



# TOWN OF DISCOVERY BAY CSD

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MINUTES OF A REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF THE  
TOWN OF DISCOVERY BAY CSD  
Wednesday September 1, 2010  
1800 Willow Lake Road, Discovery Bay, California  
REGULAR MEETING 7:00 P.M.  
Website address: [www.todb.ca.gov](http://www.todb.ca.gov)

## Board Members

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

### A. ROLL CALL

The meeting was called to order at 7:00p.m. President Graves led the Pledge of Allegiance. Roll call reflected that all Directors were present.

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

Resident Pat Richardson - Requested a Map of Discovery Bay that includes all of the streets  
President Graves suggested going through the County  
Director Dawson received one from the Elections Department from Contra Costa County

### C. AREA AGENCIES REPORTS / PRESENTATION

#### 1. DEPUTY SHERIFF /MARINE PATROL REPORT – Report

Lieutenant Burton - 61 Reports - Pointed out incidents on the report.  
Increase in the number of residential burglaries – unlocked homes.  
Taking steps to address the burglaries – locking doors, not leaving the garage door opened.  
Director Piepho complimented Lieutenant Burton for his hard work.  
Resident Lou Erickson– Suggests adding incidents to the Discovery Bay Press.

Resident Walter Mac Vittie – Fabulous job – Preventative measures - send fliers out to the residents listing burglaries.

#### 2. CHP REPORT – No Report

#### 3. FIRE DISTRICT REPORT – Report

Battalion Chief Burris – Provided copies of the August Incident Summary Report for the ECCFPD  
Director Piepho – Station that is closed is there a phone out front? Chief Burris stated the Discovery Bay Boulevard location does have a phone, almost positive the Byron location does – will double check.  
Resident Lou Erickson – Asked, where is the closest station for an emergency? - Station 59 is the closest.  
What is the response time – depends on day, night, and location – day – less than 1 minute; night – 2 minutes out of station – times will differ depending on the location.

#### 4. EAST CONTRA COSTA FIRE PROTECTION DISTRICT REPORT - No Report

President Graves stated that he spoke to the Commissioner Finetti and he did not have anything to report.  
Battalion Chief Burris stated that there is a new Fire Chief, Henderson.

#### 5. SUPERVISOR MARY PIEPHO, DISTRICT III REPORT

Karyn Cornell from Supervisor Piepho's office – VASCO Road Safety Improvement is continuing.  
If you are on the mailing list you will receive information on one lane road closures – This week, September 1, 2010 through September 3, 2010 there will be a one lane road closure and to expect 30 minute delay from 8:30 to 3:00pm. CHP out there to enforce the construction zone – Questions call the Public Works Department.  
Slurry Seal Portion beginning on September 7, 2010 and the seal needs to cure for 4 hours – with the heat it may take less.

Vice-President Simon stated that there are rocks on the sidewalk and they are difficult to remove.  
President Graves suggested that Karyn Cornell contact the Contra Costa County Public Works to make them aware of the problem.  
Resident Walter Mac Vittie stated that on the street he lives on, a Contractor/Semi drives through at high rates of speed.  
Resident Chris Steele stated that on Willow Lake Road, a truck doing about 35 broke his windshield, and the truck driver was rude.  
Resident Lou Erickson- Can Harbor Bay have the area patrolled - It has to go before the Board of Supervisors.  
General Manager Howard stated that Public Works is working with us to possibly do the Slurry seal in front of the School on Willow Lake Road and Discovery Bay Boulevard, on a Saturday.  
Director Piepho stated that the response time from the County or Contractor has been very quick in regards to the complaints of rocks.

**D. CONSENT CALENDAR**

1. Minutes of previous Special Meeting for July 29, 2010
2. Minutes of previous Regular Meeting August 4, 2010
3. Various District Invoices
4. Monthly Financial Reports
5. Eliminate the Title of Treasurer from list of Board Titles and add President Pro-Tempore and Adopt Resolution 2010-13 acknowledging this Change
6. Town of Discovery Bay CSD Website Policy and Adopt Resolution 2010-14

President Graves asked to pull Agenda Item D-5 from the Consent Calendar and moved it to F-3.

Motion made by Director Piepho to approve the Consent Calendar with the change of moving item D-5 to F-3 and seconded by Vice-President Simon. Motion carried by the following vote: AYES: 5, NOES: 0, ABSENT: 0

**E. PUBLIC HEARING to Consider the Following**

1. Conflict of Interest Code Amendment for 2010 and Adopt Resolution No 2010-12 (Howard)

General Manager Howard - Every two years the CSD is required to adopt and update the Conflict of Interest Code and there have been changes within Management and Legal Counsel.

