



TOWN OF DISCOVERY BAY CSD

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Board Members

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Director-David Piepho	dp1800todb@sbcglobal.net

**MINUTES OF REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
TOWN OF DISCOVERY BAY CSD**
Wednesday, November 18, 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 7:00p.m. and then led in the Pledge of Allegiance. He asked General Manager Koehne to call roll. All three directors were present.

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

None

C. CONSENT CALENDAR

General Manager Koehne requested that since there would not be a meeting on December 2, 2009 that the invoices that have been received to date be added to the Consent Calendar for approval. Director Piepho made a motion to add the additional invoices under item C2 of the Consent Calendar. Vice-President Simon 2nd the motion. The motion passed. (3 ayes, 0 nos, 0 abstain)

Legal Counsel stated that on Item #3 the agenda is correct that the date of David Dove's letter be sent on November 25, 2009, but the actual letter is dated November 18, 2009. He stated that the letter should be dated November 25, 2009 since that is the date it will be mailed. Legal Counsel asked that the change be added to the Consent Calendar. Director Piepho made a motion to approve the Consent Calendar. Vice-President Simon 2nd the motion. The motion passed. (3 ayes, 0 nos, 0 abstain)

D. CHAIR REPORT

None

E. DIRECTORS' COMMENTS

Vice-President Simon had no comment.

Director Piepho commented that there was an advisory counsel training and asked legal counsel how they could get board approval to attend. Legal Counsel stated that they did not need prior approval of the board to attend but that they would need prior approval of the board in order to be paid for the meeting. And since it is not on the agenda it can not be voted on. He further explained the Brown Act ruling for adding an item as an emergency and that this did not qualify. Director Piepho commented on the lights at the front entrance that illuminate the palm trees, a majority are out. General Manager Koehne responded that he would look at that.

Director Piepho commented that he had attended a Community Center meeting the previous week and the

developer is asking that we look into funding, and that legal counsel look at the possibility of staff occupying the facility, and prepare some kind of document that shows that this is our intent. General Manager Koehne asked if he wanted staff to bring back the various financial papers that they had prepared before. Director Piepho commented that the developer wanted them to show that they would be able to maintain the facility financially. He stated that they are not quite there yet but they would want to show everything from the CSD renting out space in the building to the CSD being able to loan funds to the project and the election option.

F REQUEST FOR BOARD CONSIDERATION

1. **Discuss and Possible Action to Approve Purchase of a Public Address System for District Office (Koehne)** General Manager Koehne explained that staff had gotten quotes to present to the board for a Public Address System. He explained that this is not in the budget so it would come out of normal expenses. Director Piepho commented about the cost and asked if there were more quotes. Vice-President Simon commented that it seems very high for the purpose. There was discussion about looking for more quotes versus trying to complete this now for the audience. Director Piepho made a motion to approve the low bid from SAV not-to-exceed \$9,500.00. Vice-President Simon 2nd the motion. An audience member commented that he knew a gentleman that did this kind of work that would be happy to come out and take a look at this to give a quote. President Tetreault asked him to give the gentleman's name to General Manager Koehne. General Manager Koehne asked that this gentleman not be told the current prices of the other quotes. Director Piepho withdrew his motion.
2. **Discuss and Possible Action to Assist and Use of District Equipment for Community Parade of December 05, 2009 (Koehne)** General Manager Koehne explained to the board that this would be the generator that is used at the Judge's stand, and an equipment trailer for a stage. Legal counsel had no objection. Director Piepho made a motion to allow staff to use the district generator and district equipment to help with the Community Lighted Christmas parade. Vice-President Simon 2nd the motion. The motion passed. (3 ayes, 0 nos, 0 abstain)
3. **Discuss and Approve Notice of Exemption (CEQA) for Willow Lake Streetscape Improvements and Discuss and Approve Lowest Responsive Bidders for Willow Lake Streetscape Improvements Project (Koehne)** General Manager Koehne presented this item to the board. There was discussion about where the work was to be done, what would be removed and what would be saved. President Tetreault commented that the corner looked fine with the grass that is there now and that he does not feel that Willow Lake is one of the most prominent areas that need the work. Vice-President Simon commented that we could start on this project and then go on to other projects since nothing at all has been done for a long time. President Tetreault would rather spend the money elsewhere. Director Piepho asked the cost of the CEQA documents. It was responded that they were about \$35.00. He suggested that they get the CEQA going and then they go out and look at the project to see if it was something they want to pursue. He also commented that he and Director Dove had talked to the landscaper about hydro-seeding on Clipper and that it is very inexpensive. Legal counsel explained that if the description of the project changes they will have to get a new CEQA and if they do not like the project as it is they need to reject all bids or hold them depending on how long they are good for. Rebecca Ferguson of the Discovery Bay Garden Club commented about putting in grass versus native plants. She also commented that she is concerned about what is expected of the Club by the part on the plans that refers to a Demonstration Garden. General Manager Koehne responded that that area of the plan was a place marker for the Club to be able to do Demonstration Gardens but that the district would still pay for the plants, plant them and maintain them. His thought of a Demonstration Garden would be some things that would be educational to the residents of Discovery Bay for how to use low water plants and native plants for example. He also stated that they could take sections of the grass and show various types of artificial turf that residents could use to lower their use of water. Walter MacVittie commented that since the directors have concerns over the project that they should process it a little longer. He also stated that the board should have seen this project before the bids went out. Rich Kier commented that he felt the plans should have come before the board before the bids and that it has been 3 ½ years since there have been any capitol improvements on the landscaping in Discovery Bay. He commented that the Golf Course side of Discovery Bay could be worked on. Pat Richardson asked about a priority listing of landscaping to be done in Discovery Bay and why it is not being used. Jennifer Finetti asked if the bids could be extended.

