



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 • Director – Ashley Porter

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
Wednesday October 21, 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 Bill Pease.
2. Pledge of Allegiance- Led by Director Porter.
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 October 7, 2020.
2. Approve Register of District Invoices.

Motion made by Director Kevin Graves to approve Consent Calendar as presented.

Second by Director Ashley Porter.

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

Public comment offered. None was stated.

D. PRESENTATIONS

E. MONTHLY WATER AND WASTEWATER REPORT – VEOLIA

1. Veolia Report – Month of September

Update given on Water and Wastewater Plants productivity by Veolia Project Manager Gerry Lemus. He discussed water quality testing. Update regarding safety, no incidents have taken place. Reports continue to be submitted to the state as required. Project Manager Gerry Lemus advised that non-potable water is recycled in Town of Discovery Bay.

President Bill Pease asked how the non-potable water is being used.

Veolia Project Manager Gerry Lemus advised it is used for the water pumps and at the golf course. Monthly

bacteriological samples show no issues during testing. Announcement was made regarding a Hydrant Flash Exercise and Valve Exercise which will contribute to the Asset Management Program. More information will be given at the next Veolia presentation.

Public Comment Regarding:

- The use of recycled water on the golf course.

Veolia Project Manager Gerry Lemus advised the recycled water is used for irrigation of plants at the golf course.

President Bill Pease asked if any golfers walk through any irrigated areas where recycled water has been used.

Veolia Project Manager Gerry Lemus replied that areas where golfers play are not irrigated by recycled water.

F. DISCUSSION AND ACTION ITEMS

1. Discussion and Possible Action Regarding Lengthening the Community Pool to 75 Feet, Replacement of Pool Equipment Concrete Slab, Installation of Equipment Enclosure and Modification of Existing Pool Equipment.

Project Manager Mike Yeraka provided the Board with an updated cost to lengthen the Community Pool, replace pool equipment's concrete slab, install equipment enclosure and to modify existing pool equipment. All these recommended items are outlined in a Change Order Form provided by Adam's Pool Solutions. Original quote from Adam's Pool Solutions was \$104,413. The revised quote of \$106,843 reflects an addition of four more rope anchors and compliance with prevailing wage laws. Project Manager Mike Yeraka advised that Adam's Pool Solutions recommended the pool skimmers be changed out as they have been exposed to the sun for approximately 2 years. Information was provided about the installation of an equipment shed. The old concrete slab will need to be removed and new one with the capability to support the new equipment will need to be installed. Also, to provide proper accommodation for a larger amount of water, it will be necessary to add a fourth filter. It was recommended the Board authorized the Town's General Manager execute the Change Order to extend the pool to 75 feet for \$106,843, and to authorize Town's General Manager execute any and all agreements to remove and replace existing pool equipment, install additional filter, install equipment shed and concrete slab and any other actions required to complete the project up to a total project cost of \$452,000.

Director Ashley Porter asked if Adam's Pool Solutions' Scope of Work includes warranty of expanding the shallow end of the pool.

Project Manager Mike Yeraka stated that typically Change Orders will be in addition to any agreements on an established contract. The existing contract required the contractor to warranty everything for 12 months from the date of the contract agreement.

Public Comment Regarding:

- Expenses for the pool project
- Request to remove item 1F from this Agenda.
- Expense for the pool project.
- Possibility of additional cost for the pool that are not being discussed today.
- Concern regarding warranty and guarantee for the pool.
- Guarantee and warranty.

President Bill Pease asked Project Manager Mike Yeraka about warranty details.

Project Manager Mike Yeraka stated there is a 12 month warranty in the original agreement. The Change Order does not mention the warranty nor does it exclude it. Therefore, the language in the original agreement is still valid.

President Bill Pease asked what the estimated date of completion for the pool is as given by Adam's Pool Solutions.

Project Manager Mike Yeraka stated the project will be done near April 2021 or May 2021.

Director Kevin Graves clarified this project is mentioned today to save money, not to add more expense.

Project Manager Mike Yeraka confirmed that the revision in the project has mention only of different avenues the Town can take to save money on projects that have been deemed necessary for the completion of the pool.

Vice President Bryon Gutow asked if the financial impact would be \$80-90k for extension of the pool.

Project Manager Mike Yeraka advised the original quote from Adam's Pool Solutions was \$22,575 and the extension of the pool would be an additional \$84,000.

Director Kevin Graves made a motion to modify and accept the Change Order from Adam's Pool Solutions to what has been proposed in the diagram presented to the Board tonight.

