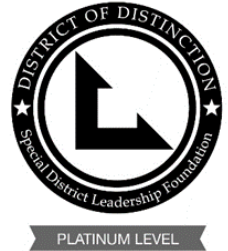




TOWN OF DISCOVERY BAY
A COMMUNITY SERVICES DISTRICT
SDFL Platinum-Level of Governance



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

**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT
AGENDA PACKET**

Regular Board Meeting
Wednesday, October 20, 2021

-
7:00 P.M. Regular Board Meeting

Community Center
1601 Discovery Bay Boulevard





TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

SDLF Platinum-Level of Governance



PLATINUM LEVEL

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

**NOTICE OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
Wednesday October 20, 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://attendee.gotowebinar.com/register/6718275947692363790>

Webinar ID# 755-927-635

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) 247-8422 **ID#** 468-437-404

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) 252-8822

CONFERENCE CODE 507599

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.
2. Pledge of Allegiance.
3. Roll Call

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

During Public Comments, the public may address the Board on any issue within the District's jurisdiction which is not on the Agenda. The public may comment on any item on the Agenda at the time the item is

before the Board for consideration. Any person wishing to speak will have 3 minutes to make their comment. There will be no dialog between the Board and the commenter as the law strictly limits the ability of Board members to discuss matters not on the agenda. We ask that you refrain from personal attacks during comment, and that you address all comments to the Board only. Any clarifying questions from the Board must go through the President. Comments from the public do not necessarily reflect the viewpoint of the Directors.

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 October 6, 2021, Regular Board of Directors DRAFT Meeting minutes.
2. Approve Register of District Invoices.

D. AREA AGENCIES AND LIAISON REPORTS / PRESENTATIONS

E. PRESENTATIONS

1. Monthly Water and Wastewater Report from Veolia – September 2021.

F. BUSINESS AND ACTION ITEMS

1. Discussion and Possible Action Discussion and Possible Action Regarding Board of Director Meetings Utilizing Teleconferencing Pursuant to Government Code 54953 as Amended by AB 361.
2. Adopt Resolution 2021-17 Allowing Preliminary Water Enterprise Project Expenditures to be Reimbursed from Bond Proceeds.
3. Discussion and Possible Action to Approve Town of Discovery Bay Community Service District's Social Media Policy.
4. Discussion and direction to General Manager Regarding Potential Sale of Property at Wastewater Treatment Plant No. 1
5. Discussion and Possible Action to Authorize the Implementation of a Community-Based Emergency Alert Text (SMS) System.
6. Discussion and Possible Action Regarding Approval of Resolution 2021-16 that Approves and Adopts the Final Groundwater Sustainability Plan for the East Contra Costa Subbasin in which the Discovery Bay CSD GSA has Jurisdiction.

G. MANAGER'S REPORT

1. Competitive Grant

H. GENERAL MANAGER'S REPORT

1. New Website went live update.

I. DIRECTOR REPORTS

J. DIRECTORS REGIONAL MEETING AND TRAINING REPORTS

K. CORRESPONDENCE RECEIVED

L. FUTURE AGENDA ITEMS

M. ADJOURNMENT

1. Adjourn to the regular meeting on November 3, 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."



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

SDLF Platinum-Level of Governance



PLATINUM LEVEL

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**

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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 on 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."

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DRAFT



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

October 20, 2021

Prepared By: Julie Carter, Finance Manager & Lesley Marable, Accountant
Submitted By: Michael R. Davies, General Manager

Agenda Title

Approve Register of District Invoices.

Recommended Action

Staff recommends that the Board approve the listed invoices for payment.

Executive Summary

District invoices are paid on a regular basis, and must obtain Board authorization prior to payment. Staff recommends Board authorization in order that the District can continue to pay warrants in a timely manner.

Fiscal Impact:

Amount Requested \$ 1,484,013.95

Sufficient Budgeted Funds Available?: Yes (If no, see attached fiscal analysis)

Prog/Fund # See listing of invoices. **Category:** Operating Expenses and Capital Improvements

Previous Relevant Board Actions for This Item

Attachments

Request For Authorization to Pay Invoices for the Town of Discovery Bay CSD 2021/2022

AGENDA ITEM: C-2

Request for Authorization to Pay Invoices
For The Meeting On October 20, 2021
Town of Discovery Bay CSD
Fiscal Year 7/21 - 6/22

U.S. Bank	\$949,658.38
Anderson Pacific	\$370,642.50
Herwit Engineering	\$61,115.82
J.W. Backhoe & Construction, Inc.	\$33,131.69
BSK Associates	\$19,271.25
Delta Climate Control	\$7,700.00
Brentwood Decorative Rock, Inc.	\$6,960.35
Neumiller & Beardslee	\$5,824.31
Lechowicz & Tseng Municipal Consultants	\$5,570.00
Badger Meter	\$5,456.59
Precision IT Consulting	\$4,273.50
Office Team	\$1,472.81
Univar Solutions USA Inc.	\$1,409.85
Watersavers Irrigation Inc.	\$1,287.65
Pacific Display, Inc.	\$1,156.88
Verizon Wireless	\$1,007.89
Mt Diablo Resource Recovery	\$825.49
Karina Dugand	\$742.50
Ricoh USA, Inc	\$719.75
Carolyn Graham	\$699.20
Kevin Graves	\$690.00
California Park & Recreation Society	\$550.00
Streamline	\$480.00
Ashley Porter	\$460.00
Brentwood Ace Hardware	\$369.70
Big O Tires	\$359.48
Bryon Gutow	\$345.00
Michael Callahan	\$230.00
Precision Plumbing	\$180.00
Geotab USA, Inc.	\$177.75
Upper Case Printing, Inc.	\$163.00
United States Treasury	\$141.90
Cintas	\$122.13
Office Depot	\$121.84
Jones Family Bee Removal	\$120.00
Denalect Alarm Company	\$118.50
Discovery Pest Control	\$99.00
Alhambra	\$81.79
Zee Medical Service Company	\$78.19
Bay Area Driving School, Inc.	\$75.00
Water Utility Refund Customer	\$70.24
UniFirst Corporation	\$54.02
	\$1,484,013.95



