



TOWN OF DISCOVERY BAY CSD

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Board Members

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
TOWN OF DISCOVERY BAY CSD
January 7, 2009**

1800 Willow Lake Road, Discovery Bay, California
REGULAR MEETING 7:00 P.M.
Website address: www.townofdiscoverybay.org

President-Ray Tetreault	raytetreault@comcast.net
Vice President-Mark Simon	marsi1950@yahoo.com
Treasurer-Dave Dove	ddove@sbcglobal.net
Director-David Piepho	DApiepho@sbcglobal.net
Director-Shannon Murphy-Teixeira	smt@politician.com

A. ROLL CALL

President Murphy-Teixeira called the meeting. Director Dove led in the Pledge of Alliance. She stated that all directors were present with the exception of Director Piepho.

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

1. Gayland Ziegler of Lakeshore asked that there be a better explanation of the new water billing in relation to the property taxes being paid for water and wastewater services.
2. **Presentation to outgoing Board Members Robert (Bob) Doran and Patty Knight (Teixeira)** President Murphy-Teixeira read a presentation of accomplishments about the two outgoing directors. They were then presented with a Discovery Bay logo jacket and a plaque for their service. Karyn from Supervisor Piepho Office presented a framed resolution to the two outgoing directors.
3. **Recessed for 10-minutes --- Refreshments**

****** Moment of Silence for Mr. John Fritz ******

President Murphy-Teixeira asked for a Moment of Silence for Mr. John Fritz.

C. AREA AGENCIES REPORTS / PRESENTATION

1. DEPUTY SHERIFF /MARINE PATROL REPORT

Lieutenant Burton presented his report for the month of December 2008. A copy of the report is on file at the District Office. He commented that they have had an office space donated to them at the Discovery Bay Shopping Center next to Aladino's. He commented that they will be implementing an on-line reporting system. He commented that it is optional not required and if you want to report to a sheriff you are still able to.

Lieutenant Duke presented his report for the month of December 2008. A copy of the report is on file at the District Office. He commented that they will be issuing citations for not having the registration stickers on the boats. He stated that they have been doing education about this for a year but now they are going to start issuing citations.

2. CHP REPORT

Officer Godman stated that he is replacing Officer Taylor for the monthly reporting. He reported that he had not received any statistics for the month of December 2008. He commented that there have been a lot of citations for registration and seat belts. He commented about the Lakes being private property and that they cannot respond to vehicle code infractions on private property. He commented that text messaging is illegal as of January 1, 2009. He commented that the law is hands-free for phone usage while driving. He was asked to patrol Clipper Drive for speeding.

3. **FIRE DISTRICT REPORT**

No one in attendance.

4. **SUPERVISOR MARY PIEPHO, DISTRICT III REPORT**

Karyn from Supervisor Piepho's office reported that at the board meeting of January 6, 2009 Supervisor Piepho was sworn in for her second term and that Supervisor Bonilla is the Chair for the Board for this year and that Vice-Chair is John Gioia. She reported that the Supervisor is looking forward to receiving a response from the Community Services District and the community regarding the P-6 funds and the proposals that the Sheriff has put forward. She stated that if the community would like a Town Hall meeting that the Supervisor would be happy to work with the Sheriff to arrange one. She thanked Bob Doran and Patty Knight for their service to the community. She stated that the Supervisor had made a request for the County to adjourn in John Fritz's memory at their January 13, 2009 Board of Supervisors meeting. She reported that the Boat Storage Ordinance had gone before the County Planning Commission at their December meeting and that it has been continued until their March meeting. She reported that the MAC restructuring had been completed and approved by the Board of Supervisors on December 16, 2008. She reported that this clarifies that the CSD is an independent agency and not a MAC. She reported that their office had won the competition between the Supervisors offices to raise funds for the Contra Costa Food Bank; they had raised a little over \$7,000.00. She reported that there will be an E-Waste event on January 17, 2009 at Los Medanos College. She reported that the East County Fire Protection District has held two meetings with community leaders. She reported that Supervisors Piepho and Glover are working on a service level enhancement and will bring it to the Board of Supervisors and then out to the communities for their input.

D. **DISTRICT FINANCIAL REPORT**

General Manager Koehne reported that Lighting and Landscape District #9 has \$169,000.00 in their fund, Lighting and Landscape District #8 has \$1.5 million in their fund and the Town of Discovery Bay has \$5.2 million in their fund with \$3 million in reserves.

E. **CONSENT CALENDAR**

Director Knight made a motion to approve the Consent Calendar. Director Doran 2nd the motion. The motion passed. (4 ayes, 0 nos, 0 abstain)

F. **NEW BUSINESS FOR BOARD CONSIDERATION**

1. **Administration of Oath of Office for New Elected District Directors (Teixeira)** Board Secretary Koehne swore in the New Elected District Directors Mark Simon and Ray Tetreault.

