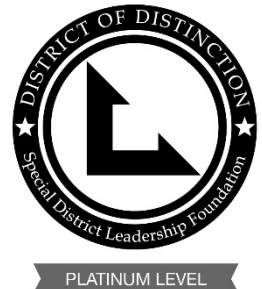




# TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

**SDLF Platinum-Level of Governance**



President – Bryon Gutow • Director – Kevin Graves • Director – Ashley Porter • Director – Michael Callahan • Director – Carolyn Graham

**MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF DIRECTORS  
OF THE TOWN OF DISCOVERY BAY  
Wednesday May 19, 2021,  
REGULAR MEETING 7:00 P.M.**

**NOTICE**  
**Coronavirus COVID-19**

In accordance with the Governor's Executive Order N-33-20, and for the period in which the Order remains in effect, the Town of Discovery Bay Community Services District Board Chambers will be 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 TELECONFERENCE:**  
Toll-Free Dial-In Number: (877)778-1806  
CONFERENCE CODE **891949**

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. – By President Bryon Gutow.
2. Pledge of Allegiance – Led by Director Ashley Porter.
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. Approve May 5, 2021, Regular Board of Directors DRAFT Meeting minutes.
2. Approve Register of District Invoices.
3. Approve Board and Management Attendance at the 2021 Annual Discovery Bay Chamber of Commerce State of the Town Event.

Motion made by Director Ashley Porter to approve items on the Consent Calendar as presented.  
Second by Vice President Kevin Graves.

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

**D. AREA AGENCIES REPORTS / PRESENTATION**

**E. LIAISON REPORTS**

**F. PRESENTATIONS**

1. Caltrans Presentations on Highway 4 Construction.  
Skip Allum, Public Information Officer at Caltrans in Stockton provided information regarding closure and detours during construction on Highway 4 between Discovery Bay and Stockton. There are three (3) projects planned that will affect travel and extend the commute along Highway 4. Each of these projects will require

closure and detours for at least 55 hours. The closures will affect traffic from Fridays at 10:00 p.m. until 5:00 a.m. on Mondays. The only traffic permitted along the closed portions of the highway will be emergency vehicles and those who are trying to reach local businesses along the closed portion. There will not be any construction during the week, only weekends. Caltrans has the support of local agencies to help reach the public with communications regarding these projects.

Public comment regarding:

- Date of first project.

Per Skip Allum, the expected start date of the construction on Highway 4 will begin in September 2021.

2. Monthly Water and Wastewater Report from Veolia – April 2021.

Veolia Project Manager Anthony Harper updated the Board with April 2021 operations. Advised of reports which have been submitted to the state as required. Plant No. 1 is still inactive. All 15 lift stations are active and running. Safety trainings continue and wastewater compliance numbers are very good.

Vice President Kevin Graves asked if the project on Willow Lake and Laguna has been completed.

Water and Wastewater Manager Aaron Goldsworthy advised there is one more thing to do on the Laguna and then the job will be done.

President Bryon Gutow asked for an explanation regarding site security training.

Veolia Project Manager Harper explained that they have been taking extra precaution to make sure all buildings are locked and equipment is secure.

## **G. BUSINESS AND ACTION ITEMS**

1. Discussion and Possible Action Approving the Scope of Work for BSK to Perform Geotechnical Observation, Materials Testing and Special Inspection Services During Construction for the Denitrification Project in the Amount of \$90,752.

District Water Engineer Gregory Harris explained to the Board that as part of the Denitrification Project soils and concrete will need to be tested. BSK is the Geotechnical Engineer of Record for the project. Staff recommends that the Board:

- a. Approve the Scope and Budget Contained in the BSK Associates SCOPE OF SERVICES Dated April 2, 2021, to Perform Geotechnical Observation, Materials Testing and Special Inspection Services for the Denitrification and Master Plan Improvement Project
- b. Authorize the General Manager to Execute the Town's Standard Form of Consulting Agreement with BSK Associates to perform the SCOPE OF SERVICES attached as Exhibit A in the Amount of \$90,000.

Vice President Kevin Graves made a motion to approve staff's recommendation.

Assistant General Manager Dina Breitstein clarified that staff recommends approving the full cost of BSK services as quoted for \$90,752.00.

Vice President Kevin Graves made a motion to approve BSK Geotechnical services as quoted for \$90,752.00.

Second by President Bryon Gutow.

