

**MINUTES OF THE SEPTEMBER 5, 2019 MEETING OF THE
BOARD OF TRUSTEES OF RECLAMATION DISTRICT NO. 800 AND
DISCOVERY BAY RECLAMATION AND DRAINAGE MAINTENANCE DISTRICT**

A meeting of the Board of Trustees of Reclamation District No. 800 and Discovery Bay Reclamation and Drainage Maintenance District was convened at 1540 Discovery Bay Blvd., Suite A, Discovery Bay, California.

I. PUBLIC MEETING 10:00 a.m.:

Agenda Item 1.

1. Call public business meeting to order 10:00 a.m.

Trustee Lyman called the public meeting to order at 10:00 a.m. Present at the meeting was Trustee Harris, Trustee Bubniak and Trustee Judge. Also present was District Manager Jeff Conway, District Secretary Sonnet Rodrigues, the District's Attorney, David Aladjem. Trustee Morgan and District Engineer Neudeck were absent.

Agenda Item 2.

2. Public comment. Under Government Code § 54954.3. Members of the public may address the Board on any issue in the District's jurisdiction which is not on the agenda. The public may comment on any item on the agenda at the time that item is taken up.

There was no public comment.

Agenda Item 3.

Consent Calendar:

3.1 Minutes(s) of the previous meeting(s).

There was a motion made by Trustee Bubniak, second by Trustee Harris to approve the consent calendar.

The motion was approved 4-0.

Agenda Item 4.

Requests for Board consideration:

4.1 Review of items in Consent Calendar if removed: None.

4.2 Report and request direction on 5110 Discovery Point, deck in 50' SCA.

District Secretary Rodrigues stated that the owner of 5110 Discovery Pt. came in to find out how far he can build his deck in a 50' SCA. He was told of the rules in a 50' SCA and that is was a case by case basis taking into account the house on the left and the house on the right. The property owner asked if he could go to the second house on the right as both he and his immediate neighbor are ste back. Rodrigues told him that it would have to go before the Board for approval but if he could get his neighbor to sign off on the plan and write a letter stating he was ok with using his adjoining neighbor that the Board has allowed this in the past.

The Board reviewed the plan and letter from the adjoining neighbor and agreed that he can use the second neighbor to the left as his reference point on the deck.

There was a motion made by Trustee Harris, second by Trustee Judge to allow the property owner at 5110 Discovery Point to use the second neighbor for purposes of finding his deck limit line.

The motion was approved 4-0.

The Board made an additional motion stating that staff can approve using the next house, corner to corner, in similar situations.

The motion was made by Trustee Harris, second by Trustee Judge.

The motion was approved 4-0.

4.3 Report and request direction on swimming pools in Willow Lake.

There was a discussion on swimming pools in Willow Lake. The Board stated at this time pools would not be allowed in Willow Lake.

4.4 Report and request direction on CCC notice to comply on Lido Bay dock.

District Secretary Rodrigues reported on a complaint from a homeowner and a letter received for Contra Costa County regarding a dock in Lido Bay. Rodrigues reported that she had received a complaint regarding a dock in Lido Bay. The property owner stated that the dock is free floating in Lido Bay approx. 70' from his dock. The property owner reported that when he purchased his property a year or so ago the dock was there. The property owner stated that he was told the dock had been here for many years but that all the interested parties had moved away. Rodrigues told the property owner that this matter would have to be brought to the Boards attention as the District has no knowledge of the dock and cannot just remove without knowing who it belongs too. In the meantime the property owner had called CCC code enforcement. Rodrigues reported that she had spoken with Conrad from CCC and that he stated that after looking up the property owner that it turn sup it's the District because they own the land beneath the water. Rodrigues reiterated the Districts position to the County representative and stated that it would be brought before the Board and legal staff to determine the course of action.

The Board began discussing the issue, the property owner, John Birum was present. Mr. Birum stated that he wanted it removed and that it is not permitted. The Board stated that the dock did not belong to them and that they would need to look into the situation and try to determine the owner. Mr. Birum presented the Board with a letter from his Attorney. The District's Attorney, David Aladjem, received the letter. After reading the letter, Attorney Aladjem stated that the Board is to have no more discussion regarding the issue and this is now under legal review and would have to go to the next meeting after he's had time to look it over.

4.5 Resolution 19-09, 19-10, 19-11, approving new signers on District accounts with Contra Costa County, BAC Community Bank and Bank of Stockton.

There was a motion made by Trustee Judge, second by Trustee Bubniak to approve the new signers as listed on Resolution 19-09, 19-10 and 19-11.

The motion was approved 4-0.

4.6 Report and request direction on solar.

District Manager Conway reported that he was going to hold over this discussion till the next Board meeting.

Agenda Item 5.

Trustee requests for Board consideration: No report.

Agenda Item 6.

Enforcement matters/Legal Counsel: No report.

Agenda Item 7.

District Engineer's Report:

7.0 Report and request direction on 200 year flood control.

No report.

7.1 Report and request direction on ULDC.

No report.

Agenda Item 8.

District Manager's Report:

8.1 Financial Report.

Everything is within budget.

8.2 Report and request direction on long term projects.

District Manager Conway reported that Pantages was no longer going to do any deep water lots therefor will not be widening Kellogg Creek.

I. CLOSED SESSION:

1. Closed Session:

1.1.a Public Employee Performance Evaluations Government Code § 54957.

-District Manager, Maintenance worker(s), District Secretary

-Unrepresented employees: District Manager, Maintenance worker(s), District Secretary

III. PUBLIC MEETING:

2. Call public business meeting to order.

2.1.a Report and action on Closed Sessions.

2.1.b Report and action on compensation for District employees.

The Board reported that during closed session employees Conway, Rodrigues, Leandro and Hernandez were up for review. The Board deliberated and reported that Conway and Rodrigues

would receive a COLA of 2.8% and that employees Hernandez and Leandro will both be brought to \$32.00 per hour.

There was a motion made by Trustee Judge, second by Trustee Bubniak to approve the raises and COLA for the employees as noted.

The motion was approved 4-0.0

Agenda Item 9.

9.1 Adjourn regular meeting.

There was a motion made by Trustee Judge, second by Trustee Bubniak to adjourn the meeting.

The motion was passed 4-0.