



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

SDLF Platinum-Level of Governance



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 January 19, 2022
REGULAR MEETING 7:00 P.M.**

**NOTICE
Coronavirus COVID-19**

In accordance with the Governor's Executive Order N-08-21, and for the period in which the Order remains in effect, the Town of Discovery Bay Community Services District Board will hold public meetings via teleconferencing as Board Chambers remain closed to the public.

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)*

Registration URL: <https://attendee.gotowebinar.com/register/6868340595065874956>
Webinar ID# 907-048-315

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# 172-766-135

If there is any disruption to the meeting due to unforeseen circumstances we will continue via teleconference.

Download Agenda Packet and Materials at <http://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 Director Michael Callahan
3. Roll Call – All Present

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

None

C. CONSENT CALENDAR

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

1. Regular Board of Directors DRAFT Meeting minutes for December 15, 2021 not available for approval.
2. Approve January 12, 2022, Special Board of Directors DRAFT Meeting minutes.
3. Approve Register of District Invoices

Motion made by Director Callahan to approve items 2 and 3 on the Consent Calendar as presented; Item C1 removed to be brought back at a later meeting date.

Seconded by Director Gutow

Vote: Motion Carried – Yes: 5, No: 0, Abstained: 0, Absent: 0

D. AREA AGENCIES AND LIAISON REPORTS / PRESENTATIONS

1. No representative for Supervisor Diane Burgis, District III present; No Report
2. No representative for Sheriff's Office present; No Report
3. No representative for CHP present; No Report
4. No representative for East Contra Costa Fire Protection District present; No Report

E. PRESENTATIONS

1. Announcement thanking Director Gutow for his year of service as the District's 2021 Board President. And a congratulations to Andy Pinasco, legal counsel for Town of Discovery Bay, for making partner at the law firm Neumiller and Beardslee.
2. Monthly Report from Veolia – December 2021
Veolia Project Manager Harper announced Veolia completed 4,509 safe working days at the close of the year 2021; safety topics included bloodborne pathogens, office safety, hazard recognition, Holiday and cold weather safety / fires, and OSHA's top 10 violations. Confirmed all 6 wells currently active – Well 5 in emergency status only (has the highest conductivity potential and strong organics). Water production for the month was 44M gallons and 1,822 gallons of sodium hypochlorite water. Water compliance collected 20 samples and received 2 water quality complaints; investigation completed and led to entire Lakeshore area being treated and issue resolved. Veolia Project Manager Anthony Harper advised that in order to save on operational costs when responding to customer complaints workers will also address other un-related work while in the area if needed. Wastewater samples satisfy state requirements.

F. BUSINESS AND ACTION ITEMS

1. Discussion with Caltrans Representative and Possible Board Action to Recommend Change(s) to the Intersection of Highway #4 and Discovery Bay Blvd.
Interim Assist. General Manager Davies presented an overview of the ongoing discussion with Caltrans in regard to the intersection of Highway #4 and Discovery Bay Blvd. On June 16, 2021, Town staff requested a meeting with Caltrans to ask for a "second look" at traffic safety options at the Intersection. On November 22, 2021, staff participated in a video meeting with Caltrans to discuss options for possible Intersection improvements. On December 6, 2021, Caltrans provided a proposed striping plan that would eliminate the Intersection's current delineators and striping. It was proposed that the W/B Highway #4 right-turn-only lane, east of Intersection, be changed to allow thru traffic and right turns. This means that traffic coming W/B from Stockton would have two lanes of travel that can proceed through the Intersection. No other changes were proposed. S/B Discovery Bay Blvd. traffic could still turn right (W/B) on a red light at the Intersection. On December 15, 2021, the Board reviewed the proposed Caltrans striping plan and directed staff, by Board vote, to request Caltrans come up with alternatives for the Intersection. In response to the request, Caltrans staff proposed, as an alternative, to keep the originally proposed plan, but add a change to the #1 S/B Discovery Bay Blvd traffic lane. Caltrans proposed turning the #1 S/B Discovery Bay Blvd traffic lane into a left-turn or right-turn-only lane on a green light. The #1 S/B lane is currently left-turn-only. The #2 S/B Discovery Bay Blvd traffic lane would remain right-turn-only lane that allows a right on a green or red light. The Intersection's signal light would be optimized (timed) for optimum traffic flow. Caltrans agreed to attend the January 19, 2022 Regular Board Meeting to discuss their latest proposal; Nicholas Sing was present as Caltrans representative.
Public Comments on this subject: (1) Public comment was in support of the original Caltrans proposal as discussed at the December 15, 2021 Board of Directors Meeting. Feeling it is the best change to address current safety issues. Stating that this change would eliminate confusion for unfamiliar drivers. No further Director Comments.
Nicholas Sing from Caltrans present for Q&A. Director Bryon Gutow question: Has Caltrans looked at solely removing the yellow delineators as one possible solution without any change to the traffic flow? Must all yellow delineators be removed, or could there be a partial removal [to reduce confusion]? Nicholas Sing responded that he must confer with traffic engineers for possible options; Caltrans traffic engineers were unable to attend the January 19, 2022 Regular Board Meeting. Director Carolyn Graham question: If we did remove all the delineators and changed the traffic pattern for either solution suggested, would there be any safety concerns or traffic issues? Nicholas Sing responded that both designs meet current safety standards. Director Michael Callahan question: Is there any consideration for any type of signage or any type of notice that would indicate the Discovery Bay Blvd turn onto Highway #4 is / will no longer be a protected turn? Caltrans representative Nicholas Sing responded that a possibility would be that prior to, or during, implementation of restriping Caltrans could install a portable changeable sign to alert drivers for a

