



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT



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

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
Wednesday December 21, 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 7:00 p.m. – By President Pease
2. Pledge of Allegiance – Led by Vice-President Leete
3. Roll Call – All Present

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

There were 3 Public Commenters – one requesting support for a bike lane along Discovery Bay Boulevard, one supporting Pickleball at Cornell Park, and one expressing displeasure that the District has yet to implement all of the requests from the Pickleball group.

C. AREA AGENCIES REPORTS / PRESENTATION

1. East Contra Costa Fire Protection District Report – No report

D. 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 special meeting for December 7, 2016
2. Approval of DRAFT minutes of Public Financing Authority meeting for December 7, 2016
3. Approval of DRAFT minutes of regular meeting for December 7, 2016
4. Adopt Resolution No. 2016-22 updating the check signing signature authority
5. Approve Register of District Invoices
6. Adopt Resolution No. 2016-23 approving revisions to the Employee Personnel Manual related to employee holiday and vacation benefits for intermittent full-time employees with terms of one-year or greater.

President Pease – At the suggestion of the Interim General Manager, President Pease removed agenda item D-2 – It will be relisted under Public Financing Authority.

Motion by: Vice-President to approve the Consent Calendar agenda items 1, 3, 4, 5, 6

Second by: Director Graves

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

E. MONTHLY WATER AND WASTEWATER REPORT – VEOLIA

1. Veolia Report – Month of November 2016

Project Manager Berney Sadler – Provided the details of the November 2016 Monthly Operations Report. On November 3rd there was SS0 – Lift Station S near Regatta Park, a force main break. There was discussion regarding the November 2016 report - Coliform and the age of the infrastructure.

F. BUSINESS AND ACTION ITEMS

1. Consider appointment of the Town General Manager and authorize the Board President to sign, on behalf of the District, the employment contract.

Interim General Manager Kutsuris – Provided a summary background of Mike Davies, new General Manager and commended the Board for their diligence and perseverance as they spent many hours and days to find the right person to lead the organization.

Legal Counsel – Stated there are a couple of minor changes; effective start date is January 3rd, language regarding disability has been clarified.

Motion by: Director Graves to approve the contract for the new General Manager.

Second: Vice-President Leete

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

Director Mayer – Noted that he was not involved in the interview process, however, he reviewed the paperwork, voted yes on the hiring of the new General Manager, and looks forward to meeting and working with Mike Davies.

2. Consider authorizing the Board President to sign, on behalf of the District, the Second Amendment to the employment contract with Interim General Manager Catherine Kutsuris to provide for continued services during the transition period through January 30, 2017.

Legal Counsel Attebery – Provided the details of the second amendment for Interim General Manager; remaining as our Interim General Manager to January 3rd, along with providing transition services as an hourly employee through January 31st.

Motion by: Vice-President Leete to approve the second amendment to the employment contract for the Interim General Manager.

Second by: Director Graves

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

3. Accept the recommendation and award the bid for the Willow Lake Water Treatment Plant and Well 1B and 2 PLC upgrades to the lowest responsive bidder - Telstar Instruments Inc. - for \$168,950, with a 10% change order allowance (\$16,895.00), authorize the Interim General Manager to execute all contract documents and adopt related CEQA findings.

Interim General Manager Kutsuris – Provided the background of the Willow Lake Water Treatment Plant and Well 1B and 2 PLC upgrades; as well as the bid process. The proposed contract authorization includes a 10% change order. The project (including the potential change order) is within the project budget.

Motion by: Director Steele to accept the recommendation and award the bid for the Willow Lake Water Treatment Plant and Well 1B and 2 PLC upgrades to the lowest responsive bidder – Telstar Instruments, Inc. – for \$168,950.00, with a 10% change order allowance (\$16,895.00), authorize the Interim General Manager to execute all contract documents and adopt related CEQA findings.

There were questions from the Board regarding whether the District had positive experience with Telstar and whether there will be any impact to end users during construction. Berney Sadler confirmed that there will be no impact to end users and Interim General Manager Kutsuris explained that the District did have experience working with Telstar.

Second by: Director Graves

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

4. Consider whether to include the water meter project within the bond financing scheduled for 2017; and if not, consider adopting Resolution 2016-25 approving proceedings to finance improvements to the District's municipal wastewater system, approving the issuance of wastewater revenue bonds by the Discovery Bay PFA, and approving related documents and actions.

Interim General Manager Kutsuris – provided information on possibly including the water meter completion project costs into the bond. Finance Manager Breitstein and Saul Rosenbaum (Financial Advisor) gave more details of including the water meter project into the bond.

Motioned by: Director Leete to continue this matter to the January 4th agenda for a decision.

Second by: Director Graves

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

5. Consider County Development Plan Application – Discovery Bay Country Club Residential Association (DP 16-3032) and determine whether to request conditions be added to the proposed permit.

Interim General Manager Kutsuris – The District received a Notice of Intent to render a decision from the County Dept. of Conservation and Development by the Discovery Bay Residential Association to relocate the entry gate on Discovery Bay Blvd. back for the purpose of reducing the queuing of traffic on Discovery Bay Blvd. The Notice involves the temporary relocation of a 48 sq. ft. guard shack to Marina Blvd. and Club House Drive as the entrance during the construction period.

There was one public comment. There was discussion between the Board involving concerns of the traffic issues caused by the relocation.

Motion by: Director Graves to send a letter to the HOA and Contra Costa Planning Department indicating that the Town has concerns that with this temporary change there will be traffic backups the HOA and the County to consider how it can be managed in such a manner that traffic backups will not occur.

Second by: Director Steele

Vote: Motion Carried – AYES: 4, Abstained: 1

G. INFORMATIONAL ITEMS ONLY (NO ACTION NECESSARY)

1. Receive the report from the Finance Manager regarding the Account Charge.
Finance Manager Breitstein – Provided information for the report in the Agenda Packet.

H. PRESENTATIONS

I. PRESIDENT REPORT AND DIRECTORS' COMMENTS

J. MANAGER'S REPORTS – Discussion and Possible Action

1. Update Board on implementation of Special PG&E Funding Projects.
Recreation Programs Supervisor Kaiser provided information on the PG&E funded projects which included the small dog park fencing, water station, benches and picnic tables, ADA access to the swimming pool, and rolling access gate for the BBQ area. Landscape Manager Miller gave information on three upcoming projects- concrete trippers, equipment building and tot lot play structure.

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

1. Schedule Board Annual Planning Workshop.
Interim General Manager Kutsuris – Provided information regarding scheduling the Board Annual Planning Workshop. The Board Annual Planning Workshop is scheduled for January 21, 2017, beginning at 8:30 a.m.

L. DISTRICT LEGAL COUNSEL REPORT

M. SUB-COMMITTEE UPDATES – Discussion and Possible Action

N. CORRESPONDENCE – Discussion and Possible Action

O. PUBLIC RECORD REQUESTS RECEIVED

P. FUTURE AGENDA ITEMS

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

Q. CLOSED SESSION:

1. Conference with Legal Counsel – Anticipated Litigation: Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9
One potential case

R. RETURN TO OPEN SESSION; REPORT ON CLOSED SESSION

(Government Code Section 54957.1)

Legal Counsel Attebery – The Board has reconvened from Closed Session on item Q-1 and there is no reportable action.

S. ADJOURNMENT

1. The meeting adjourned at 8:15 p.m. to the next Regular meeting of January 4, 2017 starting at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard.

//sh – 01-03-2017

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