



TOWN OF DISCOVERY BAY CSD

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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@sbeglobal.net
Director-Ray Tetreault	raytetreault@comcast.net

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
TOWN OF DISCOVERY BAY CSD
Wednesday, April 21, 2010
1800 Willow Lake Road, Discovery Bay, California**

REGULAR MEETING at 7:00p.m.

A. ROLL CALL

President Graves called the meeting to order at 7:00p.m. He then led the Pledge of Allegiance. General Manager Koehne called roll which reflected that Vice-President Simon was absent. All other Directors were present. President Graves reported on the closed session meeting held on April 15th, 2010 that no action was taken. Liz Hardy was presented with an Award of Appreciation for her service as Recording Secretary from 2005 to 2010.

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

No comments from the public.

C. CONSENT CALENDAR

1. Minutes of previous meeting(s), Regular Meeting March 3, 2010, April 7, 2010, Special Meeting April 15, 2010

2. Various District Invoices

President Graves stated that he would like the minutes of the March 3, 2010 meeting to be pulled from the Consent Calendar to give Vice-President Simon an opportunity to make whatever changes that he would like to make. That has not yet been done. General Manager Koehne asked that before a motion is made to include pulling Items #3 and #4 for discussion. He would like to talk about those items in more detail for the Board. Director Tetreault made a motion to approve the minutes of the April 7, 2010 and April 15, 2010 meetings and the District Invoices. Director Piepho 2nd the motion. The motion passed with a vote of 4 ayes, 0 nos, 0 abstain.

3. Approve Lowest Responsive Bidder for Discovery Point Sewer Pipe Replacement - General Manager Koehne stated that the original low bid from Tidelands Construction was amended and is now higher than the second lowest bid which came from California Trenchless. The second lowest bid was \$168,100, which is \$3,100 higher than Tidelands original bid. General Manager Koehne told the Board that they can waive the difference or charge them for it. General Counsel Stovall explained the options the Board can take and Philip Toelkes from Tidelands Construction explained that the mistake on their

bid was due to a clerical data entry error and as soon as they discovered the error, the notified staff. He asked the board to waive the charge to them for the difference in the bid amounts. Director Piepho made a motion to approve the contract to California Trenchless at the Bid Amount of \$168,100, not to exceed \$170,000 in contingencies and to waive the charge of the contract difference of \$3,100 to Tidelands Construction. Director Tetreault 2nd the motion. The motion passed with a vote of 4 ayes, 0 nos, 0 abstain.

4. Approve Lowest Responsive Bidder for UV – Bypass Project – Plant #2 – General Manager Koehne provided a visual presentation of the UV System and the Bypass Pipeline and discussed the upgrades and changes that will be done with this project. Gerald Smart from Veolia Water explained the process of diverting the water back when necessary to retreat due to higher turbidity readings. Director Piepho made a motion to award the Contract to McFadden Construction, who was the lowest bidder, in the amount of \$254,483. Director Tetreault 2nd the motion. The motion passed with a vote of 4 ayes, 0 nos, 0 abstain.

D. CHAIR REPORT

President Graves reported that he attended a meeting of the East County Water Management Association. He discussed their interest in our district's Wetlands Project, which was discussed by General Manager Koehne at the meeting. He also attended the Contra Costa Special District Association meeting and he discussed the meeting agenda. President Graves submitted reports for both meetings.

E. DIRECTORS' COMMENTS

Director Tetreault reported that he attended the Sheriff's meeting and discussed the statistical information and that there is a new Sheriff coming on board. Director Piepho attended a P-6 Zone Advisory Committee meeting and submitted the agenda packet and report. Treasurer Dawson also attended the Sheriff meeting and reported on their helicopter program.

F. REQUEST FOR BOARD CONSIDERATION

1. Discuss and Comment on a Home Occupation Use Permit to Operate an Auto Wholesale via the Internet (Koehne) – Applicant Don Kleiner stated that there will be no walk-in traffic and that the use is strictly internet based. Director Piepho made a motion to direct staff to send a letter to the County that the Board has no comment. Treasurer Dawson 2nd the motion. The motion passed with a vote of 4 ayes, 0 nos, 0 abstain.