Water and Waste Water Monthly Report Town of Discovery Bay

September 2021

Safety & Training

Safe Work Days: 4,417

JJ Keller/ VNA University:

Respiratory Protection

Asbestos Awareness

Weekly Safety Topics:

9/1 – Back to School Awareness

9/8 – Anger & Stress Management

9/15 – Road Rage & Defensive Driving

9/20 – 9/24 – International Safety Week

9/29 – Cell Phones & Distracted Driving

Water Well Status

Willow WTP	01 Active	02 Active	06 Active
	04 Active	05 Active (Emergency)	07 Active

Water Production & Chemicals

Willow WTP	Production (MG) 1.32	Chemicals (gal) (Sodium Hypochlorite) 2,223
Newport WTP	Production (MG) 2.29	Chemicals (gal) (Sodium Hypochlorite) 3,201
TOTAL	Production (MG) 3.61	Chemicals (gal) (Sodium Hypochlorite) 5,424

Water Compliance

Coliform Samples Collected: 16

Coliform Positive Results: 0

Water Quality Complaints: 0

Hydrant Flushing: 0

Valve Exercising: 0

Lift Station Status

A

Active

C

Active

D

Active

E

Active

F

Active

G

Active

H

Active

J

Active

R

Active

S

Active

Newport

Active

Lakeshore

Active

Lakes

Active

Lakes 4

Active

Bixler

Active

Wastewater Flow & Chemicals

WW Plant 1	Total Flow (MG)	Influent Flow avg. (MG)	Discharge Flow avg. (MG)
	0	0	0
WW Plant 2	Total Flow (MG)	Influent Flow avg. (MG)	Discharge Flow avg. (MG)
	35.44	1.27	1.15
	Polymer (gal)	Alum (gal)	PAC (gal)
	200	0	0

Wastewater Compliance

Effluent BOD₅, mg/L < 10: 1.3

Effluent TSS, mg/L <10: 0.6

Total Coliform 7 day median <23: ND

Total Coliform daily max <240: ND

Eff NTU daily avg <2: 0

Eff Ammonia (N), mg/L <8.4: ND

Removal BOD₅, monthly >85%: 99.4%

Removal TTS, monthly >85%: 99.7%

Conductivity annual avg <2,400: 2,363

Maintenance & Improvements

SSOs: 0

Customer Inquires: 0

Projects:

- Denitrification Project Coordination (ongoing)
- Emergency repairs/upgrade Lift Station E (in progress)
- Revise BSSP per (RTCR) (completed 9/20)
- UV Channel 1 feeder wire MCC T-1 (completed 9/11)
- OxDitch 3 Rotor 2 motor (completed 9/15)
- OxDitch 3 Rotor 3 shaft and pillow blocks (in progress)
- Digester Pond light pole removal (completed 9/21)



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date
October 20, 2021

Prepared By: Dina Breitstein, General Manager
Submitted By: Dina Breitstein, General Manager

Agenda Title:

Discussion and Possible Action Regarding Board of Director Meetings Utilizing Teleconferencing Pursuant to Government Code 54953 as Amended by AB 361.

Recommended Action:

Approval of Resolution Number 2021-18 Board of Director Using Teleconferencing pursuant to Government Code 54953 as Amended by AB 361.

Executive Summary

At the Board of Director's meeting on October 6, 2021, District Legal Council gave a verbal presentation regarding Board of Director meetings using teleconferencing to hold public meetings pursuant to Government Code 54953 and as Amended by AB 361.

At the same meeting, the board was informed that legal would be bringing to the board for review and approval the resolution to be signed at the October 20, 2021 meeting.

Staff requests approval of Resolution Number 2021-18 Board of Director Using Teleconferencing pursuant to Government Code 54953 as Amended by AB 361.

Fiscal Impact:

Amount Requested

Sufficient Budgeted Funds Available?: (If no, see attached fiscal analysis)

Prog/Fund # Category:

Previous Relevant Board Actions for This Item

Presentation at the October 6, 2021 Board of Director's meeting

Attachments

Resolution number 2021-18

AGENDA ITEM: F-1



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT**

RESOLUTION 2021-18

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE DISCOVERY BAY COMMUNITY SERVICES DISTRICT DETERMINING TO CONDUCT MEETINGS OF THE TOWN OF DISCOVERY BAY BOARD OF DIRECTORS USING TELECONFERENCING PURSUANT TO GOVERNMENT CODE 54953 AS AMENDED BY AB 361

WHEREAS, the Town of Discovery Bay Community Services District (the “Town”) is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of the Town’s legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District’s legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), as amended by AB 361 (2021), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, on March 4, 2020, the Governor proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS, Cal-OSHA adopted emergency regulations (Section 3205) imposing requirements on California employers, including measures to promote social distancing; and

