



# TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

President - Chris Steele • Vice-President - Kevin Graves • Director - Jim Mattison • Director - Mark Simon • Director - Ray Tetreault

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

Wednesday October 3, 2012

REGULAR MEETING 7:00 P.M.

1800 Willow Lake Road, Discovery Bay, California

Website address: [www.todb.ca.gov](http://www.todb.ca.gov)

### REGULAR MEETING 7:00 P.M.

#### A. ROLL CALL AND PLEDGE OF ALLEGIANCE

Call business meeting to order – 7:01 p.m. by President Steele

Pledge of Allegiance – Led by President Steele

Roll Call – All Present

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

None

#### C. PRESENTATIONS

None

#### D. AREA AGENCIES REPORTS / PRESENTATION

##### 1. SHERIFF'S OFFICE REPORT

Lieutenant Alan Johnson – Provided the law enforcement report for the month of September. There was discussion between the Board, Lieutenant Johnson, and the Public.

##### 2. CHP REPORT

Officer Godman – Provided an update of the services to the Town of Discovery Bay and also updated the Board that he was transferring and that Officer Eric Brewer would be replacing him. There was discussion between the Board and Officer Godman.

##### 3. FIRE DISTRICT REPORT

Chief Burris – Provided his report and the details for the month of September. There was discussion between the Board and Chief Burris.

##### 4. EAST CONTRA COSTA FIRE PROTECTION DISTRICT REPORT – No report

##### 5. SUPERVISOR MARY PIEPHO, DISTRICT III REPORT

Karyn Cornell – Provided an update on several projects surrounding Discovery Bay, provided some handouts, and informed the Board of the new Code Enforcement Officer for Discovery Bay is Larry Olson.

#### E. COMMITTEE/LIAISON REPORTS

##### 1. Trans-Plan Report – No Report

##### 2. County Planning Commission Report – No Report

##### 3. Code Enforcement Report – No Report

##### 4. Special Districts Report\*\* - No Report

\*\*These meetings are held Quarterly

#### F. 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. Minutes of previous Special meeting dated September 19, 2012

##### 2. Minutes of previous Regular meeting dated September 19, 2012

##### 3. Register of District Invoices

##### 4. Geotechnical Services for Wastewater Treatment Plant Construction Projects

**Motion by:** Director Tetreault to accept the Consent Calendar

**Second by:** Director Simon

**Vote:** Motion Carried – AYES: 5, NOES: 0

**G. PUBLIC HEARING to Consider the Following**

**1. Town of Discovery Bay CSD amending Capacity Charge Fee Program (“Capacity Fee”) and adoption of Resolution No. 2012-23**

**General Manager Howard** – Provided the details of item G-1 and also introduced Alison Lechowicz with Bartle Wells Associates

**Alison Lechowicz** – Provided the presentation for the Water and Wastewater Capacity Fee Study

**President Steele** – Opened the Public Hearing for Public Comment

**Hofmann Company – David Lennon** – Provided additional details of item G-1. There was discussion between the Board and David Lennon

**President Steele** – Closed the Public Hearing

**General Manager Howard** – Provided additional details of item G-1

There was one (1) Public Comment Speaker

**Motion by:** Director Simon to adopt Resolution No. 2012-23 establishing capacity charges for water and wastewater service

**Second by:** Director Tetreault

**Vote:** Motion Carried – AYES: 5, NOES: 0

**H. NEW BUSINESS AND ACTION ITEMS**

**1. Town of Discovery Bay CSD amending Revenue, Operating & Maintenance and Capital Improvement Program Budget projections for FY 2012-13 and adoption of Resolution No. 2012-24**

**General Manager Howard** – Provided the details of item H-1

**Motion by:** Director Tetreault to adopt Resolution No. 2012-24 amending the Town of Discovery Bay Revenue, Operating & Maintenance and Capital Improvement Program Budget for FY 2012-13

**Second by:** Director Simon

**Vote:** Motion Carried – AYES: 5, NOES: 0

**2. Agency Comment Request – Home Occupation Use Permit Application – Jesus Lopez (LP12-2106)**

**General Manager Howard** – Provided the details of item H-2. There was discussion between the Board, the General Manager, and the Public. There was one (1) Public Comment Speaker