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

2. Discussion and Possible Action to Award the Denitrification and Master Plan Upgrades Project to the lowest responsive bidder in the amount of \$15,994,000.

District Water Engineer Gregory Harris advised the Board of the responses received by contractors for the Denitrification Project bid. He advised the Board that it's difficult to find materials and that has caused inflation in price for construction supplies. The lowest bidder was Anderson Pacific at \$15,994,000.

Director Ashley Porter asked if there are any charges or fees if the December 2023 deadline is not met.

District Water Engineer Gregory Harris advised there would be a fine of approximately \$9,000 a day.

Assistant General Manager Dina Breitstein advised the Board that notes are being kept of any delays due to vendors not being able to obtain supplies.

Director Ashley Porter asked staff to provide reports of delays to the Board.

Veolia Project Manager Harper indicated Veolia will be in communication with the state regarding the Town's progress and can make those reports available to the Board.

Director Michael Callahan asked if the contracts we have with the contractors have contingencies within that will hold someone responsible for not meeting deadlines.

District Water Engineer Gregory Harris advised that the contractor is only given relief if the hardship is completely out of their control. If projects are not completed on time due to negligence, there are liquidated damages of up to \$10,000 a day.

President Bryon Gutow asked who the lead is responsible for this project.

District Water Engineer Gregory Harris stated it is Herwit Engineering which will be the Project Manager. He advised the Board of staff's request to add 10% for any contingencies and to allow the General Manager to issue change orders.

Public comment regarding:

- Borrowing finances to help pay for this project.

Assistant General Manager Dina Breitstein advised that this will be discussed at a later time with Finance Manager Julie Carter and with the Finance Committee.

Motion made by Vice President Kevin Graves to award contract to Anderson Pacific.

Second by Director Ashley Porter.

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

Vice President Kevin Graves advised Assistant General Manager Dina Breitstein he is looking forward to hearing her presentation regarding financing options for this project.

3. Discussion and Possible Action Regarding Date, Time, Agenda and Budget of Discovery Bay Town Hall Event.

General Manager Mike Davies asked the Board for guidance regarding the Town Hall event proposed by the Communications Committee. There are still questions regarding guidelines from Contra Costa County Health Department for which modifications to this event might be required. Town seeks input to modify the date of the event or to make other suggestions.

Vice President Kevin Graves recommended the date be move to later in the summer to help highlight the opening of the Community Center pool.

Director Michael Callahan concurred to revising the event for another time to work around the scheduling of the pool opening.

Director Ashley Porter asked if it was possible to schedule the Town Hall for a day that the community already has an event in place to allow more people to attend without having them schedule two events separately.

Director Michael Callahan agreed and will bring the idea to the Communications Committee to help schedule the Town Hall on a date that will possibly bring more attendance.

4. Discussion and Possible Action Regarding the Town of Discovery Bay Communications Placard.

General Manager Mike Davies presented a few ideas for a Town placard which will identify a recognizable image when the Town has information for the public. The placards presented to the Board were discussed and Director Michael Callahan advised that the Town logo would look good for any digital communications but it might not look clear in any printed images.

Director Michael Callahan will come back to the Board with options that include the Boards feedback.

## **H. MANAGER'S REPORT**

Recreation Program Supervisor Monica Gallo updated the Board with information about the hiring of part time staff at the Community Center. There are a few interviews scheduled for front desk staff. None have been scheduled for the lifeguard positions. Lifeguards need to be certified by the American Red Cross and there is a fee for the certification.

Director Ashley Porter recommended possibly looking into the option of reimbursing the fee for anyone hired. The Board discussed this option and all agreed that it would be a good choice to provide certification reimbursement upon being hired.

Recreation Program Supervisor Monica Gallo advised that she would reach out to American Red Cross and see how to start the process.

## **I. GENERAL MANAGER'S REPORT**

## **J. DIRECTORS' REPORTS**

## **K. DIRECTOR'S TRAINING**

## **L. DIRECTOR'S REGIONAL MEETING REPORTS**

Vice President Kevin Graves attended the ECCFPD meeting where the fire season was discussed. Board of Supervisors will move forward with making changes to the Fireworks Ordinances.

He also sat in on the Aviation Committee meeting and learned there will be new hangars including a drone testing company and artificial intelligence testing company.

## **M. CORRESPONDENCE RECEIVED**

## **N. FUTURE AGENDA ITEMS**

## **O. ADJOURNMENT**

1. Adjourned at 8:00 p.m. to the regular meeting on June 2, 2021, 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."