



TOWN OF DISCOVERY BAY CSD

President - Kevin Graves • Vice-President - Brian Dawson • Director - Mark Simon • Director - Chris Steele • Director - Ray Tetreault

MINUTES OF THE SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
TOWN OF DISCOVERY BAY CSD
Wednesday April 6, 2011
1800 Willow Lake Road, Discovery Bay, California
SPECIAL MEETING 8:00 P.M. or after the Regular Meeting
Website address: www.todb.ca.gov

The Audio was inadvertently turned off therefore; the audio did not capture the section of the meeting from Open Session to Closed Session.

A. **ROLL CALL**

The meeting was called to order at 9:05 P.M.

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

Resident Richardson – Asked if the District was going to be making an open session report regarding the closed session item.

Legal Counsel Schroeder - Stated yes and that he would be following the Brown Act.

Legal Counsel Schroeder – The Town of Discovery Bay CSD received a letter from William Richardson claiming that the District violated the Brown Act at its meeting on March 2, 2011 regarding the closed session item O. entitled: Initiation of Litigation, Government Code §54956.9(c). Mr. Richardson claims that the District was required to disclose information listed in another subsection, 54956.9(b), and demands that the District cure the alleged violation pursuant to Government Code §54960.1.

C. **CLOSED SESSION** - disclosure regarding Closed Session items pursuant to Government Code Section 54957.7. **CONFERENCE WITH LEGAL COUNSEL**

- Anticipated litigation: significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: One Case
- Public Disclosure of reportable actions taken in Closed Session

President Graves – The Closed Session has now ended and we are now reconvening into Open Session. Let us give a moment to see if there is any public that would like to be part of this section of the meeting.

Legal Counsel Schroeder – The Board of Directors has reconvened into Open Session from Closed Session regarding action Item C. All five (5) Board Members were present during the duration of the Closed Session. By a unanimous vote I have been directed to make the following public report out of Closed Session that the Board has rejected the demand by Mr. Richardson to cure on the basis that it did not violate the Brown Act. I have been directed to send Mr. Richardson a letter to that extent.

D. **ADJOURNMENT**

The meeting was adjourned at 9:17p.m. to the next regular meeting on April 20, 2011 at 1800 Willow Lake Rd – Located in back of Delta Community Presbyterian Church.

cmc – 4.12.11