



TOWN OF DISCOVERY BAY CSD

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Board Members

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Director-David Piepho	DApiepho@sbeglobal.net
Director-Shannon Murphy-Teixeira	smt@politician.com

MINUTES OF REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY CSD

June 3, 2009

1800 Willow Lake Road, Discovery Bay, California

Website address: www.townofdiscoverybay.org

REGULAR MEETING at 7:00p.m.

A. ROLL CALL

President Tetreault called the meeting to order at 7:00 p.m. He then led in the Pledge of Allegiance. General Manager Koehne called roll. All Directors were present with the exception of Treasurer Dove.

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

No public comment.

C. AREA AGENCIES REPORTS / PRESENTATION

1. **DEPUTY SHERIFF /MARINE PATROL REPORT** Lieutenant Burton gave the report for the month. He commented that the staffing had changed so that graveyard units are assigned out of Martinez and their statistics are now captured differently.
2. **CHP REPORT** No one in attendance.
3. **FIRE DISTRICT REPORT** No one in attendance.
4. **SUPERVISOR MARY PIEPHO, DISTRICT III REPORT** Karyn Cornell of Supervisor Piepho's office reported that the Library-A-Go-Go has been launched. She reported that the Boat Storage Ordinance had been approved. She reported that they had moved their Brentwood office to 181 Sand Creek Road. She reported that she had copies of the County Administrator's response to the Grand Jury report regarding the Byron Boys Ranch. She commented about how many Discovery Bay residents had turned out say that they should keep the facility open. She reported that Supervisor Piepho and Supervisor Gioia took part in an event to highlight the collaboration between the Brentwood growers and the Richmond Children's Foundation. She reported that at the next Supervisor's meeting they will be declaring June, Buy Fresh, Buy Local month. She reported that on June 6, 2009 there will be a ribbon cutting ceremony to honor the John Marsh Heritage Highway which is part of the By-Pass. She reported that the P-6 Funds were approved for allocation at the May 19, 2009 Supervisor's meeting. She reported that at the June 2, 2009 Supervisor's meeting the Public Works Department and Flood Control presented on the action by FEMA to change their master from paper to digital and with this change some properties will be added in to the flood plan. She stated that Public Works had sent out notices to all potentially affected parcel owners, none were sent to Discovery Bay residents.

difficult year and that they did not have any money to fund it at this time. Vice-President Simon suggested that staff inquire of other districts and find out what they are going to do.

9. **Discuss and Direction on Potential Lawsuit with California Sportsfishing Protection Alliance (Koehne)** General Manager Koehne presented this item to the board. Legal counsel commented that in the event that this goes to litigation there are three things; one (1), they do not know what the insurance company would do, they have not had a response from them yet, two (2), it should be covered by SouthWest Water, they have not responded yet and three (3), if it does go to litigation he and his firm do not feel that they have the experience in this and they would recommend another firm if the board wishes. Director Piepho motioned to postpone this to the next meeting for closed session. Director Murphy-Teixeira 2nd the motion. The motion passed. (4 ayes, 0 nos, 0 abstain)
10. **Discuss and Comment on Development Plan Application to Modify Existing Longs Signage to CVS Pharmacy (Koehne)** General Manager Koehne presented this item to the board. He commented that the only issue staff has would be that CVS would like to add two more signs than are currently on the building, one is liquor and the other is photo and staff would suggest that these extra signs not be added. Director Murphy-Teixeira made a motion that the board comments are that they agree with staff's recommendation in not putting any additional signage, i.e. liquor and photo. Director Piepho 2nd the motion. The motion passed. (4 ayes, 0 nos 0 abstain)

G. COMMITTEE/LIAISON REPORTS

1. **Trans-Plan Report** No report.
2. **Code Enforcement Report** Director Piepho stated that the meeting had been postponed until an undetermined date in June. He reported that the motor home parked at the Athletic Club has been turned into Code Enforcement and they are working on it.
3. **Special Districts Report**** No meeting.

**These meetings are held Quarterly

H. DIRECTORS' COMMENTS

Director Murphy-Teixeira asked the board for a range to work within for the cost of the website. The board agreed that they would be willing to go in the range of \$10,000.00 maybe to \$15,000.00, and are willing to go to \$20,000.00 if necessary since this would be something that can be amortized over a period of years.

Director Piepho stated that he would be attending a LAFCo workshop on Fire Department – Fire District Consolidation on June 5th and that Contra Costa County is sending the largest contingency. He also thanked Directors Dove and Simon on going through the budget for the last meeting.

President Tetreault commented that the letter from the district to the Supervisor outlining the items about the Community Center, from last meeting, had gone out. He commented that he and his wife had signed up to be judges for a speech contest at Discovery Bay Elementary for the 4th, 5th and 6th graders. He stated that he was very impressed and he highly recommended volunteering for it.

