



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT



SDLF Platinum-Level of Governance

PLATINUM LEVEL

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

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
Wednesday February 16, 2022
REGULAR MEETING 7:00 P.M.**

NOTICE
Coronavirus COVID-19

In response to the current proclaimed State of Emergency, indoor masking requirements, and recommended measures to promote social distancing imposed by State and local officials, the Town of Discovery Bay Community Services District Board of Directors will take all actions necessary to carry out the intent and purpose of AB 361, including, ensuring that the Directors and meeting attendees may continue to have the option to access and participate in this public meeting by teleconference to avoid imminent risks to the health or safety of the Directors and meeting attendees.

To accommodate the public during this period of time that the Board's Chambers are closed to the public, the Town of Discovery Bay Community Services District Board of Directors has arranged for members of the public to observe and address the meeting telephonically.

TO ATTEND BY WEBINAR:

Please register for Regular Meeting of the Board of Directors at: *(Copy and paste into your browser the registration URL. You will then be directed to download the webinar to your device and register with LogMeIn, Inc.)*

Registration URL: <https://attendee.gotowebinar.com/register/7607856724627098127>
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After registering, you will receive a confirmation email containing information about joining the webinar by computer or by phone.

For listen-only mode dial: (562) 247-8422 **ID#** 191-850-641

Download Agenda Packet and Materials at www.todb.ca.gov

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Call business meeting to order 7:00 p.m. – By President Graves.
2. Pledge of Allegiance – Led by Director Callahan.
3. Roll Call – All present.

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

None.

C. CONSENT CALENDAR

1. Approve DRAFT minutes of Board of Directors meeting for December 15, 2021, the Public Financing Authority meeting for December 15, 2021, and the Board of Directors meeting for February 2, 2022.
2. Approve Register of District Invoices.
3. Approve Resolution 2022-05 Re-Authorizing Remote Teleconference Meetings of the Legislative Body of the Town of Discovery Bay Community Services District Pursuant to the Brown Act Provisions.

Motion made by Director Graham to approve the consent calendar.
Seconded by Vice President Porter.
Vote: Motion Carried - AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

D. AREA AGENCIES AND LIAISON REPORTS / PRESENTATIONS

None.

E. PRESENTATIONS

1. Veolia Presentation.

Veolia Project Manager Harper began his presentation by reporting on the number of Safe Work Days as of January 31, 2022: 4,540. Safety training topics covered by Veolia staff in the month of January 2022 included the HazCom OSHA Annual Requirement and the Emergency Preparedness & Response plan. Veolia Project Manager Harper reported that all wells are active with Well 5 still in emergency status. The Newport Water Treatment Plant and the Willow Water Treatment Plant are both still running and the water production numbers are balanced out amongst the two plants. Balanced water production numbers are good for customers. Last year, the Newport Water Treatment Plant had higher numbers of water production which resulted in aged water at the Willow Plant. In January 2022, the Town produced 40 MG of water and Sodium Hypochlorite was recorded at 2,061 gallons, which represent stable numbers. Veolia Project Manager Harper stated that starting next month he plans to also include a trend graph to this slide so that the Board and the public can make better sense of what these numbers mean in comparison to prior months / years. For water compliance purposes, 20 Coliform Samples were collected in January 2022 by Veolia, none of which resulted positive for Coliform. Also, a total of five (5) hydrants were flushed and, simultaneously, 5 valves were exercised. There was only one (1) water quality complaint for the month of January 2022; the complaint was based out of Sand Point Road. The investigation following up from the water quality complain found no evidence of a leak. Veolia Project Manager Harper reported that all fifteen (15) lift stations are active; no emergency outages to report. Concerning wastewater flow and chemicals, Plant 1 has been bypassed and Plant 2 pumped 35 MG last month, January 2022. Plant 2 had an influent flow average of about 1.28 MG, which is low and good. The dredge system and digest pond are still down so Veolia is not injecting any palmer or solids into the system. There is an ongoing concern for wastewater compliance with conductivity levels; the average annual conductivity should be <2,400, but the Town is reporting 2,402. Veolia calculates this number on a 12-month rolling average, however, the State views average conductivity according to calendar month so at the present time the Town is in compliance with State requirements.

General Manager Breitstein requested this be received in writing from the State.

Veolia Project Manager Harper concurred and affirmed he is working on that.

Vice-President Porter question: Based on their [the State] interpretation, what is our conductivity level?

Veolia Project Manager Harper response: We are at about 2,320 (where we have been).

Veolia Project Manager Harper continued with the presentation and gave acknowledgement to Recreation Programs Supervisor Gallo for her hard work and quick response to a reported emergency. Due to the two (2) residents who reported the issue to Programs Supervisor Gallo and her quick response to contact Veolia, there are no SSOs to report for the month of January 2022.

