



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 August 3, 2011
1800 Willow Lake Road, Discovery Bay, California
REGULAR MEETING 7:00 P.M.
Website address: www.todb.ca.gov

A. ROLL CALL

The meeting was called to order at 7:00p.m. President Graves led in the Pledge of Allegiance. Roll call was taken and all Directors were present.

SPECIAL RECOGNITION

1. To Lieutenant Mike Burton for Service and Dedication to the Town of Discovery Bay Community Services District
 2. Short Break
- President Graves – Thanked Lieutenant Burton for his service and presented him with Resolution No. 2011-19. There was a short break for refreshments.

The meeting was called back to order at 7:20p.m.

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

Resident Don Flint – Stated that he believes that there should be more transparency.
Resident Minda Motta – Announced the 2nd Annual Dinner at the Orchard Fundraiser on Saturday August 27, 2011 from 4:00p.m. to 9:00p.m. The flyer is on the Community Calendar of the Town of Discovery Bay CSD Website.

C. AREA AGENCIES REPORTS / PRESENTATION

1. SHERIFF'S OFFICE REPORT

Lieutenant Alan Johnson – Provided his report and the details for the month of July.

2. CHP REPORT – No Report

3. FIRE DISTRICT REPORT

Chief Burris – Provided his report and the details for the month of July.

4. EAST CONTRA COSTA FIRE PROTECTION DISTRICT REPORT

Resident John Jewell – Provided the details of the ECCFPD meeting held on July 11, 2011

President Graves – Provided his report and stated that he attended the ECCFPD meeting held on July 11, 2011.

5. SUPERVISOR MARY PIEPHO, DISTRICT III REPORT

Karyn Cornell – Provided an update on the Redistricting of the Board of Supervisors and Vasco Road improvements. Supervisor Piepho's office is continually working with the Department of Boating and Waterways on the Aquatic Weeds.

D. COMMITTEE/LIAISON REPORTS

1. Trans-Plan Report – President Graves announced that the meeting was canceled this month
2. County Planning Commission Report – President Graves announced that there was nothing pertinent to Discovery Bay and surrounding areas.
3. Code Enforcement Report – General Manager Howard announced that the meeting was canceled.
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 previous Workshop dated July 14, 2011
2. Minutes of previous Regular Meeting dated July 20, 2011
3. District Invoices
4. District Financials
5. Audited Financial Statements for FY 2009-10

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

F. PUBLIC HEARING to Consider the Following

1. **Town of Discovery Bay CSD proposed combined rate increase pertaining to Water and Wastewater services for the 2011/12 Fiscal Year and for the 2012/13 Fiscal Year**

a) **Approval and Adoption of Resolution No. 2011-13 Establishing Charges for Water and Wastewater Service and Continuing Collection of Water and Wastewater Service Charges on the County Tax Roll**

General Manager Howard – Provided the details on the Agenda item

Gary Hornberger – Provided an overview on the two (2) year proposed rate increase for 2011/12 and 2012/13.

President Graves – Stated that this is the time for the Public Hearing and for Public Comment.

Resident Ray Qualls, Resident John Jewell, Resident Jeff Barber, Resident Suzanne Qualls, Resident Michael Greggans, Resident Richard Kier, Resident Don Flint, David Lennon, Resident Barbara Slifer, and Resident Jonathan Silver commented on the Rate Increase.

President Graves – Stated there were no more Public Comments and if there are any other signed protest letters please turn them in before the Hearing is closed.

President Graves - The Public Hearing closed at 8:36p.m. for a brief recess to count the number of protest letters.

President Graves – Called the meeting back to order at 8:40p.m. and asked if we have the results of the protest letters that were filed.

General Manager Howard – Stated that there are a total of one hundred fifty-seven (157) confirmed letters of protest and conformed to Proposition 218 and there are thirty (30) non-conforming letters of protest, which were not counted, therefore, we have a total of one hundred fifty-seven (157).

