



# TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

**SDLF Platinum-Level of Governance**



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

**NOTICE OF THE REGULAR MEETING  
OF THE BOARD OF DIRECTORS  
OF THE TOWN OF DISCOVERY BAY  
Wednesday, November 1, 2023 7:00 P.M.**

**TO ATTEND IN PERSON:** The meeting will be held at the Community Center located at 1601 Discovery Bay Boulevard.

**REMOTE TELECONFERENCE LOCATION:**  
Hilton Charlotte Airport  
2800 Coliseum Centre Drive  
Charlotte, NC 28217

In addition to physical attendance at the address indicated above, the Town of Discovery Bay Community Services District is offering the following teleconferencing options as an alternative means for the public to participate in this meeting.

**TO ATTEND BY ZOOM WEBINAR:** <https://us06web.zoom.us/j/85454370841>

**TO ATTEND BY PHONE:** +1 (669) 444 9171 or +1 (719) 359 4580 **WEBINAR ID:** 854 5437 0841

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 Regular Board of Directors DRAFT Meeting minutes from October 18, 2023.
2. Approve Register of District Invoices.

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

1. Supervisor Diane Burgis, District III Report.
2. Sheriff's Office Report.

3. CHP Report.
4. Contra Costa Fire Report.

**E. MUNICIPAL ADVISORY COUNCIL**

**F. PRESENTATIONS**

**G. DISCUSSION AND POSSIBLE ACTION**

1. Discussion and Possible Action to Approve Resources for Older Americans and Retirees (ROAR) Holiday Parade.
2. Discussion and Possible Action to Update Ordinance No. 26, Parking Restrictions.

**H. MANAGER'S REPORT**

**I. GENERAL MANAGER'S REPORT**

**J. DIRECTOR REPORTS**

1. Standing Committee Reports.
  - a. Communications Committee Meeting (Committee Members Carolyn Graham and Bryon Gutow) November 1, 2023.
  - b. Parks & Recreation Committee Meeting (Committee Members Bryon Gutow and Michael Callahan) November 1, 2023.
  - c. Water & Wastewater Committee Meeting (Committee Members Ashley Porter and Kevin Graves) November 1, 2023.

**K. DIRECTORS REGIONAL MEETING AND TRAINING REPORTS**

1. Con Fire Meeting – October 17, 2023 (Director Carolyn Graham)

**L. CORRESPONDENCE**

**M. LEGAL REPORT**

**N. FUTURE AGENDA ITEMS**

**O. OPEN SESSION DISCLOSURE OF CLOSED SESSION AGENDA**

(Government Code Section 54957.7)

**P. CLOSED SESSION:**

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Property: APN: 008-330-064 – 2489 Discovery Bay Boulevard  
Agency Negotiator: Dina Breitstein  
Negotiating Parties: Bret Hughes  
Under negotiation: Price and Terms of Payment

**Q. RETURN TO OPEN SESSION, REPORT ON CLOSED SESSION**

(Government Code Section 54957.1)

**R. ADJOURNMENT**

1. Adjourn to the next Regular Meeting of the Board of Directors on November 15, 2023 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."

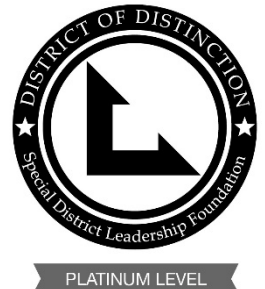
"Materials related to an item on the Agenda submitted to the Town of Discovery Bay after distribution of the agenda packet are available for public inspection in the District Office located at 1800 Willow Lake Road during normal business hours."



# TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

## SDLF Platinum-Level of Governance



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

### MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY Wednesday October 18, 2023 7:00 P.M.

#### REGULAR MEETING 7:00 P.M.

##### A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Called business meeting to order 7:00 p.m.
2. Director Gutow led the Pledge of Allegiance.
3. Roll Call was taken, and all members were present with the exception of Vice-President Callahan who was absent. Director Graves joined the meeting remotely.

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

- The speaker mentioned kids in the Town driving golf carts and motorized dirt bikes. He spoke of increased speeding and car theft in the Town.

##### 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 Regular Board of Directors DRAFT Meeting Minutes from October 4, 2023.
2. Approve Register of District Invoices.

