



# TOWN OF DISCOVERY BAY CSD

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**MINUTES OF REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
TOWN OF DISCOVERY BAY CSD**  
Wednesday, August 5, 2009  
1800 Willow Lake Road, Discovery Bay, California  
Website address: [www.townofdiscoverybay.org](http://www.townofdiscoverybay.org)

## Board Members

President-Ray Tetreault	<a href="mailto:raytetreault@comcast.net">raytetreault@comcast.net</a>
Vice President-Mark Simon	<a href="mailto:marsil1950@yahoo.com">marsil1950@yahoo.com</a>
Treasurer-Dave Dove	<a href="mailto:ddove@sbeglobal.net">ddove@sbeglobal.net</a>
Director-David Piepho	<a href="mailto:DApiepho@sbeglobal.net">DApiepho@sbeglobal.net</a>
Director-Shannon Murphy-Teixeira	<a href="mailto:smt@politician.com">smt@politician.com</a>

## SPECIAL MEETING at 6:30P.M.

### **A. CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Government Code §54956.8

Property: Building at 1520 Discovery Bay Boulevard, on a portion of APN# 004-182-006, Discovery Bay, California  
Owner: Kenneth Harry Hofmann

Negotiating Parties: Above Owner & Ray Tetreault  
Under Negotiation: Price and terms of payment

### **B. Return to open session; report on closed session**

## REGULAR MEETING at 7:00p.m.

### **A. ROLL CALL**

President Tetreault called the meeting to order at 7:00 pm. He then led in the Pledge of Allegiance. Legal Counsel Stovall reported that the board had held the Special Meeting listed above and that all directors were present. He reported that no reportable action was taken. General Manager Koehne called roll, all directors were present.

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

No public comment.

### **C. AREA AGENCIES REPORTS / PRESENTATION**

- 1. DEPUTY SHERIFF /MARINE PATROL REPORT** Lieutenant Burton made his report for the month. There is a copy of the report on file at the District Office. He commented that he and Tony Fontenot are working on setting up the new office over at the old Shopping Center. He commented that there will be a grand opening on August 27, 2009 from 4:00p.m. to 6:00p.m.
- 2. CHP REPORT** No one in attendance
- 3. FIRE DISTRICT REPORT** Battalion Chief Burris reported that Station 58 (on Discovery Bay Boulevard) ran 23 medicals, 3 structure fires, 1 boat accident, 1 hazardous odor, 1 exterior fire, 1 grass fire, 1 aircraft accident and 1 public assist. He reported that Station 59 (on Bixler Road) ran 13 medicals, 5 vegetation fires, 1 auto accident, 1 aircraft accident, 3 structure fires, 1 vehicle fire, 1 move up, 1 hazardous condition and 1 boat accident. He reported on the boat accident.
- 4. SUPERVISOR MARY PIEPHO, DISTRICT III REPORT** No one in attendance.

**D. DISTRICT FINANCIAL REPORT**

Treasurer Dove presented the financials from the District report in the agenda packet. He also reported that he had gone back five years to review the trend of the financials and found that the revenue has held very steady. He reported that the encumbrances are declining. He asked Liz Hardy about the collection of debt from large users. She reported that there were two main collection accounts; one was on a payment schedule and the other paid in full today.

**E. CONSENT CALENDAR**

1. Director Piepho made a motion to approve the Consent Calendar with a correction of a typographical error on page two of the July 1, 2009 minutes, the last sentence of item F2, the word bout is used and he thinks it should be about. Vice-President Simon 2<sup>nd</sup> the motion. Jeff Barber asked that the July 1, 2009 minutes be reviewed again regarding the item and comments of Hofmann Company discussing their desire for high density housing in two locations in Discovery Bay. Director Piepho revised his motion to approve the other minutes holding off on the July 1, 2009 minutes for a second round of amendments and the Consent Calendar. Vice-President Simon 2<sup>nd</sup> the revised motion. The motion passed. (4 ayes, 0 nos, 1 abstain) Director Murphy-Teixeira abstained because she had not attended the July 1, 2009 meeting.