2. **Nominate & Appoint District Board Positions for the 2009 Year (Teixeira)** President Murphy-Teixeira nominated Director Dove for President. Director Dove nominated Ray Tetreault for President. Director Dove withdrew his name from nomination. Director Tetreault was voted President. (4 ayes, 0 nos, 0 abstain) Director Simon nominated Director Piepho for Vice-President. Director Murphy-Teixeira commented that she had received an email from Director Piepho that he did not want to be nominated for any position. Director Dove nominated Director Murphy-Teixeira for Vice-President. She declined the nomination. Director Dove nominated Director Simon for Vice-President. Director Simon was voted Vice-President. (4 ayes, 0 nos, 0 abstain). Vice-President Simon nominated Director Dove for Treasurer. Director Dove was voted Treasurer. (4 ayes, 0 nos, 0 abstain)

3. **Discuss and Approve Resolution 2009-01 District Bank Account's – Director Changes (Koehne)** General Manager Koehne presented this resolution to the board. He explained that this resolution adds the incoming directors to the bank accounts and removes the outgoing directors from the bank accounts. Treasurer Dove motioned to pass Resolution 2009-01 District Bank Accounts Changes for the year 2009-2010. Director Murphy-Teixeira 2nd the motion. The motion passed. (4 ayes, 0 nos, 0 abstain)

4. **Discuss and Approve Board Member Mark Simon & Ray Tetreault to Attend CSDA's New Board Member Training, January 15th & 16th in Sacramento (Koehne)** General Manager Koehne presented this item to the board. President Tetreault chose not to attend. Vice-President Simon chose to attend. Treasurer Dove motioned to approve board member Mark Simon to attend CSDA's New Board Member Training, January 15th & 16th. Director Murphy-Teixeira 2nd the motion. The motion passed. (4 ayes, 0 nos, 0 abstain)

5. **Review and Approve "List of Committees that Directors are Appointed to Represent" for the Town of Discovery Bay CSD for Year 2009 (Koehne)** General Manager Koehne presented this item to the board. He asked that the board review the current appointments to the committees and if they wish make changes. President Tetreault went through the list.

Byron MAC/Byron Sanitary District: President Tetreault asked to remove this committee.

Water and Sewer Vendor Committee: President Tetreault asked to add this committee; he stated that he and Treasurer Dove would be on this committee.

- Community Center Committee: President Tetreault to be added. Director Murphy-Teixeira to remain.
 Code Enforcement Committee: Director Piepho to remain. Vice-President Simon to be alternate.
 Special Districts Committee: President Tetreault will attend.
 East County Fire Protection: Treasurer Dove to remain. Vice-President Simon to be alternate.
 Franchise Fee Committee: to be removed.
 LAFCo Committee: Director Piepho to remain. Treasurer Dove to be alternate.
 Parks and Landscaping Committee: Director Piepho to remain. President Tetreault to be alternate.
 Policing Service Committee: President Tetreault to be lead. Treasurer Dove to be alternate.
 Reclamation 800 Committee: to be removed.
 School District Committee: Director Murphy-Teixeira to be primary. Director Murphy Teixeira said she would ask Director Piepho to be alternate and then email General Manager Koehne.
 Transportation Committee: to remain the same.
6. **Discuss and Approve Emergency Two-Year Operations & Maintenance Contract with Veolia Water for a Monthly Amount of \$86,292 per-month. (Koehne)** General Manager Koehne asked that this be tabled. He stated the contract is not completed yet. He stated that he would bring this item to the next board meeting. He introduced Jim Good, Vice-President of Veolia Water and Jon Whitfield, Project Manager with Veolia Water. General Manager Koehne explained that SouthWest Water had given their notice December 19, 2008 that they wanted to terminate their contract with the Town of Discovery Bay effective December 31, 2008. He stated that Veolia Water came and job shadowed SouthWest Water on December 30, 2008 and effective 5:00 pm December 31, 2008 they were in charge of the Water and Wastewater system. Mr. Good gave an overview of their company and some of the facilities that they already handle.
 7. **Discuss and Approve Emergency Sewer Pipeline Replacement of 450-feet for a portion of Beaver Lane (Koehne)** Legal Counsel explained what constitutes an emergency situation. He stated that if the board, after listening to the explanation of the item concludes that this is an emergency, they will need to make that finding. If they do feel it is an emergency, then this needs to be approved by a four fifths vote which means all present directors vote unanimous. General Manager Koehne presented this item to the board. He explained that they had found a couple of small pieces of the pipe broken which could lead to a blockage. He explained that they had done a video of the area. He explained that staff felt it was a public safety issue if it was to plug or the street were to develop a sink hole. Treasurer Dove motioned to approve up to \$120,000.00 for Beaver Lane Sewer replacement on an emergency basis. Vice-President Simon 2nd the motion. The motion passed. (4 ayes, 0 nos, 0 abstain) General Manager Koehne stated that since this is an emergency situation it is required that this is put on each agenda until the project is completed. Legal Counsel added that it will require the four fifths vote each time.
 8. **Discuss and Approve Renewing HERWIT Engineering Contract as the District's Engineer for year 2009 (Koehne)** General Manager Koehne presented this item to the board. He commented that their rates are very reasonable and that the district gets excellent service from them. President Tetreault and Director Murphy-Teixeira commented that during the Lakeshore Sewer Spill meetings HERWIT Engineering had done very well for the district. Director Murphy-Teixeira made a motion to renew HERWIT Engineering contract as the District Engineer for the year 2009. Treasurer Dove 2nd the motion. The motion passed. (4 ayes, 0 nos, 0 abstain)