Director Gutow made a Motion to Approve the Consent Calendar.

Director Graham seconded.

Vote: Motion carried – AYES: 4 – Porter, Graves, Gutow, Graham, NOES: 0, ABSTAINED: 0, ABSENT: 1 – Callahan.

##### D. PRESENTATIONS

1. Veolia Presentation.

Presented by Jeffrey Dobretz, Field Supervisor with Veolia.

- All wells are active with the exception of Well #7 which is still being repaired.
- All 15 lift stations are active with no issues.
- There were no SSOs.

##### E. DISCUSSION AND POSSIBLE ACTION

1. Discussion and Possible Action to Approve the Scope of Work for Stantec to Prepare Report of Waste Discharge and Other Documents for Renewal of the Town's NPDES Permit in the Amount of \$45,314.

Presented by Gregory Harris with Herwit Engineering.

- NPDES Permit must be updated every five years.
- Stantec Consulting Engineering has been used in the past to assist with the permit paperwork.
- It is highly recommended Stantec be utilized again due to their familiarity with Town operations.

Director Graves made a Motion to Approve staff recommendation to:

- a) Approve the scope and budget contained in the attached Stantec proposal dated September 26, 2023, to prepare documents for the renewal of Water Board Order No. R5-2019-0082 (Town's NPDES Permit).
- b) Authorize the General Manager to execute the Town's Standard Form of Consulting Agreement with Stantec to prepare documents for NPDES permit renewal in the amount of \$45,314.
- c) Authorize the General Manager to execute any additional change orders to Stantec Contract for up to 10% contingency of the Contract value.

Director Graham seconded.

Vote: Motion carried – AYES: 4 – Porter, Graves, Gutow, Graham, NOES: 0, ABSTAINED: 0, ABSENT: 1 – Callahan.

## 2. Discussion and Possible Action to Approve the Purchase of JW Backhoe Surplus Equipment.

Presented by Water and Wastewater Manager Aaron Goldsworthy.

- JW Backhoe has closed down their operation.
- Staff contacted JW Backhoe regarding purchase of surplus equipment.
- Staff presented the list of available equipment that has been previously utilized by the Town the Water & Wastewater Committee at the October 4, 2023 meeting.

Board discussion:

- Director Graham inquired about cost of repairs utilizing rented equipment as well as the possibility of additional Town staff being needed.
- Water & Wastewater Manager Goldsworthy said JW Backhoe was called out approximately 70 times in 2021 and over 30 times in 2022.
- Director Gutow asked about the condition of the Town's infrastructure.
- Director Graves stressed the delivery charges for rental equipment.

Public comment:

- Speaker noted that the Town will now be responsible for maintenance of the purchased equipment.

President Porter made a Motion to:

1. Approve the purchase of JW Backhoe Surplus Equipment, and
2. Authorize the General Manager to execute all purchase agreements with JW Backhoe for surplus equipment not to exceed \$268,000.00

Director Graves seconded.

Vote: Motion carried – AYES: 4 – Porter, Graves, Gutow, Graham, NOES: 0, ABSTAINED: 0, ABSENT: 1 – Callahan.

## 3. Discussion and Possible Action to Approve the Water and Wastewater Committee Recommendation to Eliminate the Non-Viable Office Building Option as a Possible Option for the Future District Office Building.

Presented by General Manager Dina Breitstein.

- Staff is requesting to eliminate option #3 – The new building designed by Aetypic.
- Remaining options would be: Option #4 – New Modular Building, Option #5 – Purchase New Property with Office Space, and Option #6 – Remodel the Community Center.

Public Comment:

- Speaker questioned why Option #3 would not be a viable solution. He requested an update on the remaining options. He also inquired about the status of the Veolia energy presentation being brought to the full Board of Directors.

Director Graham made a motion to approve staff recommendation to:

Eliminate the following Non-Viable Office Building Option per the Water and Wastewater Committee Recommendation:

Option 3: New Building

Director Graves seconded.

Vote: Motion carried – AYES: 4 – Porter, Graves, Gutow, Graham, NOES: 0, ABSTAINED: 0, ABSENT: 1 – Callahan.

**F. MANAGER'S REPORT**

1. Parks and Recreation Update.

Presented by Recreation Programs Supervisor Monica Gallo.

