



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

SDLF Platinum-Level of Governance



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 February 5, 2020

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 Gutow.
3. Roll Call – All Present.

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

None.

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 regular meeting for January 15, 2020.
2. Approve Register of District Invoices.
3. Approve a Letter from the District President to the Cypress Landing Community Association and the Owner of 2005 Bowsprit Court, Discovery Bay, to Replace the Missing Soundwall Fence at that Location.

Motion by: Director Graves to approve the Consent Calendar.

Second by: Director Leete.

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

D. AREA AGENCIES REPORTS / PRESENTATION

1. Supervisor Diane Burgis, District III Report.

Deputy Chief of Staff Lea Castleberry provided the details regarding transportation updates (Vasco Road, Byron Highway and Byer Road), illegal dumping, and agricultural ordinance.

2. Sheriff's Office Report.

Crime Prevention Specialist Fontenot – Provided an update regarding the number of stats from last month. Delta Station Commander Mark Johnson – Introduced himself along with two new deputies.

3. CHP Report – Officer Thomas provided an update for the month of January; stats for citations (speed and registration), and DUI's. There was discussion regarding Discovery Bay Boulevard and Highway 4.

4. East Contra Costa Fire Protection District Report – Battalion Chief Ross Macumber provided an update regarding the number of calls and response time for December and January. Also provided details regarding the 2nd annual volunteer firefighter reunion ceremony, April 18th at Knightsen Elementary School. There was discussion regarding the average response time.

E. LIAISON REPORTS

None.

F. PRESENTATIONS

None.

G. BUSINESS AND ACTION ITEMS

1. Public Hearing to Consider; Adoption of Ordinance No. 7 – An Ordinance of the Board of Directors of the Town of Discovery Bay, A California Community Services District, Amending Ordinance No. 7 Water Regulations and Service Ordinance.

General Manager Davies – Provided the details regarding the amendments to Ordinance No. 7; SB998 shutoff law (effective February 1st) with a number of requirements. Staff is recommending opening the Public Hearing on the amendments, accept any Public Comments, close the Public Hearing, and adopt Ordinance No. 7. The vote of the Board will be published (within 15 days), and 30 days from adoption the ordinance will take effect.

There was discussion regarding compliance with SB998.

Motion by: Director Leete to Open Public Hearing on amendments to Water Ordinance No. 7 as drafted, accept any public comments, close the public hearing, and adopt Ordinance No. 7, Water Regulations and Service Ordinance.

Second by: Director Graves.

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

There was no public comment.

2. Discussion and Possible Action to Proceed with Annexation of Wastewater Plant #2, and Newport Water Treatment Plant Sites.

Projects Manager Yeraka – Provided the details regarding the Annexation of Wastewater Plant No. 2 and Newport Treatment Plant Sites; the parcel is not within the territory boundary of Discovery Bay, property taxes have been paid by the Town (\$11,000/year) and the Town now has the opportunity to annex the parcels (included with the Pantages annexation). Staff will work with Legal Counsel for the language to send to LAFCO to avoid any restrictions to the Town. Recommendation is to authorize Staff to prepare the necessary documents to Annex Wastewater Plant #2 and Newport Water Treatment Plant Sites and to authorize the General Manager to spend up to \$15,000.00 for the plat maps and any other incidentals. Staff will work with Legal Counsel for the suggested language (broad/general language), CEQA document, and application.

There was discussion regarding the size of Plant No. 2 (50 acres).

Motion by: Director Mayer to authorize Staff to proceed with Preparing Necessary Documents to Annex Wastewater Plant #2 and Newport Water Treatment Plant Sites with an amount not to exceed \$15,000.00.

Second by: Director Leete.

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

3. Discussion and Possible Action Regarding Special District Representation on LAFCO.

General Manager Davies – Provided the details regarding the Special District Representations on LAFCO; call for nominations, call for voting delegates, with a deadline of March 6, 2020. Staff recommends the Board appoint President Pease as the voting delegate and Vice-President Gutow as the alternate for our District. Also, if there is any Board Member that would like to be nominated, the item will be brought back to the Board with a resolution asking that Board Member be nominated.

There was discussion regarding the process.

Motion by: Director Graves to designate President Bill Pease and Vice President Bryon Gutow (alternate) as the District's voting delegates to the Independent Special District Selection Committee ("ISDSC").

Second by: Director Leete.

There was discussion regarding the motion; only for item 1 under Recommended Action.

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

There was discussion regarding the interest to fill the upcoming Special District vacancies and vote to nominate.

General Manager Davies – Provided the detail regarding the timeframe for the Special District Selection; deadline is March 6th – at the next Board meeting of February 19, 2020 call for nominations, make a nomination and have the resolution prepared and approved at the March 4, 2020 Board meeting.

4. Discussion and Possible Action Regarding an Amended and Restated MOU – Development of a Groundwater Sustainability Plan for the East Contra Costa County Subbasin.

