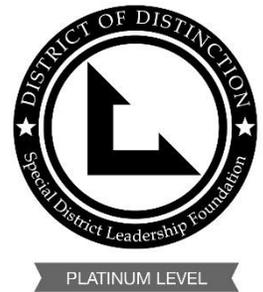




TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

SDLF Platinum-Level of Governance



PLATINUM LEVEL

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

**MINUTES OF THE SPECIAL MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
Wednesday September 23, 2020
SPECIAL MEETING 7:00 P.M.
Website address: www.todb.ca.gov**

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/>

SPECIAL MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Call business meeting to order 7:02 p.m.
2. Pledge of Allegiance- Led by Director Bill Mayer.
3. Roll Call- All Present. Director Kevin Graves present via teleconference.

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

None.

C. BOARD MEMBER VACANCY

1. Applicant Review for Board Seat.

General Manager Mike Davies advised Director Robert Leete resigned his seat on the BOD on September 3, 2020. Contra Costa County Election Division was mailed a written notice on September 4, 2020. Town of Discovery Bay has 60 days from the resignation to find a qualified replacement. Notice of the vacancy was posted in four (4) locations on September 4, 2020. Applications were made available online and at the Town Office. Deadline to turn in applications was September 21, 2020 at 5:00 p.m. Each of the eight (8) applicants are placed in order according to the Secretary of State Randomized Alphabet Drawing. Each candidate will have two (2) minutes to express to the Board why they are the best candidate for the vacated seat. Following their presentations, Board members can ask one clarifying question.

- Leslie Belcher

Has lived in Discovery Bay for close to 25 years. Stated she is a great candidate for the Town of Discovery Bay Community Service District Board because of the skills she possesses with her work and volunteer experiences. Has a bachelor's degree in business and a doctorate in law. She believes it is her time to contribute. She and her spouse own several small to medium sized businesses in the county. Possesses negotiating skills, problem solving and drive. Vows to display honesty integrity and professionalism. Researches every issue prior to advocating for a recommendation.

- Donald Littell
He has lived in DB for 11 years. Feels he will be a positive team member. Has been responsible for making many financial decisions, has prepared quarterly budgets. Will responsibly manage Town funds and make decisions with the Town's interest in mind. Would like to improve the neighborhoods and community assets. He thinks Town's unique circumstances call for creative solutions. He has the time, desire and background to help lead Town of Discovery Bay into the future.
- Carolyn Graham
Has business experience. Retired as Vice President of Operations, Human Resources and Landscaping, IT and Purchasing. Has worked with a diverse population of employees and clients. Has lived in Town of Discovery Bay for nine (9) years. Has ideas of using the Hofmann money to possibly look into adding senior activities, tee ball and 5K races. She believes eighty percent of this job is related to Wastewater Treatment but twenty percent are things they see every day. She wants to accelerate the landscaping project.
- Charles (Bill) Helfrick
Stated he believes he has the education, work experience and the most knowledge with the current issues of Town of Discovery Bay. He has attended meetings and subcommittee meeting in the last three years. Believes he will bring an open mind and diversity to the board. He believes the biggest issue facing the Board is the lack of funding for Zone 8 and Community Center, recreational activities and to maintain the landscaping. He will be committed to finding a balance between maintaining the Community Center and maintaining the landscaping.
- Ashley Porter
Indicated she believes the Board should be as diverse as our community. She stated she has professional work experience and Board experience which make her an excellent candidate for the open seat on the Board. She has experience in municipality purchasing. She is confident she can bring valuable experience and a fresh perspective.
- Eric Swalwell
Retired Police Officer and Police Chief as well as a retired Corporate Security Manager. He has a BA in Business Administration. He believes this position will allow him to continue to use his experience in public service. He was a Trustee with the City of Dublin. He was President of the City of Dublin School Board, President for the City of Dublin Soccer Board, Vice President of the City of Dublin Baseball League. He was also a member of the Alameda County Grand Jury. He stated that Directors of the Board should have bold vision and promote long term, strategic direction. You must develop an alignment with the citizens of Town of Discovery Bay. The rationale of his decisions will be made clear to the community even if the decision he has made is against what he believes to be right. His form of transparency is open, honest communication with others. He calls it ethics and integrity.
- Alberto Delgado
He is a Chemical Executive with management experience. He was a member of the Chemical Industry Council of California where he served as Chairman. He is knowledgeable and able to help Town of Discovery Bay with the sanitation issues which he believes to be one of the biggest consumer of the Town's budget.
- Frank Visintin
Declared he has nothing to add besides the document he has already submitted. He looks forward to the Board's questions.

Legal Counsel Rod Attebery reminded President Bill Pease that each Board member can ask each applicant a question.

President Bill Pease asked Vice President Bryon Gutow if he had any questions for Applicant Leslie Belcher. Vice President Bryon Gutow asked a question and directed it to all the applicants. Why are you interested in this Board position that became available due to a vacancy and why didn't each candidate run for the election.

- Lesley Belcher advised that she is a private person but believes in public service. She is in the background making everything work. She felt it was an opportunity to serve the community in a capacity that she feels she has the skillset for without having to go through the public process of the election.

Director Bill Mayer asked if Applicant Leslie Belcher considered running for the election.

- Lesley Belcher stated she did consider it, however the timing was not right with family, work and the business' that they run and there were other candidates that were very qualified.

Director Kevin Graves asked if each candidate had anything else to convey to the Board that they didn't have enough time to convey in the two minutes they were given.

- Lesley Belcher was concerned that her first response may not have been heard due to reception. She relayed that she has a lot of volunteer experience. She has attended meeting and has an interest. States she is familiar with the issues. Because she is a private person, she feels she can work behind the scenes without being public about it.