- Pickleball repairs are completed.
- Aquatics program is ending on October 27, 2023. This has been a hugely successful year.
- Paws On Parade will be held on October 22, 2023 from 9:00a.m.-12:00p.m.
- Red Cross Blood Drive will be on November 29, 2023 from 9:00a.m.-3:00p.m.
- Private and group pickleball lessons are now being offered.
- Free Zumba In The Park at the Community Center on October 28, 2023 from 10:00-11:00a.m.

**G. GENERAL MANAGER'S REPORT**

None.

**H. DIRECTORS REGIONAL MEETING AND TRAINING REPORTS**

None.

**I. CORRESPONDENCE**

None.

**J. LEGAL REPORT**

None.

**K. FUTURE AGENDA ITEMS**

None.

**L. ADJOURNMENT**

1. Adjourned at 7:45 p.m. to the next Regular Meeting of the Board of Directors on November 1, 2023 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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# Town of Discovery Bay

*"A Community Services District"*

## STAFF REPORT

Meeting Date

November 1, 2023

**Prepared By:** Margaret Moggia, Finance Manager & Lesley Marable, Accountant  
**Submitted By:** Dina Breitstein, 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** \$ 1,921,157.09

**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 2023/2024

AGENDA ITEM: C2

**Request for Authorization to Pay Invoices**  
**For The Meeting On November 1, 2023**  
**Town of Discovery Bay CSD**  
**Fiscal Year 7/23 - 6/24**

U.S. Bank	\$1,598,478.63
Pacific Gas & Electric	\$147,122.71
Luhdorff & Scalmanini	\$74,869.83
Town of Discovery Bay CSD	\$45,897.91
California Special Districts Assoc.	\$9,050.00
BrightView Landscape Services, Inc.	\$8,520.00
KP Doors & Access LLC	\$6,653.39
Denalect Alarm Company	\$6,445.00
Precision IT Consulting	\$4,852.63
Freedom Mailing Service, Inc	\$3,610.87
Valencia Janitorial Plus	\$3,090.00
Brentwood Decorative Rock, Inc.	\$2,402.56
Belkorp AG	\$1,775.31
Watersavers Irrigation Inc.	\$1,735.01
BSK Associates	\$1,250.50
Verizon Wireless	\$1,249.54
Precision Plumbing & Contracting, Inc.	\$1,245.00
Devil Mountain Wholesale Nurse	\$901.65
Discovery Bay Lions Club Foundation	\$900.00
ULINE	\$606.33
ODP Office Solutions, LLC	\$183.02
Karrie Hebert	\$132.00
UniFirst Corporation	\$118.83
Water Utility Customers	\$66.37

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**\$1,921,157.09**





# Town of Discovery Bay

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## STAFF REPORT

**Meeting Date**  
November 1, 2023

**Prepared By:** Monica Gallo, Recreation Programs Supervisor  
**Submitted By:** Dina Breitstein, General Manager

### Agenda Title

Discussion and Possible Action to Approve Resources for Older Americans and Retirees (ROAR) Holiday Parade.

### Recommended Action

Approve Resources for Older Americans and Retirees (ROAR), Holiday Parade Event at the Community Center Parking Lot on December 2, 2023, subject to the "Conditions of Approval" required by Town staff.

At the March 15, 2023, Board of Directors Meeting, the Board was presented with, and approved the 2023 Parks and Recreation Public Event Calendar that included the Holiday Parade, which was a sponsored event between the Discovery Bay Lions Club and the Delta Sun Times. Town staff has recently learned that the Holiday Parade is no longer sponsored by the Lions Club or Delta Sun Times and for this reason we are bringing the parade event back to the Board for discussion and possible action.

Staff received a Special Event Permit Application on October 10, 2023, by Amanda Dove and Roger Boaz of Resources for Older Americans and Retirees (ROAR), which are now the sponsors of the Holiday Parade. The application is for a Holiday Parade to be held on December 2, 2023, with a set up time on December 2<sup>nd</sup> from 4pm – 6pm, the actual event time is 6pm – 8pm and take down/clean up from 8pm – 9pm. They are estimating 1,000 attendees, will have amplified sound, music, and the event is open to the public.

