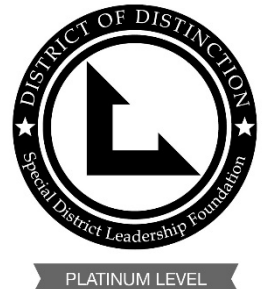




# TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

**SDLF Platinum-Level of Governance**



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

**MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF DIRECTORS  
OF THE TOWN OF DISCOVERY BAY  
Wednesday October 6, 2021  
REGULAR MEETING 7:00 P.M.**

**NOTICE  
Coronavirus COVID-19**

The Town of Discovery Bay Community Services District Board Chambers will be open to the public as well as attendance by video conference and telephone for this meeting. Masks are required for in person attendance. On September 16, 2021, Governor Newsom signed into law AB 361, enabling public agencies to continue using teleconferencing with modified notice and physical access requirements for public meetings during a proclaimed State of Emergency.

In response to the current proclaimed State of Emergency, 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 ATTEND IN PERSON:** Masks are required to be worn inside the building.

**TO ATTEND BY WEBINAR:**

**Please register for Regular Meeting of the Board of Directors at:** *(copy and paste into your browser the registration URL)*

**Registration URL:** <https://register.gotowebinar.com/register/1072333217085849102>

**Webinar ID#** 208-989-475

**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) 247-8321 ID# 600-436-288

**If there is any disruption to the meeting due to unforeseen circumstances we will continue via teleconference.**

**TO ATTEND BY TELECONFERENCE**

**Toll-free Dial-in Number** (877) 778-1806

**CONFERENCE CODE** 891949

**Download Agenda Packet and Materials at** <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 Bryon Gutow.
2. Pledge of Allegiance – Led by Director Ashley Porter.
3. Roll Call – All 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 September 15, 2021, Regular Board of Directors DRAFT Meeting minutes.
2. Approve Register of District Invoices.

Motion made by Vice President Kevin Graves to approve items on the Consent Calendar as presented.  
Second by Director Ashley Porter.

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

**D. AREA AGENCIES AND LIAISON REPORTS / PRESENTATIONS**

1. Supervisor Diane Burgis, District III Report.
2. Sheriff's Office Report.
3. CHP Report.
4. East Contra Costa Fire Protection District Report.

East Contra Costa Fire Department Battalion Chief Ross Macumber provided the Board with a report of fires the month of September 2021. The Board of Supervisors voted 5-0 in favor of the consolidation of ECCFPD with Contra Costa County Fire. The annexation is expected to be completed by April 2022. Chief Ross Macumber encouraged the public to visit eccfpd.org to report complaints.

**E. PRESENTATIONS**

1. Presentation from BAC Community Bank.

Executive Vice President and Chief of Lending, Paul Haley gave the Board a presentation regarding the stability of BAC. He indicated BAC is rated one of the nation's safest banks by nationally recognized bank rating firms. Discussion was held between Mr. Paul Haley and the Board regarding the Letter of Credit which will ensure there is no risk of loss to Town of Discovery Bay.

**F. BUSINESS AND ACTION ITEMS**

1. Discussion and Possible Action Regarding the Annual Review of Board Policies.

Executive Assistant Maddie Kibriya advised the Board that one of the requirements to maintain the Town of Discovery Bay Community Service District Platinum Level of Distinction is to review the Town's Board Policies annually. Staff is seeking guidance from the Board regarding any updates or changes to any of the Town of Discovery Bay Board Policies.

Board advised there are no planned changes to Town's Board Policies at this time.

2. Discussion and Possible Action to Approve Establishment of Bank Account at Bank of Agriculture (BAC Bank) as Depository for DB L&L Zone #9.

Finance Manager Julie Carter advised the Board of the Town's continued efforts to move Town of Discovery Bay finances to Town of Discovery Bay control from Contra Costa County. Town has not established an account with BAC for Zone #9. Staff is recommending approval of Resolution 2021-14 authorizing the establishment of a bank account with BAC bank for Zone #9.

Director Carolyn Graham asked Finance Manager Julie Carter if this is the last transaction needed before finalizing the process of removing Town of Discovery Bay funds from Contra Costa County.

Finance Manager Julie Carter advised that Contra Costa County will continue to receive all of Town of Discovery Bay tax proceeds and those funds will be transferred to Town of Discovery Bay four times a year.

Director Ashley Porter asked Finance Manager Julie Carter to explain why it is important for the Town to obtain control of its funds from County control.

Finance Manager Julie Carter advised there are many reasons this transfer will benefit the Town, one of them is being able to provide timely payments to our vendors. At present, Town of Discovery Bay staff takes time during work hours to travel to Contra Costa County offices and other locations to ensure payment is received on time by our vendors.