President Bill Pease advised all candidates that he will impose a limit to answers to the Board's questions to

one (1) minute.

Director Kevin Graves declared Point of Order. Indicated that other answers to questions were not imposed a time limit.

President Bill Pease advised that all answers to any Board questions will be limited to a one (1) minute response.

- Donald Littell advised that he was encouraged by many of his friends to apply for the open Board position when a seat became available. He decided it was a good time to become involved in the community. He states he understands the way community issues have an impact on property value. He declared it would be rewarding to be a part of the team effort to better the community. He will do what is in the best interest of the public.

Director Bill Mayer asked if he had considered running in the election.

- Donald Littell advised that he had not considered running, however he decided it was a good time with the vacancy of a Board seat.
- Carolyn Graham told the Board she is running for the election for a Town of Discovery Bay Community Service District Board Member. With her strong desire to be on the Board she felt the effort to campaign for the position was well worth it.

Director Bill Mayer asked, "What is your background or training that gives you the ability to make decisions necessary for the water or wastewater operations?"

- Carolyn Graham advised she doesn't have any experience in that; however she is a fast learner and anxious to learn. She would be surrounded by Board members and could draw from their experience, as well as that of Town staff and consultants.

Legal Counsel Rod Attebery asked if there was anything she'd like to add as asked by Director Kevin Graves.

- Carolyn Graham wanted to suggest communicating more through the Facebook App. She also said work can be done to better provide timely effective communication to the community. She can consider all points of views to set policies and decide what's best for the whole community.
- Charles Helfrick stated he did not consider running for the Board. He expressed interest in the two year term. States he would like to see more interactions with the Board and the public. He'd like to see meetings between the Board Directors and the public.
- Ashley Porter says she did consider running for the Board however she decided the timing wasn't right and needed more time to discuss this opportunity with her family. This vacancy allowed her more time to discuss the seat with her family and she feels she has the support she needs.
- Eric Swalwell advised that he did consider running for the Board however, his wife became ill and he needed to focus on her recovery. He couldn't abandon that responsibility but now his wife is doing a lot better. States he is sincere in what he says and considers ethics and integrity an important part of his life. Mr. Swalwell advised that Town of Discovery Bay is a community of fellowship. He said he would like to put his experience to use.
- Alberto Delgado stated he is a Chemical Engineer. He said he had not considered running for the Board but the opportunity presented itself. He had previously expressed his interest to some Board members and decided to run.
- Frank Visintin advised that he didn't consider running for the Board because there were too many candidates running and felt that it would dilute the vote. He had nothing further to say.

2. Approve Procedure for Voting on Appointment.

Legal Counsel Rod Attebery presented to the Board the Town's Policy 002, Rosenberg's Rules of Order. In the absence of an adopted procedure, Rosenberg's provides that it is the chair's duty to apply the rules of conduct of the meeting. The bylaws for the Town of Discovery Bay identify that vacancies and appointments of vacancies are reviewed under the Government Code. Government Code identifies time frames but it does not provide details with respect to voting an appointment. The Board has adopted Rosenberg's Rules of Order which does not provide specifics for making an appointment and taking a vote. Rosenberg's Rules of Order does provide a method for voting.

President Bill Pease advised of interest in implementing a procedure to narrow down the list of applicants. President Bill Pease suggested each Board Member submit their top three (3) or four (4) candidates and submit those names to the Board Secretary. A matrix with the Board Member's selections will then be created for the community to see. This will show any consensus and assist in the selection process.

Vice President Bryon Gutow agreed with this idea and suggested selecting three (3) candidates.

Director Kevin Graves suggested listing up to three (3). He is also concerned about his assignment in Butte County, he would like to provide visual aids to the Board and the public. His recommendation is to not have visual aids that everyone will not have access to.

President Bill Pease advised that it will be possible to upload the matrix on the website and follow along with making marks on the matrix they can have at home.

Legal Counsel Rod Attebery advised this is possible to present for public access.

President Bill Pease explained the process in larger detail and Director Kevin Graves agreed that his suggestion will resolve his concern about allowing the public access to the matrix.

Director Bill Mayer agreed with Vice President Bryon Gutow that three (3) candidates is plenty. He also recommended moving the selection up and not waiting two (2) weeks. President Bill Pease agreed. Vice President Bryon Gutow agreed. Director Kevin Graves asked what the hurry is and asked for an explanation to expedite the decision.

President Bill Pease advised that if there is no conclusion, it gives the Board some more time and not be rushed if they have to make a choice.

Director Kevin Graves agreed to change the selection date.

The Board decided to create a Special Board of Director's Meeting on Thursday, October 1, 2020 at 3:00 p.m. Adopting procedures established in the Staff Report with the following changes:

The time of the Special Board Meeting will be October 1, 2020 at 3:00 p.m.

Each Board member will select up to three (3) nominated candidates.

The matrix will be included on the website for public access.

Clarification requested by General Manager Mike Davies that the matrix will be included in the meeting's Agenda Packet.

Public comment regarding:

- Concern that the time of the Special Board of Director's meeting. Making the meeting at 3:00 p.m. might not allow some of the community to attend.

Motion made by Director Bill Mayer to approve the amended procedure to fill the vacancy on the Board.

Second by Vice President Bryon Gutow.

AYES: 4, NOES: 0, ABSTAINED: 0, ABSENT: 0

D. FUTURE AGENDA ITEMS

E. ADJOURNMENT

1. Adjourned at 8:12 p.m. to the Special Board of Director's meeting of October 1, 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 on the District's website located at <https://www.todb.ca.gov>.