



TOWN OF DISCOVERY BAY CSD

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

**MINUTES OF REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
TOWN OF DISCOVERY BAY CSD
Wednesday, October 20, 2010
1800 Willow Lake Road, Discovery Bay, California
Website address: www.todb.ca.gov**

REGULAR MEETING at 7:00p.m.

A. ROLL CALL

The meeting was called to order at 7:00p.m. President Graves led the Pledge of Allegiance. Roll call was taken. All Directors were present with the exception that Director Piepho was absent.

District Legal Counsel McGrew – Stated there is an Agenda change and that F3, Update and Summary of Findings related to Harbor Bay HOA Water Metering Program, will be removed from the Agenda due to a conflict with Board Members, which will only leave two (2) Board Members to vote. Under Law we are required to have three (3) Board Members to act on any item.

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

Resident Lou Erickson – Stated that he has a concern when Board Members have a conflict with an Agenda Item that has been pulled. He does not feel that the representation is reasonable.

President Graves – Stated that there are rare circumstances that may affect Board Members, and taking action on items will not take place.

Resident Walter Mac Vittie – Stated that he has noticed that there are policy changes within the General Manager, Board, and Legal, and that with the Meeting held on October 6, 2010 there was a closed session that he believed should have been open to the General Public.

Director Tetreault – Stated that in this case, a closed session was appropriate. Also, that was normal procedure during the time that he served with the Reclamation District 800.

C. PRESENTATIONS

Lieutenant Burton – Stated that he was not on the Agenda; however, due to the fact he was not at the last meeting and will be in training the next meeting, he wanted to make himself available to offer his services.

President Graves – Asked if Lieutenant Burton will be assigned to a different location.

Lieutenant Burton – Stated that the position may be changed to another person.

President Graves – Stated that Lieutenant Burton has done an awesome job and asked if Staff could create a letter of appreciation.

District Legal Counsel McGrew – Stated that the letter of appreciation will be added to the Consent Calendar for the next meeting.

Landscape Manager Perez – Wanted to mention that there has been a lot of damage to the Cornell Park basketball courts and Ravenswood area and was not sure if Lieutenant Burton has been receiving calls.

Lieutenant Burton – Stated that the department is stretched thin, therefore, not able to manage different issues – however, will get calls from the Town of Discovery Bay CSD office with different issues, which Water and Wastewater Manager Koehne has taken care of cleaning up. On occasion the deputies will walk the areas to monitor.

D. CHAIR REPORT AND DIRECTORS' COMMENTS

Vice-President Simon – Pointed out that the public should have been notified of the spill, and the Board is working with Staff to be sure that this event never happens again.

President Graves – Announced that the Excelsior School will be having an Awareness Program regarding bullying. Also, the first victim of the Columbine High School massacre, Rachel Scott, will be recognized.

E. CONSENT CALENDAR

1. Minutes of Regular Meeting for October 6, 2010
2. Establish a Deferred Compensation Program for Employees of the Town of Discovery Bay CSD pursuant to Internal Revenue Code Section 457(b)
3. District Invoices
4. Well 4A Rehabilitation Project

Motion made – by Director Dawson to pass the Consent Calendar and seconded by Vice-President Simon. Motion carried by the following vote: AYES: 4, NOES: 0, ABSENT: 1 – Director Piepho.

F. NEW BUSINESS AND ACTION ITEMS

1. Consideration of Purchasing and Procurement Policy

General Manager Howard – Has the Purchasing and Procurement Policy (drafted) document that he has been working on and a couple of major changes are formal Bidding amounts to be changed to \$25,000, which will be consistent with Construction Projects, State bidding. The second item is to place limitations on the Credit Card use, and to change the Credit Card to a Government Credit Card – CAL-Card. Also, the purpose is to increase the amounts of money staff can authorize for purchases from \$5,000 to \$10,000.

Director Tetreault – Pointed out that he has an issue with the \$10,000 limit and wants to verify that there are conditions with the new threshold.

General Manager Howard – Stated that the conditions for authorization remain the same and wants to assure that the recommended change is only an increase to the limit.

Director Tetreault – Stated that he believes that the limit amount increase should be used for emergency items.

General Manager Howard – Pointed out that the Policy has a provision stating that within maintenance and repair items, emergency items, those items would be taken care of and the Board would be informed of additional charges that would exceed the limit amounts subsequent to the fact at the next Regular scheduled or Special Meeting of the Board.

Director Dawson – Stated that there needs to be a notification to the Board of the additional amounts that have been charged.

There was a discussion between the Board, the General Manager, and Water and Wastewater Manager on the decision of approving the limit amount increase to \$10,000.

General Manager Howard – Stated that this item will be brought back to the Board as a Consent Calendar item with the suggestions.