WHEREAS, Contra Costa County’s County Health Officer has issued orders recommending measures to preserve the public health, including indoor masking requirements, and measures acknowledging that close contact to other persons increases the risk of transmission; and

WHEREAS, currently the dominant strain of COVID-19 in the country, is more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations, therefore, meeting in person would present imminent risks to the health or safety of attendees.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Finding of Imminent Risk to Health or Safety of Attendees. The Town of Discovery Bay Board of Directors does hereby find that the current dominant strain of COVID-19 in the country, is more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations has caused, and will continue to cause, conditions of peril to the safety of persons, thereby presenting an imminent risk to health and/or safety to Town's employees and attendees of Town's public meetings; and

Section 3. Teleconference Meetings. The Board of Directors does hereby determine as a result of the State of Emergency proclaimed by the Governor, and the recommended measures to promote social distancing made by State and local officials that the Town Board of Directors may conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e)(1)(A) and (B) of section 54953, and shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

Section 4. Direction to Staff. The Executive Director and Town staff are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption.

Bryon Gutow
Board President

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Town of Discovery Bay Community Services District at a regularly scheduled meeting, held on October 20, 2021, by the following vote of the Board:

AYES:
NOES:
ABSENT:
ABSTAIN:

Dina Breitstein
Board Secretary



Town of Discovery Bay

“A Community Services District”

STAFF REPORT

Meeting Date
October 20, 2021

Prepared By: Dina Breitstein, General Manager
Submitted By: Dina Breitstein, General Manager

Agenda Title: Adopt Resolution 2021-17 Allowing Preliminary Water Enterprise Project Expenditures to be Reimbursed from Bond Proceeds.

Recommended Action: That the Board of Directors (the “Board”) approves Resolution No. 2021-17 (the “Resolution”), thereby authorizing expenditures pertaining to the finance of the costs associated with constructing, repairing, expanding, modernizing, and/or equipping of its Water Enterprise, as identified in the Adopted Water Capital Improvement Plan, respectively, and as set forth in the schedule of projects.

Executive Summary

The Town of Discovery Bay CSD is in the exploration stages of identifying the best method of providing long-term financing for those projects identified in the Water Capital Improvement Plan. It is likely that such financing for those projects will include the issuance of bonds, notes, certificates of participation, revenue bonds or other form of debt, the interest upon which is excluded from gross income for federal income tax purposes (the “Bonds”). The Town of Discovery Bay CSD will begin expending money on the identified capital improvement projects, prior to the issuance of the any financing. By adoption of the attached Resolution, and upon issuance of the financing, the Town of Discovery Bay CSD will be legally permitted to reimburse itself for all qualified preliminary and construction expenditures associated to and related to the capital projects (the “Qualified Expenditures”).

Furthermore, Treasury and Internal Revenue Service Code Regulations require adoption of the attached Resolution as an “official action,” which then qualifies the Town of Discovery Bay CSD to issue tax exempt debt, for purposes of reimbursing Qualified Expenditures prior to the issuance of the Bonds.

Therefore, in order to ensure the continued recovery of allowable Qualified Expenditures, the Regulations require the adoption of a resolution indicating the Board’s intention to finance expenditures related to the Project(s); a statement that any such expenditures would be financed through the issuance of a tax-exempt or taxable Bonds; a qualitative description of the proposed Project whose expenditures would be reimbursed from the proceeds of Bonds; and Identification of the expected source(s) of funds, which would initially pay for such expenditures and ultimately be utilized to repay the Bond obligation.

The attached Resolution meets IRS Regulations and will allow for maximum reimbursement of Qualified Expenditures for the Project from future Bond sales. Passage of the attached Resolution does not irrevocably bind the Town of Discovery Bay CSD to issue Bonds. It merely spelled out the Town of Discovery Bay’s CSD intent to do so at some future date and preserved the Town of Discovery Bay’s CSD right to reimburse itself for Qualified Expenditures.

There is no fiscal impact for the adoption of the resolution. The attached Resolution qualifies the Town of Discovery Bay CSD to issue tax exempt debt for purposes of reimbursing Project expenditures prior to the issuance of the Bonds. Otherwise, if not adopted, the Town of Discovery Bay CSD would not be entitled to be reimbursed from Bond proceeds.

Fiscal Impact:

Amount Requested
Sufficient Budgeted Funds Available?: (If no, see attached fiscal analysis)
Prog/Fund # Category:

Previous Relevant Board Actions for This Item

Attachments

Resolution number 2021-17

AGENDA ITEM: F-2



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT**

RESOLUTION 2021-17

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY,
A CALIFORNIA COMMUNITY SERVICES DISTRICT,
DECLARING ITS INTENTION TO REIMBURSE CERTAIN EXPENDITURES
FROM THE PROCEEDS OF TAXABLE OR TAX-EXEMPT
OBLIGATIONS AND DIRECTING CERTAIN ACTIONS WITH RESPECT
THERE TO AS REQUIRED BY UNITED STATES
DEPARTMENT OF TREASURY REGULATIONS SECTION 1.150-2**

WHEREAS, the Town of Discovery Bay Community Services District (the "District") desires and intends to finance the costs of acquiring, constructing, repairing, expanding, modernizing, and/or equipping of its Water Enterprise, as provided in the Town of Discovery Bay Capital Improvement Plan adopted on June 16, 2021; and

