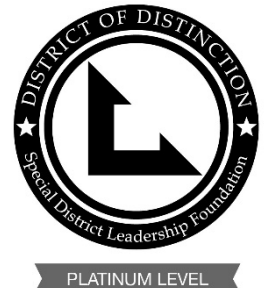




TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

SDLF Platinum-Level of Governance



PLATINUM LEVEL

President – Bryon Gutow • Vice President – 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, December 16, 2020
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 Gutow
2. Pledge of Allegiance – Led by Director Porter.
3. Oath of Office for Elected Board Members
Carolyn Graham and Michael Callahan took the Oath of Office to officiate their elections as Directors for the Town of Discovery Bay.
4. Roll Call – All Present.

B. RECOGNITIONS

1. Award Presented to Former Board President Bill Pease.
President Bryon Gutow thanked Bill Pease for his dedication to the Town throughout the years and presented him with an award.
2. Recognition – Board Member Service to the Town of Discovery Bay: Bill Pease 8 years and Bill Mayer 4 Years.
President Bryon Gutow expressed appreciation to Bill Mayer and Bill Pease for their time on the Board of Directors.
Words of appreciation were expressed by Vice President Graves, Director Porter and General Manager Mike Davies.

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

None.

D. CONSENT CALENDAR

All matters listed under the CONSENT CALENDAR are considered by the District to be routine and will be enacted by one motion.

President Bryon Gutow requested to remove Item D-5 from the Consent Calendar temporarily.

1. Approve DRAFT minutes of regular meeting for November 18, 2020.
2. Approve Register of District Invoices.

3. Approve the Storage Space Lease Agreement between the Town of Discovery Bay and Discovery Bay Lions Club and a Storage Space Lease Agreement with the Discovery Bay Community Foundation.
4. Approve \$6000 Donation from Veolia North America to the Community Center.
5. Adopt Resolution No. 2020-26 Assigning Check Signing Signature Authority.

Motion made by Vice President Graves to approve Items 1-4 on the Consent Calendar as presented.
Second by Director Porter.

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

Finance Manager Julie Carter requested approval of Resolution 2020-26 with changes to Article 7, Section 1 as follows;

All checks, warrants, drafts, or other orders for payment of money, notes, or other evidences of indebtedness issued in the name of, or payable to, the District, shall be signed or endorsed as provided in the Bylaws.

Motion made by Director Porter to approve Item D-5 as presented.

Second by Director Graham.

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

E. PRESENTATIONS

1. Veolia Report – Month of November 2020.

Veolia Project Manager Gerry Lemus updated the Board with November 2020 operations. He discussed an incident with a manhole on Pescadero where water was coming out of the sewage system. Veolia Project Manager Gerry Lemus advised the Board that Veolia was onsite and had resolved the issue within 30 minutes of the notification. The incident was caused by construction debris that was left behind many years ago. After clearing the debris, additional issues regarding this matter are not expected. The state was notified and agreed with the solution enforced.

Director Porter asked if there is a protocol for inspecting manholes and surrounding construction areas before developers complete work.

Veolia Project Manager Gerry Lemus advised that inspectors are responsible for sweeping and clearing worksite of anything left behind and should be looking for any violations.

Comment made by Vice President Graves to Water and Wastewater Manager Aaron Goldsworthy.

Recognition for prompt and efficient work on the weekend when a pipe broke and was flooding underneath some homes. Water and Wastewater Manager Aaron Goldsworthy and Water Technician Bailey Bautista responded and directed landscapers on how to repair the damage.

2. Presentation on the Schedule for Adopting the 2020 Urban Water Management Plan and the Water Shortage Contingency Plan.

Water Engineer Justin Shobe from Luhdorff & Scalmanini Consulting Engineers presented the 2020 Urban Water Management Plan. In his presentation, Water Engineer Justin Shobe discussed the Overview of 2020 Urban Water Management Plan (UWMP), the Overview of Water Shortage Contingency Plan (WSCP) and the Schedule for Plan Adoption included in this Agenda Packet.

F. BUSINESS AND ACTION ITEMS

1. Discussion and Possible Action to Amend Section 1, of Article VII, of Policy 002 Bylaws.

General Manager Mike Davies advised the Board that the current Bylaws require two Board of Directors provide signatures to allow for payments or check issuing. This at times poses an issue as Directors are not always available to come into the Town Office to provide signatures. Resolution 2020-28 would change Bylaws to state that two District official's signatures shall provide sufficient authorization for payments.

Vice President Graves requested to hear from Legal.

Legal Counsel Rod Attebery responded that this is a common format for other entities. The practice being presented in Resolution 2020-28 will allow flexibility allowing the Town to make payments on time.

