert Text (SMS) System. This research, in summary, revealed the following:

The Discovery Bay website does not support SMS messaging; therefore, third-party vendor software would be required. Third-party vendors provide software that allow the Town to send group SMS messages as needed. The Town would be issued a toll-free number for this purpose (usually included in the pricing). Residents would sign up (opt-in) to receive Community-Alerts regarding water and/or wastewater related notifications. Recipients would be categorized geographically allowing for texting based on region. An opt-out option could be included with each text. Vendors typically charge a monthly fee for a bucket of SMS messages according to a selected plan. The per text unit rate is the number of text recipients a single text is sent to. Example: One (1) text sent to fifty (50) people would count as fifty (50) text units. Some vendors charge for each reply text and some vendors don't.

Staff brought this information to the Board of Directors at their October 20, 2021, meeting. The Board directed Staff to work with Director Callahan to research a reputable vendor with a plan that provides the best value for the Town and has direct citizen opt-in an opt-out features (as opposed to staff inputting the data). Director Callahan recommended Slicktext.

Staff researched SlickText and recommends SlickText as the best vendor for the Town. SlickText does not require an annual contract, does not charge for reply texts, and unused text units roll-over for 90 days. Most plans require an annual contract and unused text units do not roll-over. A monthly bucket of 2,000 text units is competitively priced at \$79.00. At this price level, SlickText works directly with the Town to customize a SMS system that best suits our needs.

Staff presented this information to the Internal Operations Committee at their February 2, 2022, meeting. The Internal Operations Committee voted to recommend to the Board implementation of a Community-Alert Text System and that SlickText be selected as the Town's initial SMS vendor. www.slicktext.com

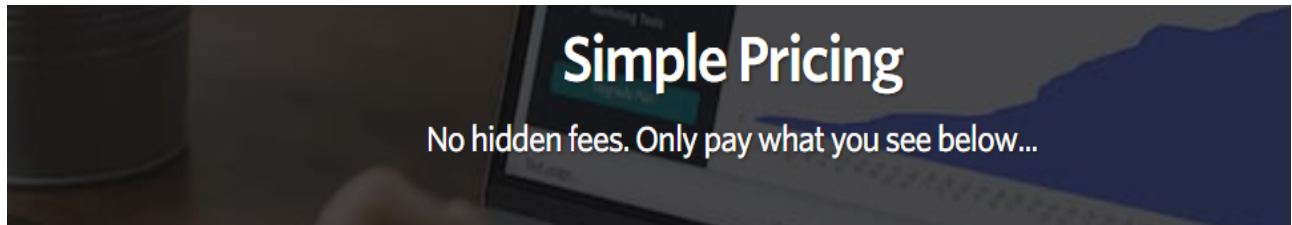
Previous Relevant Board Actions for This Item



October 20, 2021


Attachments

SlickText Pricing Sheet

AGENDA ITEM: F2



 USA pricing
  Cana

14-Day Trial	The Basic	Most Popular Starter The Step Up	The Lil Bro
<p>Free</p> <p>50 text messages</p> <p>Start Trial</p> <p><i>No credit card required</i></p>  <p>To take advantage of everything SlickText has to offer, move up to a paid plan.</p>	<p>\$29/month</p> <p>500 texts per month ⓘ</p> <p>Select Plan</p> <ul style="list-style-type: none"> ✓ 2 Textwords ⓘ ✓ Unlimited contacts ✓ Picture messaging ✓ Rollover texts ✓ Live chat support ⓘ ✗ 1 on 1 onboarding ⓘ 	<p>\$49/month</p> <p>1,000 texts per month ⓘ</p> <p>Select Plan</p> <ul style="list-style-type: none"> ✓ 4 Textwords ⓘ ✓ Unlimited contacts ✓ Picture messaging ✓ Rollover texts ✓ Live chat support ⓘ ✗ 1 on 1 onboarding ⓘ 	<p>\$79/month</p> <p>2,000 texts per month ⓘ</p> <p>Select Plan</p> <ul style="list-style-type: none"> ✓ 6 Textwords ⓘ ✓ Unlimited contacts ✓ Picture messaging ✓ Rollover texts ✓ Live chat support ⓘ ✓ 1 on 1 onboarding ⓘ



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date
February 16, 2022

Prepared By: Dina Breitstein, General Manager
Submitted By: Dina Breitstein, General Manager

Agenda Title:

Discussion and Possible Action to Establish an AdHoc Committee for the Purpose of Investigating the New District Office Building.

Recommended Action

Establish the AdHoc Committee and select two board members to sit on the AdHoc Building Committee.

Executive Summary

Part of the Capital Improvement Plan is to relocate and build the Town of Discover Bay District offices. Currently the District office site is shared with the Willow Lake Water Treatment Plant. This poses potential security concerns.

To remain in compliance with the American Water Works Association Emergency Response Plan Requirements and the Risk and Resilience Assessment, the District needs to move its District office to a new location that is not on a secured water or wastewater treatment facility site.

Staff is requesting that the board 1. Establishes an AdHoc Committee and 2. Select two board members to sit on the AdHoc Building Committee.

Previous Relevant Board Actions:

AGENDA ITEM: F3