WHEREAS, the Adopted Capital Improvement Plan includes the requirement that the Town of Discovery Bay water enterprise design and construct Well No. 8 Facilities (Project); and

WHEREAS, the Water Enterprise needs to establish a new stand-alone well to support existing and new development; and

WHEREAS, the District intends to finance the acquisition, construction, repairing, expanding, modernizing, and/or equipping of the Project(s) or portions of the Project(s) with the proceeds of the sale of taxable or tax-exempt bonds, notes, certificates of participation, revenue bonds or other forms of debt, the interest upon which is excluded from gross income for federal income tax purposes (the "Bonds"); and

WHEREAS, prior to the issuance of the Bonds the District desires to incur certain capital expenditures (the "Expenditures") with respect to the Project(s) from available moneys of the District; and

WHEREAS, the Board of Directors has determined that those moneys advanced within sixty (60) days from the date hereof, and those moneys which will be advanced on and after the date hereof, to pay Expenditures are available only for a temporary period, and it is necessary to reimburse the District for such Expenditures from the proceeds of the Bonds, all as set forth pursuant to Section 1.150-2 of the regulations (the "Treasury Regulations") promulgated under the Internal Revenue Code of 1986, as amended (the "Tax Code"); and

WHEREAS, this Resolution will be reasonably available for public inspection within a reasonable period of time after its date of adoption and in the same manner governing the public availability of records of other official acts of the Board of Directors; and

WHEREAS, this Resolution is intended to be a "declaration of official intent" in accordance with Section 1.150-2 of the Treasury Regulations.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The District reasonably expects to reimburse itself for the Expenditures made by the District in anticipation of the issuance of the Bonds with proceeds from the sale of the Bonds. The reimbursement of the expenditure is consistent with the District's budgetary and financial circumstances. There are no funds or other sources of money of the District, or any related person or controlled entity that have been, or are reasonably expected to be reserved, allocated on a long term basis or otherwise set aside to pay the costs of the Project to be paid or reimbursed out of the proceeds of the Bonds.

SECTION 2. The maximum principal amount of the Bonds from which Expenditures are to be made is reasonably expected to be \$10,000,000. The obligation to be represented by the Bonds may be incurred by the District by means of the execution and delivery of certificates of participation or revenue bonds, or, in the alternative, the Bonds may be issued by a joint exercise of powers authority which will make the Bond proceeds available to the District through a loan, lease, or installment purchase arrangement.

SECTION 3. The proceeds from the Bonds are to be used for the financing, acquisition, design and/or construction of the Project(s), funding a reserve fund, a capitalized interest fund, and paying certain costs of issuance related thereto.

SECTION 4. This Resolution is adopted solely for purposes of establishing compliance with the requirements of section 1.150-2 of the Treasury Regulations. This Resolution does not bind the District to make any expenditure, incur any indebtedness or proceed with the financing, acquisition or construction of the Project(s). All of the Expenditures covered by this Resolution were made not earlier than 60 days prior to the date of adoption hereof.

SECTION 5. All actions heretofore taken by the officers, or their respective designees, employees and agents of the Board of Directors of the District in connection with the financing of the Project(s) are hereby ratified and confirmed.

SECTION 6. This Resolution shall take effect immediately upon its adoption.

SECTION 7. The Board Secretary shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED THIS 20th DAY OF OCTOBER 2021.

Bryon Gutow
Board President

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Town of Discovery Bay Community Services District at a regularly scheduled meeting, held on October 20, 2021, by the following vote of the Board:

AYES:
NOES:
ABSENT:
ABSTAIN:

Dina Breitstein
Board Secretary



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date
October 20, 2021

Prepared By: Dina Breitstein, General Manager
Submitted By: Dina Breitstein, General Manager

Agenda Title

Discussion and Possible Action to Approve Town of Discovery Bay Community Service District's Social Media Policy.

Recommended Action

Approve the Draft Town of Discovery Bay Community Service District Social Media Policy.

Executive Summary

This policy is to establish guidelines on the use of social media sites by the Town of Discovery Bay as an additional means of conveying District information and for promoting programs and services that Town offers. This policy is also intended to mitigate any associated risks from use of social media technology where possible.

At the October 6, 2021, Internal Operations Committee Meeting, Staff brought forward the Draft Social Media Policy for review and recommendation. The policy was developed with the guidance of the District's Legal Counsel.

Staff requests that the board approve the Town of Discovery Bay Community Service District Social Media Policy.

Fiscal Impact:

Amount Requested: N/A
Sufficient Budgeted Funds Available?: Yes
Prog/Fund # Category:

Previous Relevant Board Actions for This Item

Attachments:

Draft Social Media Policy

AGENDA ITEM: F-3



Town of Discovery Bay

Program Area: Administration	Policy Name: Social Media Policy	Policy Number: DRAFT
Date Established: DRAFT September 2021	Date Amended:	Resolution: DRAFT

Town of Discovery Bay Social Media Policy

Table of Contents

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1 Purpose

This policy is to establish guidelines on the use of social media sites by the Town of Discovery Bay Community Services District (the “District” or “Town of Discovery Bay”) as an additional means of conveying District information to its members and visitors and maximizing the promotion of District programs and services.

The intended purpose of establishing social media pages for the District is to establish an interactive communication platform and to disseminate information from the District and about the District to its members and visitors. This policy is also intended to mitigate associated risks from use of social media technology where possible.

