



# TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT



President – Robert Leete • Vice-President – Kevin Graves • Director – Bill Mayer • Director – Bill Pease • Director – Chris Steele

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

Wednesday February 1, 2017

REGULAR MEETING 7:00 P.M.

Community Center

1601 Discovery Bay Boulevard, 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**

1. Call business meeting to order 7:00 p.m. – By President Leete
2. Pledge of Allegiance – Led by Director Steele
3. Roll Call – All present

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

- 1) Regarding traffic monitoring and traffic survey; 2) Speed on Discovery Bay Boulevard and other areas of Discovery Bay.

#### **C. 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. Approval of DRAFT minutes of regular meeting for January 18, 2017
2. Approve Register of District Invoices
3. Adopt and Present Proclamation 17-01 thanking and honoring Mary Nejedly-Piepho for her twelve years of dedicated service on the Board of Supervisors and her representation of Discovery Bay.

**Motion by:** Director Pease to approve the Consent Calendar

**Second by:** Vice-President Graves

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

President Leete – Presented Proclamation 17-01 to Mary Nejedly-Piepho.

Mary Nejedly-Piepho stated some of the highlights throughout her twelve years of service; Highway safety, sheriff patrol, resource officers, no tow zone, delta tunnels, aquatic weeds, created the Town of Discovery Bay Zip Code, safe routes to schools, Highway 4 widening, and many other items. Mary Nejedly-Piepho also thanked everyone for the honor of serving Discovery Bay.

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

1. Supervisor Diane Burgis, District III Report

Alicia Nuchols Field Representative – Provided details regarding the type of updates she provides for Discovery Bay and Introduced Supervisor Diane Burgis, District III.

Supervisor Diane Burgis, District III provided details regarding top priorities; priority to bring Stakeholders together to strengthen and increase fire protection, twin tunnels, algae blooms, and protect the delta. Will be serving on the California Delta County Coalition, improving East County Transportation Infrastructure, expansion of Highway 4, and E Bart once up and running. The County is working hard for the best interest of Discovery Bay residents.

**2. Sheriff's Office Report**

Crime Prevention Specialist Fontenot - Provided the law enforcement report for the month January. There was discussion regarding the activity on Bixler Road regarding The Boys Ranch.

**3. CHP Report**

Officer Taylor - Filling in for Officer Thomas taking care of speeding tickets etc. The board stated that there is still a speeding issue within Discovery Bay and to be sure to relay to Officer Thomas and other CHP staff for enforcement.

**E. 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\*\* - President Leete attended the meeting and provided an update on the efforts regarding Twin Tunnels and to stop that project.

*\*\*These meetings are held Quarterly*

**F. PRESENTATIONS**

None

**G. BUSINESS AND ACTION ITEMS**

1. Board Update on Water Meter Installation Project. (Oral Report)

General Manager Davies – Provided an update on the Water Meter Project;

- Preliminary Water Meter Installation began beginning of January and last Monday officially began the Phase I with 140 installations.
- We heard the residents loud and clear that we dropped the ball on keeping them informed; set out to immediately correct the communication.
- All residents received letters for all phases of the Water Meter Project areas.
- Updated website which is more informative with links to meeting agendas that are much easier to locate on the home page.
- Mr. Helfrick – provided questions – staff has answered and a copy of that document is available here tonight and will also be on our website.
- There were 3 Informational Open Houses on the Water Meter Project, very successful and 4 more open houses scheduled for: Wednesday, February 8: 10:00 a.m.-11:00 a.m. & 6:00 p.m.-7:30 p.m. and Wednesday, February 22: 10:00 a.m.-11:00 a.m. & 6:00 p.m.-7:30 p.m. (also placed on our Website)
- The Bond will go out for issuance at the end of February and looking forward to future discussion on the best way to calculate and allocate the project cost to the new metered users.

Public Comment regarding the Water Meter Project:

There were 11 comments regarding the letters that were sent out, the cost should be absorbed by the Town, item requested to be added to the next agenda in relation to the financing of the project, Tax dollars and whether those dollars go into the Town's surplus fund, thanked the board and staff for taking on this project, lack of concern for the cleanup after the install.

Director Mayer – Stated that the board should reconsider the bond or the reserves for the water meter installation.

Director Pease – There is no extra money in the bank; you have restricted reserves and unrestricted reserves – can't commingle the funds. The issue with the communication will be improved, not opposed on the discussion regarding the time that it takes to have a meter installed. Wants to be fair to all residents.