G. COMMITTEE/LIAISON REPORTS

1. **East County Planning Report** Walter MacVittie on vacation, so there was no report.
2. **Trans-Plan Report** Walter MacVittie on vacation, so there was no report.
3. **Code Enforcement Report** Director Piepho absent.
4. **Rec. 800 Report** President Tetreault asked to remove this report.
5. **Special Districts Report**** The quarterly meeting is coming up.
6. **Los Vaqueros Expansion Report** President Tetreault asked to remove this report. He asked General Manager Koehne to report as necessary.

**These meetings are held Quarterly

H. DIRECTORS' COMMENTS

Director Murphy-Teixeira had no comment.

Vice-president Simon had no comment.

Treasurer Dove commented that he wanted to set goals for the next year. He commented that he would like to see work done on the website and the landscape projects.

President Tetreault commented that he looks forward to working on the board and that he likes to run fast moving meetings to not waste people's time. He asked for a copy of the Valley Crest contract. He commented that they would get together about the Water and Sewer Committee and once things start to run smoothly they may have fewer meetings but that they will want to stay on top of that. He asked that the Treasurer give the Financial report in the future.

I. GENERAL MANAGER'S REPORT

General Manager Koehne commented that the NPDES permit had been renewed and approved on December 4th & 5th, 2008. He stated that it was to be effective January 23, 2009, staff had asked that they put the effective date back to February 1, 2009 to a cleaner cut-off for sampling and that type of thing. He commented that in the permit they are required to do a few new studies and they are meeting with the District Engineering and Veolia Water to talk about the game plan for the studies. He commented that the UV system has to have some work done on it. He commented that there had been two agencies that had petitioned the Regional Board to review our NPDES permit. President Tetreault asked if the district had been given any more capacity by the Regional Board. General Manager Koehne responded that the district had not been given any more capacity at this time. President Tetreault asked for a copy of the permit. General Manager Koehne commented about the robbery at the District Office. He commented that when SouthWest Water left, the Willow Lake sight had run out of bleach so they are in the process of testing the water in the tanks at this site to see if it is usable or not. He commented that there may be a couple of UV violations from the end of December and if there is, those will be the responsibility of SouthWest Water. District Engineer Harris explained the issue with the UV system. He commented that Veolia had cleaned to system and that had already helped with the violations. General Manager Koehne explained about the water meter program and the letter sent to explain about how the billing works with the property tax charges. He commented that there were two water leaks on New Years Eve.

**J. CORRESPONDENCE RECEIVED & SENT
Information Only**

1. R – Letter from Supervisor Piepho re Potential Reactivation of the Union Pacific Railroad's – December 2, 2008
2. R – Letter from Supervisor Piepho re Grant from California Department of Boating & Waterways for Boating Safety Enforcement – December 3, 2008
3. R – Letter from Supervisor Piepho re Review of an Amendment to the County's Better Government Ordinance – December 10, 2008
4. R – Letter from Supervisor Piepho re Town of Discovery Bay CSD and Municipal Advisory Committee Responsibilities – December 18, 2008
5. R – Letter from Sheriff Ruff re Marine Services Statistics from June 2007 through October 2008 – December 15, 2008
6. R – Letter from Supervisor Piepho re Information from the County's Health System on Lakeshore Spill – December 15, 2008
7. R – Letter from Supervisor Piepho re Projects to the National Assoc of Counties for Consideration for the Proposed Economic Stimulus Program
8. R – Letter from Supervisor Piepho re Boat Storage Ordinance – December 23, 2008
9. R – Transplan Committee Minutes of November 13, 2008

Discussion & Direction

10. R – Letter from Supervisor Piepho re Next Steps to take with P-6 Zone Monies – December 17, 2008

Treasurer Dove asked to add an agenda item to discuss MAC responsibilities.

Treasurer Dove stated he would contact Supervisor Piepho's office to discuss getting a Town Hall meeting going for the issue of the P-6 funds.

K. FUTURE AGENDA ITEMS

1. Discuss and Possible Action on of Park Dedication Fees Wish List for January 21, 2009 Meeting
2. Discuss and Possible Comment/Action on East Bay Regional Park District Measure WW – Grant Allocation of Funds for January 21, 2009 Meeting
3. Discuss and Possible Action on Human Resource Consulting for District for January 21, 2009 Meeting

President Tetreault asked to add an agenda item to form a sub committee called a "Search Committee" to hire. He asked also to have a Human Resource Consultant.

L. ADJOURNMENT

Director Dove motioned to adjourn the meeting at 9:02 pm. Director Murphy-Teixeira 2nd the motion. The motion passed. (4 ayes, 0 nos, 0 abstain) The meeting was adjourned to next regular meeting on January 21, 2009.