Motion made by Director Porter to approve Resolution 2020-28.

Second by Director Graham.

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

2. Discussion and Possible Action to Increase the Budget for the Filter Maintenance and Repairs at Willow Lake and Newport Drive Water Treatment Plants and to Award the Lowest Responsive Bidder.

Water Engineer Justin Shobe reported that media at Willow Lake needs to be replaced. Typically, media is replaced every ten years. The media at Willow Lake has not been replaced in over 15 years. It has been placed on the Capital Improvement Project list for a few years. Upon inspection, it was determined that there is a small hole in one of the filter vessels and coating will need to be replaced. There will be a review of internal piping which may require some replacement depending on the results of the inspection. Therefore, some funds will need to be set aside in the event that replacements are needed. It is requested that the Board allow the Town to use some funds from the Infrastructure Replacement Funds to conduct needed repairs and take care of unknowns that might present themselves during construction.

Director Porter asked how it was determined that there needs to be more work done.

Water Engineer Justin Shobe advised that addressing all the concerns at once was more economical to the Town instead of just replacing media and not looking into other possible concerns.
Vice President Graves asked which account the funds were going to be taken from.
Assistant General Manager Dina Breitstein advised it would come from the Infrastructure Replacement Fund and it fits into our structure since we have reserves to do it.
Motion made by Vice President Graves to approve Action to Increase the Budget for the Filter Maintenance and Repairs at Willow Lake and Newport Drive Water Treatment Plants and to Award the Lowest Responsive Bidder.

Second by Director Porter.

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

3. Discussion and Possible Action Regarding Repairs to Broken Willow Lake and Marina Waterlines and Approve Resolution No. 2020-27, Adopting a CEQA Exemption, Approving the Project, and Directing Filing of the Notice of Exemption.

Project Manager Mike Yeraka advised that a pipe underneath the lake failed in 2019. Solution was determined to drill underneath the lake. Quotes from contractors were obtained. In the meantime, a waterline has also failed and damage inside the pipeline was found. The pipeline has pinholes and repair will not be feasible, as it will continue to fail. Recommendation is to authorize the General Manager to execute all contracts and documents necessary to repair the broken waterlines, adopt Resolution 2020-27 and to file Notice of Exemption with County Clerk's office.

Vice President Graves asked for a timeline.

Project Manager Mike Yeraka advised the end of the project will hopefully be the middle of spring.

Director Graham asked how the surrounding areas will be disrupted by the repairs.

Project Manager Mike Yeraka advised that the public will be notified of any possible disturbances.

President Gutow asked if these projects are the start of many we can expect in the future.

Project Manager Mike Yeraka advised that in the rate study there are funds budgeted for these projects.

Motion made by Vice President Graves to approve Item F-3 as presented.

Second by Director Graham.

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

4. Discussion and Possible Action to Approve the Notice of Completion and Final Payment for the Pickleball Courts at the Community Center.

General Manager Mike Davies advised the Board the project to convert tennis courts into pickleball courts has been completed. Recreation Program Supervisor Monica Gallo expressed her satisfaction with the final results of the project.

Motion made by Director Porter to Approve the Notice of Completion and Final Payment for the Pickleball Courts at the Community Center.

Second by Vice President Graves.

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

G. MANAGER'S REPORT

1. 457(b) and 401(a) Retirement Plan Update

General Manager Mike Davies reported the approval of 457(b) and 401(a) plans for Town staff.

2. Newport Pointe Development Update.

The LAFCO approved Town Sphere of Influence of the Newport Pointe Development and in January 2021 LAFCO will move Town of Discovery Bay jurisdictional boundaries to include this property.

H. CORRESPONDENCE RECEIVED

I. FUTURE AGENDA ITEMS

J. OPEN SESSION DISCLOSURE OF CLOSED SESSION AGENDA

(Government Code Section 54957.7) Legal Counsel opened closed session at 8:05 p.m.

K. CLOSED SESSION

1. Conference with Real Property Negotiators Pursuant to Government Code Section 54956.8
Property: 1535 Discovery Bay Boulevard, Discovery Bay, CA 94505 (APN 008-200-010)
Agency Negotiator: Bryon Gutow/Mike Davies/Rod Attebery
Negotiating Parties: East Contra Costa Fire Protection District
Under Negotiation: Price and Terms

L. RETURN TO OPEN SESSION, REPORT ON CLOSED SESSION

(Government Code Section 54957.1) The Board came back from closed session at 8:35PM with no

reportable action.

M. ADJOURNMENT

1. Adjourned at 8:35 p.m. to the regular meeting on January 20, 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."

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