



# TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

SDLF Platinum-Level of Governance



PLATINUM LEVEL

President – Bill Pease • Vice-President – Bryon Gutow • Director – Kevin Graves • Director – Robert Leete • Director – Bill Mayer

**MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF DIRECTORS  
OF THE TOWN OF DISCOVERY BAY  
Wednesday September 2, 2020  
REGULAR MEETING 7:00 P.M.**

**NOTICE  
Coronavirus COVID-19**

In accordance with the Governor's Executive Order N-33-20, and for the period in which the Order remains in effect, the Town of Discovery Bay Community Services District Board Chambers will be closed to the public.

To accommodate the public during this period of time that the Board's Chambers are closed to the public, the Town of Discovery Bay Community Services District Board of Directors has arranged for members of the public to observe and address the meeting telephonically.

**TO ATTEND BY TELECONFERENCE:  
Toll-Free Dial-In Number: (877)778-1806  
CONFERENCE CODE 891949**

**Download Agenda Packet and Materials at <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 Pease
2. Pledge of Allegiance – By Director Robert Leete.
3. Roll Call – All present.

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

Public comment regarding:

- New Town office project. Would like Town to have a Board Agenda Item for a full discussion of this project.

**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. Approve DRAFT minutes of August 19, 2020 Regular Board of Director's meeting.
2. Approve Register of District Invoices.

Motion made by Vice President Bryon Gutow to approve items on the Consent Calendar as presented.

Second by Director Robert Leete.

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

**D. AREA AGENCIES REPORTS / PRESENTATION**

1. Supervisor Diane Burgis, District III Report.  
None.

2. Assembly Member Jim Frazier, District 11.

Jennifer Quallick, Director for Assembly Member Jim Frazier advised that City Hall is not open to the public but staff is working remotely. Staff is working on EDD claims and DMV questions as well as anything else staff can currently provide help with. Jennifer Quallick provided her contact information; office number 925-513-0411, email is [jen.quallick@asm.ca.gov](mailto:jen.quallick@asm.ca.gov).

**3. Sheriff's Office Report.**

Lieutenant Mark Johnson provided an update for the month of August. Discussed calls received by the Sheriff's Office and Marine Patrol. Lt. Johnson gave report on arrests, traffic violations, mail theft, drug arrests among other crimes. Stated there is an increase in identity thefts and urged community to keep a close eye on their credit reports. Congratulated Deputy Cody Castelluccio chosen for Patrol Deputy of the Month. Deputy Cody Castelluccio is a Discovery Bay resident.

President Bill Pease congratulated Deputy Cody Castelluccio for his dedication and hard work.

**4. CHP Report.**

Officer Donnie Thomas provided an update on activity for the month of August. Provided information regarding traffic violations, local arrests. Early morning patrols are being done and CHP presence has increased in Town.

**5. East Contra Costa Fire Protection District Report.**

East Contra Costa Fire Department Battalion Chief Ross Macumber provided updates for the months of July and August. Reported calls received, fires reported and vehicular accidents. Increase in fires in July was taxing for the Fire Department. Fourth of July holiday was extremely busy due to fireworks and exceedingly dry vegetation. Fireworks were confiscated and fines were issued. August report included fires started by lightning, traffic citations and arrests. Weed abatement standards are still being enforced. New Engine 53 is now in service, Engine 59 is coming into service in mid-September.

Director Bill Mayer asked for an update on the Chief's Town Hall Meeting in August.

Battalion Chief Macumber indicated he did not attend meeting but encouraged everyone to look on social media.

Director Bill Mayer stated he would like to see more Town Hall Meetings as he found it very useful.

**E. LIAISON REPORTS**

**F. PRESENTATIONS**

**1. Recognition of Robert Leete's Service on the Board of Directors.**

President Bill Pease thanked Director Robert Leete for his service to the Town throughout the years.

Director Robert Leete states he believes the Town is better today than when he arrived. Said the Town Board and staff are wonderful people to work with. He appreciates the time he was able to enjoy as part of the Town Board.

Director Kevin Graves thanked Director Robert Leete for his expertise and experience.

Director Bill Mayer relayed that Director Robert Leete will be missed and he was part of a great Board.

General Manager Mike Davies spoke on behalf of Town staff and thanked Director Robert Leete for his support and service. General Manager Mike Davies announced that Director Robert Leete has been an extremely valuable asset, especially on the Finance Committee.

Vice President Bryon Gutow thanked Director Robert Leete for being a great teacher and providing a different perspective.