President Graves – Stated that the number needed is approximately 2500 therefore the protest vote has failed. He also clarified that this is a two (2) year rate increase, however the second year is a proposed increase, therefore the percentage given for next year is at the maximum limit and could be lower than the amount stated.

Motion made – By Vice-President Dawson to approve and adopt Resolution No. 2011-13 Establishing Charges for Water and Wastewater Service and Continuing Collection of Water and Wastewater Service Charges on the County Tax Roll.

General Manager Howard – Stated that there is a correction to be made on page 2 of the Resolution 2011-13. Item No 4 Ordinance No. 13 is a typographical error and should be changed to Ordinance No. 18.

Legal Counsel Dan Schroeder – Stated that the motion was not completed and will need to be amended as stated above.

Motion made – By Vice-President Dawson to approve and adopt Approval and Adoption of Resolution No. 2011-13 Establishing Charges for Water and Wastewater Service and Continuing Collection of Water and Wastewater Service Charges on the County Tax Roll as amended and seconded by Director Tetreault. Motion carried by the following vote: AYES: 4, NOES: 1 – Director Simon.

2. **Town of Discovery Bay CSD Assessments for the Fiscal Year 2011-2012; continue Collection of Assessments on County Tax Roll for Ravenswood Landscape Zone #9, Park, Lighting and Open Space Improvements District**

a) **Approval and Adoption of Resolution No. 2011-18, Confirming the Report and Ordering the Levy and Collection of Charges for the Annual Assessments for Ravenswood Improvement District**

Parks and Landscape Manager Perez – Provided the details on the Agenda item.

President Graves – Stated that this is the time for the Public Hearing and for Public Comment.

General Manager Howard – Stated that there is an error within the Agenda Report and the Resolution should read as 2011-20 not 2011-18.

President Graves – Stated that there were no Public Comments.

President Graves - Stated that this Public Hearing will now close.

Motion made – by Vice-President Dawson to approve and adopt Resolution No. 2011-20 and seconded by Director Simon. Motion carried by the following vote: AYES: 5, NOES: 0

G. NEW BUSINESS AND ACTION ITEMS

H. PRESIDENT REPORT AND DIRECTORS' COMMENTS

Director Steele – Stated that he wanted to remind everyone to participate on the Survey for the Community Center.

Director Dawson – Provided his report and stated that he attended the Byron Union School District meeting on July 28, 2011 and gave the details of the meeting. He also wanted to inform the public that all five (5) Board Members are always available and that their emails are on our Website.

I. MANAGER'S REPORT

None

J. GENERAL MANAGER'S REPORT

General Manager Howard – Stated that the construction project at Cornell Park is moving forward at a rapid pace and we are on schedule for that. Also, hopefully by our next meeting we will have our Automated External Defibrillator (AED) in place at the District.

K. DISTRICT LEGAL COUNSEL REPORT

None

L. COMMITTEE UPDATES

1. Minutes approved for the Town of Discovery Bay CSD Regular meeting of the Community Center meeting dated June 7, 2011

M. CORRESPONDENCE – Discussion and Possible Action

1. R – Byron Municipal Advisory Council meeting minutes dated May 19, 2011

2. R – Byron Sanitary District meeting minutes dated January 18, 2011; February 15, 2011, March 15, 2011, April 19, 2011, May 17, 2011 & June 30, 2011

3. R – Contra Costa Board of Supervisors & Department of Boating & Waterways email regarding Aquatic Weed Update in Discovery Bay dated July 14, 2011

N. PUBLIC RECORD REQUESTS RECEIVED

1. Request from William Richardson – TODB CSD Response to Grand Jury Report 1104 on Elected Board Membership

2. Request from Jeff Barber – Water/Sewer Infrastructure put in place for Discovery Bay West

O. FUTURE AGENDA ITEMS

Director Simon – Obligations towards Hofmann future development.

P. ADJOURNMENT

The meeting was adjourned at 8:58p.m. to the next regular meeting on August 17, 2011 at 1800 Willow Lake Rd – Located in back of Delta Community Presbyterian Church.

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