



TOWN OF DISCOVERY BAY CSD

President - Kevin Graves • Vice-President - Brian Dawson • Director - Mark Simon • Director - Chris Steele • Director - Ray Tetreault

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY CSD
Wednesday March 2, 2011
1800 Willow Lake Road, Discovery Bay, California
REGULAR MEETING 7:00 P.M.
Website address: www.todb.ca.gov**

Regular Meeting 7:00p.m.
Closed Session Meeting after Regular Meeting

A. ROLL CALL

The meeting was called to order. President Graves led in the Pledge of Allegiance. Roll call was taken and all directors were present.

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

Dave Ciruli - Vice-President of the Discovery Bay Property Owners Association commented on the discussion that took place at the Town of Discovery CSD Board Meeting dated February 16, 2011.

C. AREA AGENCIES REPORTS / PRESENTATION

1. SHERIFF'S OFFICE REPORT – (AC) – Report Provided

Lieutenant Burton – Provided the report. Lieutenant Burton commented on the level of crime and that it has decreased somewhat. He also discussed the items on the report.

2. CHP REPORT – (AC) – No Report

3. FIRE DISTRICT REPORT – (AC) – Report Provided

Chief Henderson – Provided the Incident Summary Report and explained the report in detail.

Chief Henderson commented on the Benefit Assessment Tax and that there was a press release sent out and he also asked that community members interact with the Fire District Board of Directors and Engineer in order to move forward with the tax.

4. EAST CONTRA COSTA FIRE PROTECTION DISTRICT REPORT – (AC) – No Report

5. SUPERVISOR MARY PIEPHO, DISTRICT III REPORT – (AC) – No Report

Karyn Cornell – Stated that there is a free program called Earn It, Keep It, and Save it and that program will assist people with their taxes. Karyn also commented on a new section on the Contra Costa County Website that will offer on-line assistance and you will acquire a live person from nine (9) to five (5), Monday through Friday. Karyn also provided the East Bay Economic Development Alliance 2010 East Bay Indicators brochure, which offers excellent information. Supervisor Piepho is continuing to work with the Department of Boating and Waterways on the Egeria Densa.

D. COMMITTEE/LIAISON REPORTS

1. Trans-Plan Report – (AC) – No Report

2. County Planning Commission Report – (AC) – No Report

3. Code Enforcement Priority Report – (AC) – No Report

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. Minutes of the Regular Meeting dated February 16, 2011
2. District Invoices

Motion made – by Director Simon to approve the Consent Calendar and seconded by Vice-President Dawson. Motion carried by the following vote: AYES: 5, NOES: 0.

F. NEW BUSINESS AND ACTION ITEMS

None

G. CHAIR REPORT AND DIRECTORS' COMMENTS

Director Steele – Provided his report and stated that he attended the Byron Union School District meeting on February 17, 2011 and reported on the discussion within the meeting.

Director Steele – Provided his report and stated that he attended the Board of Supervisor Advisory Body's Training meeting on February 28, 2011 and reported on the discussion within the meeting.

Vice-President Dawson – Provided his report and stated that he attended the Byron Union School District meeting on February 22, 2011 and reported on the discussion within the meeting.

Vice-President Dawson – Provided his report and stated that he attended the Joint MAC meeting on February 26, 2011 along with Director Tetreault, Director Simon, and General Manager Howard and reported on the discussion within the meeting.

H. MANAGERS REPORTS

1. Landscaping Report

Landscape Manager Perez – Provided a Power Point presentation and provided details from the presentation which includes the Willow Lake Road project that has been completed, the Cornell Park project, and the Ravenswood Splash Pad.

2. Water and Wastewater Report

Water and Wastewater Manger Koehne - Provided a Power Point presentation and provided details from the presentation which includes the sewer manhole that was rehabilitated, the Channel Road gate that was replaced, and the Moles for the Bio Solids building – Tic and Track.

I. GENERAL MANAGER'S REPORT

General Manager Howard – Provided two (2) items and one (1) is a status update on the contract with Veolia and that there will be a meeting on Friday and the item will be on the next Board meeting agenda. The second item is the agenda forecast sheet, which is called the "Blue Sheet", and that sheet will be used internally to track board agenda items.

J. LEGAL COUNSEL REPORT

1. Discussion regarding Board Meeting Rules of Order and Amend Board's Rules of Procedure to consider adopting Rosenberg's Rules of Order

Legal Counsel Schroeder – Provided details on what the Parliamentary Procedures are and that under the By-Laws, toward the end, there is a provision that states that the Parliamentary Procedures are Roberts Rule of Order which is your fallback. Legal Counsel Schroeder would like to suggest that the Board consider amending the By-Laws to replace Roberts Rule of Order as your fallback parliamentary procedures and to use Rosenberg's Rules of Order. Legal Counsel Schroeder would like the Board to review the suggested change before the next meeting. The discussion continued among the Board Members and Legal Counsel Schroeder.

K. CORRESPONDENCE – Discussion and Possible Action

1. R – Letter to Supervisor Piepho from David O. Livingston regarding the staff of David O. Livingston to research the P-6 fund balance
2. R – Contra Costa County Department of Conservation & Development regarding revised Agency Comment Request Form dated February 9, 2011
3. R – Copy of letter from the California Regional Water Quality Control Board regarding the June 2010 sanitary sewer overflow dated February 9, 2011
4. R – Letter from Supervisor Piepho regarding a Board Order - January 25, 2011, Byron Corners General Plan Amendment Study Authorization dated February 9, 2011

L. **PUBLIC RECORD REQUESTS RECEIVED**

Request from Mark Doran – 2010-2011 Submissions and resubmissions to and from County for AC Functions – Dated February 10, 2011

Request from Don Flint – Names and Email addresses of the people who received the Annual Renewal of the Town of Discovery Bay CSD Agendas email – Dated February 11, 2011

Request from William Richardson – Follow up CSD Defamation of Citizens Submitting PRRs – Dated February 11, 2011

M. **FUTURE AGENDA ITEMS**

N. **ADJOURNMENT**

The meeting was adjourned at 8:08p.m. to the Special Meeting on March 2, 2011 at 1800 Willow Lake Rd – Located in back of Delta Community Presbyterian Church.

O. **CLOSED SESSION:**

CONFERENCE WITH LEGAL COUNSEL

Initiation of litigation, Government Code Section 54956.9(c)

One (1) potential case

Legal Counsel Schroeder – Stated that the Board of Directors will adjourn into closed session regarding item O. There are no facts or circumstances for disclosure purposes.

President Graves – Made a request that the premises be vacated.

P. **Return to open session; report on closed session.**

Report out of closed session. The Board reconvened into open session at 8:47p.m. following the unlocking of the doors and alerting anyone outside. District Counsel reported that all five (5) Board Members were present during the closed session and that there was no reportable action.

Q. **ADJOURNMENT**

The meeting was adjourned at 8:47p.m. to the next regular meeting on March 16, 2011 at 1800 Willow Lake Rd – Located in back of Delta Community Presbyterian Church.

cmc – 03.14.11