



# 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 February 16, 2011  
1800 Willow Lake Road, Discovery Bay, California  
Website address: [www.todb.ca.gov](http://www.todb.ca.gov)**

## **REGULAR MEETING at 7:00p.m.**

### **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 (Public Comments will be limited to a 3-minute time limit)**

There were several residents attending the meeting to discuss the Discovery Bay Property Owner Association (DBPOA). Those residents were notified by the use of email that they should attend the Town of Discovery Bay CSD meeting. The names below are those that spoke on the subject and expressed their concern with the DBPOA. Some of the residents provided documentation to the Town of Discovery Bay CSD Board.

Resident Anthony Steller, Resident Roger di Fate, Resident Frank Visintin, Resident Jack Snavelly, Resident Bob Quist, Resident Bobbi Nugent, and Resident Lynne Willenburg  
Resident Don Flint – Would like to have the DBPOA documents placed within the minutes. He expressed his concern regarding the Chamber Dinner charges.

### **C. PRESENTATIONS**

None

### **D. CHAIR REPORT AND DIRECTORS' COMMENTS**

**President Graves** – Stated that he, Director Steele, and General Manager Howard attended the LAFCo meeting and discussed the items from that meeting. President Graves also moved item F-4, the Special District Election to LAFCo, and moved to this point of the meeting. President Graves stated that Michael R. McGill was sworn in at the last meeting. He was elected to be the Special District to LAFCo Representative by eight (8) votes. When the Board met at the January 19, 2011 Board meeting, they made a decision on two (2) candidates, Michael R. McGill as the secondary for the LAFCo seat and Thomas E. Baldocchi, Jr. as the primary LAFCo seat. The Board voted three (3) to two (2) to vote for Thomas E. Baldocchi, Jr. as the primary for the LAFCo seat. President Graves voted for Mr. McGill because he believed that the qualifications of Mr. McGill exceeded those of Thomas E. Baldocchi, Jr and did not feel comfortable having Thomas E. Baldocchi, Jr represent our district. "The vote was a three (3) to two (2) vote and I changed my vote, which changed what the Board vote was." President Graves also believes that any other Board Member would have felt the same way as he if they were present at the Special District Election to LAFCo Meeting hearing the qualifications. President Graves also pointed out that Michael R. McGill won by eight (8) votes, therefore would have won by seven (7) votes, if he would have voted for Thomas E. Baldocchi. He expressed his apology for altering his decision on voting for the candidates for the Special District Election for LAFCo. Director Simon accepts the apology of President Graves, however, still has an issue with the decision. When the Board makes a choice on a vote it should not change and does not believe that President Graves is entitled to change the vote, nor should he have changed his vote. Director Tetreault believes that President

Graves broke the trust of the Board. Director Tetreault also believes that the Board made the decision of who to vote for and the choice was made by President Graves to change that vote. Director Steele expressed that it is important to make a decision and not make a change on your own but make a change as a Board. President Graves also attended and discussed the items from the East Contra Costa Fire Protection District meeting and the Contra Costa Aviation Advisory Committee meeting. He also provided his reports.

**Vice-President Dawson** – Attended the School Board meeting and discussed the items.

**Director Steele** – Stated that he, President Graves, and General Manager Howard attended the LAFCo meeting and discussed the items from the meeting. He provided a report.

**Director Tetreault** – Attended the Community Center Committee meeting and discussed the three (3) Committee's, the Community Center, the Budget Review, and the Communications and a press release was sent out requesting citizen involvement.

#### **E. CONSENT CALENDAR**

1. Minutes of a Regular Meeting from February 2, 2011
2. District Invoices
3. Application and Adoption of Resolution 2011-03 for an Out-of-Agency Service Agreement – Farnholz
4. Change order to McFadden Construction for Shade Structure at UV Control Platform
5. Measure WW Local Grant Program Project (WW Grant) Application for Cornell Park Playground Replacement

**President Graves** – Item three (3) and item five (5) pulled from the Consent Calendar

**Motion made by** – Director Simon to approve items one (1), two (2), and four (4) of the Consent Calendar and seconded by Vice-President Dawson. Motion carried by the following vote: AYES: 5, NOES: 0

**Discussion on Item three (3) on the Consent Calendar** – Application and Adoption of Resolution 2011-03 for an Out-of-Agency Service Agreement – Farnholz – The Board and General Manager Howard discussed the item in regards to the conditions of the agreement, along with the health and safety issues.