President Leete – Would like to revisit the finances and the cash flow that will be affected by this project and possible alternatives.

Vice-President Graves – Issues with how the residents were informed of the water meter installation project. The key is to educate the public ahead of time at least a year in advance. The Hybrid Option – not borrow all of the money for the project through the bond and protect the reserves; that may simplify things. Should not subsidize complicated installations with simple installations and have more tiers. The cost of the meter is roughly \$200.00, and there is more to the installation than just the meter, meter box, rocks, etc. We need to take a look at how we are allocating those costs based on the difficulty of the installation.

Director Steele – Believes that we should look back at how we are allocating the cost.

President Leete – Direct staff to bring this issue back once we have the answers and alternatives and provide an informational packet at the meeting.

President Leete – Meeting break for 5 minutes.

2. Consider and direct Town Counsel on whether or not to send a letter to the third party bill service provider, doxo, demanding doxo cease and desist use of the Town's website, logo or any reference to the District on doxo's website.

General Manager Davies – Provided the details regarding the third party bill service, doxo and the need to send out a cease and desist letter. There was discussion regarding the letter and the board agreed that the letter be sent out.

Motion by: Director Pease to direct Town Counsel to send a letter to the third party bill service provider, doxo, demanding doxo cease and desist use of the Town's website, logo or any reference to the District on doxo's website.

Second by: Director Mayer

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

3. Consider authorizing the Board President to sign, on behalf of the District, the third Amendment to the employment contract with Interim General Manager Catherine Kutsuris to provide for services on an as-needed-basis not to exceed 120 hours during the period February 1, 2017 through June 30, 2017.

General Manager Davies – Provided the details regarding a third amendment to the contract.

There was one Public Comment speaker regarding the amendment and not to approve.

Motion by: Director Pease to authorize the third amendment to the employment contract with Interim General Manager Catherine Kutsuris.

Second by: None

Motion withdrawn by Director Pease in order for Director Comments.

There was discussion with the Board and General Manger regarding the necessity of the contract, there could be issues that are unknown and the General Manager may need guidance on an as needed basis only.

Motion by: Director Pease to enter into an extension for the Interim General Manager's contract on an as needed basis.

Second by: Director Steele

Vote: Motion Carried – AYES: 4 – President Leete, Vice-President Graves, Director Pease, Director Steele; NOES: 1 Director Mayer

#### **H. MANAGER'S REPORT**

None

#### **I. INFORMATIONAL ITEMS ONLY**

None

#### **J. DIRECTORS' REPORTS**

1. Standing Committee Reports

2. Other Reportable Items

None

#### **K. GENERAL MANAGER'S REPORT**

None

#### **L. CORRESPONDENCE RECEIVED**

1. Request Date January 9, 2017 from Bill Helfrick – Water Meter Bid Documents.

2. Received January 10, 2017 – Contra Costa County Clerk-Recorder-Elections Department - Vote-N-Go-Program.

3. Request Date January 23, 2017 from Bill Helfrick – Reconsideration of the Water Meter Installation Project.

4. Received January 25, 2017 Letter from East County Voters for Equal Protection regarding an ECCFPD Funding Workshop on February 23, 2017.

There was one Public Comment regarding the PRR requesting the information to locate the various Type 1, 2, 3, and 4 installations, at this time would like to withdraw, If there is a tiered charge then that would be unnecessary information, if you go back to average charge then move forward with the PRR.

#### **M. FUTURE AGENDA ITEMS**

None

There was discussion regarding the location of the Board meeting; after discussion the decision is to keep the meeting at the Community Center.

The regular meeting adjourned at 8:20 p.m. to the Closed Session.

**N. OPEN SESSION DISCLOSURE OF CLOSED SESSION AGENDA**

(Government Code Section 54957.7)

Legal Counsel Attebery – The Board is now adjourning into closed session regarding item O-1.

**O. CLOSED SESSION:**

1. Conference with Legal Counsel—Anticipated Litigation pursuant to Government Code Section 54956.9(b) - (One Potential Case)

**P. RETURN TO OPEN SESSION; REPORT ON CLOSED SESSION**

(Government Code Section 54957.1)

Legal Counsel Attebery – Reporting from Closed Session on item O-1 and there is no reportable action.

**Q. ADJOURNMENT**

1. The meeting adjourned at 8:30 p.m. to the next regular meeting of February 15, 2017 beginning at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard.

//cmc – 02-03-17

<http://www.todb.ca.gov/agendas-minutes>