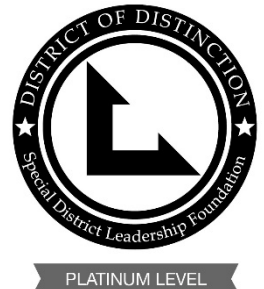




TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

SDLF Platinum-Level of Governance



President – Ashley Porter • Vice-President – Michael Callahan • Director – Kevin Graves • Director – Bryon Gutow • Director – Carolyn Graham

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY Wednesday February 15, 2023, 7:00 P.M.

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Called business meeting to order 7:00 p.m.
2. Pledge of Allegiance was led by Director Bryon Gutow.
3. Roll Call was taken, and all members were 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 Regular Board of Directors DRAFT Meeting minutes from February 1, 2023.
2. Approve Register of District Invoices.
3. Approve Resolution 2023-03 Re-Authorizing Remote Teleconference Meetings of the Legislative Body of the Town of Discovery Bay Community Services District Pursuant to the Brown Act Provisions.
4. Adopt and Approve Resolution No. 2023-04 Accepting an Easement for the Marina Waterline Crossing Repair Project.
5. Approve Amendment No. 2 to the East County Water Management Association Agreement.

Director Graves made a Motion to Approve the Consent Calendar.

Director Gutow seconded.

Vote: Motion carried – AYES: 5, NOES 0, ABSTAINED 0, ABSENT 0.

D. AREA AGENCIES AND LIAISON REPORTS / PRESENTATIONS

None.

E. PRESENTATIONS

1. Veolia Presentation.

Presented by Anthony Harper, Veolia Project Manager.

- Hazmat conducted their bi-annual inspection, and no violations were found.
- 4,904 safe workdays.
- All 15 lift stations are active.
- January conductivity was 2,070 which is below the average rating of <2,400 due to rainfall.
- One customer called for a backed-up toilet. Veolia responded and found a gravity main next to lift-station J was clogged. Veolia pumped out 2 manholes and avoided any SSOs that could have occurred as a result.

F. DISCUSSION AND POSSIBLE ACTION

1. Discussion and Possible Action to Introduce and Waive First Reading of Amendment to Ordinance No. 7 – Water Regulations and Service Ordinance, Adding Sections 2.16 and 37.04.

Presented by Mike Yeraka, Projects Manager.

- Fire sprinkler systems are now required in new home builds.
- To avoid the need for a backflow device, connecting fire sprinkler piping to a toilet will automatically flush the lines.
- Public Notice will be published before the approval is brought to the March 1, 2023, meeting.

Director Graves made a Motion to Approve Staff Recommendation to Introduce and Waive First Reading of Amendment to Ordinance No.7 – Water Regulations and Service Ordinance, Adding Sections 2.16 and 37.04.

Director Graham seconded.

Vote: Motion carried – AYES: 5, NOES 0, ABSTAINED 0, ABSENT 0.

2. Discussion and Possible Action to Adopt Resolution No. 2023-05 Determining CEQA Exemption for Willow Water Treatment Plant Filter Replacement Project, Approve Willow Water Treatment Plant Filter Replacement Project, and Direct Town Staff to File a Notice of Exemption.

Presented by Mike Yeraka, Projects Manager.

- This is a replacement of two filters with a larger filter.
- This is a replacement of facilities, and any increase in capacity is considered negligible.

Director Graves made a Motion to Adopt Resolution No. 2023-05 Determining CEQA Exemption for Willow Water Treatment Plant Filter Replacement Project, Approve Willow Water Treatment Plant Filter Replacement Project, and Direct Town Staff to File a Notice of Exemption

Vice- President Callahan seconded.

Vote: Motion carried – AYES: 5, NOES 0, ABSTAINED 0, ABSENT 0.

3. Discussion and Possible Action to Approve the Notice of Completion and Release the Retention Payment, and Performance and Payment Bonds for Construction of the Discovery Bay Blvd. and Edgeview Drive Pipeline Replacement Project.

Presented by Mike Yeraka, Projects Manager.

- Plastic service lines needing to be replaced with new copper lines pushed the project over budget by just under \$25,000.
- Project is now complete, and staff recommends filing Notice of Completion with County Clerk and releasing the 5% retention.

Director Graham made a Motion to Approve the Notice of Completion and Release the Retention Payment, and Performance and Payment Bonds for Construction of the Discovery Bay Blvd. and Edgeview Drive Pipeline Replacement Project.

Director Graves seconded.

Vote: Motion carried – AYES: 5, NOES 0, ABSTAINED 0, ABSENT 0.

4. Discussion and Possible Action to Approve and Certify the Town of Discovery Bay Sewer System Management Plan.

Presented by Anthony Harper, Veolia Project Manager.

- Sewer System Management Plan needs to be updated every five years.
- There were minor changes made regarding contact names and department phone numbers.

Director Gutow made a Motion to Approve and Certify the Town of Discovery Bay Sewer System Management Plan.

Vice-President Callahan seconded.

Vote: Motion carried – AYES: 5, NOES 0, ABSTAINED 0, ABSENT 0.

5. Discussion and Possible Action to Adopt Resolution 2023-06 Adopting an Addendum to the Pantages Bay Residential Development Project EIR to address the Town's Well 8 Project and Directing Staff to File a Notice of Determination.

Presented by Mike Yeraka, Projects Manager.