**F. NEW BUSINESS FOR BOARD CONSIDERATION**

1. **PUBLIC HEARING to consider the following:**
  - Continued Collection of Assessments, at a Reduced Rate from Last Year on County Tax Roll for Ravenswood Landscape, Park, Lighting and Open Space Improvements District (DB L&L #9) for Fiscal Year 2009-2010 (Koehne) President Tetreault opened Public Hearing. There were no comments. President Tetreault closed Public Hearing.
2. **Discuss and Approve Resolution No. 2009-07 to Accept Engineers Report for Ravenswood Improvement District (DB L&L #9) for Fiscal Year 2009-2010 (Koehne)** General Manager Koehne presented this item to the board. Treasurer Dove made a motion to adopt Resolution of Intention of the Board of Directors of the Town of Discovery Bay to collect the annual assessment of the Ravenswood Improvement District DB Zone 9. Director Piepho 2<sup>nd</sup> the motion. The motion passed. (5 ayes, 0 nos, 0 abstain)
3. **Discuss and Approve Resolution No. 2009-08 to Continue Collection of Ravenswood Improvement District (DB L&L #9) Assessments on County Tax Roll (Koehne)** General Manager Koehne presented this item to the board. Director Piepho motioned to approve Resolution 2009-08 to continue collection of Ravenswood Improvement District L&L 9. Vice-President Simon 2<sup>nd</sup> the motion. The motion passed. (5 ayes, 0 nos, 0 abstain)
4. **Discuss and Elect a Representative to the CSDA Board of Directors in Region 3, Seat A (Koehne)** General Manager Koehne presented this to the board. Director Piepho made a motion to cast a vote for James Kohlen. Vice-President Simon 2<sup>nd</sup> the motion. The motion passed. (5 ayes, 0 nos, 0 abstain)
5. **Discuss and Possible Action to Consider being a Member of the Central Valley Salinity Coalition (Koehne)** General Manager Koehne presented this item to the board. He commented that our NPDES permit suggests that we become a member of this salinity coalition. He stated that there are funds in the budget for salinity studies that could be used for this. There was discussion about whether or not to join. Director Piepho made a motion to direct Treasurer Dove to contact this coalition and follow up on what the General Manager recommended and then come back to the board with a second opinion. Vice-President Simon 2<sup>nd</sup> the motion. Walter MacVittie commented that there should be more research on this because the Regional Board is interested in this. He also commented that perhaps this coalition could come in and make a presentation. The motion passed. (5 ayes, 0 nos, 0 abstain)
6. **Discuss and Comment on Home Occupation Use Permit Application for Brent Miller (Koehne)** General Manager Koehne presented this item to the board. He commented that staff had no issue with this. The board had no comment.
7. **Discuss and Approve Wage Adjustment for Various District Positions (Koehne)** General Manager Koehne presented this item to the board. He stated that this item had been originally brought before the board in November of 2008. He commented that these rates are based on the California Special Districts Association (CSDA) salary survey of 07/08 which is based on other districts of like revenue and population and other items. He asked that staff be brought up to at least the low on these levels of the CSDA survey, if possible he would like the medium. It was commented that these salaries do not include benefits, and that the

survey shows that the people in the survey get benefits on top of the salary. There was discussion about whether this is to approve a range or a hard dollar amount. Director Piepho made a motion retroactive to July 1, 2009 that the board raise the following four positions; Executive Assistant/Administrative Secretary from \$20.18 per hour to \$22.50 per hour, Office Clerk/Administrative Assistant from \$17.51 per hour to \$18.70 per hour, Office Clerk/Accounting and Bookkeeper from \$16.95 to \$20.00 per hour, Park and Maintenance Worker from \$16.78 to \$18.00 per hour. Vice President Simon 2<sup>nd</sup> the motion. Legal Counsel commented that retroactive pay was only applicable when the discussion has been ongoing, not being turned down. The motion passed. (5 ayes, 0 nos, 0 abstain)

8. **Discuss and Consider Renewing District's Eligibility in the Federal Surplus Property Program for 3-Years (Koehne)** General Manager Koehne presented this item to the board and recommended that the board renew the District's eligibility for another three years. Vice-President Simon made a motion to renew the District's eligibility in the Federal Surplus Property Program for the next three years. Treasurer Dove 2<sup>nd</sup> the motion. The motion passed. (5 ayes, 0 nos, 0 abstain)
9. **Discuss and Approve Resolution No. 2009-09 for Election of SDRMA Board of Directors (Koehne)** General Manager Koehne presented this item to the board. Director Piepho made a motion to vote for Robin Prideaux, David Aranda, Allison Voight Hamaker, John C. Yeakley and approve the enclosed official election resolution ballot, 2009-09. Vice-President Simon 2<sup>nd</sup> the motion. The motion passed. (5 ayes, 0 nos, 0 abstain)

#### **G. COMMITTEE/LIAISON REPORTS**

1. **Trans-Plan Report** Director Murphy-Teixeira commented that she had not received an agenda.
2. **Code Enforcement Report** Director Piepho commented that he had gone to the meeting on the 9<sup>th</sup> of last month and that he had made a report at that time and turned in the written report. He stated that he had since received the summary of the Code Enforcement Cases from District 3 and he turned that in. He commented that he has had complaints about the number of signs going up on the weekends and also had received a couple of complaints that he has turned in. He commented that there are three major codes; one building, one zoning and one is what is posted. He reported on the building - they opened four last month and closed two. He reported that on the zoning - they opened two and closed twelve. On posted - they opened none and closed one. Overall, they are starting to reduce the reports.
3. **Special Districts Report \*\*** Director Piepho reported that there was information on cost cutting for the General Manager that was handed in. He reported that the meeting was held on July 20, 2009 and the committee update was about the water issues that everyone is going through, and the gates that are proposed to be built in the Delta. He reported that there was a report from the History committee, which he had a packet to turn in. He reported that there had been a presentation from Mosquito Vector and he had brought in pamphlets and left them on the back table.