**Motion made by** – Director Tetreault to approve this item and seconded by Vice-President Dawson.

The item had more discussion in regards to the structure of the agreement along with the conditions of the item. The resolution states the details of the agreement therefore will move forward with the approval agreement. Motion carried by the following vote: AYES: 5, NOES: 0

**Discussion on item five (5) on the Consent Calendar** – Measure WW Local Grant Program Project (WW Grant) Application for Cornell Park Playground Replacement – Landscape Manager Perez discussed items on the WW Grant Application.

**Motion made by** – Vice-President Dawson to approve this item and seconded by Director Tetreault. Motion carried by the following vote: AYES: 5, NOES: 0

#### **F. NEW BUSINESS AND ACTION ITEMS**

1. **East Contra Costa Fire Protection District Board Representation (AC)**

**President Graves** – Stated that there was a lack of support from the representative. President Graves also stated that Chris Finetti resigned from the ECC Fire Protection District Board and that creates an opening on that Board. There will be a posting for the position on the Contra Costa Website and there will be ten (10) days to apply for that position.

2. **Water Meter Installation Status Report**

**General Manager Howard** – Stated that this item is to obtain feedback from the Board.

There was discussion between the Board and General Manager Howard on the concerns of this item. The item has been placed on the Agenda Forecast with a pending status.

3. **Direction to Staff and Letter of Support for Slifer Park Improvement Project (FY 2011-2012)**

**General Manager Howard** – Stated that this item is direction to Staff with a letter of Support for the Slifer Park Improvement Project.

**Landscape Manager Perez** – Provided other details on the project including the pickle ball courts, a shade structure, and a restroom. There were concerns in regards to the restroom so that particular item will be reviewed at a later time. There was discussion on the project between the Board and some of the public.

**Motion made by** – Vice-President Dawson recommends that we send a letter of support to the County for Slifer Park Improvement Project and seconded by Director Simon. Motion carried by the following vote: AYES: 5, NOES: 0

4. **Report on Special District Election to LAFCo**

**President Graves** – Provided details under Agenda Item D within his Chair report

**G. VEOLIA REPORT**

1. Veolia Report for January 2011  
Veolia Manager Gerald Smart – Gave details of the monthly report
2. Veolia Report for 4<sup>th</sup> Quarter 2010

**H. MANAGERS REPORTS**

**General Manager Howard** – Stated that for informational purposes, he has a fabric gasket that is from a fire hydrant and a water valve that was corrosive due to the soil leading to leaks. General Manager also pointed out that he has been receiving interest for the Internship program.

**I. GENERAL MANAGER REPORT**

**J. DISTRICT LEGAL COUNSEL REPORT**

**Legal Counsel Schroeder** – Pointed out that the Board does not have any jurisdiction for any decision on the DBPOA.

**K. CORRESPONDENCE-Discussion and Possible Action**

1. R – Contra Costa County Aviation Advisory Committee Minutes for November 9, 2010
2. R – Letter from Supervisor Piepho to Sheriff David O. Livingston regarding the current fund balance for the Discovery Bay P-6 Zones dated February 1, 2011
3. R – Letter from Supervisor Piepho regarding recent correspondence from Sheriff Livingston dated February 2, 2011
4. R – State Route 4 Bypass Authority Minutes for January 13, 2011
5. R – Byron Municipal Advisory Council Meeting Minutes for January 20, 2011
6. R – Letter from LAFCo regarding the Transmittal of Correspondence from Don Flint dated February 3, 2011

**L. PUBLIC RECORD REQUESTS RECEIVED**

Request from William Richardson – Community Center/Still continuing – Dated January 28, 2011

**M. FUTURE AGENDA ITEMS**

**N. ADJOURNMENT**

The meeting was adjourned at 8:53p.m. to the next Regular meeting of March 2, 2011 starting at 7:00pm at 1800 Willow Lake Road-Located in back of the Delta Community Presbyterian Church.

cmc – 02.23.11