President Bill Pease clarified the motion to authorize the General Manager to execute the attached change order with Adams Pool Solutions in the amount of \$106,843.00 to extend the pool to 75 feet, and to authorize the General Manager to execute any and all agreements to remove and replace the existing pool

equipment, install additional filter, install equipment shed and concrete slab and any other actions required to complete the project up to a total project cost of \$452,000.00.

Director Kevin Graves confirmed that he is making a motion to move forward with the modifications as indicated by Project Manager Mike Yeraka.

Second by Vice President Bryon Gutow.

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

2. Discussion and Possible Action Regarding Approval of Resolution No. 2020-22 Declaring Certain Property as Exempt Surplus Land and Authorizing its Sale.

Legal Counsel Andy Pinasco presented the request to approve a Pre-Annexation Agreement with Lodgepole Investment, LLC. Lodgepole has requested an easement to be used for ingress, egress and public utilities.

The Board directed Town staff to negotiate the terms and condition of this easement. Lodgepole has agreed to the terms and conditions set before the Board in tonight's agenda. The recommended action tonight is for the Board to approve Resolution 2020-22 which will determine the easement is exempt surplus land and it will allow the Town to transfer the easement to Lodgepole allowing them access to their property from Newport Drive. The easement includes a good faith negotiation to determine mutually satisfactory sales price and terms for an easement agreement. The price of \$15,000 represents the easement's fair market value and has been agreed upon by Lodgepole and the Town.

Director Kevin Graves asked if a previously discussed stop sign is included in the easement's negotiation.

Legal Counsel Andy Pinasco advised that is included in the agreement.

Director Bill Mayer advised he didn't see reference to a light pole in the agreement. He asked if it was still a consideration.

Legal Counsel Andy Pinasco stated that coordination with Lodgepole will take place to make sure something is done to accommodate for a light pole.

Public Comment Regarding:

- Appraisal value.

President Bill Pease said the appraiser appears to be very qualified. Asked if staff agrees.

Legal Counsel Andy Pinasco advised that the appraiser is well known in the community and has used them in the past.

Vice President Bryon Gutow asked for the Board to bring this item to a Closed Session to discuss this further.

Director Bill Mayer made motion to approve item as recommended by staff.

Second by Director Ashley Porter.

Vote: Motion Carried – AYES: 4, NOES: 1, ABSTAINED: 0, ABSENT: 0

G. MANAGER'S REPORT

1. Community Center Polling Location Update.

Recreation Program Supervisor Monica Gallo provided the Board with an update to add a polling location at the Town of Discovery Bay Community Center. The Community Center will be open on November 3, 2020 from 7:00 a.m. to 8:00 p.m. Voters can also drop off ballots if they prefer to not come in and vote. Election office officials will be responsible for providing any necessary protective equipment for their volunteers and sanitizer for the voters. Currently there is drop off box at the Yacht Club.

Director Kevin Graves asked if the drop off box at the Yacht Club is secure.

Recreation Program Supervisor Monica Gallo advised that it is secure and ballots get picked up every day, and absentee ballots can also be dropped off there.

Assistant General Manager Dina Breitstein advised the Board that Town staff will be using a new email server named Microsoft 365. Email access will not be available from October 23, 2020 at 5:00 p.m. until Monday, October 26, 2020 at 12:01 a.m. The current mail server is outdated and could cause a security issue.

H. GENERAL MANAGER'S REPORT

1. Groundwater Sustainability Plan Update.

Update was given regarding the Groundwater Sustainability Plan by General Manager Mike Davies. In a joint Memorandum of Understanding created with seven other Groundwater Sustainability Agencies, we are writing a Groundwater Sustainability Plan as required by the Department of Water Resources. This GSP is to be completed by January 31, 2022. We are on track to complete the GSP on time. A meeting with the public was held to provide information and receive feedback regarding the GSP. There is more information on the Town website.

I. CORRESPONDENCE RECEIVED

J. FUTURE AGENDA ITEMS

1. Director Ashley Porter requested Town staff review the Governor's Executive Order and look into the possibility of conducting meetings via video conferencing.
President Bill Pease asked for clarification of Director Ashley Porter's request.
Director Ashley Porter asked for a discussion with Town's communications team to revisit doing meetings through video conference to align with other municipalities, schools, etc.
Director Kevin Graves agreed it is something to look into.
Director Bill Mayer also concurred it is a good direction to go in.
President Bill Pease requested Town staff do some research regarding cost of equipment and to analyze staff time for setting up.
General Manager Mike Davies stated the Town will bring this item back for a presentation to the Board once all information is gathered.

K. ADJOURNMENT

1. Adjourned at 7:53 p.m. to the regular meeting on November 4, 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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