determined period of time [no permanent signage]. Vice-President Ashley Porter question: Is there a way to increase the right-hand green arrow during heavy commute times? Peak times noted as Monday – Friday 5:30 – 8:30 A.M. Caltrans representative Nicholas Sing responded that he will refer question to Caltrans traffic engineers. President Kevin Graves question: When is the last time a traffic study was done on this Intersection? Caltrans representative Nicholas Sing was unable to provide details; He will have to review data and provide an answer at a later time. President Kevin Graves noted that, per his recollection, in 1994, there was no traffic light, stop sign, or turn lane but as the Town grew and commute traffic increased it is apparent Caltrans saw a need for safety to install a left-hand turn light. President Kevin Graves question: Was there a traffic study done on the Intersection at that time to determine the need for changes to the Intersection? Caltrans representative Nicholas Sing responded affirmatively. President Kevin Graves voiced concern over making a major change to traffic for the entrance / exit of Discovery Bay without doing a traffic study to really analyze what the impact is going to be on the 4,000 (or so) residents of Discovery Bay; Would Caltrans do that without doing a complete traffic study on the Intersection? Caltrans representative Nicholas Sing responded he will need to refer question to Caltrans traffic engineers to see how much of a change they think this is going to make and if it warrants a traffic study. President Kevin Graves voiced further concern that Caltrans is potentially creating a bottleneck by going from 1,200 ft plus the intersection to four (4) lanes, then back to two (2) - 600 ft right-hand turn lane currently exists coming from the East W/B and then E/B on Discovery Bay Blvd there is another 600 ft merge lane. Whenever you reduce lanes traffic is increased, especially during peak traffic times, correct? Caltrans representative Nicholas Sing responded that this question would also have to be referred to Caltrans traffic engineers. President Kevin Graves again requested a traffic study be done prior to any changes being implemented that could potentially cause an increase in commute traffic. Another concern is landscaping – with the proposed changes landscaping crew will be working within feet distance of vehicles traveling an average of 55 MPH on Highway #4. Is this being considered as a safety issue? Caltrans representative Nicholas Sing agreed to ask for a traffic study. Nicholas Sing was instructed to direct all future communication to Interim Asst. General Manager Michael R. Davies. No action taken by the Board at this time, pending further information from Caltrans. Future agenda item.

2. Discussion and Possible Action Authorizing Luhdorff & Scalmanini to Provide Design and Construction Engineering Services for new Well 8 and Pump Station, in the amount of \$357,998 plus 10% for Contingencies.

Projects Manager Mike Yeraka presented a brief summary of this multi-faceted project: The Board has already authorized Harris & Associates to perform the CEQA environmental review for the project at the November 17, 2021, Board Meeting. Item (A) before the Board is to approve Luhdorff & Scalmanini to prepare the design for the Well and the Well Pump Station as well as oversee the construction. The Scope of the Work contains four (4) Tasks: (1) Project Coordination and Administration \$21, 280 (2) Regulatory and Permitting Activities \$15, 420 (3) Production Well Design and Construction \$75, 470 (4) Well Pump Station Design and Construction \$245, 828. The cost of \$357, 998 plus 10% for Contingencies is included in the budgeted \$4.8 million for the total project. Item (B) before the Board is to authorize General Manager Dina Breitstein to Execute the Town's Standard Form of Professional Services Agreement, but the effective date of this contract would only take place after the approval and purchase of the land for the well site – the purchase of the well site property will be brought before the Board for approval at a subsequent Board Meeting. President Kevin Graves asked how soon the Board can expect to have action on the purchase of the land. General Manager Dina Breitstein confirmed it would be brought before the Board at the February 2, 2022 Regular Board Meeting.

Director Bryon Gutow asked what happens to the contract in the event property negotiations are unsuccessful.

Projects Manager Mike Yeraka confirmed that in the event property negotiations were unsuccessful the contract would not be executed.