In previous years, the Parade sponsors requested use of the Community Center parking lot beginning the day before the event to allow for set up of a large judging tent to be erected in the Community Center gravel parking lot, porta potties and trash and recycle bins to be delivered. Although the December 1<sup>st</sup> date is not requested on the application from ROAR, Staff did communicate with Mr. Boez at the time he dropped off his application, that due to an event already scheduled utilizing the Community Center parking lot we will not be able to approve or accommodate any request beyond the requested December 2, 2023, once the Board has reviewed the request.

In addition, due to the Willow Lake Treatment Plant Filter Project, scheduled to begin November 6, 2023, the Community Center gravel parking lot area will not be available as in previous years, as it will be utilized as the mobilization area and will be blocked off for staging of equipment, materials, and District Office staff parking.

Included in this Staff report is a map of two suggested alternative locations for the large tent. Option #1 is located on the grass area adjacent to Discovery Bay Blvd. which can accommodate a tent not to exceed 20'x60'. Option #2 is located in the parking lot up against the grass area and can accommodate a tent not to exceed 20'x80'.

All events are subject to the terms and conditions in the Park Usage Rental Policy (Policy #013) and District Recreation Facilities Alcohol Policy (Policy #022). Both policies are located on the District website at [www.todb.ca.gov](http://www.todb.ca.gov), Town of Discovery Bay Board Policies.

Upon Board approval, ROAR must agree to the following "Conditions of Approval":

1. Event set up date and time December 2, 2023, 4:00pm-6:00pm. Event Time 6:00pm-8:00pm. Clean up completed by 9:00pm.
2. No vehicle parking or driving on the Community Center lawn.

3. ROAR is responsible for all garbage, site cleanup, street cleanup along parade route and at and around the Community Center, and removal of garbage immediately following the event.
4. Provide General Liability Insurance for \$1,000,000 naming the Town of Discovery Bay CSD as certificate holder, additional insured and include the additional insured endorsement. Insurance must be provided to the Community Center at least **2 weeks** prior to the event. If final and correct insurance is not submitted to the Community Center by 8:00am on November 20, 2023, use of ALL Community Center grounds and/or requested items will be cancelled.
5. Food trucks may not be allowed on Community Center property including the parking lot and gravel area.
6. Alcohol is **NOT permitted** on Community Center grounds, including in judging tent.
7. First aid kits and fire extinguishers are required to be on site at all times.
8. Must at all times follow the directions and instructions of Town staff.
9. Contra Costa County Sheriff, CHP, and Contra Costa County Fire must be notified and approval letters from each agency submitted to the Community Center by 8:00am on November 20, 2023.
10. Contra Costa County approved encroachment and all applicable County permits must be submitted to the Community Center by 8:00am on November 20, 2023.
11. A refundable damage deposit of \$1,000 is due to the Community Center by 8:00am on November 20, 2023.
12. If all deadline dates listed in Conditions of Approval are not met, the Town will revoke use of the Community Center property and/or requested equipment.

The Town is requiring a \$1,000 deposit, which is refundable if all conditions are met, and all cleanup done according to Conditions of Approval. Unfortunately, at last year's event, the parade organizers borrowed Town safety cones which were not picked up and delivered back to the Community Center and Town staff were tasked with gathering items as well as street trash pickup. In addition, the porta potties did not get picked up until after December 14, 2022, as well as banners promoting the event.

There are no fees or costs to the Town associated with this event, as there is no fee schedule for use of the Community Center parking lot.

#### **Attachments**

Aerial Map of Community Center Parking Lot

**AGENDA ITEM: G1**

AERIAL MAP OF COMMUNITY CENTER PARKING LOT





# Town of Discovery Bay

*"A Community Services District"*

## STAFF REPORT

Meeting Date

November 1, 2023

**Prepared By:** Monica Gallo, Recreation Programs Supervisor  
**Submitted By:** Dina Breitstein, General Manager

### Agenda Title

Discussion and Possible Action to Update Ordinance No. 26, Parking Restrictions

### Recommended Action

Introduce and Waive First Reading of Ordinance 26 Amending Parking Restrictions at Cornell and Ravenswood Parks and the Discovery Bay Community Center.

### Executive Summary

At the September 6, 2023, Parks and Recreation Committee meeting, photos were presented of parking lot issues at the Community Center and discussion of installing new signage regarding parking restrictions. The Parks and Recreation Committee instructed Staff to look into different options and bring to the Board of Directors.

