



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT



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

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

Wednesday November 2, 2016

REGULAR MEETING 7:00 P.M.

Community Center

1601 Discovery Bay Boulevard, Discovery Bay, California

Website address: www.todb.ca.gov

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Call business meeting to order 7:12 p.m. – By President Pease
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)

There was one public comment speaker regarding traffic control; California Highway Patrol and the Sheriff Department enforcement.

C. AREA AGENCIES REPORTS / PRESENTATION

1. Sheriff's Office Report - Crime Prevention Specialist Fontenot - Provided the law enforcement report for the month of October and the number of calls within the month. The board requested information regarding a hit and run and that there was no one available to come to the scene, CHP will provide an update; provided an update regarding the equipment for the Sheriff's Department Radar System, approval of funding from the Discovery Bay P6 Zone Citizen Advisory Committee.
2. CHP Report – Officer Thomas provided the update for the month of October. Officer Thomas provided the details regarding the hit and run and if it was a misdemeanor, the department should have responded, he will pass on the information to the Command; also will provide his time to answer any questions that the residents may have.
3. Supervisor Mary Piepho, District III Report – No Report

D. COMMITTEE/LIAISON REPORTS

1. Trans-Plan Report – No Report
2. County Planning Commission Report – No Report
3. Code Enforcement Report – Vice-President Leete provided the details of the Code Enforcement meeting on October 27, 2016
4. Special Districts Report** – No Report

**These meetings are held Quarterly

E. 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 October 19, 2016
2. Approve Register of District Invoices

Motion by: Director Simon to approve the Consent Calendar

Second by: Director Graves

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

President Pease altered the agenda location of item F-2 to the first item under Business and Action.

F. BUSINESS AND ACTION ITEMS

1. Consider authorizing the Interim General Manager to enter into a contract with the lowest responsible bidder for the Water Meter Installation Project, and make related CEQA findings.

Interim General Manager Kutsuris – Provided the details regarding the installation of the Water Meters on all of the single family residence with our District (that number is 3,531 residents). The bid process was a two part system – which was a pre-qualification, 5 contractors were pre-qualified and then invited to submit bids. There were 3 bids received on Monday, October 31, 2016 at 4:00 p.m. – the low bid was JW Backhoe Construction (\$1,391,490.00), next highest bid was Granite Construction for approximately (\$2.2 million) and the highest bid was Florez Brothers Inc. for almost (\$2.9 million). The board stated that there will be a need to be transparent – all of the information posted on our website, mailers, etc., question regarding concerns with the emergency work done by JW Backhoe Construction – there will be a firm boundary on the construction area - that there will be the proper oversight of every installation along with strong inspection in the field. The discussion continued regarding the staffing within JW Backhoe and Construction – and to be able to complete the installation along with the other work done by JW Backhoe and Construction – water leak repairs, etc.

Motion by: Vice-President Leete to accept recommendation and award contract to JW Backhoe & Construction, Inc. for the Water Meter Installation Project in the amount of \$1,391,490.00 (one million, three hundred ninety one thousand, four hundred ninety dollars and zero cents); authorize the General Manager to sign the contract and make related CEQA findings.

Second by: Director Graves

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

2. Consider request from Amanda Dove for a revised proposal in lieu of Community Center room rental fees for the Odyssey of the Mind Program for the youth.

Interim General Manager Kutsuris – Provided a background of the Odyssey of the Mind Program for the youth and the agility equipment for the Dog Park; not able to be completed at the conclusion of the year – this was referred to the Park and Recreation Committee. The proposal from Amanda Dove is to provide ½ page space ad in the Delta Sun Times for a period of 12 months (value of \$6,000.00) on behalf of the Odyssey of the Mind Program.

Amanda Dove – Provided additional details and thanked the board for the use of the Community Center room for the Odyssey of the Mind Program. The Dog Park project was a bit out of the reach and anticipates that the proposed ad will be a substitute for the use of the Community Center room for the 2016-2017 school year.

Interim General Manager Kutsuris – Comment added to authorize the Interim General Manager to enter into a written agreement consistent with this recommendation. Director Simon stated that it is incumbent that this board promote children's activities; Director Graves asked is there a need for the advertising and how much. Mac Kaiser, Recreation Programs Supervisor stated that having the ability to advertise every month would be needed; Vice-President Leete also inquired regarding the size of the Odyssey of the Mind Program (120 students); Director Steele said, this is a great use of the space and the Community Center and does support the program; President is also fully in favor of the program – one ask – to change the terms of the proposal from 12 ads to 18 ads. The General Manager will work out the details of the agreement with an option for future ads in exchange of the use of the Community Center room.

