



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

President – Ray Tetreault • Vice-President – Mark Simon • Director – Kevin Graves • Director – Bill Pease • Director – Chris Steele

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
Wednesday June 19, 2013
REGULAR MEETING 7:00 P.M.
1800 Willow Lake Road, Discovery Bay, California
Website address: www.todb.ca.gov**

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

Call business meeting to order – 7:03 p.m. by Vice-President Simon

Pledge of Allegiance – Led by Vice-President Simon

Roll Call – All Present – Vice-President Simon, Director Graves, Director Pease, Director Steele

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

None

C. PRESENTATIONS

General Manager Howard – Recognized Board Member Ray Tetreault.

Vice-President Simon – Presented Awards to Board Member Ray Tetreault. All of the Board Members congratulated Ray Tetreault for all of his dedication to the Town of Discovery Bay.

Vice-President Simon – Stated that New Business and Action Item F-3 - Pantages Bays Project: Public Facilities will be moved to F-1

D. PRESIDENT REPORT AND DIRECTORS' COMMENTS

None

E. 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. **DRAFT minutes of previous special meeting dated June 4, 2013**

2. **DRAFT minutes of previous regular meeting dated June 5, 2013**

3. **Approve Register of District Invoices**

4. **Proposed Water and Wastewater Rate Study for the Periods FY 2013/14 through FY 2016/17**

Motion by: Director Pease to approve the Consent Calendar

Second by: Director Graves

Vote: Motion Carried – AYES: 4 – Vice-President Simon, Director Graves, Director Pease, Director Steele, NOES: 0

F. NEW BUSINESS AND ACTION ITEMS

1. **Discovery Bay Influent Pump Station, Pump Station W Modifications, and Emergency Storage Lagoon Capital Improvement Program Project**

General Manager Howard – Provided details of item F-1.

District Engineer Gregory Harris – Provided additional details of item F-1. There was discussion between the General Manager, Gregory Harris, and the Board.

Motion by: Director Pease to (1) award the lowest responsible bid to Pacific Infrastructure in the amount of \$1,233,000 2) that the General Manager be authorized to execute all contract documents, and (3) that the General Manager be authorized to execute contract change orders up to ten (10) percent of the amount of the bid award.

Second by: Director Graves

Vote: Motion Carried – AYES: 4 – Vice-President Simon, Director Graves, Director Pease, Director Steele, NOES: 0

2. Consideration of Annual Fiscal Year 2013-14 and Fiscal Year 2014-15 Operating, Capital and Revenue Budgets and Adoption of Resolution 2013-11

General Manager Howard – Provided details of item F-2. There was discussion between the General Manager and the Board.

Motion by: Director Pease to approve the FY 2013-14 Operating, Capital and Revenue Budgets and Adopt Resolution 2013-11

Second by: Director Steele

Vote: Motion Carried – AYES: 4 – Vice-President Simon, Director Graves, Director Pease, Director Steele, NOES: 0

3. Pantages Bays Project: Public Facilities

General Manager Howard – Provided details of item F-3. There was discussion between the General Manager, the Parks and Landscape Manager, and the Board.

Motion by: Director Pease to approve the long-term maintenance, once the financial reimbursement is received, for the Pantages Bays Project public accessible walkways

Second by: Director Steele

Vote: Motion Carried – AYES: 4 – Vice-President Simon, Director Graves, Director Pease, Director Steele, NOES: 0

Agency Comment Request – Development Plan Application – DP13-3013 – Delta Community Presbyterian Church

General Manager Howard – Provided details of item F-4. There was discussion between the General Manager, the representative from the Delta Community Presbyterian Church, and the Board.

Motion by: Director Graves to send a letter to the County with no negative comments.

Second by: Director Pease

Vote: Motion Carried – AYES: 4 – Vice-President Simon, Director Graves, Director Pease, Director Steele, NOES: 0

G. VEOLIA REPORT

1. Veolia Report for the Month of May 2013

Project Manager Fermin Garcia – Provided the details of the May 2013 Monthly Operations Report. There was discussion between the Project Manager, the General Manager, the Water and Wastewater Manager, and the Board.

H. MANAGER'S REPORTS

None

I. GENERAL MANAGER'S REPORT – Discussion and Possible Action

1. Consideration of Newport Pointe Pre-Annexation Agreement

General Manager Howard – Provided details of item I-1. There was discussion between the General Manager, Legal Counsel, and the Board. The Board requested that this agenda item be postponed to a future Board meeting.

J. DISTRICT LEGAL COUNSEL REPORT– Discussion and Possible Action

1. Status of Board Officers and Vacancy created by resignation of President

Legal Counsel Schroeder – Provided details of item J-1. There was discussion between Legal Counsel and the Board.

Motion by: Director Pease to nominate Mark Simon as the President and Kevin Graves as the Vice-President

Second by: Director Graves

Vote: Motion Carried – AYES: 4 – Vice-President Simon, Director Graves, Director Pease, Director Steele, NOES: 0

Motion by: Director Graves to nominate Director Steele as the President Pro-Tempore

Second by: Vice-President Simon

Vote: Motion Carried – AYES: 3 – Vice-President Simon, Director Graves, Director Steele, NOES: 0, ABSTAIN: 1 – Director Pease

2. Board Member Vacancy Process

Legal Counsel Schroeder – Provided details of item J-2. There was discussion between Legal Counsel, the General Manager, and the Board.

Motion by: Director Steele to send out the notice of the Board Vacancy and look for qualified applicants

Second by: Director Graves

Vote: Motion Carried – AYES: 4 – Vice-President Simon, Director Graves, Director Pease, Director Steele, NOES: 0

The discussion continued between Legal Counsel, the General Manager, and the Board.

Motion by: Director Graves to move Legal Counsel's recommendation - that the Board appoint someone to fill the vacancy on the July 16, 2013 Board meeting

Second by: Director Pease

Vote: Motion Carried – AYES: 4 – Vice-President Simon, Director Graves, Director Pease, Director Steele,
NOES: 0

K. COMMITTEE UPDATES – Discussion and Possible Action

1. Community Center Status Report (No written report)

L. CORRESPONDENCE – Discussion and Possible Action

1. R – Letter from Contra Costa County Supervisor Piepho to the Byron Union School District regarding the Funding for the School Resource Officer (SRO)

M. PUBLIC RECORD REQUESTS RECEIVED

N. FUTURE AGENDA ITEMS

1. Summer Volunteer
2. Board Communication to the Public

O. ADJOURNMENT

The meeting adjourned at 8:18 p.m. to the next Regular meeting dated July 3, 2013 starting at 7:00 p.m. on 1800 Willow Lake Road-Located behind the Delta Community Presbyterian Church.

//cmc – 06.24.13

<http://www.todb.ca.gov/content/agenda-and-minutes/>