



# TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT



President – Kevin Graves • Vice-President – Bill Mayer • Director – Robert Leete • Director – Bill Pease • Director – Chris Steele

## MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY

Wednesday February 21, 2018

REGULAR MEETING 7:00 P.M.

Community Center

1601 Discovery Bay Boulevard, Discovery Bay, California

Website address: [www.todb.ca.gov](http://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 President Graves
3. Roll Call – All present with the exception of Director Steele

#### 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 DRAFT minutes of regular meeting for February 7, 2018.
2. Approve Register of District Invoices.
3. Approve the Veolia Donation to the Community.

Motion by: Director Pease to approve the Consent Calendar

Second by: Director Leete

Vote: Motion Carried – AYES: 4 – President Graves, Vice-President Mayer, Director Leete, Director Pease, NOES: 0, ABSENT: 1 – Director Steele

#### D. AREA AGENCIES REPORTS / PRESENTATION

1. East Contra Costa Fire Protection District Report  
Battalion Chief Ross Macumber – Provided the details regarding the East Contra Costa Fire Protection District Report related to the number of calls for the month of January, Ballots for Measure A, Grant Funded Equipment, and encourage residents to sign up for Pulse Point.
2. Supervisor Diane Burgis, District III Report.  
Deputy Chief of Staff Lea Castleberry – Provided an update regarding the Urban Farm Ordinance, pedestrian crossing enhancement at the Discovery Bay Elementary School (this summer), Balfour widening project (Phase II) beginning next month or in mid-April (depending on the weather), Byron Highway and Camino Diablo Intersection Project will be open February 22, 2018, the appointment of a new Health Services Director and new Public Works Director, and the Elections Department is looking for volunteers for the upcoming election.

#### E. PRESENTATIONS

1. Bryon Delta Lions Park Bench Donation.  
Linda Barbara, Legacy Project Chair- Bryon Delta Lions – Provided a history regarding the Delta Byron Lions Club and the Park Bench Donation.

**2. Department of Conservation and Development regarding an Ordinance related to Cannabis.**

John Kopchik Department of Conservation and Development – Provided a presentation regarding the Preliminary Framework for Cannabis Regulation in Unincorporated Contra Costa County related to Prop 64 (Adult Use of Marijuana Act), Commercial use (Commercial Cannabis is currently PROHIBITED in unincorporated county), Outdoor cultivation for personal use is also PROHIBITED, maps with the different colors (categories of zoning), Health and Safety Ordinance, cost and revenue (taxing on sales and manufacturing), and caps on the number of permits. There was discussion regarding the date for the Voting of Prop 64 (November 2016) and the future vote (November 2018), Prop 64 conflicting with Federal Law, the Urban Limit Line (not available for retail sales), a special tax or a general tax, Latent Powers, and sustainable water supply.

There were 5 Public Comments Regarding:

- Purchase of land for Cannabis and to give back to the Community.
- Consumption of Cannabis; regulate, control, and have for medical reasons.
- Proposal is regarding growing, distributing, and sales; what about the actual use (Ordinance on the usage).
- Permit fees for Cannabis to cover enforcement (tax dollars going to Code Enforcement), protect the farm land, zoning (residential and agricultural).
- Buffer zone; covers the odor of Cannabis during harvest time.

There was additional discussion regarding the task force working on the project; issues with Code Enforcement and Health Department, and the date to receive comments.

Legal Counsel Attebery – Provided details regarding the item on the agenda as a Presentation, the item to be discussed with no action.

The discussion continued regarding the social activity (smoking indoor not allowed) and when the item is on the agenda as a Business and Action item a representative from the County will be present.

**F. MONTHLY WATER AND WASTEWATER REPORT – VEOLIA**

1. Veolia Report – Month of January – Report will be provided at the March 21, 2018 Board Meeting.

**G. BUSINESS AND ACTION ITEMS**

1. Discussion and Possible Action regarding the Town 20 Year Anniversary Logo.

Executive Assistant Sue Heintz – Provided the details of the Town 20 Year Anniversary Logo along with the celebration on Saturday, June 23, 2018 from 11:00 a.m. to 4:00 p.m. There was discussion regarding the Logo (consensus is Gold), the Banners (16) with the Sponsors name (consensus - Banner is “Welcome To”), the Lapel Pin and Commemorative Giveaway Pin. There was discussion regarding donations.