F. BUSINESS AND ACTION ITEMS

1. Discussion and Possible Action to Award the Coating of 29 Manholes in Cherry Hills Drive to H&R Plumbing.

Water & Wastewater Manager Goldsworthy opened the discussion for possible action by the Board to approve the recoating of twenty-one (21) manholes on Cherry Hills Drive. Water & Wastewater Manager Goldsworthy clarified that twenty-nine (29) manholes were inspected (by Veolia) but only twenty-one (21) of those need recoating. Page 4 of 7 of the attachment shows the worst-state manhole. What is eating the manholes is the H2S (gas coming from the sewer). The manholes were last coated in 2013 but the need to recoat the manholes is to be expected every 8-10 years. If they are not recoated, the manholes will deteriorate and eventually need to be replaced entirely resulting in a much higher-cost project than it is to recoat them at this time; if the manholes needed to be replaced entirely, they would need to be shut down. H&R Plumbing has provided a quote for the manhole rehabilitation including hydro-blasting the old coating off (if there is any), mortar lining it, and finishing with an epoxy coating. This service can be done with the manholes still running.

President Graves commented that this item was brought before the Water and Wastewater Committee on February 2, 2022, and it is both the Committee's and Staff's recommendation to approve.

Motion made by Vice-President Porter to approve Staff recommendation to recoat the manholes.

Seconded by Director Graham.

Public Comment: none.

Vote: Motion Carried - AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

2. Discussion and Possible Action Regarding the Implementation of a Community-Alert Text (SMS) System.

Interim Assistant General Manager Davies opened the discussion for possible action by the Board to authorize General Manager Breitstein to implement a Community-Alert Text (SMS) System and select SlickText as the initial SMS vendor. The Town would like to implement a Community-Alert Text (SMS) System for water and wastewater related news that affects Discovery Bay residents. Staff brought this information to the Board of Directors at their October 20, 2021, meeting. The Board directed Staff to work with Director Callahan to research a reputable vendor with a plan that provides the best value for the Town and has direct citizen opt-in and opt-out features (as opposed to staff inputting the data). Director Callahan recommended Slicktext. Staff researched SlickText and recommends SlickText as the best vendor for the Town. SlickText does not require an annual contract, does not charge for reply texts, and unused text units roll-over for 90 days. Most plans, with other vendors, require an annual contract and unused text units do not roll-over. With SlickText, a monthly bucket of 2,000 text units is competitively priced at \$79.00. At this price level, SlickText works directly with the Town to customize a SMS system that best suits the Town's needs. Staff presented this information to the Internal Operation Committee at their February 2, 2022, meeting. The Internal Operations Committee voted to recommend to the Board implementation of a Community-Alert Text (SMS) System and that SickText be selected as the Town's initial SMS vendor.

President Graves question: Do we have a policy as to when we would use this SMS system?

Interim Assistant General Manager response: Yes, there would be a policy in place, but it's to be established. As Staff sees this, the SMS system would be used for water and wastewater related notifications per zone as this would be funded by water and wastewater.

President Graves question: Is the Internal Operation Committee going to establish the policy for its use?

Director Callahan clarified the Town would develop the policy and then it would be reviewed by the Internal Operations Committee and then brought before the Board.

President Graves expressed an appreciation for the 90 day roll-over feature offered by SlickText.

Director Graham commented it's an important feature for the Town to have.

President Graves question: What happens if we go over the 2,000 text units?

Interim Assistant General Manager Davies response: If we go over 2,000 text units with SlickText they will not send the message out but they will notify us and offer to bump up to the next level plan. Most of the other vendors would not notify and simply impose a per-text charge.

Interim Assistant General Manager Davies further commented that Town Staff looked into the amount of email blasts that residents have signed up for as a thumbnail for how many people might potentially sign up for text alerts.

Public Comment: Question regarding receiving multiple alerts if they're simultaneously signed up for the Contra Costa County Emergency Alerts. Are they duplicating?

President Graves response: No, this Community-Alert Text (SMS) System is not the same as the Contra Costa County Emergency Alert System. The Community-Alert Text (SMS) System currently being discussed would be strictly for Discovery Bay residents only and only for water and wastewater related items.

Motion made by Director Callahan to accept Staff recommendation and proceed with the implementation of a Community-Alert Text (SMS) System.

Seconded by Vice President Porter.

Vote: Motion Carried - AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

3. Discussion and Possible Action to Establish an AdHoc Committee for the Purpose of Investigating the New District Office Building.

General Manager Breitstein opened the discussion for possible action by the Board to establish an AdHoc Committee for the purpose of investigating the new district office building. At the February 2, 2022, Board meeting President Graves requested Staff add this item to a future agenda for discussion. Staff is requesting the Board establish the AdHoc Committee and select two Board members to sit on the committee.

Legal Counsel Pinasco explained an AdHoc Committee in the following terms: (1) What is an AdHoc Committee, (2) When can an AdHoc Committee meet, and (3) What rules apply to an AdHoc Committee. (1) AdHoc Committees are advisory in nature, limited in time, and for a specific purpose. The AdHoc Committee cannot be a quorum of the Board, therefore, on a 5-member Board we can only have up to two members. The Public also cannot have a seat on the Board. (2) The AdHoc Committee can meet whenever it wants. An AdHoc Committee is not subject to the Brown Act, so there's no requirement to notice the meetings. The members can meet on their own schedule. (3) The AdHoc Committee must establish its purpose. The AdHoc Committee is still subject to the Board's rules, policies, and bylaws.

