



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

President - Chris Steele • Vice-President - Kevin Graves • Director - Jim Mattison • Director - Mark Simon • Director - Ray Tetreault

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY CSD
Wednesday June 20, 2012
REGULAR MEETING 7:00 P.M.
1800 Willow Lake Road, Discovery Bay, California
Website address: www.todb.ca.gov**

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

Call business meeting to order – 7:15 p.m. by President Steele
Pledge of Allegiance – Led by the Boy Scouts of America – Troop 514
Roll Call – All Present

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

There was one (1) Public Comment Speaker

**C. OPEN SESSION DISCLOSURE OF CLOSED SESSION AGENDA
(Government Code Section 54957.7)**

Legal Counsel Schroeder – Stated that the Closed Session items D -1 and E have been postponed to a future date

D. CLOSED SESSION:

- 1. CONFERENCE WITH LABOR NEGOTIATOR Government Code Section 54957.6**
Agency Designated Representative: Kevin Graves and Ray Tetreault
Unrepresented Employees: General Manager

**E. RETURN TO OPEN SESSION; REPORT ON CLOSED SESSION
(Government Code Section 54957.1)**

Legal Counsel Schroeder – Closed Session items D-1 and E have been postponed to a future date

F. PRESENTATIONS

- 1. Luhdorff & Scalmanini - Well 5A**
General Manager Howard – Introduced John Fawcett with Luhdorff & Scalmanini
John Fawcett – Provided a Power Point Presentation on the current status of Well 5A
There was a discussion between John Fawcett, the General Manager, and the Board. There was one (1) Public Comment Speaker

G. PRESIDENT REPORT AND DIRECTORS' COMMENTS

Director Mattison – Stated that there are several items from the Communications Committee meetings he would like to see the Town of Discovery Bay CSD move forward with.
Vice-President Graves – Provided his report and the details of the East Contra Costa Fire Protection District meeting dated June 11, 2012, also, provided his report and the details of the Aviation Advisory Committee meeting dated June 14, 2012.

H. 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. Minutes of previous Special meeting dated June 6, 2012 - CANCELLED
2. Minutes of previous Regular meeting dated June 6, 2012
3. Minutes of previous Special Workshop meeting dated June 13, 2012
4. Notice of Exemption (CEQA) for Clipper Drive Landscape Improvement Project
5. District Invoices

Motion by: Director Simon to approve the Consent Calendar

Second by: Director Tetreault

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

I. NEW BUSINESS AND ACTION ITEMS

1. **Adopt Resolution No. 2012-14 and Resolution 2012-15 Authorizing the Formation of Joint Powers Authority between the Byron Bethany Irrigation District and the Town of Discovery Bay CSD**

General Manager Howard – Provided the details of item I-1 and introduced Cameron Weist, Weist Law Firm
Cameron Weist, Weist Law Firm – Provided additional details of item I-1

There was a discussion between Cameron Weist, the General Manager, the Board, and Legal Counsel

Motion by: Vice-President Graves to adopt Resolution 2012-14 and 2012-15 approving both resolutions, document approval by Legal Counsel Schroeder, approve the Joint Exercise of Powers Agreement and to authorize the General Manager to execute the final PFA Agreements in the name of and on behalf of the Town of Discovery Bay

Second by: Director Tetreault

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

2. **Adopt Resolution No. 2012-12 Approving the Fiscal Year 2012-13 Operating, Capital and Revenue Budgets**

General Manager Howard – Provided the details of item I-2

Motion by: Director Tetreault to approve the FY2012-13 Budget and Resolution No. 2012-12

Second by: Director Simon

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

3. **Adopt Resolution No. 2012-13 Approving the Discovery Bay Lighting and Landscape Zone #8 Appropriations Limit for FY 2012-13**

General Manager Howard – Provided the details of item I-3

Motion by: Director Simon to adopt Resolution 2012-13 establishing the Discovery Bay Lighting and Landscape Zone #8 2012-13 Appropriations Limit note to exceed \$497,620.79

Second by: Director Tetreault

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

4. **Agency Comment Request – Home Occupation Use Permit Application – McCord (LP12-2067)**

General Manager Howard – Provided the details of item I-4. General Manager Howard also stated that Staff will send out the appropriate letter to the County with no negative comments.

J. VEOLIA REPORT

General Manager Howard – Stated the Berney Sadler was unable to attend the meeting and will provided the details of the May 2012 and June 2012 Monthly Operations Report at the next Board meeting.

K. MANAGER'S REPORTS

L. GENERAL MANAGER'S REPORT

1. **Capacity Fees (Update)**

General Manager Howard – Reminded the Board that the July 4, 2012 meeting has been cancelled due to the Independence Day Holiday. Provided the details of item L-1

M. DISTRICT LEGAL COUNSEL REPORT

Legal Counsel Schroeder – There was a Special meeting at 6:30 p.m. regarding Agenda item D-1. All five (5) Board Members were present during the entirety of the Closed Session, and there is no reportable action. Also, reported a recent action that has been filed on June 6, 2012 on behalf of the District against Southwest Water Company.

N. COMMITTEE UPDATES

1. **DRAFT Minutes of the previous FY 2012-13 Budget Review Committee meeting dated May 30, 2012**

O. CORRESPONDENCE-Discussion and Possible Action

1. R – Contra Costa County Aviation Advisory Committee meeting minutes dated April 12, 2012
2. R – Transplan Committee meeting minutes dated May 10, 2012
3. S – Contra Costa County Department of Conservation and Development regarding County File Number DP11-3025
4. S – Contra Costa County Department of Conservation and Development regarding County File Number LP11-2051
5. R – State Route 4 Bypass Authority meeting minutes dated March 8, 2012
6. R – State Route 4 Bypass Authority meeting minutes dated April 12, 2012
7. R – State Route 4 Bypass Authority meeting minutes dated May 10, 2012
8. R – East Contra Costa Fire Protection District meeting minutes dated May 7, 2012

P. PUBLIC RECORD REQUESTS RECEIVED

Q. FUTURE AGENDA ITEMS

Director Mattison – Communications Committee items to move forward with

R. ADJOURNMENT

The meeting adjourned at 8:20 p.m. to the next Regular meeting of July 18, 2012 starting at 7:00pm at 1800 Willow Lake Road-Located behind the Delta Community Presbyterian Church.

//cmc – 06.22.12

<http://www.todb.ca.gov/content/agenda-and-minutes/>