The District has an overriding interest and expectation in protecting the integrity of information posted on its social media pages and deciding what is “spoken” on behalf of the District. This policy applies wholly to the District, all District employees who use social media sites and/or technology on behalf of the Town of Discovery Bay.

2 Definitions

“Social media sites” means content created by individuals, using accessible and interactive publishing technologies through and on the internet. Social media uses many technologies and platforms, including social networking, blogs, wikis, photo and video sharing, and more.

“District social media page” means a page on a social media site which the District establishes and maintains, and over which it has control over all postings, except for advertisements or hyperlinks by the social media site’s owners, vendors, or partners.

“Post” or “Comment” means information, articles, pictures, videos, hyperlinks, or any other form of content or communication posted on any District social media page.

3 General Policy

The District’s official website at www.todb.ca.gov will remain the District’s primary source and means of internet communication. To the extent possible, a link to the Town of Discovery Bay’s official website shall be included on any District social media page. Wherever possible, District social media pages should link back to the official District website for forms, documents, online services, and other information necessary to conduct business with the District. Information posted by the District on social media pages will supplement and not replace required notices and standard methods of communication.

Not all forms of social media may be appropriate for use by the District, and any social media page established on behalf of the District must be approved by the General Manager or his/her designee. Consideration shall be given to the overall nature, theme, and suitability for use for District purposes.

District social media pages should make clear that they are maintained by the District and that they follow the District’s social media policy. To the extent possible, this policy must be displayed to users or made available by hyperlink.

All photos posted by the District on its social media pages shall be for use in marketing and promotion of District programs and services. Under no circumstances will the District use photos of individuals who expressly ask that their photos not be made public.

District social media pages are subject to the California Public Records Act. Any content maintained in a social media format that is related to District business, including a list of subscribers, posted communication, and communication submitted for posting, may be a public record subject to public disclosure. All such content must be retained with the Public Records Act and the District's document retention policy.

Employees representing the District and posting content on behalf of the District on its social media pages must conduct themselves at all times as a representative of the District and in accordance with all District policies. Employees found in violation of this policy may be subject to disciplinary action, up to and including termination of employment.

This policy may be revised at any time upon approval by the General Manager. Every attempt will be made to provide prior notice of any changes. However, when deemed necessary in order to fully protect the District's interests, the interests of the public, and to more fully protect the safety of the public, including employees governed by this policy, then this policy may be changed without notice.

4 Site Management and Content

Social media sites approved for official use by the District include those that Archive Social can properly archive. Those social media sites are **Facebook, Twitter, YouTube, Instagram, LinkedIn, Vimeo, and Pinterest**. All approved social media sites must provide a mechanism for the employee to remove posts or prevent the posting of content that violates this policy.

Posting content to social media sites on behalf of the District is reserved solely for staff as authorized by the General Manager. The District's staff shall also administer and monitor the Town of Discovery Bay's social media pages and shall maintain all login and password information.

The District's social media pages are to be used for informational purposes, and all content must pertain to the District and/or District business, programs, services, or events. The District shall have full permission and rights to any content posted by or on behalf of the Town of Discovery Bay, including all photographs and videos.

District social media pages shall be managed consistent with the Brown Act, the Political Reform Act, and the California Election Code.

District staff will be responsible for posting content on the District's social media pages on behalf of the Town of Discovery Bay, monitoring content, responding to comments where appropriate, and ensuring adherence to this policy. Staff must review the District's social media pages on a regular basis to ensure compliance with this policy. In addition, staff must immediately alert the General Manager to any potential content posted on the District's social media pages that violates this policy.

Content posted by staff on the District's social media pages shall be done during normal business hours. After-hours and weekend postings of content shall only be made with approval from the General Manager.

Any employee authorized to post content on the District's social media pages shall not express his or her own personal views or concerns. Rather, posting of content by any authorized employee shall only reflect the views of the Town of Discovery Bay.

Any employee authorized to post on the District's social media pages shall review, be familiar with, and comply with this policy and the social media site's use policies and terms and conditions.

The District reserves the right to have any content restricted or removed if deemed to be in violation of this policy or any applicable federal, state, or local law. Any such removed content must be retained consistent with the Public Records Act, where applicable, and/or the District's document retention policy, including the date, time, and identify of the poster, when available.

5 Comment and Response Policy

Many social media sites permit and invite posts and comments by site users. By permitting use of this feature, the District does not intend to create a general public forum, and all comments and posts must comply with this policy.

A member of the District's board of directors, or committees shall not respond directly to any communication on a social media platform regarding a matter that is within the District's subject matter jurisdiction that is made, posted, or shared by any other member of the District's board of directors, or committees.

The District's Terms of Use, as set forth below, must be displayed on any District social media page or made available by hyperlink.

The District intends for its use of any social media to relate solely to matters of District business. A comment or post by a member of the public on any District social media page is the opinion of the commenter or poster only and does not imply endorsement of, agreement with, or reflect the opinions or policies of the Town of Discovery Bay.