**Motion by:** President Steele to send a letter to the County with the concerns of noise and traffic, and the delivery of hazardous materials

**Second by:** Director Tetreault

**Vote:** Motion Carried – AYES: 5, NOES: 0

**I. PRESIDENT REPORT AND DIRECTORS’ COMMENTS**

**Vice-President Graves** – Provided details of the California Special Districts Association Conference in San Diego September 21, 2012 through September 27, 2012

**Vice-President Graves** – Provided details and a report for the East Contra Costa Fire District meeting dated October 1, 2012

**President Steele** – Provided details of the California Special Districts Association Conference in San Diego September 21, 2012 through September 27, 2012

**J. MANAGER’S REPORT**

**1. Discussion and possible action on 2013 Discovery Bay Earth Day proposed projects (Veteran’s Memorial & Demonstration Gardens)**

**General Manager Howard** – Provided details of item J-1

**Parks and Landscape Manager Perez** – Provided additional details of item J-1. There was discussion between the Board, the General Manager, and the Parks and Landscape Manager

**Motion by:** Director Mattison to form a committee that would include Vice-President Graves and President Steele

**Legal Counsel Attebery** – Made the recommendation that there will be no motion

**Motion withdrawn**

**General Manager Howard** – Provided information that the Public Access Ramp Replacement Project that will begin on October 18, 2012

**K. GENERAL MANAGER’S REPORT**

**1. Discussion regarding electronic message boards**

**General Manager Howard** – Provided details of item K-1. There was discussion between the Board and the General Manager

**Motion by:** Vice-President Graves to purchase one (1) DH500FM as stands with no options

**Motion withdrawn**

**Motion by:** Vice-President Graves to purchase one (1) Portable Changeable Message Sign - DH500FM for safety reasons for our workers and for residents to be aware of projects going on in Discovery Bay

There was discussion between the Board, the General Manager, and the Water and Wastewater Manager.

**Motion** – Withdrawn by Vice-President Graves

**Motion by:** Vice-President Graves to purchase the DH500FM with the radar speed display option

**Second by:** Director Mattison

There were two (2) Public Comment Speakers

**Vote:** Motion Carried – AYES: 4 – President Steele, Vice-President Graves, Director Mattison, Director Tetreault, NOES: 1 – Director Simon

**2. Discussion regarding Official Town of Discovery Bay CSD Seal and Logo**

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

**Motion by:** Vice-President Graves to adopt the Seal for official use and have the Seal trademarked – the Seal to use is on page 151 of the digital packet and adopt a Logo to be used on other items such as shirts, hats, and other non-official documents

**Second by:** Director Simon

**Vote:** Motion Carried – AYES: 5, NOES: 0

There was one (1) Public Comment Speaker. There was discussion between the Board and the Public Comment Speaker

**L. DISTRICT LEGAL COUNSEL REPORT**

**Legal Counsel Attebery** – There was a Special Closed Session at 6:30 p.m. regarding conference with Legal Counsel on an existing litigation listed as item D-1 on the Special Agenda, all five (5) Board Members were present during the entirety of the Closed Session and there was no reportable action. Also, added information on how a motion and public comment is taken care of.

**M. COMMITTEE UPDATES**

None

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

1. R – Letter from California Natural Resources regarding response from Governor Brown on the subject of the Peripheral Canal dated September 13, 2012

2. R – Letter from Contra Costa County Public Works Department regarding Transfer of Parks in Countywide Lighting and Landscape District Zones in Discovery Bay dated September 24, 2012

There was one (1) Public Comment Speaker. There was discussion between the Board, the General Manager, the Public Comment Speaker, and Legal Counsel.

**O. PUBLIC RECORD REQUESTS RECEIVED**

None

**P. FUTURE AGENDA ITEMS**

None

**Q. ADJOURNMENT**

The meeting adjourned at 9:01 p.m. to the next regular meeting on October 17, 2012 starting at 7:00 p.m. at 1800 Willow Lake Road

//cmc – 10.10.12

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