MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
Wednesday December 4, 2024 7:00 P.M.

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Call business meeting to order 7:00 p.m.
2. Director Porter led the Pledge of Allegiance.
3. Roll Call was taken, and all members were present.

B. RECOGNITION

1. Award Presented to Board President Michael Callahan.

   Vice-President Graham thanked President Callahan for his service on the Board. The rest of the Board echoed the sentiments.

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

None.

D. 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 November 20, 2024.
2. Approve the Cancellation of the January 1, 2025, Regular Board of Directors Meeting.

Director Porter made a motion to approve the Consent Calendar.
Vice-President Graham seconded.
Vote: Motion carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0.

E. AREA AGENCIES AND LIAISON REPORTS / PRESENTATIONS

1. Supervisor Diane Burgis, District III Report.

   Presented by Stephen Griswold.

   - Graffiti was removed from Regatta Park.

2. Sheriff's Office Report.

   Presented by Lt. Charlene Jacques.

   - 324 calls for service in November.
   - 33 reports were written.
   - Stuff a Cruiser event was hugely successful with gifts and about $400 donated.
   - There will be a fraud and identity theft awareness event on February 19 from 6:00-7:30p.m. at Old River School.

3. Contra Costa County Fire Protection District Report.

   No report.

F. MUNICIPAL ADVISORY COUNCIL

None.

G. PRESENTATIONS

None.

H. DISCUSSION AND POSSIBLE ACTION

1. Discussion and Possible Action to Approve an Agreement for Consultant to Perform a Classification and Compensation Study.

   This item was pulled from the agenda.

2. **H.2.A.** Discussion and Possible Action to Approve Resolution 2024-18 Finding and Declaring Construction of Town Administrative Office is Exempt Under the California Environmental Quality Act Using a Class 3 Categorical Exemption.

   Presented by Legal Counsel Andy Pinasco.

   - Any time a public agency begins a project it needs to comply with CEQA.
   - The new building falls under a Class 3 Categorical Exemption.
   - There are no significant environmental impacts to the community.

   Director Porter made a motion to approve Resolution No. 2024-18 adopting a CEQA exemption, approving the project, and direct filing of the Notice of Exemption.
   Vice-President Graham seconded.
   Vote: Motion carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0.

   H.2.B. Discussion and Possible Action to Authorize General Manager to Contract with Mobile Modular Management Corporation, a Division of McGrath RentCorp ("Mobile Modular"), to Construct the Town of Discovery Bay's (Town) Office Administration Building.

   Presented by Joshua Dean with Mobile Modular.

   - Presentation covered design contract update, modular building proposal and site work estimate.
   - Mobile modular gathered existing data regarding site, site tax map, utility location and zoning.
   - Deliverables include floor plan, elevation, and renderings, preliminary site plan and demolition sheet.
   - Site plan includes secured parking for employees and Board, EV charging spaces, landscaping including CCC indigenous plants and trees.
   - Design contract updates include, 10' ceilings in Board room, 8'6" ceilings throughout remainder, sound masking, additional restrooms and nursing room per code requirements and sprinkler system.
   - Building will have a standing seam metal roof.
   - Furniture was designed for offices, conference room and Board room.
   - Design work was approximately $450,000.
   - Approximate cost of building is $4 Million.
   - Site work estimated to be between $2 - $2.5 Million.
   - Additional permits and fees expected to be in the range of $100,000 to $150,000.

Public comment:

- The first speaker inquired about the cost of fireproofing the building versus installing sprinklers. He also had questions about the sound wall.
- The second speaker mentioned solar panels for the building. He also questioned the sequencing of the project.
- The third speaker inquired on total cost of the building and site work. He also asked what funds would be used.
- The fourth speaker mentioned the required number of parking spaces are never sufficient.

Director Graves made a motion to approve the proposal for Mobile Modular to construct the Town of Discovery Bay's office administration building in the amount of $4,157,000.38, authorize the general manager to execute a contract with Mobile Modular to construct the Town of Discovery Bay's office administration building, and authorize the general manager to execute any additional change orders to Mobile Modular for up to 15% of the contract value.
Vice-President Graham seconded.
Vote: Motion carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0.

3. Discussion and Possible Action Regarding Contracting with CoAct24 to Conduct Construction Management Services for the Town of Discovery Bay Office Administration Building Project.

Presented by General Manger Dina Breitstein.

- Staff/Ad Hoc Committee interviewed three construction management firms to conduct construction management services for the office building project.
- CoAct24 proposal amount was $159,080.00
- Capital Program Management proposal amount was $395,203.00
- Ausonio proposal amount was $502,564.00

Director Porter made a motion to approve the proposal for CoAct24 to manage the Town of Discovery Bay's office administration building construction project in the amount of $159,080, authorize the general manager to execute a contract with CoAct24 to conduct construction management services for the Town of Discovery Bay's office administration building construction project and authorize the general manager to execute any additional change orders to CoAct24 for up to 10% of the contract value.
Director Graves seconded.
Vote: Motion carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0.

I. MANAGER'S REPORT

None.

J. GENERAL MANAGER'S REPORT

None.

K. DIRECTOR REPORTS

1. Standing Committee Reports.
   a. Finance Committee Meeting (Committee Members Carolyn Graham and Ashley Porter) December 4, 2024.
   - Finance Manager Margaret Moggia presented the bi-monthly financial report.

L. DIRECTORS REGIONAL MEETING AND TRAINING REPORTS

1. Byron Union School District – October 17, 2024(Director Kevin Graves).
2. Contra Costa County Aviation Advisory Committee – November 14, 2024 (Director Kevin Graves).

M. CORRESPONDENCE

None.

N. LEGAL REPORT
None.

O. FUTURE AGENDA ITEMS
None.

P. OPEN SESSION DISCLOSURE OF CLOSED SESSION AGENDA
(Government Code Section 54957.7)

Legal Counsel Andy Pinasco announced the Board would enter into closed session at 8:05p.m.

Q. CLOSED SESSION
1. Public Employee Performance Evaluation Pursuant to Government Code 54947 (Position: General Manager).
2. Conference with Labor Negotiator Pursuant to Government Code 54957.6
   Agency Designated Representative: Michael Callahan / Andy Pinasco.
   Unrepresented Employee: General Manager.

R. RETURN TO OPEN SESSION, REPORT ON CLOSED SESSION
(Government Code Section 54957.1)

Legal Counsel Andy Pinasco announced the return from closed session at 8:28p.m. All members were present for the entirety of the closed session. There was no reportable action.

S. BUSINESS AND ACTION ITEMS
1. Discussion and Possible Action to Approve Amendment to General Manager Employment Agreement.

Director Porter made a motion to approve the amendment to the General Manager Employment Agreement which consists of a compensation amendment to $191,100 and an increase of the car allowance to $550.00. All other substantive terms remain the same.
Director Graves seconded the motion.
Vote: Motion carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0.

T. ADJOURNMENT
1. Adjourned at 8:29 to the next Regular Meeting of the Board of Directors on December 18, beginning at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard.