



TOWN OF DISCOVERY BAY CSD

1800 Willow Lake Road, Discovery Bay, CA 94505-9376
Telephone: (925) 634-1131 Fax: (925) 513-2705

Board Members

President-Kevin Graves	jkgraves@comcast.net
Vice President-Mark Simon	marsi1950@yahoo.com
Treasurer-Brian Dawson	Dawson.j.brian@gmail.com
Director-David Piepho	dp1800todb@sbcglobal.net
Director-Ray Tetreault	raytetreault@comcast.net

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

January 20, 2010

1800 Willow Lake Road, Discovery Bay, California

Website address: www.townofdiscoverybay.org

REGULAR MEETING at 7:00p.m.

A. ROLL CALL

President Graves called the meeting to order at 7:00p.m. He then led in the Pledge of Allegiance. Roll call reflected that all directors were present with the exception of Director Piepho.

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

Brian Kalinowski of the Sheriff's office came to introduce himself and stated that he will be running for the office of Sheriff.

C. CONSENT CALENDAR

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

D. CHAIR REPORT

President Graves had no report.

E. DIRECTORS' COMMENTS

Director Tetreault had no comment.

Vice-President Simon had no comment.

Treasurer Dawson commented that he and Director Tetreault had attended the SMAC meeting and that there had been some lively conversation that had corrected some misconceptions.

Director Tetreault then commented that he had attended the SMAC meeting and had also attended two (2) Veolia Water meetings where they had gone over the outstanding checklist and that things were coming along quite well.

General Manager Koehne asked to have an item added to the agenda. He stated that on Monday, after the agenda had been posted, it had been found that neither of the directors assigned to attend the Contra Costa Special Districts Association (CCSDA) meeting would be able to attend. The reason they would like to add this to the agenda is because the meeting is to approve some new CCSDA bylaws and some special equipment. President Graves motioned to add item F8 to the agenda for the appointment of a director to

represent the District at the CCSDA meeting. Treasurer Dawson 2nd the motion. The motion passed. (4 ayes, 0 nos, 0 abstain)

F. REQUEST FOR BOARD CONSIDERATION

1. **Discuss and Comment on Final Development Application Plan for a 72-lot Subdivision called "Newport Pointe" (Koehne)** General Manager Koehne explained that this item was brought to the Town by the County's Department of Conservation and Development for comments regarding this project. He introduced Bill Schrader of the Newport Pointe Project. Mr. Schrader stated that he has been working with the county for several years on this project and that he had brought this project before the Town at a previous meeting. He stated at this time he is asking for comment to be given to the County regarding this project. He described the project and that there are now 67 homes. Vice-President Simon asked General Manager Koehne if the Town had water and sewer services available for this project. General Manager Koehne responded that the Town did not. Vice-President Simon stated that since there is no available service from the Town that he feels there is no way at this time that he can agree with this project. General Manager Koehne stated that there could be in the future available services if modifications were made or if some of the services that are on hold, promised to the Hoffmann Land Development Company were released to other developers. He also stated that with the new efficiency homes they are finding that some of the usage of the sewer services is actually higher than originally calculated, also the water aquifer needs to be studied to be sure that it is not going down. Treasurer Dawson asked if there was a reimbursement agreement with the Hofmann Company. General Manager Koehne responded that there was and explained the agreement. Treasurer Dawson asked if the lack of development has been any problem for the District. General Manager Koehne responded no. Treasurer Dawson asked when the last time was that hook up costs were increased. General Manager Koehne responded that it had been a couple of years and that staff was in the process of reevaluating that but that it was not ready to bring to the board yet. Treasurer Dawson asked what the cost would be of hook-ups fees brought to the District. Mr. Schrader responded it would be hundreds of thousands of dollars. Treasurer Dawson asked if General Manager Koehne knew how much it would cost to improve the facilities to be able to serve this new project. General Manager Koehne responded he did not at this time without studies. Treasurer Dawson asked if these homes would be paying into the P-6 funds to help with the already fragile police and fire services. Mr. Schrader responded they would be. Director Tetreault commented that there were about 98 EDU's units left. General Manager Koehne commented that because of the change in criteria from when the plant was originally built that the district may not even be able to fill the commitment that it has with Hofmann Company. President Graves asked how many lots Hofmann Company has left to develop. General Manager Koehne responded that there were about 500 -600 lots left. He stated that they had found about a year ago that the numbers coming from the newer homes were extremely high so they did a study and found that the new homes are exceeding the amount calculated for each home or EDU. Director Tetreault commented that he had also had a lot of emails and that those emails were concerned about the drain of resources. He asked for an explanation of this being a High Density Project. General Manager Koehne commented that they had a County employee come out and brought a map about the various general plan amendment studies and he explained that this project had been listed as High Density and showed that a development such as Ravenswood was a Medium Density project. Mr. Schrader explained that because of some law changes in the works and he may not be building the smaller homes in the project. Mr. Schrader commented that he has been having talks with Hofmann Land about their remaining EDU's. President Graves commented according to the zoning map brought out by the county that the projects around this proposed project would be Medium Density and High Density and it can be seen on the map at the District office. Vice-President Simon commented about the fact that there are empty homes everywhere and homes that cannot be sold because of the economy and that the police and fire services are already strapped. He also commented about more traffic in the area. Treasurer Dawson asked who would be maintaining the solar array. Mr. Schrader responded that the Homeowners Association (HOA) would be responsible. There were questions about parking, availability to the entire Town and maintenance of the dog park. It was responded that there has already been parking added to the dog park project and that the entire community would be able to use the dog