Public Comments: none

Motion made by Director Gutow to approve

Seconded by Director Callahan

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

3. Discussion and Possible Action Regarding the Independent Special District Selection Committee and Special District Representative on LAFCO

General Manager Breitstein stated that the District received correspondence dated January 7, 2022 from LAFCO announcing that two regular special district member seats on LAFCO will expire on May 2, 2022; LAFCO requested the District respond by March 4, 2022 naming the District's presiding officer and appointing an alternate for the Independent Special District Selection Committee (ISDSC) and to consider nominating a candidate for the two expiring regular special district member seats on LAFCO. Noted that both Commissioners will be seeking reappointment. President Graves is a regular special district member and (1) Staff is looking to appoint the District Vice President, Director Porter, as the District alternate. (2) Staff is also

asking the Board to solicit a member to fill the upcoming Special District vacancies and (3) approve a Board Nomination Resolution for submittal to LAFCO.

President Kevin Graves asked if there were any Board Member volunteers for nomination to LAFCO but there were none. Items 2 and 3 removed from the agenda.

No Public Comment

Motion made by Director Graham to appoint Vice President Porter to the LAFCO special committee to as an alternative if President Graves is unable to participate in an Independent Special District Selection Committee (ISDSC) meeting or election.

Seconded by Director Gutow

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

G. MANAGER'S REPORT

1. Synthetic Turf Update

Parks and Landscape Manager Engelman updated the Board regarding the Community Center Pool Turf Project, scheduled to begin January 31, 2022. A few weeks of prep work should be expected, followed by 1-2 weeks of down time. First week of March 2022 the Turf will be laid and the entire project is expected to be complete by the end of March 2022.

Director Graham asked if at that point everything will be done (other than seating / furnishing).

Recreation Programs Supervisor Gallo responded that we are still awaiting final inspection; the appointment for final inspection was scheduled but the County cancelled the appointment without explanation and Adam's Pool has been reaching out to reschedule but there has been no response from the County. Once the final inspection is complete, furnishing and hiring staff will be the final step.

President Graves asked what percentage of payment are we currently at with Adam's Pool?

Finance Manager Carter responded that it is believed that only the retention fee has been paid but unsure. They have not been paid 100%.

President Graves inquired if, overall, Recreation Programs Supervisor Gallo has been the project manager.

Recreation Programs Supervisor Gallo answered affirmatively.

President Graves asked if Recreation Programs Supervisor Gallo was satisfied with the service received from Adam's Pool.

Recreation Programs Supervisor Gallo answered that she was very happy with the service received; Adam's Pool was easy to work with and any delays encountered were out of their control (COVID Pandemic caused delays) but they were very responsive and successfully developed an efficient working relationship.

President Graves also asked the opinion of Director Callahan regarding Adam's Pool due to his close working relationship with them at the beginning of the project.

Director Callahan responded that not enough good things could be said about Adam's Pool; they are an outstanding organization to work with.

2. Temporary Closure of the Large Dog Park for Repairs

Parks and Landscape Manager Engelman added an item to the agenda regarding the dog park drainage correction project due to begin Monday January 24, 2022. Estimated to take a week, give or take a few days, and once complete it will re-open immediately. The small dog park will be open to all-size dogs in the meantime.

H. GENERAL MANAGER'S REPORT

No Report

I. DIRECTOR REPORTS

1. Special Parks & Recreation Committee Meeting Update

Director Gutow reported Park and Rec. had a meeting today to discuss proposal for revamping Willow Lake Island, potential fee increase for community center pool usage, addressing and mitigating graffiti at the Cornell Park bathroom, and the issuance of the new Community Activities Guide.

2. Attendance at the Lakeshore HOA Meeting

Director Graham and General Manager Breitstein had a zoom meeting with Lakeshore HOA. The Town is working to increase communication with The Lakes and Lakeshore. It was a very good call; Lakeshore HOA is going to allow Staff to post events and important announcements on their Facebook page and newsletter. Lakeshore HOA will also be emailing Staff a list of what issues they're having now so we can see what we can do to assist them. There will be a future meeting similar to this with The Lakes HOA.

J. DIRECTORS REGIONAL MEETING AND TRAINING REPORTS

1. ECCFPD - CONFIRE Merger Update

President Graves reported the East Contra Costa Fire Protection District (ECCFPD) merger and consolidation with CONFIRE paused due to LAFCO experiencing technical issues and unable to approve per

planned timeline. Also noted there is a difference in pay for staff between ECCFPD and CONFIRE; due to ECCFPD being a smaller agency (and more responsibility for each employee) their employees were paid a higher salary. This difference in pay is an issue with the union that is being negotiated.

K. CORRESPONDENCE RECEIVED

None

L. FUTURE AGENDA ITEMS

1. Action Item to Establish Ad Hoc Committee

President Graves requested an action item for the establishment of an ad hoc committee with the specific purpose of investigating and looking into the feasibility of building new offices for the Town of Discovery Bay.

M. ADJOURNMENT

1. Adjourned at 8:01 p.m. to the regular meeting on February 2, 2022, beginning at 7:00 p.m. 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."