Motion made - by Director Tetreault to have Staff move forward with the suggestions and bring back on the Consent Calendar and seconded by Director Dawson. Motion carried by the following vote: AYES: 4, NOES: 0, ABSENT: 1 – Director Piepho.

2. Consider establishing Town of Discovery Bay CSD Internship Program

General Manager Howard - Introduced the Internship Program and stated that he and Director Dawson have discussed the item and have identified ideas for the Intern.

Director Dawson – Stated that his ideas match what Staff has identified and that the position would be ideal for a young person in our community, who will receive a real-life experience. Director Dawson also believes that this type of experience would be a wonderful addition to the intern's resume, which will assist during his or her College acceptance process.

The Board and General Manager Howard discussed the internship in regards to training and the cost of the project. General Manager pointed out that we can bring back to the Board at a later time as a pilot program.

Resident Walter Mac Vittie – Believes that the most important part of the Internship Program is to have the program setup properly.

Director Dawson – Stated that within the Career Centers and the Universities all of the Intern jobs will have job descriptions along with an outline of the job.

Resident Richardson – Stated that his experience with the Internship Program that he had at his Firm was a waste of time.

President Graves – Stated that he would like to see the research complete and have the information brought back to the Board and find out what types of Internships are available and what will fit into our needs.

General Manager Howard – Stated that he will work with Director Dawson and have him outline the program

Vice-President Simon – Asked if there are any other CSD's that have an Internship Program set in place and if the program is working

General Manager Howard – We participate with other CSD's and can obtain that information.

G. MANAGERS REPORTS

Landscaper Manager Perez – Presented a slideshow with the details of the improvements within Discovery Bay

H. GENERAL MANAGER REPORT

General Manager Howard – Stated that he has three (3) items to discuss for your information. There has been a delay on the road striping due to a shortage of a metallic material used for the thermal striping. The other item is for the Water and Wastewater RFP, which is due back November 1, 2010. The review committee consists of President Graves, Director Tetreault, Lee Doty, Water and Wastewater Manager Koehne, and myself. Once those proposals are submitted we will then do our work, and then bring back to the Board. The last item is regarding the Clipper Drive sewage spill and General Manager Howard read that statement.

Resident Jonathan Silver – Asked if he could make a comment.

President Graves – Stated that he could not make a comment at this point and then asked our District Legal Counsel McGrew.

District Legal Counsel McGrew – Stated that the public has a right to comment on board action items, before the board takes action, however, when there are non-action items it is the decision of the board to allow comments made by the public.

President Graves – Stated that we will move forward to the Managers Report.

There was discussion between the board and resident Jonathan Silver and Walter Mac Vittie and President Graves made the decision to allow the comments and limit to the three (3) minute rule.

Resident Jonathan Silver – Stated that he has several concerns that the board did not make the Clipper Drive sewage spill known to the public in a timely manner. Also, stated that he is concerned that the board is sending misinformation of the spill to our community.

President Graves – Stated that he wants to be clear that Resident Jonathan Silver is saying that the California Water Resources Control Board will be fining the Town of Discovery Bay, CSD for the spill, because President Graves is under the impression that the spill is under investigation. There was more discussion between the board and Jonathan Silver on how the board responded to the spill.

President Graves – Pointed out that when he heard of the spill he immediately left his job and meet with Water and Wastewater Manager Koehne and discussed the situation on site.

There was a lengthy discussion on the Clipper Drive sewage spill.

Resident Walter Mac Vittie – Has two (2) comments and wants to thank General Manager Howard and Vice-President Simon for there explanation on the Clipper Drive sewage spill. He then stated to President Graves that he does not believe that we need negative comments.

President Graves – Noted that what he stated about conspiracy was a quote from a letter he received.

There was a debate between President Graves and Resident Walter Mac Vittie.

I. VEOLIA REPORT

Gerald Smart – Presented slides for the September Monthly Veolia Operation Report.

J. DISTRICT LEGAL COUNSEL REPORT

None

K. CORRESPONDENCE-Discussion and Possible Action

1. Contra Costa County Aviation Advisory Committee Meeting Minutes for July 20, 2010
2. Letter from Supervisor Mary Piepho regarding potential access to Automated External Defibrillators (AED) into your community
3. Letter from Supervisor Mary Piepho regarding truck and vehicles parked along Caltrans Right of Way
4. State Route 4 Bypass Authority Minutes for Antioch, Brentwood, Oakley, and Contra Costa County for June 10, 2010, July 8, 2010, and September 16, 2010

No comments

L. PUBLIC RECORD REQUESTS RECEIVED

M. FUTURE AGENDA ITEMS

None

N. ADJOURNMENT

The meeting was adjourned at 8:36p.m. to the next Regular meeting of November 3, 2010 starting at 7:00p.m. at 1800 Willow Lake Road- Located in back of the Delta Community Presbyterian Church.

cmc - 10.26.10