park. It was also responded that the maintenance would be decided between the Town and the HOA. General Manager Koehne asked about who would be maintaining the swales and the storm drains. It was responded that the HOA would. Sandra Rogers, a resident, commented that the board had addressed most of the questions she had emailed to them and that she hoped that the CSD would not consent to this project in light of the issues of no available services of water and sewer. Pat Richardson commented that this project is right next to Timber Point Elementary and asked if there was any consideration of the impact to the school. Walter MacVittie commented about the fact that since there is not a Regional East County Planning Commission and that there is no representative, that it is important for the board to be involved with the development in this area. He also commented that these homes should be the same density as the homes they face, such as in Discovery Bay West where they kept medium density next to medium density. He stated he is also concerned with the park fee structure to cover the upkeep. Rich Kier commented about staff stating that there would be need to do a study on the lift stations between the project and the sewer plant. He asked wouldn't there be a need to do a study on the force mains. General Manager Koehne responded that this development would flow to existing Lift Station R and that the study would look at if this Lift Station could take the extra load. He stated that the flow would then be gravity flow the remainder of the way to the sewer plant, there are no force mains along the way, but they would need to look at if the extra 67 homes could be accommodated. A resident that lives next to the project commented that he is concerned about the traffic on Newport and that perhaps they could have an exit directly on to Bixler Road. He also commented that he would like to see something in the approval of the project that requires having an HOA, since others developments have said they are going to have an HOA and then did not; so it leaves maintenance of the area up to the homeowners, especially since there is a dog park. General Manager Koehne commented that the entrance of the project to Newport was hard to see and if there could be another access on Bixler it would be better for the traffic and safer for the school children. He also commented on the comment from Walter MacVittie and how they have always tried to have the homes in a new project match up to the adjacent homes. Don Flint commented that he hoped the board would go beyond comment to relay the great concern from this community. He also asked about the fees that go to the County and what we would get from those fees. He commented about the wetlands project and that the project is already has enough to work on without adding this project. President Graves commented that he had called Catherine Kutsuris with the Department of Conservation and Development and that she was very interested in getting the District's comments and she stated that it was very early in the process of any approval of this project. Bill Schrader explained that the term high density is somewhat untrue and that this project is not really high density. He stated that he has been talking to Hofmann Company about reimbursement of their EDU's for this project. Treasurer Dawson asked if the surrounding homes property values will go down. Mr. Schrader responded that his experience has been that the property values go up. General Manager Koehne commented that the County fees are controlled by the County, but we could ask. Treasurer Dawson commented that the fees Mr. Flint had referred to were for transportation.

2. **Discuss and Possible Action to Establish a Local Landscape Committee (Simon)** Vice-President Simon brought this item to the board to possibly have two (2) residents as a sub-committee to meet with the Landscape Manager to put together some ideas from the community. He stated that perhaps this would help move projects along. Treasurer Dawson commented that he would like to give the Landscape Manager time to prove herself, that she seems to have a lot of good ideas and is getting things done already. President Graves commented that there are already two (2) directors assigned to work with the Landscape Manager and receive ideas from the community to bring forward. He is also concerned with the board scheduling staff time. General Manager Koehne asked to give Landscape Manager Perez six (6) to nine (9) months to work on the landscaping and that there is already a meeting with the two (2) directors on landscaping scheduled for the end of the month. There was discussion about how the citizens would be chosen. President Graves commented that the directors could meet with the public and bring the ideas forward. Legal Counsel commented that if a committee is formed with two (2) members of the Board then it becomes a Brown Act committee. Walter MacVittie commented that he feels there should be a committee with regularly scheduled meetings open to the public and then they could bring things back to the board. President Graves commented that he

encourages the public to contact the directors to get things brought forward. Director Tetreault clarified that anyone that has input to contact the directors and that the directors will bring these ideas forward. Landscape Manager Perez commented that she has worked with several committees and HOA's and it has been very successful. She stated that on these committees there was a plan in place so that they knew where they were going and the roles were very defined. She asked that if there was a committee that the roles would be defined and that there would not be just general advice that might not have an end point. She suggested that the committees might be formed based on the area that is being discussed. She asked that she have time to work with the two (2) directors for approximately the next two (2) months to have time to get situated and that she is available to comments from the community.