I. GENERAL MANAGER REPORT

General Manager Koehne commented that when preparing the Consumer Confidence Report (CC&R) it was found that there was a detection of cyanide in the three wells. He reported that Southwest Water had only gone back to retest one well and it was found to be a non-detect but since they did not retest the other two wells it has to be reported in the CC&R. He stated that staff will also be doing quarterly testing to see if there is any detection again. He stated that staff believes that there might have been contamination on the gloves that were worn, but that staff will be retesting to be sure. He commented that there had been several instances of broken sprinkler heads in the parks and along Clipper Drive. He commented that staff has been putting mulch along Clipper Drive.

J. LEGAL COUNSEL REPORT

No report.

D. DISTRICT FINANCIAL REPORT

General Manager Koehne gave the financial report. He reported that there is 3 million in reserves, approximately one half million in encumbrances, leaving a balance of 3.4 million.

E. CONSENT CALENDAR

1. Director Piepho made a motion to approve the Consent Calendar. Vice-President Simon 2nd the motion. The motion passed. (4 ayes, 0 nos, 0 abstain)

F. NEW BUSINESS FOR BOARD CONSIDERATION

1. **Discuss and Possible Action on Request from the Hofmann Land Development on Possible LAFCo Application to Annex two Parcels (Koehne)** Brandon Rizzo of Hofmann Land Development presented this item to the board again. The board consensus was not to take the lead on the application to LAFCo. Director Piepho gave General Manager Koehne a copy of the application land use policy for LAFCo and asked that he make copies of it for the board in the future. He also commented that the county had offered to come and give a presentation of how things, such as this, move through the process. It was also stated that the information as to whether the district has capacity to serve these two parcels would be a public records request.
2. **Discuss and Accept Dedication of Real Property/s & Easements from Hofmann Company (Koehne)** General Manager Koehne presented this item to the board. He stated that most of the parcels are landscaping parcels and that one is plant number 2 and that one is the parcel that the wetlands is on at plant number 1. Director Piepho made a motion to accept the dedication of real property and easements as presented in the agenda from the Hofmann Company. Director Shannon Murphy-Teixeira 2nd the motion. The motion passed. (4 ayes, 0 nos, 0 abstain)
3. **Discuss and Possible Action on Fix Fees for District's Attorney to Attend Board Meetings (Tetreault)** President Tetreault presented this item to the board. He explained how they had arrived at the fee they were presenting and that it was \$1900.00 per month for two meetings a month plus two special meetings a year. Director Piepho made a motion to accept the proposal. Vice-President Simon 2nd the motion. The motion passed. (4 ayes, 0 nos, 0 abstain)
4. **Discuss and Direction on Next Phase/s for Residential Water Meter Program (Koehne)** President Tetreault asked that this item be postponed to the next meeting. Director Piepho made a motion to postpone this item to June 17, 2009. Vice-President Simon 2nd the motion. The motion passed. (4 ayes, 0 nos, 0 abstain)
5. **Discuss and Approval to Surplus Certain District Equipment (Koehne)** General Manager Koehne explained to the board that there were two pieces of equipment; the first is a 45KW gasoline engine generator and the other being the 1988 Vac-Truck. He explained that the Vac-Truck cannot be operated in California anymore because of the diesel emissions. Vice-President Simon made a motion to authorize the General Manager to surplus both items. Director Piepho 2nd the motion. The motion passed. (4 ayes, 0 nos, 0 abstain)
6. **Discuss and Approve Resolution No. 2009-05 to Prepare Annual Engineer's Assessment Report for DB L&L Zone #9 (Ravenswood) (Koehne)** General Manager Koehne presented this item to the board. Director Piepho made a motion to approve Resolution No. 2009-05. Vice-President Simon 2nd the motion. The motion passed. (4 ayes, 0 nos, 0 abstain)
7. **Discuss and Possible Action to Review and Modify "District Representative" Committee Listing (Tetreault)** President Tetreault stated that on the Fire Protection representatives he wanted to replace Treasurer Dove with himself and on the Landscaping he wanted to place Treasurer Dove as primary and Director Piepho as secondary. Director Piepho made a motion to accept the changes. Vice-President Simon 2nd the motion. The motion passed. (4 ayes, 0 nos, 0 abstain)
8. **Discuss and Direction on Contributions to Central Valley Salinity Coalition (Koehne)** General Manager Koehne presented this item to the board. Director Piepho suggested that staff send a letter in response stating that the board had just gone through the budget and found that it was going to be a

K. CORRESPONDENCE – Discussion and Possible Action

1. S - Letter to Central Valley Regional Water Quality Control Board on Spill – May 22, 2009
2. R – Letter from Regional Water Quality Control Bd. On Review of Methylmercury Discharges – May 13, 2009
3. R – Letter from Supervisor Piepho to Public Protection Committee re: P-6 Discovery Bay – May 13, 2009

L. FUTURE AGENDA ITEMS

Director Piepho asked for a report on landscaping. He commented that Highway 4 has issues of dead trees, shrubs and bricks falling off the sound walls. He asked that this be on the agenda to discuss how it can be maintained. He also asked for the large water users to be on the agenda.

Vice-President Simon asked for a project list on the landscaping.

Director Piepho commented that he would like to see an update from Rec 800 about the levies in regards to the landscaping.

M. ADJOURNMENT

The meeting was adjourned at 8:28 pm to next regular meeting of June 17, 2009.

lh 6/9/09