The following posts or comments are inappropriate and are subject to removal or restriction by the District:

- Profane, obscene, violent, or pornographic content and/or language;
- Content that promotes, fosters, or perpetuates discrimination or harassment on the basis of race, creed, color, age, religion, gender, national origin, sexual orientation, or any other category protected by local, state, or federal law;
- Defamatory, derogatory, or personal attacks on any District employee or official;
- Threats to any person or organization or encouragement of illegal activity;
- Information that tends to compromise the safety or security of District employees, the public, public systems or the District's technology resources;
- Content that violates any legal ownership interest, such as copyright or trademark;
- Content containing personal information such as home addresses, phone numbers, social security numbers, dates of birth, or driver's license numbers;
- Solicitation of commerce, including any advertising or business services or products for sale;
- Content that violates any federal, state, or local laws;
- Comments in support of, opposition to, any political campaigns or ballot measures;
- Comments not related to District posts, business, information, announcements, events, or comments not related to the original topic, including random or unintelligible posts;

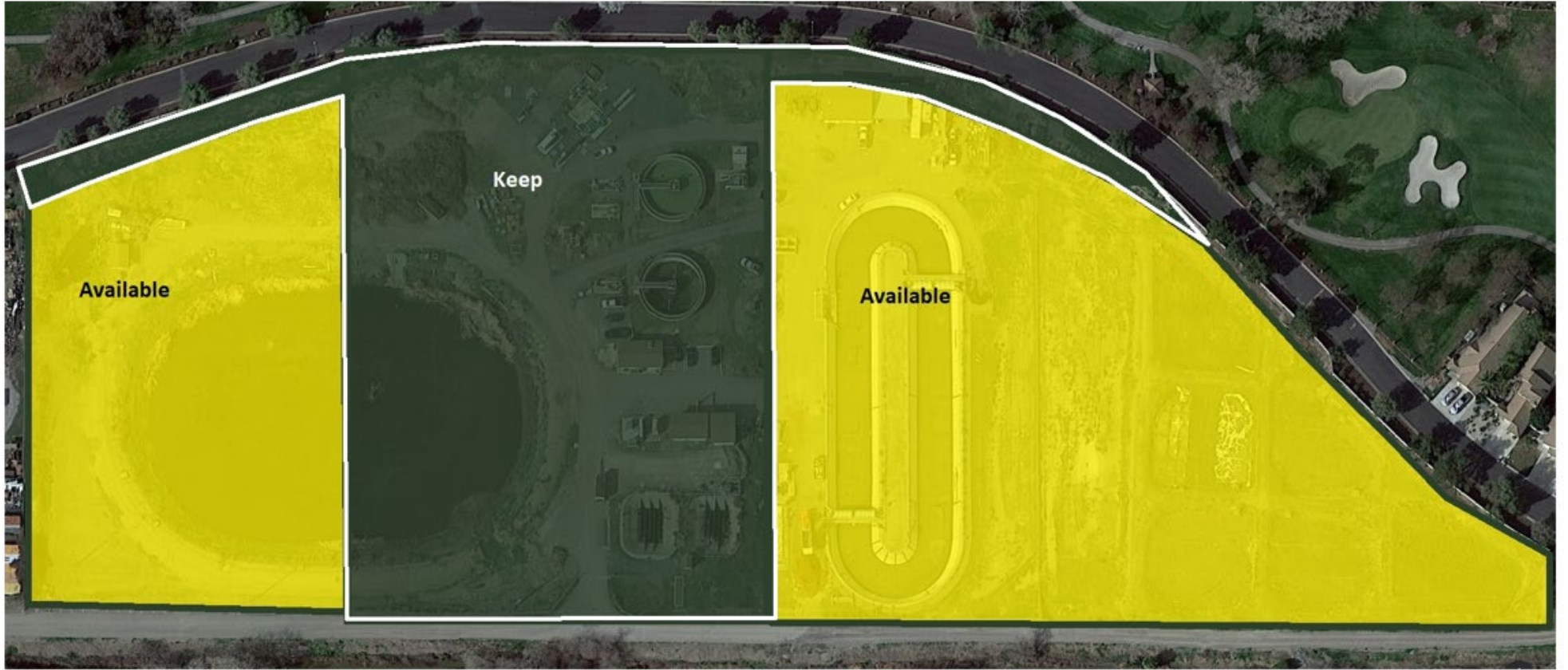
- Comments or posts on topics or issues not within the jurisdictional purview of the District.

The above list is not necessarily exhaustive, and the District reserves the right to remove or restrict any post or comment that violates the purpose or spirit of this policy.

Any employee authorized to post on the District's social media pages shall use his or her best judgment in deciding whether or not to respond to a post or comment and shall avoid engaging any user in an argumentative or offensive manner. Any response by an authorized employee made on behalf of the District shall comply with all terms of this policy. Content in any post or response made on behalf of the District shall not specifically refer to any District vendor, supplier, member, contractor, employee, or official without the approval of the General Manager.

	<h1 style="margin: 0;">Town of Discovery Bay</h1> <p style="margin: 0;"><i>“A Community Services District”</i></p> <h2 style="margin: 0;">STAFF REPORT</h2>	<p>Meeting Date</p> <p>October 20, 2021</p>
<p>Prepared By: Dina Breitstein, General Manager Submitted By: Dina Breitstein, General Manager</p>		
<p>Agenda Title</p> <p>Discussion and direction to General Manager Regarding Potential Sale of Property at Wastewater Treatment Plant No. 1.</p>		
<p>Recommended Action</p> <p>Authorize the General Manager to begin the process for disposing of the Town's property at Wastewater Treatment Plant No. 1.</p>		
<p>Executive Summary</p> <p>The Town was approached by John Salamida of CB Richard Ellis, inquiring if we would be interested in selling a portion of unused land located at Wastewater Treatment Plant No. 1.</p> <p>Staff and the District Wastewater Engineer reviewed the property and provided a rough draft of the portion of the property the District would be willing sell. (<i>see attached photo</i>)</p> <p>California law requires the Town's Board to declare property as 'surplus land' or 'exempt surplus land' before taking any actions to dispose of such property. Upon receiving direction to begin the process for disposing the Town's property, staff will carry out the necessary actions required to sell the property and bring a recommendation that complies with California law back to the Board for further action at a future meeting.</p> <p>Staff is requesting a Board dialogue regarding the potential sale of the property and would like authorization for the General Manager to begin the process for disposing of the Town's property at Wastewater Treatment Plant No. 1.</p>		
<p>Previous Relevant Board Actions for This Item -</p>		
<p>Attachments</p> <p>Photo of the property.</p>		