- The Board instructed Harris & Associates prepared the necessary environmental documents for Well #8.
- Both Harris & Associates and legal counsel decided that the best course of action was to do an addendum to the existing EIR for the Pantages project.

Director Graves made a Motion to Adopt Resolution 2023-06 Adopting an Addendum to the Pantages Bay Residential Development Project EIR to address the Town's Well 8 Project and Directing Staff to File a Notice of Determination.

Director Graham seconded.

Vote: Motion carried – AYES: 5, NOES 0, ABSTAINED 0, ABSENT 0.

G. MANAGER'S REPORT

1. Landscape Update.

Presented by Bill Engelman, Parks & Landscape Manager.

- Clipper Drive irrigation is nearly complete.
- Prop. 68 funding will be used for replacement of basketball courts and hoops, BBQ area, playground area, and dog waste stations at Cornell Park.
- Ravenswood Park rails are being replaced.
- Solar lighting will be installed in the future between Newport and Safeway.

H. GENERAL MANAGER'S REPORT

Presented by Dina Breitstein, General Manager.

Hazmat Inspection Update:

- GM Breitstein commended the Water & Wastewater department as well as Veolia for a successful inspection.

Board Workshop:

- Board workshop has been changed to March 16, 2023, at 4:00pm.

Five Star Bank:

- First transfer of funds in the amount of \$16 million to Five Star bank was made on February 15, 2023.

I. DIRECTOR REPORTS

J. DIRECTORS REGIONAL MEETING AND TRAINING REPORTS

1. Code Enforcement Meeting – January 26, 2023 (Director Kevin Graves).
Correction: Meeting was attended by Director Bryon Gutow.
2. Liberty Union High School Meeting – January 18, 2023 (Director Kevin Graves).
3. Director Graves – Training Report.
 - a. Completion of state mandated “Anti-Harassment Training for Supervisors and Managers” (SB1343/AB1825) on January 20, 2023.
 - b. Completion of state mandated “Local Agency Ethics” (AB1234) on February 10, 2023.
4. Director Gutow – Training Reports.
 - a. Completion of state mandated “Anti-Harassment Training for Supervisors and Managers” (SB1343/AB1825) on January 11, 2023.
 - b. Completion of state mandated “Local Agency Ethics” (AB1234) on January 12, 2023.
5. Con Fire Meeting – February 7, 2023 (Director Carolyn Graham).

K. CORRESPONDENCE

1. CSDA Board of Directors Call for Nominations Seat C. – January 30, 2023
2. LAFCO Call for Nominations and Names of District Voting Delegates - February 2, 2023

L. LEGAL REPORT

M. MUNICIPAL ADVISORY COUNCIL

1. Discussion and Possible Action to Form an Ad Hoc Contra Costa County EIR Review Committee.

Legal counsel, Andy Pinasco, gave a synopsis of the Municipal Advisory Council.

- Municipal Advisory Council was established by the Board of Supervisors. The MAC advises the Board of Supervisors on local issues. The Discovery Bay Board of Directors serves as the MAC for the Town.

President Porter made a motion to form an Ad Hoc Contra Costa County EIR Review Committee consisting of Director Graves and President Porter.

Director Graves seconded.

Vote: Motion carried – AYES: 5, NOES 0, ABSTAINED 0, ABSENT 0.

Public Comment:

- There was one speaker who stated that the county of his previous residence gave funds to their three MACs.
2. Discussion and Possible Action to establish a future meeting date for the Ad Hoc Contra Costa County EIR Review Committee.
 - President Porter stated they will meet before the March 1, 2023, Board of Directors Meeting.

3. Discussion and Possible Action to submit a letter of response on the Contra Costa County EIR.

- President Porter stated the Board will be approving a letter of response at the March 1, 2023, Board of Directors Meeting.

N. OPEN SESSION DISCLOSURE OF CLOSED SESSION AGENDA

(Government Code Section 54957.7)

Legal Counsel, Andy Pinasco, announced the Town of Discovery Bay Board of Directors Meeting will adjourn to the closed session to discuss items O.1 and O.2 which was erroneously stated as O.3 on the agenda. (Adjourned at 7:48p.m.)

O. CLOSED SESSION

1. Public Employee Performance Evaluation Pursuant to Government Code 54947 (Position: General Manager).
3. Conference with Labor Negotiator Pursuant to Government Code 54957.6 Agency Designated Representative Ashley Porter / Andy Pinasco
Unrepresented Employee : General Manager

P. RETURN TO OPEN SESSION, REPORT ON CLOSED SESSION

(Government Code Section 54957.1)

(Returned from closed session at 8:52p.m.)

Legal Counsel, Andy Pinasco, stated there were no reportable actions.

Q. BUSINESS AND ACTION ITEMS

1. Discussion and Possible Action to Approve Amendment to General Manager Employment Agreement.

President Ashley Porter made a motion to Approve Amendment to General Manager Employment Agreement reflecting a salary increase to \$170,000 per year and add an additional 40 hours of administrative time.

Director Graves seconded.

Vote: Motion carried – AYES: 5, NOES 0, ABSTAINED 0, ABSENT 0.

R. FUTURE AGENDA ITEMS

None.

S. ADJOURNMENT

1. Adjourned at 8:53p.m. to the next Regular Meeting of the Board of Directors on March 1, 2023, 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."