2. Discuss and Comment on Land Use Permit Application for Orwood Resort re: RV Park (Koehne) – General Manager Koehne gave an overview of the application from the County. His concerns would be that there will be additional boating traffic on Dredgers Cut and Indian Slough. There will be one hundred and eleven (111) Recreational Vehicle Spaces, which is an increase from the one hundred and four (104) existing campsites. There could be additional traffic along Bixler Road and Orwood Road and probably Sellers Road. Also, there may be additional impact on emergency services (i.e.; fire, paramedic). Director Piepho made a motion to table this item and request staff to invite the County Project Planner or the Applicant to give a report including permits and the impact on the Delta from boat traffic and run-off from the RV facility. Treasurer Dawson 2nd the motion. The motion passed with a vote of 4 ayes, 0 nos, 0 abstain.

3. Discuss and Possible Action to Approve Development of a Wastewater Master Plan (Koehne) – Gregory Harris from HERWIT Engineering discussed the Wastewater Master Plan. He explained that a Wastewater Master Plan is a planning level design that helps the district identify deficiencies in the facilities related to both the existing ability to serve the community and the ability to handle future needs. He stated that the last plan was done in 1998 by Hofmann Company to build the facility and was entirely structured around their development needs. He also stated that most districts have in their policy to do their Master Plan every ten (10) years. The Master Plan would help resolve issues and answer questions regarding the required salinity reduction plan permit and other compliance

requirements that are normally incorporated into a Master Plan. It would also address the capacity questions the district has in order to issue permits to hook up additional homes. HERWIT Engineering would provide technical advice to the district and oversight with Ecologic Engineers doing the study for the Master Plan. The directors discussed their desire to have a Professional Services Contract Proposal including a scope of services and a map of the areas to be included in the plan. Director Tetreault made a motion to authorize and direct staff, with HERWIT Engineering's help, to request Ecologic Engineering to prepare a more complete scope of services and to bring it back attached to a Professional Services Contract for Board consideration. Treasurer Dawson 2nd the motion. Resident Richard Kier asked what the estimated fees would be from HERWIT Engineering and Gregory Harris replied by stating that their fees will run approximately \$10,000 to \$15,000.

4. Discuss and Possible Action on "Summer Concert Series" in Slifer Park (Koehne) – The Event Planner, Amanda Dove presented her plan to hold the concert series. The Sponsors of the event are the Delta Sun Times Newspaper, Boardwalk Grill Restaurant, and the Discovery Bay Lions Club. The Sponsors have experience with numerous community events over the years and would like to hold the concert series as a free family-friendly event. Funds will be raised to cover the expenses with the sale of food and beverages. She stated that she has walked the neighborhood and talked to many families who would like to see this event happen. The Board discussed various concerns regarding security, safety, traffic, insurance, and permits. Director Piepho would like to see a letter of commitment from the Sheriff and Fire Departments and confirmation from the County that no permit is required. The Board would also like a copy of the Insurance Policy prior to the event so the District General Counsel can review it. President Graves asked that the Sponsors provide a budget estimate that includes income and expenses to the Board and who is going to guarantee that the event costs will be covered. Amanda stated that she would request the items and information and would like to bring it back to the next meeting on May 5th. Residents Jennifer Finetti, Walter MacVittie, Jeff Barber, and Jill Sprinkle all stated that they would like to see this event happen. No action taken at this time.

5. Discuss and Comment on Land Use Permit Application for T-Mobile re: Cell Tower at Slifer Park Area (Koehne) – General Manager Koehne stated that the permit process will take several months, but wanted to place this item on the agenda because the homeowners around Slifer Park were sent letters from the County asking for comments on the project. He wanted to provide the opportunity for anyone who wanted to speak on the subject tonight. The Board also discussed adding verbiage in the contract for maintenance due to the tower on the church property losing its palms and it taking several months for the cell phone company to start repairs. Resident Richard Kier stated that he can get a copy of the contract with the church to staff for the District General Counsel to review. No action taken.