Motion by: Director Graves to set aside the original decision that the Odyssey of the Minds program would contribute to an agility program at the dog park in lieu of paying room fees for the 2015-16 school year, and accept the proposal from Amanda Dove and the Delta Sun Times, on behalf of the Odyssey of the Minds coordinators to have the Delta Sun Times provide a monthly half page ad space to the Town of Discovery Bay at no cost (\$6000.00 total value) for a period of twelve (12) months, amended to (18) months beginning January 1, 2017 for the 2015/16 and the 2016/17 school year. Authorize the Interim General Manager to enter into a written agreement consistent with this recommendation.

Second by: Director Simon

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

3. Consider authorizing the Interim General Manager to enter into an agreement with Quint and Thimmig LLC for Bond and Disclosure for the Effluent Filtration Project bond issuance.

Interim General Manager Kutsuris – The item is related to the 7.5 million dollar bond issuance for the Effluent Filtration Project (currently under construction at WWTP NO. 2). In early October the board made the decision to move forward with Brandis Tallman, LLC as the underwriter, and Saul Rosenbaum as the Financial Advisor for this bond issuance. The next step was the selection of Bond Counsel and the recommendation from the financial advisor was Quint and Thimmig. Change in the Resolution – should be Resolution No. 2016-20

Motion by: Vice-President Leete to authorize the General Manager to enter into an agreement with Quint and Thimmig LLP, for \$50,000.00, for bond counsel and disclosure counsel related to the 2016/17 bond issuance, and adopt proposed Resolution 2016-20.

Second by: Director Simon

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

4. Consider adoption of Resolution No. 2016-17 amending the Conflict of Interest Code to reflect the change to the Designated Positions.

Interim General Manager Kutsuris – This item is a biennial action that the board takes to review the Conflict of Interest Code – changes are non-substantial – one change is to include the Recreation Programs Supervisor and also clarify the consultants (primary consultants that we use).

Change in the Resolution – should be Resolution No. 2016-19

Motion by: Director Graves to adopt Resolution No. 2016-19 amending the Conflict of Interest Code to reflect the change to the Designated Positions Title change and inclusion of Recreation Programs Supervisor.

Second by: Vice-President Leete

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

5. Consider authorizing an expenditure of not to exceed \$28,000 for the development of three workstations at the District Office, and make related CEQA findings.

Interim General Manager Kutsuris – Provided a background of the District office space and the need for the three workstations – the Capital Improvement Budget for many years included this 2 million dollar unfunded item for district offices – which was eliminated as part of the budget round this year. The Interim General Manager believes there could be some modest changes to the interior of the existing office space to add additional office space. Director Simon believes that this change in office space is well needed; President Pease also believes that the space is needed – he also inquired about the carpet at the District Office and the need to replace. The board asked staff to come back with a carpeting quote and bring back to the next board meeting on November 16th.

Motion by: Director Graves to approve the addition of three workspaces in the District Office, and find that the project is exempt from the CEQA pursuant to Section 15301(a).

Second by: Director Simon

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

G. MANAGER'S REPORT – Discussion and Possible Action

None

H. INFORMATIONAL ITEMS ONLY (NO ACTION NECESSARY)

None

I. PRESENTATIONS

None

J. PRESIDENT REPORT AND DIRECTORS' COMMENTS

Vice-President Leete – Attended a meeting where the Metropolitan Water District was in attendance – speaking in regards to the purchase of the items after the Delta Hearing (environmental concerns for the Delta). Recommendation is to keep on the radar with regards to the Tunnels.

K. GENERAL MANAGER'S REPORT – Discussion and Possible Action

November 9th – Roof removal and the November 16th board meeting will not be held at the Community Center and the location change will be at the District Office located at 1800 Willow Lake Road.

L. DISTRICT LEGAL COUNSEL REPORT

None

M. SUB-COMMITTEE UPDATES – Discussion and Possible Action

None

N. CORRESPONDENCE – Discussion and Possible Action

O. PUBLIC RECORD REQUESTS RECEIVED

P. FUTURE AGENDA ITEMS

Director Graves - Permanent signage – for the Discovery Bay “Message Board”

Q. ADJOURNMENT

1. The meeting adjourned at 7:55 p.m. to the next regular meeting of November 16, 2016 starting at 7:00 p.m. at the new location – **Town of Discovery Bay District Office located at 1800 Willow Lake Road.**

//cmc – 11-04-16

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