**\*\*These meetings are held Quarterly**

#### **II. DIRECTORS' COMMENTS**

Director Murphy-Teixeira commented about the play coming up at Excelsior and that she hoped everyone would attend to support the kids. She commented that the website would be on a future agenda, that Brian Dawson has worked very hard on this and is ready to do a presentation.

Treasurer Dove commented about the meeting with the landscape contractor that he and Director Piepho had attended. He stated that they had driven and walked the landscape. He commented about the condition of the trees at Cornell Park and that there will be an inventory of the trees and their health. He commented that they are discussing what could be done on Clipper Drive, possibly just lawn, to make it look better for the time being. He commented that he feels it is going to improve, but it will take a lot of effort.

Treasurer Simon asked when the Willow Lake Streetscape would go out to bid. General Manager Koehne stated that staff is working on trying to get it started in the beginning of the fall for the plants. Treasurer Dove asked if the public could come and look at the plans. General Manager Koehne responded that they could. The plans are on file at the District Office. Treasurer Simon asked if the street signs that had been ordered were in. General Manager Koehne responded he would follow-up on the street signs.

Director Piepho commented about having gone out with Treasurer Dove and Doug Louie of Valley Crest, our landscape contractor. He commented that they were working on the frontage area that he had referred to as the entrance before. He said that it was looking better and that they were still working on it. He commented that he

liked the suggestion from Mr. Kier about using the ground cover like the storage area has further down the highway toward Safeway. He commented that the watering system will have to be retrofitted to be able to accommodate that type of landscaping so they are getting a bid. He commented that they would like the contractor to come in once a month for a report until it is under control. He commented that they had focused on two areas, Cornell Park and the frontage area. He commented about trying to find out who is leaving the Longs shopping carts on Clipper Drive and turned it over to the sheriff to stop it from continuing.

President Tetreault commented that the search committee had signed the contract for the recruiter and that they are in the process of interviewing the General Manager and staff to find out what is needed. He stated that he feels this process will take about 4 to 6 months.

**I. GENERAL MANAGER REPORT**

General Manager Koehne reported that the digging of Well 6 has been completed. He stated that they are cleaning the inside of the casing. He stated that the next phase will be to bring in a test pump to be sure of the amount of water from the well. President Tetreault asked if the contract for the easement had expired yet. General Manager Koehne responded that it would be through Sunday. There was discussion about when the equipment will be off the easement. He reported that the second rebuilt pump was installed at Lift Station F. He reported that the cyanide that was found when taking samples in 2008 has been tested and the current samples have come back non-detect. He stated that he believes that the original samples had been contaminated by the gloves used to take the samples. He stated that staff will continue to test for cyanide for a full year to be sure that there is not any question. He reported that the draft Salinity Plan had been submitted by August 1, 2009. President Tetreault asked for a copy of the draft, each director also asked for a copy. General Manager Koehne reported that he had gone to court for the stolen water meters again and it was delayed. He reported that the storm water possible law suit may have been resolved but he is waiting for the paperwork stating so. He reported that there had been a Department of Health inspection that was primarily to see the drilling of the well. He reported that a resident has requested public records about the water meter program and the resident does not feel they should be on the water meter program. The resident has commented about filing a law suit. He reported that there had been power issues and they are not strong enough to trigger the generators which is causing some problems so staff is working on that issue. He reported that there had been a major water leak Sunday in front of the fire station. He reported that the pipe had been replaced and the driveway will have to be repaired. He reported that staff is working on the last section of the water meters, Discovery Bay Southwest area. He reported that he had found on the security tapes that someone had come on the property on Sunday and was wandering around looking at the drilling equipment and supplies, so he may file a trespassing report.

**J. LEGAL COUNSEL REPORT**

Legal counsel had no report.

**K. CORRESPONDENCE – Discussion and Possible Action**

1. R– Letter from Supervisor Piepho to Board President re: Creation of a P-6 Citizen Advisory Committee dated July 9, 2009
2. R – Letter from Sheriff Rupf re: Unsigned Letter dated July 16, 2009  
No comments.

**L. FUTURE AGENDA ITEMS**

President Tetreault asked for a Closed Session starting at 6:00 for the next meeting. He stated it would be to go over the new hire project. Legal Counsel stated he would go over this with the General Manager to get the information. Director Murphy-Teixeira asked to put the Website on the agenda. Treasurer Dove asked for a report on the wetlands project. Director Piepho asked to have Roberta Goulart from the County make a presentation about the Delta gates. Walter MacVittie asked if the board was going to review the report from Veolia from last meeting.

**M. ADJOURNMENT**

The meeting was adjourned at 8:25 pm to the next Regular meeting of August 19, 2009.

lh 8/11/09