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**Minutes
Special Meeting
January 20, 2011**

District Office, 11545 Brentwood Blvd., Brentwood, CA

CALL TO ORDER – The meeting was called to order at 4 p.m. by Chair Barbara Guise.

PLEDGE OF ALLEGIANCE

ROLL CALL – *Present:* Chair Barbara Guise and Trustees Sharon Marsh and Vickey Rinehart. *Staff Members present:* District Manager Mark White; District Secretary Barbara Fee and Foreman David Spearman. *Public Members present:* Kathy Leighton of Leighton Construction and Bill Richardson.

Progress Report: New Board Member – Vickey Rhinehart is our new Board Member.

TRUSTEE'S ACKNOWLEDGEMENTS

New Board Member – Vickey Rinehart has been appointed as our New Board Member to finish the term ending December 31, 2014.

Reappoint Member – Sharon Marsh has been reappointed to a term lasting from January 1, 2011 to December 31, 2015

PUBLIC COMMENTS –

Kathy Leighton had the following information to share:

- The Historical Society's resource room is a temporary trailer. They have funds going to build a resource room and storage area.
- Byron M.A.C. meeting tonight to discuss 239. That is Hwy 4 connecting to North Tracy. There are 3 ways it could connect: Discovery Bay to the Byron Inn, J4 and Vasco or go right through the middle of Byron.

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These minutes were written off of the notes taken by Manager Mark White.

ADOPTION OF AGENDA – Agenda has been adopted.

CORRESPONDENCE – Various items were read:

- Letter from William Richardson to be added to next month's agenda.
- The Times Group has sent a scathing, threatening letter wanting information on who works here, how much they gross, how much they take home and other information. Plus, they want it in a certain format. It bothers the Manager to give them the full name of each employee and the attitude in which they asked for it. The Manager contacted our attorney who said they must give us a reasonable amount of time to gather this information and a reasonable amount of time is 30 days.
- The CAPC Annual Conference will be March 25th in Sacramento.
- C & L Construction have presented ideas on how to install future niches. They came up with light steel or aluminum pergola instead of wood. Trustee Rinehart is concerned with how long this material will last. The Manager says it is specially coated to last 20 years.
- A bid from Leighton Construction on paving Angels Way.
- A letter from Pat McHenry recommending Barbara Fee to Manager's position.
- Our current Budget condition.

ELECTION OF OFFICERS

1. Chair (Trustee) . It was moved by Marsh, second by Rinehart of appoint Barbara Guise to Chair. *Vote:* Ayes . Marsh and Rinehart. Noes . 0, Abstain . Chair Guise.
2. Vice-Chair (Trustee) . It was moved by Rinehart, second by Guise to appoint Sharon Marsh to the position of Vice-Chair. *Vote:* Ayes . Guise and Rinehart. Noes . 0, Abstain . Trustee Marsh.
3. Recording Secretary (Trustee or Staff) . It was moved by Marsh, second by Rinehart to appoint Secretary Barbara Fee to this position. *Vote:* Ayes . Guise, Marsh and Rinehart. Noes . 0.

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CONSENT CALENDAR

Minutes for Approval – Trustee Marsh had a concern on the wording in last month's minutes. On page 4, item 5 regarding a kiosk; it says, "The Board has directed the District Manager to commence with the project." Trustee Marsh does not remember approving this. The Manager says that it was done in-house and only cost a couple hundred dollars.

It was moved by Marsh, second by Guise to approve these minutes as presented. *Vote:* Ayes . Guise and Marsh. Noes . 0. Abstain . Trustee Rinehart.

Financial

- a. **Approval of Warrants-** Chair Guise in looking over the current bills had a question on a few of them: What does McCauley Brothers do for us? *They are the pest company that sprays around the building for bugs and other pests. We bought a tool kit from Lowe's for \$300. What is that? It is a saber saw and drill. Ours burned out. Do we have rodents? Is that why we buy cat food? Yes, we feed the stray cats around here to help keep the rodents away. Although, Foreman David Spearman wanted the Board to be aware that he will be buying De-con in the future. Chair Guise suggested calling McCauley Brothers if we have a larger problem that would require De-con.*

It was moved by Marsh, second by Rinehart to approve these warrants as presented. *Vote:* Ayes . Guise, Marsh and Rinehart. Noes . 0.

Manager's Updates/Report

- a. *Closing Gates at Night* – The new gates are complete and ready to go, but because of bad weather we are still opening and closing them manually. By February 1st the new system will be in operation.