Motion made by Director Piepho to adopt Resolution No 2010-12 and seconded by Director Dawson.

Motion carried by the following vote: AYES: 5, NOES: 0, ABSENT: 0

**F. NEW BUSINESS AND ACTION ITEMS**

1. Town of Discovery Bay CSD Fiscal Year 2009-10 Operating and Capital Budget Summary Report (Howard)

General Manager Howard discussed the budget summary - The agenda report indicates the adopted budget expenditures of \$5.105 million, actual expenditures were \$5.236 million or 2.5% over the adopted budget.

Operating Budget - \$2.919 million, actual expenditures of \$3.711 million. Capital Budget - \$2.186 million, actual expenditures \$1.525 million.

Operating Budget - Included separate entries that were not budgeted, however, paid out - \$142,000 (Veolia \$82,000 amount carried from the FY 09-10 - \$10,000 (paid twice in 1 year) and \$50,000 (2 payments made in one year).

Budgeted amendments - adjust the budget for the additional expenditure - or reduce the budget from eliminating items from the budget - the work is not to be performed

Director Piepho had 3 comments - 1. When finalizing the budget add an addendum to reflect items with an explanation 2. Add actual overrun costs 3. Some type of asterisks added to point out why that section is out of budget.

General Manager Howard condensed the printed out budget and No 2 may be the variance column and if that is not the case will add additional column for the overrun costs.

Resident Walter Mac Vittie - Wanted more specific information added regarding the budget.

President Graves - Notes that the budget summary changes often and the copy we have tonight has already changed.

General Manager Howard - Referring to general repairs, example: Water Main break - there was an unanticipated amount and we budgeted \$300,000, actual was \$553,000, \$253,000 more than budgeted. Cannot ignore, have to pay for. The Water meter building office systems setup was more than budgeted, Office Equipment budgeted \$5,000 spent \$30,000.

Review of Residential Water Charges at Harbor Bay HOA (Howard)

President Graves excused himself from this Agenda Item.

Vice-President Simon states to review the Residential Water Charges at Harbor Bay.

General Manager Howard explains that on July 7, 2010, Lou Erickson, Vice President of Harbor Bay, brought to the Board's attention that the water rates were being miscalculated. The Board directed General Manager Howard along with Water and Waster Manager Koehne to meet with Lou Erickson.

**Residential and Landscaping all metered** – difficult to properly assess.

**Suspend the water meter billing** at this time until the entire project is complete.

**Water meter costs** per parcel/per homeowner estimated \$250-\$600 (12 month payment plan).

Vice-President Simon asked if the bills/meters have been paid and General Manager Howard stated that they have since been paid.

Director Piepho expresses his concerns with Homeowner Associations (HOA), and that there are 13 other HOA's. Harbor Bay (HOA) could be double billed and is in favor of suspending until we can handle properly – wants the project equitable for both sides - District and Association. Director Piepho suggests identifying the other 13 HOA's so that we can handle in the same way as Harbor Bay.

Director Tetreault suggests that we 1. Install meters, 2. Inequity resolved 3. Would not vote to suspend the bills, bills should be paid.

**Board agrees** and states 1. Perform an internal audit, 2. Determine that all Associations have the same structure, 3. Bring to the Board at that time.

Resident Lou Erickson Vice-President of Harbor Bay states (Letter attached) 1. Charged twice and not fair, 2. Sent a letter to the district.

Installation of the Water Meters could be done by a company of choice by the homeowner – with the Meters provided by the District.

Motion made by Director Piepho to direct Staff to initiate an audit concurrent with an action to begin the installation program of the Water Meters for Harbor Bay, and concurrently bring back a report of the audit to the Board of Directors within 30 days and seconded by Director Tetreault .

Motion carried by the following vote: AYES: 4, NOES: 0, ABSTAIN: 1, ABSENT: 0

3. **Eliminate the Title of Treasurer from list of Board Titles and add President Pro-Tempore and Adopt Resolution 2010-13 acknowledging this Change**

General Manager Howard discussed the removal of title Treasurer and add President-Pro Tempore.

Motion made by Vice-President Simon to adopt the Resolution 2010-13 which will eliminate the Title of Treasurer from the list of Board Titles and add President Pro-Tempore and seconded by Director Piepho.