General Manager Koehne commented that the bonds might have an expiration. Legal Counsel commented that if one bidder wanted to extend but another did not that could create a situation. Jennifer Finetti commented that she would have liked to see a picture of what the area looks like now and how it would look in the future if the project were done. Don Flint commented that he thought it would be great if the Garden Club could be more involved in the initial planning of the project and if that whole corner could be a demonstration garden. Judy Kier commented that nothing gets done on the landscaping, please do something. General Manager Koehne reminded the board that staff had come to the board for approval to go out for bid and had told the board that the plans were available at the office for them to look at. He commented that he will ask the architects in the future to do an artist rendering for the board of how the completed project would look. President Tetreault commented that even though they want to do something with the landscaping that he cannot support the expense of this project, had it still been in two phases he could have possibly supported the phase without the corner. Director Piepho made a motion to approve the notice of exemption and the lowest bidder for the Willow Lake Streetscape Improvement Project Not-To-Exceed \$128,000.00. Vice-President Simon 2nd the motion. He commented that if they had approved just the first phase and then come back in a couple years it would be a lot more, they should do this, they have the money and make a start on the landscaping. The motion failed. (RT – no, MS – yes, DP – yes)

4. **Discuss and Comment on Veolia's Quarterly Report (Koehne)** General Manager Koehne commented that this report had been handed out to the board at a previous meeting so they would have time to look it over. Director Piepho had various questions about the report, to which Gerald Smart of Veolia responded. Director Piepho commented that he felt that there was a working relationship being built and that the report was exactly what he was looking for. Vice-President Simon asked about the staff changes and if we are paying the staff what they need to keep them from leaving. Gerald responded that he has been keeping his eyes open for people since there are cities laying off and that he has been able to find people and offer them the salary to keep them around. Vice-President Simon also commented that the attitude of Veolia is so much better than the previous contractor and that they are getting things done. Gerald made a power point presentation. It is on file at the District Office. Bob Mankin asked if they knew whether the Two Gates project was going effect our wastewater treatment. General Manager Koehne explained that the District Engineers are working with staff to write a letter to the State about the Two-Gates Project.
5. **Discuss and Possible Action to Appoint a Board Member to a Director's seat on the Special District Risk Management Authority Board of Directors effective January 1, 2010 (Koehne)** General Manager Koehne presented this item to the board. No member of the board wished to be appointed.

G. GENERAL MANAGER REPORT

1. Large User Update
2. Veolia Monthly Report (September)

General Manager Koehne reported that staff had gone out to bid for Phase II of the Well 6 Project, bids are due mid December. He reported that because of the new process of the Bio-Solids a lot of the by-product was accumulated on sight while we proved to the EPA that the process worked but the Regional Board is wondering when we are going to get rid of it. He reported that this past week they spread it in the south 40 land. He commented that they would grow a dry crop on it to release the nitrogen. He reported that the new street signs are going in. He reported that Datamatic had brought out a support person to help with some issues that we were having with the units not reading. He reported that staff had received quotes to trim about 200 trees at Cornell Park. He showed the board a film of a sewer main that had been photographed to look for issues such as pipe separation, or roots coming in or somebody drilling through the main for phone lines or power lines. He reported that the large user he is working on is Discovery Bay Elementary, the front entrance of the school. The school tells him that they have a consultant that is working on it.

H. LEGAL COUNSEL REPORT

No report. He commented that the Department of Water Resources has created a model ordinance requiring new development and new homes to have landscaping plans to affect water savings and that ordinance will go into effect in January of this coming year in all Cities and Counties that have not already adopted a tighter ordinance. He stated that it does not affect us since we are not a city.

I. CORRESPONDENCE – (Possible Action or Discussion)

1. R-Ltr from Supervisor Piepho–Board Order 10-16-09, Willow Lake Rd Sidewalk Project revd 11-2-09
2. R-Ltr to Reclamation District 800 from Supervisor Piepho, Board Order 10-20-09 regarding Appointment of Bob Anderson revd 11-2-09
3. R-Ltr from Supervisor Piepho-Board Orders from 9-22-09, Proposition 1B, CC Airports revd 11-2-09*
4. R-Ltr from Supervisor Piepho-Board Orders from 10-20-09, Marsh Drive Bridge, State Route 4/Somersville Road to State Route 160, Base Year Rate Application-Waste Collection revd 11-2-09*
5. R-Ltr from Supervisor Piepho-Willow Lake Road Sidewalk Project revd 11-2-09
6. R-Ltr from Supervisor Piepho-Board Orders from 9-15-09, Knightsen Park Dedication Fees, Byron Hwy Should Widening Project, Balfour Shoulder Widening revd 11-6-09*
7. R-East Contra Costa County Transportation Committees Meeting on 11-12-09 Notification revd 11-10-09
8. R-CCC Aviation Advisory Committee Agenda for 11-17-09 & Draft Minutes 10-20-09*

* Attachments are available for review at District Office

General Manager Koehne commented on #8. He commented that on their agenda item #5 was a proposal to buy Byron Airport. He stated he did not have any details on this.

J. FUTURE AGENDA ITEMS

President Tetreault asked to have extension of Veolia's contract on a future agenda.

Vice-President Simon asked to have on the next agenda to get a landscaping plan started.

General Manager Koehne commented that he had planned the wetlands report for the second meeting in December and the presentation by the developer of 72 homes.

K. ADJOURNMENT

The meeting was adjourned at 8:43 pm to the next Regular meeting of December 16, 2009.