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UNFINISHED BUSINESS

1. **Continued Discussion – Purchase of Additional Acreage**
 - a. **Update – Realtor/Negotiator Report of Final Contact with Seller** – We do not need a closed session to discuss where we are. The Manager is having trouble obtaining an address to contact the McKinney family. Trustee Rinehart says the title report will have an address.
2. **Discussion/Information – LAFCO Municipal Service Review/City of Oakley** – The City Manager of Oakley has sent an email stating that if we are interested in taking in of Oakley he will put it on their agenda. He has a few ideas: 1) Get their share of property taxes from the County 2) We can make a zone and charge families extra who are in this zone (this would not affect the City just the people who live in the zone will pay an extra charge or 3) Buy property in Oakley for a cemetery. The Baldacci and Geddes properties are for sale.

Trustee Rinehart asked how much property we would need for a cemetery. The Manager says 20 acres because we would need space for shops/buildings and roads. This cemetery is 20 acres. He says the Geddes property is all sand and would probably be expensive because of the location.

It was moved by Marsh, second by Rinehart to direct the Manager to call and ask to be added to the City of Oakley's agenda. *Vote:* Ayes . Guise, Marsh and Rinehart. Noes . 0.

3. **Discussion/Information – Supplying Pall Bearers** – Have not been able to get to it.
4. **Discussion/Possible Action – Posting of Meeting Agendas** – Discussed earlier in the meeting.
5. **Discussion/Possible Action – Expand Web Page – Update East Bay Web Solutions** – Our webmaster is currently working on this. Soon the agenda and minutes will be posted and we can archive as we go.
6. **Discussion/Possible Action – Niche Area Improvement** – Discussed earlier in the meeting.

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7. Meetings/Possible Action – Voting for Special Districts

Representative to LAFCO:

- a. *LAFCO Meeting* – The Manager feels the best candidates are Tom Baldacci and Al Schall. George Schmidt is not running and Leonard Bagtallia is sponsored by builders. He feels this does not have enough balance.

It was moved by Rinehart, second by Marsh to support Tom Baldacci due to his great degree of interest in East County and his experience. *Vote:* Ayes . Guise, Marsh and Rinehart. Noes . 0.

It was moved by Marsh, second by Rinehart to have Mr. McGill as an alternate second choice. *Vote:* Ayes . Guise, Marsh and Rinehart. Noes . 0.

- b. *Preceding CCSDA Quarterly Meeting* – Trustee Rinehart and Manager to attend.
- c. **Discussion/Possible Action – Review Resumes of Candidates for LAFCO Seat** – Done.

NEW BUSINESS

1. **Discussion/Information – Mandated Costs Program** – We applied for this years ago. The State paid 16% which equaled out to \$900. If the State ever comes up with money we will get more.

Do we get reinstated of attorney fees? No, just the cost of putting agendas together.

2. **Discussion/Possible Action – Retroactive Authorization** – Our tiller blew a seal. It was going to cost \$1,200 to have it fixed. The company assumed we would pay it and did not get prior approval. Because of this the Manager had them knock off \$200 bringing the cost down to \$1,000, the amount of the Manager's spending limit.
3. **Discussion/Information – New Trustee Attended Instructional Meeting by CSDA that included Ethics Training** – Trustee Rinehart found it interesting. It was moved by Marsh, second by Guise to reimburse Trustee Rinehart \$225, the cost to attend this meeting. *Vote:* Ayes . Guise and Marsh. Noes . 0. Abstain . Rinehart.

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- 4. Discussion/Possible Action – *Whether to Send Representative*** – Trustee Rinehart does feel this would be useful to us.

PERSONNEL

- 1. Discussion/Possible Action – *Assistant Manager*** – After posting this position online we have received interest from over 65 people.

Trustee Rinehart asks when the new Manager is to start. A month or two before the current Manager retires.

Trustee Marsh wants to set a date to discuss this and review resumes in a closed session. The date of Wednesday, February 2, 2011 at 2:30 was selected.

- 2. Discussion – *Volunteer Help*** – Complete, but not printed. Manager will have this for the next regular meeting.
- 3. Discussion/Possible Action – *Review*** – From District Counsel . We are waiting on our attorney.

Trustee Rinehart has noticed that from the two meetings she has attended she has heard how our attorney has not got back to us or kept us waiting on items. She is concerned that he may not want our business. Trustee Marsh says that this is unusual for Marty and we need to give him another chance.

CLOSED SESSIONS – Not needed.

COMMENTS FROM TRUSTEES - None

COMMENTS TO STAFF MEMBERS FROM BOARD - None

SETTING AGENDA OF NEXT REGULAR MEETING – Post meetings for February 2, 2011 and February 16, 2011

ADJOURN – 5:30 p.m.