6. Discuss and Possible Action to Start a Discovery Bay Boating Safety Committee (Dawson) – Treasurer Dawson stated that with Discovery Bay being a water-oriented and boating community, he would like to see the District form an Advisory Committee or work with other community groups who have programs centered on water and boating safety. The Board discussed the various boating safety programs sponsored by local groups, the Discovery Bay Lions Club and the Discovery Bay Yacht Club. Resident Richard Kier stated that the safety courses done at the Discovery Bay Yacht Club provide discounts on boat insurance for completing the course. He would like to see a link to that put on the District website. Treasurer Dawson will do additional research and put together his direct goals for future discussion. No action taken.

7. Discuss and Possible Action on Developing a Letter to the Local Fire District regarding their Community Involvement (Tetreault) – Director Tetreault provided a draft letter to be sent to Chief Henderson expressing that the District and community want to thank Station 58 for their participation in the Discovery Bay Easter Egg Hunt held on April 3rd. Director Piepho made a motion to edit and move forward with directing staff to send a thank you letter to the Fire District. Treasurer Dawson 2nd the motion. Director Piepho also suggested sending a Resolution. The motion passed with a vote of 4 ayes, 0 nos, 0 abstain.

8. Discuss and Possible Action on the Ravenswood Park Improvement Projects (Water Play and Solar Lighting) (Perez) – Landscape Manager Perez stated that she wants to wait on approval of the Water Play Project, and consider approval to order the Solar Lighting. She explained the type of lighting and the features that these lights contain compared to some other manufacturers. Director Tetreault made a motion to approve the purchase of the lighting materials not to exceed \$18,000. Treasurer Dawson 2nd the motion. The motion passed with a vote of 4 ayes, 0 nos, and 0 abstain.

9. Discuss and Possible Action on Growth of District Office (Koehne) – General Manager Koehne obtained some pricing on office space which came in at \$2.00 per square foot at the Discovery Bay Shopping Center or the District could put Modular Buildings at Plant #1. After board discussion on the available space and needed space, no action was taken.

G. GENERAL MANAGER REPORT

General Manager Koehne stated that there was a major water leak at the intersection of Willow Lake Road and Marlin Court. The water was shut down temporarily on another street to fix a leak when a homeowner broke the curb stop at the meter when he tried to turn the water off. Staff is working on the new website review and hope to have that done this week. The County Public Works Department will be putting a seal coat on many of the streets in Discovery Bay, and the District will be identifying some sewer man holes or water valves that may need to raise up before they begin their project.

H. LEGAL COUNSEL REPORT

No report.

I. CORRESPONDENCE-Discussion and Possible Action

1. R–Minutes of Aviation Advisory Committee Meeting of February 16, 2010 and March 16, 2010
2. R–Minutes of Hwy 4 Bypass Authority for February 11, 2010
3. R–Byron Sanitary District Minutes for Nov 17, 2009, December 15, 2009, January 19, 2010, February 16, 2010 and March 16, 2010

No comments.

J. PUBLIC RECORD REQUESTS RECEIVED

- (1) Request from Don Flint – Website Handout from February 3, 2010 Meeting
- (1) Request from William Richardson – Concerning Vice President Simon’s Amendment of Minutes
- (1) Request from William Richardson – Urban Water Management Plan & Wastewater Master Plan

No comments.

K. FUTURE AGENDA ITEMS (Planned)

1. **Status of Community Center** - Director Piepho is waiting for the Appraisal and he would like to be notified so he can invite the proper parties (Developer, Property Owner, County Personnel) to the meeting where the board will discuss the Community Center. Director Piepho stated that a letter was received from Mr. William Richardson and community members accusing the General Manager with manipulation of the minutes and he would like to discuss options on the format of meeting minutes. Treasurer Dawson would like to get an update on Regatta Park and status of Basketball Court. Treasurer Dawson also wants to discuss the Audio and Video options for the Board Meetings.

L. ADJOURNMENT

The meeting was adjourned at 9:58 pm to next Regular meeting scheduled on May 5, 2010 starting at 7:00pm at 1800 Willow Lake Road – Located in back of the Delta Community Presbyterian Church.