Public comment regarding:

- Would like to see the Town take all our funds from Contra Costa County administration.

Motion made by Vice President Kevin Graves to approve Resolution 2021-14 authorizing the establishment of an account with BAC as Depository for Lighting and Landscape Zone #9.

Second by Director Carolyn Graham.

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

3. Discussion and Possible Action to Approve the Amended Contract with the Greater Valley Conservation Corps for Maintenance of Town and Town Maintained Parks.

Parks and Landscape Manager Bill Engelman explained the Greater Valley Conservation Corps (GVCC) realized they made an error in the contract calculations. The predetermined 14 week schedule will come at a cost of \$60,270. Staff is recommending approval of a contract with GVCC in the amount not to exceed \$70,000 for maintenance of Town Parks and to authorize Town's General Manager to execute all contracts. Director Carolyn Graham asked if the Town will be notifying the public of work being done by the GVCC.

Parks and Landscape Manager Bill Engelman agreed to relay the information to the public.  
Motion made by Director Ashley Porter to revise the contract to \$60,270 not to exceed \$70,000 for GVCC.  
Second by Director Carolyn Graham.

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

4. Discussion and Possible Action Regarding Teleconference During a Proclaimed State of Emergency.  
General Manager Dina Breitstein advised the Board that on September 16, 2021, Governor Newsom passed AB361 requiring state and local agencies legislative meetings be open and public as well as available through teleconference. AB361 has an effective date of October 1, 2021.

Counsel Andy Pinasco advised that AB361 has been amended to change meeting notification requirements when, under certain circumstances, a state of emergency has been declared. If the Board wishes to make an adjustment to the Town's meeting notification process as allowed by AB361, the Board will need to pass a resolution which established that decision.

The Board and Legal Counsel Andy Pinasco discussed the guidelines for categorizing a meeting as an AB361 meeting.

Motion made by Vice President Kevin Graves to move forward with establishing a resolution which will permit Town of Discovery Bay the use of AB361 meeting notification requirements.

Second by President Bryon Gutow.

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

Legal Counsel Andy Pinasco advised the resolution will be presented at the next Board meeting.

## **G. MANAGER'S REPORT**

### 1. Pool Update.

Recreation Program Supervisor Monica Gallo reported the concrete around the moat of the pool has been poured. The gate for the chemical tanks will go have been built. Adam's Pool is planning to pour plaster in the next two weeks.

President Bryon Gutow asked for an update on the installation of artificial turf.

Recreation Program Supervisor Monica Gallo advised that the artificial turf project is currently being rebid.

### 2. Clipper Drive Grant Update.

Parks and Landscape Manager Bill Engelman updated the Board that there has not been a decision made by the state on the Clipper Drive Grant.

### 3. Competitive Grant Submission.

Parks and Landscape Manager Bill Engelman advised projects have been discussed with the Parks and Recreation committee and the application for the Proposition 68 Per Capita Competitive Grant is ready for submission to the state.

## **H. GENERAL MANAGER'S REPORT**

## **I. DIRECTOR REPORTS**

### 1. Standing Committee Reports.

- a. Internal Operations Committee Meeting (Committee Members Michael Callahan and Carolyn Graham) October 6, 2021.

Chair Callahan reported to the Board discussion regarding an updated social media policy. There is a new Town website coming out next week. There was also talk about emergency texting to the public and the postponement of the Town Hall event.

- b. Finance Committee Meeting (Committee Members Kevin Graves and Bryon Gutow) October 6, 2021.

Chair Graves advised there was a presentation by Paul Haley from BAC ensuring the security of Town funds. Presentation from Harris and Associates provided regarding an overlay district for Community Center funding; more information on that will be forthcoming.

- c. Water and Wastewater Committee Meeting (Committee Members Kevin Graves and Ashley Porter) October 6, 2021.

Vice-Chair Porter reported findings of possible improvements during an inspection of rotor erosion at Plant 2. Rotor is currently repaired. Digest pond will be emptied to assess damage of the pond. There was a discussion of a surplus property and its possible sale.

### 2. Other Reportable Items.

## **J. DIRECTORS REGIONAL MEETING AND TRAINING REPORTS**

1. ECCFPD Agenda Meeting – September 16, 2021 – Vice President Kevin Graves.

East Contra Costa Fire Protection District unanimously approved the annexation of ECCFPD and ConFire. This item will be referred to LAFCO for review and consideration.

2. TriDelta Transit Agenda Meeting – September 22, 2021 – Director Carolyn Graham.

**K. CORRESPONDENCE RECEIVED**

**L. FUTURE AGENDA ITEMS**

**M. ADJOURNMENT**

1. Adjourned at 7:51 p.m. to the regular meeting on October 20, 2021, 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."