AGENDA ITEM: F-4





Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

October 20, 2021

Prepared By: Michael Davies, Interim Asst. General Manager
Submitted By: Michael Davies, Interim Asst. General Manager

Agenda Title

Discussion and Possible Action to Authorize the Implementation of a Community-Based Emergency Alert Text (SMS) System.

Recommended Action

Approve the implementation of a Discovery Bay community-based emergency alert text (SMS) system and authorize the General Manager to research and select a third-party provider.

Executive Summary

At the request of the Internal Operations Committee, preliminary research was conducted to determine the feasibility and practicality of implementing a Discovery Bay community-based emergency alert text (SMS) system. This research, in summary, revealed the following:

The Discovery Bay website does not support SMS messaging; therefore, third-party vendor software would be required. Typically, third-party vendors use a cloud-based environment for the Town to upload phone numbers and send SMS messages as needed. The Town would be issued a toll-free number for this purpose (usually included in the pricing).

Residents would sign up (opt-in) to receive emergency text alerts. Staff would enter the recipient information into the software in a manner similar to an excel spreadsheet. Recipients could be categorized geographically allowing for texting based on region. An opt-out option could be included with each text.

Most vendors charge a monthly fee under an annual contract. The monthly fee comes with a monthly bucket of SMS messages. Messages that exceed the monthly bucket are charged a per text unit rate. The per text unit rate is the number of text recipients a single text is sent to. Example: One (1) text sent to fifty (50) people would count as fifty (50) text units. Some vendors charge for each reply text and some vendors don't.

Example Plan: \$99/month for 3,000 texts. Overage for each text unit = 3.3 cents. Contract is for 12 months, billed to the Town credit card.

807 people are currently signed up for email alerts. Under the example plan above, three (3) texts could be sent to 807 people without an additional charge. Four (4) texts would be an excess of 228 above the 3,000 and cost an additional \$7.52. Five (5) texts would be an additional 807 text units at an additional cost of \$26.63. Month Total: \$133.15.

Staff would do additional research to select a reputable vendor and plan that provides the best value for the Town.


Previous Relevant Board Actions for This Item

None

Attachments

None.

AGENDA ITEM: F-5

	<h1 style="margin: 0;">Town of Discovery Bay</h1> <p style="margin: 0;"><i>“A Community Services District”</i></p> <h2 style="margin: 0;">STAFF REPORT</h2>	<p style="text-align: right; margin: 0;">Meeting Date</p> <p style="text-align: right; margin: 0;">October 20, 2021</p>
<p>Prepared By: Michael R. Davies, Interim Asst. General Manager Submitted By: Michael R. Davies, Interim Asst. General Manager</p>		
<p>Agenda Title</p> <p>Discussion and Possible Action Regarding Approval of Resolution 2021-16 that Approves and Adopts the Final Groundwater Sustainability Plan for the East Contra Costa Subbasin in which the Discovery Bay CSD GSA has Jurisdiction.</p>		
<p>Recommended Action</p> <p>Approve Resolution 2021-16 that approves and adopts the Final Groundwater Sustainability Plan (Exhibit A) for the East Contra Costa Subbasin in which the Discovery Bay CSD GSA has jurisdiction.</p>		
<p>Executive Summary</p> <p>The Sustainable Groundwater Management Act (“SGMA”), effective January 1, 2015, established a framework of priorities and requirements to facilitate sustainable groundwater management throughout the State of California. The legislative intent of the SGMA is for groundwater to be managed in California’s groundwater basins by local public agencies and Groundwater Sustainability Agencies (“GSA”)</p> <p>Discovery Bay’s service area did overlay a portion of the Tracy Subbasin in East Contra Costa County, which was identified by the State as Basin 5-22.15 San Joaquin Valley. On April 5, 2017, the Board adopted Resolution No. 2017-07 approving the formation of Discovery Bay as a GSA and authorized the General Manager to execute a Memorandum of Understanding (“MOU”) with the GSAs of City of Antioch, City of Brentwood, Byron-Bethany Irrigation District, Contra Costa Water District, Contra Costa County, Diablo Water District, and East Contra Costa Irrigation District (collectively “Parties”) to adopt and implement a GSP. On May 9, 2017, the Parties entered into an MOU to develop a GSP for the East Contra Costa County Portion of the Tracy Subbasin and to split the costs evenly. On November 5, 2017, the Board authorized the General Manager to execute and carryout the terms of a First Amendment to the MOU to retain the continued services of Luhdorff and Scalmanini (“Consultant”) for the preparation of the GSP, and to provide the methodology for sharing equally in the cost. The First Amendment to the MOU was fully executed by the parties on November 16, 2017.</p> <p>On September 11, 2018, application was made to the California Department of Water Resources (“DWR”) to split the Tracy Subbasin along the Contra Costa – San Joaquin County Line (Basin Boundary Modification Request). On February 11, 2019, DWR approved the modification request. Discovery Bay’s groundwater is now located (along with the other GSA signatories to the First Amendment to the MOU), in the now designated “East Contra Costa Subbasin.” This basin is designated a “medium-priority” basin. On February 5, 2020, the Board approved an Amended and Restated MOU that recognizes the Basin Boundary change to the “East Contra Costa Subbasin.”</p> <p>During the process of formulating a GSP, public input and comment was received both through the Discovery Bay CSD’s website link (as well as other GSA websites) and through three (3) public video conference forums. The final GSP has been completed (Exhibit A) and is before the Board for Adoption and Approval via Resolution 2021-16.</p>		
<p>Previous Relevant Board Actions for This Item</p> <p>April 5, 2017 - Formation of GSA and Authorization to Execute MOU. November 5, 2017- Authorization to Execute a First Amendment to the MOU February 5, 2020 – Approved an Amended and Restated MOU – Basin Boundary Change</p>		
<p>Attachments</p> <p>Resolution 2021-16/Exhibit A</p>		