Motion by: Director Leete to approve the 20-year anniversary logo for use on clothing, website, email, stationary, business cards, documents and other related commemorative items effective February 22, 2018 through December 31, 2018, approve a 20-year anniversary celebration event for Saturday, June 23, 2018 11:00am – 4:00pm, approve beer and wine on the grounds of the community center during the celebration event, approve beer and wine sales by a service club at the event (recommendation of Communication Committee), approve the placement of 20-year anniversary pole banners to display from May 14, 2018 through August 17, 2018, approve 20-year anniversary budget in an amount not to exceed \$5,000.00.

Second by: Director Pease

Vote: Motion Carried – AYES: 4 – President Graves, Vice-President Mayer, Director Leete, Director Pease, NOES: 0, ABSENT: 1 – Director Steele

2. Discussion and Possible Action regarding Board Member Completion of State Mandated Training as a Day of Service.

General Manager Davies – Provided the details regarding the Board Member Completion of State Mandated Training as a Day of Service. There was discussion regarding completion of the training; either a seminar or online (mandatory or minimum of time 2-4 hours).

Legal Counsel Attebery – Provided additional details regarding the mandatory requirements for training (Ethics, Sexual Harassment, and Brown Act) and that all training can be accomplished in one full day. The Bylaws and Board Policy are revised to reflect the changes. There was discussion regarding training available at the CSDA Conferences, and that the combined training compensation will be for “one day of service”.

Motion by: Director Leete to approve revisions to the Bylaws Policy No. 002 and Board Policy No 004 to reflect the addition of Board Member Completion of State Mandated Training as a Day of Service.

Second by: Vice-President Mayer

Vote: Motion Carried – AYES: 4 – President Graves, Vice-President Mayer, Director Leete, Director Pease, NOES: 0, ABSENT: 1 – Director Steele

**H. INFORMATIONAL ITEMS ONLY**

None

**I. DIRECTORS' REPORTS**

**1. Standing Committee Reports**

Water and Wastewater Committee Meeting – President Graves and Director Pease provided an update regarding the Filtration Project and the Algae Issue, and the situation at Sand Bay Isle.

Internal Operations Committee Meeting – President Graves provided the details of the Town 20<sup>th</sup> Year Logo and Celebration.

Communications Committee Meeting – Vice-President Mayer provided the details related to the Sign Board and the Town 20<sup>th</sup> Year Logo and Celebration.

Contra Costa County Special District Association Meeting – Director Leete provided the details related to the Household Hazardous Waste Process, the Director Leete has been nominated for the Contra Costa County Treasurer Oversight Committee.

**2. Other Reportable Items – None.**

**J. MANAGER'S REPORT**

None

**K. GENERAL MANAGER'S REPORT**

The Department of Conservation and Development regarding an Ordinance related to Cannabis will be on the next Board Meeting Agenda for March 7, 2018. There was discussion regarding a representative from the County to be in attendance.

**L. CORRESPONDENCE RECEIVED**

**1. Received East Contra Costa Fire Protection District meeting minutes for January 8, 2018.**

**M. FUTURE AGENDA ITEMS**

The regular meeting adjourned at 8:36 p.m. to the Closed Session.

**N. OPEN SESSION DISCLOSURE OF CLOSED SESSION AGENDA**

(Government Code Section 54957.7)

Legal Counsel Attebery – The Board is now adjourning into closed session regarding items O-1, O-2, O-3.

**O. CLOSED SESSION:**

**1. Public Employee Performance Evaluation pursuant to Government Code 54957 (Position: General Manager)**

**2. Conference with Labor Negotiator Pursuant to Government Code Section 54957.6**

Agency Designated Representative: Kevin Graves/Rod Attebery

Unrepresented Employee: General Manager

**3. Conference with Legal Counsel—Anticipated Litigation Pursuant to Government Code Section 54956.9(b)**

Two potential Cases

**P. RETURN TO OPEN SESSION; REPORT ON CLOSED SESSION**

(Government Code Section 54957.1)

Legal Counsel Attebery – Reporting from Closed Session on items O-1, O-2, O-3 and there is no reportable action.

**Q. ADJOURNMENT**

**1. The meeting adjourned at 9:25 p.m. to the regular meeting on March 7, 2018 beginning at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard.**

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