President Graves commented that the goal of establishing an AdHoc Committee is to find out what the needs are such as space, projected staff growth, location, etc. President Graves sought out a volunteer from the Board to join him in the committee.

Vice-President Porter expressed support for establishing the committee for the purpose of investigating the new district office building.

Director Gutow expressed interest in volunteering to join the committee.

Vice-President Porter seconded that interest.

President Graves requested a nomination from the Board.

Director Graham asked for clarification on whether relocating the District Office is per state or federal regulation.

Interim Assistant General Manager Davies clarified that, currently, the District Office site is shared with the Willow Lake Water Treatment Plant. This poses potential security concerns (allowing free access to the public to enter a secured site). To remain in compliance with the American Water Works Association Emergency Response Plan Requirements and the Risk and Resilience Assessment, the District needs to move its District Office to a new location that is not on a secured water and wastewater treatment facility site. This is a federal mandate based on anti-terrorist policies.

Director Graham question: Is there a date? Did they give us so many years to get this done?

Interim Assistant General Manager Davies response: No, there is no date. There was a date specified on identifying the issue(s) and a date specified for creating plans based on the risk assessment but no specific date for the move. We are moving forward to be proactive and remain in compliance.

Vice-President Porter commented that part of the Capital Improvement Plan is to relocate and build the Town of Discovery Bay District offices and it's been accounted for in the budget (\$3M).

President Graves commented that this project has already been put off for many years because of the expense but the reality is the current office space is inadequate and poses potential safety and hazard concerns for Staff. It needs to be done.

Director Graham expressed agreement that it's a smart idea to relocate the Town of Discovery Bay District offices but wanted to emphasize to the public that this is not a superfluous move, but a necessary one mandated by federal requirement(s).

President Graves agreed that the Town intends to be frugal and conscientious with its resources and needs. However, in order to establish what those needs are we need to establish the AdHoc Building Committee.

Motion made by President Graves to chair the committee.

Seconded by Director Graham.

Vote: Motion Carried - AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

Director Callahan nominated Director Gutow.

Nomination seconded by Director Graham

Vote: Motion Carried - AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

President Graves commented that the goal is to have a clear understanding of what the needs are by the end of the year.

Motion made by President Graves to establish an AdHoc Committee, to be chaired by President Graves and Director Gutow, by resolution for the limited purpose of investigating the new District Office needs and location.

Seconded by Director Graham.

Vote: Motion Carried - AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

G. MANAGERS REPORTS

1. Dog Park Update.

Parks & Landscape Manager Engelman reported that the drain corrective project is complete (it has been tested and confirmed to be in working condition). The dog park has been open to the public since last month.

2. Pool Progress Report.

Recreation Programs Supervisor Gallo provided an update on the pool project. All County inspections have been passed. Patio furniture and lifeguard items have been ordered. Turf project has begun. Lifeguard hiring efforts are still in process. The projected opening date is Memorial Day.

Director Graham question: How are we doing hiring for lifeguards?

Recreation Programs Supervisor Gallo response: We have done every effort possible but thus far have only received one (1) response.

Director Gutow question: What is our goal?

Recreation Programs Supervisor Gallo response: 10-12. The Liberty High School swim coach has been hired for the pool supervisor position. High School Swim started February 7, 2022, and the Liberty High School swim coach will distribute flyers to the team. The flyer is also on the Byron School District website, the Town's website, Facebook, and Instagram, and they've been posted around town including the community center and Callahan's Ice Cream and Cones shop.

Director Gutow question: What will happen if we don't get enough lifeguards in time?

Recreation Programs Supervisor Gallo response: It is a mandate to have lifeguards. However, if we are unable to hire the necessary number of lifeguards required to open for recreation swim, we can allow adult lap swim. For adult lap swim there is no requirement for lifeguards because we are unable to charge and swimmers must be at least 18 years old and sign a waiver.

President Graves suggested reaching out to the swim team at Los Medanos College.

Recreation Programs Supervisor Gallo expressed support and appreciation for the idea. Staff will follow up.

H. GENERAL MANAGERS REPORTS

None.

I. DIRECTOR'S REPORTS

None.

J. DIRECTOR'S REGIONAL MEETING REPORTS

1. East Contra Costa Fire Protection District Board of Directors Regular Meeting.
2. Contra Costa County Aviation Advisory Committee Meeting.
3. LUHSD Regular Board Meetings.
5. East County Code Enforcement Meeting.

K. CORRESPONDENCE RECIVED

None.

L. FUTURE AGENDA ITEM(S)

None.

M. OPEN SESSION DISCOLUSRE OF CLOSED SESSION AGENDA

None.

N. CLOSED SESSION

None.

O. RETURN TO OPEN SESSION; REPORT ON CLOSED SESSION

None.

P. ADJOURNMENT

1. Adjourn at 8:03 p.m. to the Next Regular Board of Director's Meeting, beginning at 7 PM 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."