**2. Discussion Only Regarding the Progress of the Pool Plans and Correspondence of the Current Pool Contractor.**

General Manager Mike Davies provided the Committee with an update regarding the Community Center Pool plans. He spoke to Tony Adams of Adams Pool Solutions on August 27, 2020. Mr. Adams stated that in order to get the pool refurbished by April 2021, he would need to get the final approval by October 2020. The plans for a new pool have been approved by the County. Once a contractor has been identified, permits will be issued. Total cost of permits is \$22,029. With this information, General Manager Mike Davies asked Terracon if there is a new estimated pool cost. Terracon's reply was an estimated pool cost of \$1,418,609.00. This response was received approximately an hour ago and Town has not had time to reflect on this significant increase in cost.

Director Kevin Graves stated Town has a deadline from the other contractor. If there are delays in deciding, we are making a decision to not have a pool next season. Expressed there are health issue concerns with swimming in the delta.

Director Bill Mayer said a decision is necessary, but it can't be rushed. He suggested working with Terracon to figure out the details, then come back on September 16<sup>th</sup> to discuss this item with the Board for a decision.

President Bill Pease inquired about revenue and cost of having a pool. Requesting Town take a look at the cost to run the pool, cost of additional staff, possible cost appointed for renting the pool for events and any other associated costs and expenses to present this to the Board on September 16, 2020. President Bill Pease states there are three options; refurbish the current pool, expand the pool, or have no pool at all.

President Bill Pease asked the Town to assess all three options and bring that information forward to the Board at the next BOD meeting.

Vice President Bryon Gutow reminded the Board of Terracon's original quote which disclosed the possibility of 10-15% increase. This jump in the cost was expected. Vice President Bryon Gutow stated the request for

cost and expenses regarding the pool is crucial information that is required; however, it should have been asked for 18 months ago when the pool planning started. He expressed his frustration.

Director Bill Mayer said there is also the option to open the project for RFP. This decision is still to be discussed.

Public comment regarding:

- Concerns on how the Town will gather revenue to pay for a pool.
- The length of time it has taken the Board to make a decision.
- The cost to refurbish the current pool.
- Why has the affordability not been analyzed prior to today?
- How much has been spent so far to prepare for a pool?
- Misconceptions regarding difference in pool sizes, costly repairs to existing pool. The importance of a pool in a water based community.
- Interest in seeing progress in the bidding process.
- The lack of recreational activities in Discovery Bay.
- Expense of a large pool while other, more important projects are necessary.
- Lack of revenue being made by the Community Center.
- River Otters having their own pool and not having to travel for competitions. Swim meets will bring in profits to small businesses.
- Revenue being spent while taking family out of town for any swimming activities can be kept in Discovery Bay.

General Manager Mike Davies clarified direction for the next Board meeting for this item. Board declined a presentation from Terracon. Board is interested in a review of the future cost for refurbishing, a new pool, and how much has already been invested.

Director Bill Mayer suggested Town staff contact Terracon to see if quote provided can be refined.

President Bill Pease requested data for three options:

- Cost of refurbishing pool
- Cost of a new pool
- Review option to not have a pool

### 3. Discussion Regarding County Landscape Zones.

General Manager Mike Davies had a telephone meeting with County Public Works regarding their landscape zones in Discovery Bay jurisdiction upon the request of the Board. Questions asked by the Town to County Public Works were as noted below.

- How does the County determine how much will be withheld by the county to allow for landscaping funds to the Town?

County replied that there is no set formula to generate such an amount. Monies are held in a reserve depending on the needs of the zone.

- Do the same rates and same methodology apply to other areas of the county? Can we be provided with examples?

Discovery Bay is unique in that we have a public agency landscape contract. We can ask for extra money to be taken out of the reserve for that zone if any money is there.

General Manager Mike Davies asked about the possibility to use County General Funds to support underfunded areas?

There may be Chief Administrative Officer discretionary money that we can ask for but that would be under rare circumstances. County staff included that any unspent funds from the previous year may be used for maintenance and landscape needs including paying a contractor to catch up on deferred maintenance.

- Can you provide any landscape agreements between the County and other areas?

There are no other agreements. Town of Discovery Bay is the only agreement and there is nothing similar to what we have. Other zones across the county are suffering worse than Discovery Bay. Some zones run out of funds months before the end of the fiscal year and no landscape services are provided during that time. County Public Works Landscaping Department is understaffed. Stating that if County was to provide landscaping services, they would not be able to provide the quality of service the inhouse landscapers can provide. Adding that landscape complaints are commonplace throughout the county. County Public Works staff mentioned previous talks about Discovery Bay taking over ownership their zone's and talks fell through.

President Bill Pease asked when the County completes their budget. He indicated Supervisor Burgis called him and advised that she would look into providing some assistance once the County budget is completed.