3. **Discuss and Approve Board Members & Staff to Attend the Discovery Bay Chamber's State-of-the-Town Dinner Banquet (Piepho)** General Manager Koehne presented this item to the board. Legal counsel commented that since the District is a member of the Chamber of Commerce it would be a qualified meeting to attend for the board and that the District would only be able to pay for the directors, not their spouses. Director Tetreault motioned to approve board members and staff to attend the Discovery Bay Chamber's State of the Town Dinner Banquet. Vice-President Simon 2nd the motion. The motion passed. (4 ayes, 0 nos, 0 abstain)
4. **Discuss and Possible Action on Large Users vs. Fixed Rates for Homeowner's Association Common Areas (Simon)** Vice-President Simon asked to have this item pulled. He stated he would advise staff when he would like this back on the agenda.
5. **Discuss and Possible Action on Letter of Support for Knightsen-Byron Area Transportation Study Proposal (Koehne)** General Manager Koehne presented this item to the board. Vice-President Simon motioned to use the letter provided in the packet to send to the County in support for the Knightsen-Byron Area Transportation Study. Director Tetreault 2nd the motion. The motion passed. (4 ayes, 0 nos, 0 abstain)
6. **Discuss and Possible Action on District E-mail IDs for Board Members (Dawson)** Treasurer Dawson commented that with the new website being built the board and staff would be able to have 25 e-mail id's that are designated for District correspondence. He stated that he feels this would provide transparency since these records would be available for public records requests. President Graves commented that this would keep their personal emails personal. Vice-President Simon made a motion that the board is in support of Treasurer Dawson continuing to work on this matter and bringing it back to the board when it is finalized. Director Tetreault 2nd the motion. The motion passed. (4 ayes, 0 nos, 0 abstain)
7. **Discuss and Possible Action to Obtain Quotes to Purchase One (1) New Pickup for District (Koehne)** General Manager Koehne presented this item to the board. He explained that the state government is getting ready to award their contract for purchasing vehicles and that the District would be able to use this to get a better price on a vehicle purchase. He asked the board for approval to get quotes for a new pick-up when the government contract has been awarded. The board asked if there are any other vehicles available. General Manager Koehne explained that there are no vehicles available except the boom truck. Director Tetreault made a motion to approve staff to get quotes on the pick-up truck. Vice-President Simon 2nd the motion. The motion passed. (4 ayes, 0 nos, 0 abstain)
8. **Discuss and Possible Action to Appoint a Director to Attend and represent the Town At the Contra Costa Special District Meeting on January 25, 2010** President Graves presented this item to the board and asked if any one of the directors would be able to attend. Treasurer Dawson stated he would attend. President Graves appointed Treasurer Dawson to be the representative from the Board for this meeting.

G. GENERAL MANAGER REPORT

1. **Veolia Water – December 2009 Monthly Report** General Manager Koehne explained that in the packet is Veolia's monthly report and that at the February 3rd meeting Gerald Smart would be ready to present the quarterly report.

General Manager Koehne commented that when the District had purchased the new UV System staff had applied for a rebate from PG&E and that will be \$13,000.00. He also stated that the new system will save the District approximately \$16,000.0 per year in electrical costs. He also commented that staff is working on

selling the old equipment. He reported that Chamber A in the Bio Solids Plant was cleaned out and they are doing general maintenance. He reported that the new PA system had been installed. He reported that there is an All MAC meeting scheduled for January 30th here at the District Office at 9:00 am. He reported that there had been one leak today. He reported that staff had met with Reclamation District 800 and that it is FEMA's belief that the trees that are in the levees primarily between Clipper and Seal need to be removed.

H. LEGAL COUNSEL REPORT

No report.

I. CORRESPONDENCE-Discussion and Possible Action

1. R- Transplan Committee Meeting Minutes from September 10, 2009
 2. R- State Route 4 Bypass Meeting Minutes from December 10, 2009
 3. R- Letter from CCC-Department of Conservation & Development - Comments on the Environmental Assessment for the 2-Gates Project dated November 30, 2009
 4. R - Letter from CCC Sheriff to Bureau of Reclamation-2-Gates Project dated November 19, 2009
 5. R - Letter from CCC -Department of Conservation & Development to US Army Corps of Engineers-2 Gates Project dated December 23, 2009
- No comments.

J. PUBLIC RECORD REQUESTS RECEIVED

(1) Request from Jonathan Lockett received on January 5, 2010

(1) Request from Don Flint received on January 6, 2010

(1) Request from Jeff Barber received on January 12, 2010

(1) Request from Bob Mankin received on January 13, 2010

Don Flint commented that he thinks the actual requests should be put in the packets so the directors can see them. President Graves responded that each public records request is forwarded by email to the directors when they are received.

K. FUTURE AGENDA ITEMS

Treasurer Dawson asked to have two (2) agenda items on the agenda, one to discuss website hosting and one to discuss website content.

Vice-President Simon asked to have discussion of where we are on the Community Center project.

L. ADJOURNMENT

The meeting was adjourned at 8:45 pm to the next Regular meeting of February 3, 2010.

lh 1/26/10