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT**

RESOLUTION 2021-16

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY,
A CALIFORNIA COMMUNITY SERVICES DISTRICT,
ADOPTING THE EAST CONTRA COSTA SUBBASIN
GROUNDWATER SUSTAINABILITY PLAN**

WHEREAS, in August 2014, the California Legislature passed, and in September 2014 the Governor signed, legislation creating the Sustainable Groundwater Management Act (“SGMA”) “to provide local groundwater sustainability agencies with the authority and technical and financial assistance necessary to sustainably manage groundwater” (Wat. Code, § 10720, (d)); and

WHEREAS, SGMA requires sustainable management through the development of groundwater sustainability plans (“GSPs”), which can be a single plan developed by one or more groundwater sustainability agencies (“GSAs”) or multiple coordinated plans within a basin or subbasin (Wat. Code, § 10727); and

WHEREAS, SGMA requires a GSA be formed to manage groundwater in all basins designated by the California Department of Water Resources (“DWR”) as a medium or high priority, including the East Contra Costa Subbasin; and

WHEREAS, City of Antioch (“Antioch”), City of Brentwood (“Brentwood”), Byron-Bethany Irrigation District (“BBID”), Contra Costa Water District (“CCWD”), Contra Costa County (“County”), Diablo Water District (“DWD”), East Contra Costa Irrigation District (“ECCID”), and Discovery Bay Community Services District (“Discovery Bay”) were formed as GSAs [except CCWD] for the purposes of sustainably managing groundwater in the East Contra Costa Subbasin within their jurisdictional boundaries, pursuant to the requirements of SGMA; and

WHEREAS, the GSAs have the authority to draft, adopt, and implement a Groundwater Sustainability Plan (“GSP”) (Wat. Code, § 10725 *et seq.*); and

WHEREAS, on May 9, 2017, the GSAs entered into a Memorandum of Understanding (“Agreement”) with all other GSAs within the East Contra Costa Subbasin along with CCWD for the purpose of jointly developing a single GSP for the East Contra Costa Subbasin and coordinating sustainable groundwater management in the Subbasin (Wat. Code, §10727(a)(2)); and

WHEREAS, the Brentwood GSA submitted an Initial Notification to DWR on behalf of all the GSAs to jointly develop a GSP for the Subbasin on February 12, 2018; and

WHEREAS, a group (“Working Group”) consisting of the GSAs and CCWD has coordinated in the Subbasin to draft a single GSP; and

WHEREAS, on behalf of the GSAs, the Working Group developed the draft GSP and released portions of the draft GSP for public and local agency review during GSP development and released the entire draft on September 7, 2021;

WHEREAS, the Working Group reviewed and responded to comments on the draft GSP; and

WHEREAS, prior to July 1, 2021, the GSAs released the Notice of Intent pursuant to Water Code § 10728.4; and

WHEREAS, the Working Group released the final GSP on October 15, 2021, which is attached to this resolution as Exhibit A; and

WHEREAS, on October 15, 2021 the Working Group recommended each of the GSAs adopt the final GSP for their respective jurisdictions.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Discovery Bay Community Services District GSA hereby approves and adopts the final GSP as attached in Exhibit A for the area within the East Contra Costa Subbasin in which the Discovery Bay Community Services District GSA has jurisdiction.

SECTION 2. Discovery Bay Community Services District GSA delegates to the Working Group, its consultants, and the Plan Manager the responsibility and the authority to take such actions on its behalf as may be reasonably necessary to submit the GSP to DWR by January 31, 2022, and implement the purposes of this Resolution.

SECTION 3. The Board Secretary shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED THIS 20th DAY OF OCTOBER 2021.

Bryon Gutow
Board President

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Town of Discovery Bay Community Services District at a regularly scheduled meeting, held on October 20, 2021 by the following vote of the Board:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Dina Breitstein
Board Secretary

Agenda Item F-6
Exhibit A
Groundwater Sustainability Plan

To access the Groundwater Sustainability Plan please click on this link:

<https://todb.ca.gov/files/f23ca2691/Additional+Material+-+Final+ECC+GSP+with+Appendices.pdf>