General Manager Mike Davies was interested in the possibility of reaching out to Supervisor Burgis' office to look into what type of help she can provide.

## **G. DISCUSSION AND ACTION ITEMS**

### **1. Discussion and Possible Action Regarding Landscape Contracting for Zone 8.**

Parks and Landscape Manager Bill Engelman discussed the cost of getting a contractor to do landscaping projects, compared to the cost of a contractor doing smaller tasks and leaving the heavier work for Town landscapers. Parks and Landscape Manager Bill Engelman suggested saving the Town money by hiring a contractor to do a clean up and inhouse landscapers will take care of keeping up with enhancements.

President Bill Pease asked how much time it has taken to do the entrance to Discovery Bay Blvd.

Parks and Landscape Manager Bill Engelman stated it has been nearly two weeks.

Director Bill Mayer advised to keep watering Cornell Park and that much improvement has been done.

President Bill Pease and Parks and Landscape Manager Bill Engelman had a discussion regarding the order in which areas will be addressed.

General Manager Mike Davies recommended Parks and Landscape Manager Bill Engelman work closely with the Parks and Recreation Committee to proceed with hiring a contractor for cleanup.

Director Kevin Graves suggested starting with Clipper Drive.

General Manager Mike Davies asked if the direction is to just get it done.

President Bill Pease directed Town staff to proceed with contractor for cleanup and then continue with inhouse enhancements.

Public comment regarding:

- Inquiry regarding financing for this landscaping project
- Is Poe Street done being worked on? States job looks incomplete. Inquiry if public will need to start calling in to request certain areas be mowed?
- Overgrown weeds. Discussion of spending money on other things and not focusing on the appearance of the Town.
- Is landscaping waiting for the weeds to die in the winter and then starting fresh? Can some areas be addressed now?

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

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

#### **1. Report Regarding Appointment for Vacancy and Election Procedures.**

Legal Counsel Rod Attebery provided the Board and Town staff with direction for the process of replacing Director Robert Leete on the Board of Directors. After conversing with the Board, Legal Counsel Attebery indicated the following:

- Appointment of vacancy shall be made within 60 days of Director Robert Leete's last day. September 3, 2020 plus 60 days will be November 2, 2020.
- The two incumbent members are prohibited from applying for appointment.
- Town staff will post notice of the vacancy in three separate locations.
- Application period will close on September 21, 2020.
- Vacancy will need to be posted at least 15 days before appointment is made.
- If one of the running candidates gets selected, they will take the appointed seat for a two year term. If that running candidate wins the election or places second, they will vacate the appointment and they will start a new term as an elected Board Member. Thus meaning, there will be a new appointment after the election for the vacated seat.
- In the event of a tie vote, it becomes a NO vote and then it will go to the Supervisor for appointment.
- Application, resume and bio are required and will be reviewed by the Board.
- Interviews will be held telephonically at a Special Board of Director's meeting on September 23, 2020.
- All applicants will be allowed 3 minutes to speak during the interview.
- Decision of appointment will be made on October 7, 2020.

## **J. DIRECTORS' REPORTS**

### **1. Standing Committee Reports.**

- a. Communications Committee Meeting (Committee Members Bill Pease and Bryon Gutow) September 2, 2020.

Vice President Bryon Gutow provided the Board with a summary from today's Communications Committee Meeting. Analytics of the Town's website were provided during the meeting and there was a discussion of possible updates on the features available through mobile devices.

- b. Parks and Recreation Committee Meeting (Committee Members Kevin Graves and Bryon Gutow) September 2, 2020.

Director Kevin Graves stated all items discussed during the Parks and Recreation Committee meeting were also discussed during tonight's BOD meeting.

- c. Water and Wastewater Committee Meeting (Committee Members Bill Pease and Bill Mayer)  
September 2, 2020.

Director Bill Mayer advised there was discussion regarding the Asset Management Plan which will be presented for possible action at the next Board of Director's Meeting. New AWIA requirement will be discussed for action. Diffuser was discussed. UV container is too turbulent and causing a quality issue.

2. Other Reportable Items.

**K. CORRESPONDENCE RECEIVED (Information Only)**

**L. FUTURE AGENDA ITEMS**

**M. ADJOURNMENT**

1. Adjourned at 8:52 p.m. to the next regular meeting of September 16, 2020 beginning at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard.

"This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the American with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code § 54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact the Town of Discovery Bay, at (925) 634-1131, during regular business hours, at least forty-eight hours prior to the time of the meeting."

"Materials related to an item on the Agenda submitted to the Town of Discovery Bay after distribution of the agenda packet are available for public inspection in the District Office located at 1800 Willow Lake Road during normal business hours."

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