General Manager Davies – Provided a background and update regarding the amended and restated MOU; split the Tracy Subbasin and acquire our own Subbasin which is now known as the East Contra Costa County Subbasin.

Motion by: Director Leete to authorize the General Manager to execute and carryout the terms of the attached "Amended and Restated Memorandum of Understanding – Development of a Groundwater Sustainability Plan for the East Contra Costa County Subbasin, (DWR Basin 5-22.19, San Joaquin Valley)" with the GSA's of City of Antioch, Byron-Bethany Irrigation District, Contra Costa Water District, Contra Costa County, Diablo Water District, East Contra Costa Irrigation District, and City of Brentwood.

Second by: Director Mayer.

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

5. Discussion and Possible Action to Approve Resolution No. 2020-02 Regarding Applying for \$68,804.00 in Grant Funds to Convert Two Tennis Courts to Six Pickleball Courts.

Recreation Programs Supervisory Gallo – Provided the details regarding the application for Grant Funds remaining in the amount of \$68,804.00 related to the conversion of the Tennis Courts to Pickleball Courts. Also the Pickleball Group is in attendance and have donated up to \$30,000.00 to meet the required amount for the cost of the conversion.

Motion by: Director Graves to authorize the General Manager to execute any and all documents required to obtain \$68,804 in grant funds to convert two tennis courts to six pickleball courts and approve Resolution No. 2020-02 authorizing an application for the grant funds, adopting a CEQA exemption, approving the project, and directing filing of the Notice of Exemption.

Second by: Director Leete.

There was discussion regarding the money raised by the Pickleball group; congratulated the Pickleball group.

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

H. MANAGER'S REPORT

None.

I. DIRECTORS' REPORTS

1. Standing Committee Reports.

a. Finance Committee Meeting (Committee Members Robert Leete and Bill Mayer)

February 5, 2020 – Director Leete provided the details regarding the Finance Committee meeting related to the preliminary numbers for the upcoming Rate Study, the Audit, and the Budget Calendar.

b. Internal Operations Committee Meeting (Committee Members Robert Leete and Kevin Graves)

February 5, 2020 – Director Leete provided the details regarding the Internal Operations Committee meeting related to the SB998, personnel updates, and the license plate readers.

c. Water and Wastewater Committee Meeting (Committee Members Bill Pease and Bill Mayer)

February 5, 2020 – Director Mayer provided the details regarding the Water and Wastewater Committee meeting related to the Marina underwater crossing break, amended and restated MOU – Development of a Groundwater Sustainability Plan for the East Contra Costa County Subbasin, and the Plant No. 2 annexation.

There was discussion regarding the Marina underwater crossing break.

Water and Wastewater Manager Goldsworthy – Stated that the water is off and not affecting any service, diver to locate the pipe break, and to repair with a stainless steel clamp.

2. Other Reportable Items.

J. GENERAL MANAGER'S REPORT

a. Wipes in the Pipes Award – General Manager Davies provided an update regarding the Wipes in the Pipes Award related to the award and a plaque. Also Executive Assistant Heintl advanced the project.

b. Automated License Plate Readers – General Manager Davies provided an update regarding the letter received related to the implementing of the readers and the need to have a reader attached to a town light pole.

K. CORRESPONDENCE RECEIVED (Information Only)

1. R – Delta Conveyance Environmental Review Initiated and Public Scoping Meetings Scheduled.
2. R – Byron Municipal Advisory Council meeting minutes for September 24, 2019.
3. R – Byron Municipal Advisory Council meeting minutes for November 26, 2019.
4. R – California Special District Association Board of Directors Nominations Seat C.
5. R – Compliance Evaluation Inspection Report January 2020.

L. FUTURE AGENDA ITEMS

None.

The regular meeting adjourned at 7:36 p.m. to the Closed Session.

M. OPEN SESSION DISCLOSURE OF CLOSED SESSION AGENDA

(Government Code Section 54957.7)

Legal Counsel Pinasco - The Town of Discovery Bay will adjourn to Closed Session to discuss the item identified on the Agenda as N-1 and N-2.

N. CLOSED SESSION:

1. Public Employee Performance Evaluation pursuant to Government Code 54957 (Position: General Manager)
2. Conference with Labor Negotiator Pursuant to Government Code Section 54957.6
Agency Designated Representative: Bill Pease/Rod Attebery
Unrepresented Employee: General Manager

O. RETURN TO OPEN SESSION; REPORT ON CLOSED SESSION

(Government Code Section 54957.1)

Legal Counsel Pinasco - Reporting from Closed Session and there is no reportable action.

P. BUSINESS AND ACTION ITEMS

1. Discussion and Possible Action Regarding General Manager Compensation.
Motion by: Director Graves to increase the General Manager compensation to \$175k and direct Legal Counsel to amend the Contract.
Second by: Director Mayer.
Vote: Motion Carried – AYES: 5, NOES: 0.

Q. ADJOURNMENT

1. The meeting adjourned at 8:03 p.m. to the next regular meeting of February 19, 2020 beginning at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard.

//cmc – 02-07-2020

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