Motion carried by the following vote: AYES: 5, NOES: 0, ABSENT: 0

#### G. COMMITTEE/LIAISON REPORTS

1. Trans-Plan Report – No report
2. County Planning Commission Report – No report
3. Code Enforcement Report

Director Piepho reported:

County continues to do their sign removal program, Political signs exempt – keep out of Cal Trans. Continuing to work on the abandon vehicle program in Discovery Bay, with the on going Boats and Trailers on many roads, there is a hazard possibly running into. Complaints RV's on courts, Notice to comply – Aquatic weed – removing without a contract license – serious trouble

Removal of weeds spreads the weeds much quicker – health hazard/life hazard.

Complaints from Sandy Cove – Straw Hat for advertising with big trucks

4. Special Districts Report\*\*

\*\*These meetings are held Quarterly

#### H. DIRECTORS' COMMENTS

Director Dawson reported: Attended the August 9, 2010 P-6 Zone Citizen Advisory Committee. Trying to get official numbers from the Sheriff for the Cab fund/holding things up, Heard from the community that the Board is not doing what we can to deal with the Egeria densa in the Delta, GM meet with Iris Obergon from Assemblymember Buchanan office and the letter from Joan Buchanan to the Department of Boating and Waterways states that they are assisting us on the problem.

Director Piepho handed out literature on other Water Districts – Central Sanitation talks about what they are doing; their rates - saving money – safely dispose of unwanted medications.

Director Piepho complemented the General Manager for providing the agenda report and that the reports are very helpful.

Director Tetreault states that the Weed situation is on the agenda for the September 2, 2010 meeting for the Reclamation District 800.

**I. GENERAL MANAGER'S REPORT**

1. Veolia July 2010 Monthly Operations Report

**General Manager Howard** introduced Gerald Smart for the presentation of the Monthly Operations Report.

**Gerald Smart** states - No Sanitation Sewer Overflow violations – No water violations, Return Activated Sludge pump failed in Plant 1 – When pump fails - not notified until end result, Reported to the Regional Water Quality Control Board – No violations, 56 Callouts – 23 of those were from the chlorine injection issue.

**Vice-President Simon** stated that he was under the impression that all of the pumps had alarms and would be notified.

**Gerald Smart** stated that not all of the pumps have alarms.

**Resident Walter Mac Vittle** asked if there was a scheduled flushing of the system because of brown water.

**Gerald Smart** stated that calls came in and the complaints of brown water on the West Side Facility, and he stated that you should flush beginning at the water treatment source then flush out from there and did see natural minerals, iron and manganese – when the velocity increases it causes the sediment at the lower sections of the pipe to flow into the water, turning the water brown.

**Water and Wastewater Manager Koehne** presented pictures of the Discovery Point Sewer Replacement Project and the UV Project

**J. LEGAL COUNSEL REPORT**

No Report

**K. CORRESPONDENCE – Discussion and Possible Action**

1. R – Letter from Supervisor Piepho to Senator Boxer dated July 23, 2010 regarding Funding for the Sand Creek Road Interchange
2. R – Letter from Supervisor Piepho dated July 28, 2010 regarding Board of Supervisors Meeting Board Orders\*
3. R – Letter from Supervisor Piepho to CCC Public Works dated August 4, 2010 regarding the correspondence from the Byron Municipal Advisory Council (MAC) about the on-going concerns regarding the intersection of J-4/Byron Highway and Camino Diablo
4. R – Letter from Supervisor Piepho dated August 4, 2010 regarding Board of Supervisors Meeting Board Orders\*\*
5. S – Letter sent to CCC dated August 6, 2010 regarding the County File Number LP07-2025 (Orwood Resort)
6. S – Letter sent to CCC dated August 6, 2010 regarding the County File Number LP10-2023 (Delta RV and Boat Storage)
7. R – Letter from Supervisor Piepho dated August 17, 2010 regard the Two-Gates Fish Protection Demonstration Project
8. R – Letter from Assembly member Buchanan dated August 23, 2010 regarding Egeria densa

*\* Attachments to all correspondence are available at the district offices for public viewing during normal business hours.*

**L. PUBLIC RECORD REQUESTS RECEIVED**

- (1) Request from Don Flint – Final Capital Budget – Five (5) Year Projections
- (1) Request from Don Flint – Cost of publications for rate increases

**M. FUTURE AGENDA ITEMS**

**N. ADJOURNMENT**

1. The meeting adjourned at 9:15 to next regular meeting on September 15, 2010 at 1800 Willow Lake Rd – Located in back of Delta Community Presbyterian Church.

cmc – 09.09.10