In doing research, Staff reviewed current Town Ordinance No. 26, Parking Restriction, which was established on November 5, 2014, and can be located at <https://todb.specialdistrict.org/files/c7d9facea/Ordinance026.pdf>. Staff have modified this Ordinance to include language regarding towing vehicles which are parked overnight at Town facilities and parked unlawfully. In addition, rules have been added against parking on the lawn, planted areas and blocking driveways.

Staff is looking for Board approval to update Ordinance No. 26.

### Previous Relevant Board Actions for This Item

### Attachments

Draft – Ordinance No. 26 – Establishing Parking Restrictions at Cornell and Ravenswood Parks and the Discovery Bay Community Center.

Pictures of Vehicle Violations at Community Center.

Draft of Ordinance No. 26 sign to be placed at Town owned facilities.

Ordinance 26 sign.

AGENDA ITEM: G2



## TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT ORDINANCE NO. 26

### AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY, A CALIFORNIA COMMUNITY SERVICES DISTRICT, ESTABLISHING PARKING RESTRICTIONS AT CORNELL AND RAVENSWOOD PARKS AND THE DISCOVERY BAY COMMUNITY CENTER

Be it ordained by the Board of Directors of the Town of Discovery Bay as follows:

#### SECTION 1. Short Title

This Ordinance shall be known and may be cited as Discovery Bay Park's Parking Restrictions Ordinance.

#### SECTION 2. Purpose

The purpose of this Ordinance is to protect the health, safety, and welfare of residents of the Town of Discovery Bay; and to address overnight parking and unlawfully parked vehicles in Discovery Bay Parks which are wholly owned and maintained by the Town of Discovery Bay, including the Discovery Bay Community Center.

#### SECTION 3. Regulations

- A. The provisions of this Ordinance prohibiting the stopping, standing, or parking of a vehicle shall apply at all times or at those times specified in this Ordinance, except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer, other authorized officer, or official traffic control device.
- B. The provisions of this Ordinance imposing a regulation on standing or parking of a vehicle shall not relieve any person from the duty to observe other and more restrictive provisions of the California Vehicle Code or the Ordinances of the Town of Discovery Bay prohibiting or limiting the standing or parking of vehicles in specified places or at specified times.
- C. The following activities shall **be prohibited** at all Town of Discovery Bay Parks and Grounds, including the Discovery Bay Community Center:
  1. The parking of any motor vehicle, motor home, trailer, boat, or equipment (collectively referred to as "Vehicle") for the principal purpose of displaying such Vehicle for sale;
  2. The parking of any motor home, trailer, boat, or equipment between the hours of 8:00 PM to 7:00 AM unless the vehicle displays a permit issued by the Town of Discovery Bay or is an official vehicle and displaying Exempt California license plates;
  3. Overnight parking may be permitted in advance and only when displaying an overnight parking permit issued by the Town of Discovery Bay;
  4. No operator of any Vehicle shall stop, stand, park, or leave standing any Vehicle, whether attended or unattended, in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer, other authorized officer, or official traffic control device:
    - a) Within any loading zone for any purpose other than unloading or loading of passengers or materials; provided, that no stop for the loading or unloading of passengers shall be made for more than five minutes; or provided, that no stop for the loading or unloading of materials shall be made for more than 20 minutes.
    - b) In a designated "No Parking," "No Stopping," or any time-specific no parking or no stopping zone when signs or markings, as prescribed in California Vehicle Code Section 21458, are placed giving notice of such prohibition on any off-street parking area owned

or operated by the Town of Discovery Bay.

- c) Within 15' of a fire hydrant lane.
  - d) In any area where the General Manager determines that the parking or stopping of a Vehicle would constitute a traffic hazard or would endanger life or property, when such area is indicated by appropriate signs or by red paint upon the curb surface.
  - e) In any area which interferes with the entrance to or exit from entrance gates or driveways.
  - f) In or on any lawn, planted areas, or divisional island unless authorized and clearly indicated with appropriate signs or markings.
  - g) In any area where parking, stopping, or leaving standing any Vehicle which may interfere with law enforcement, or first responders.
  - h) In any area established by resolution of the Town of Discovery Bay as a no parking or no stopping area, which such area is indicated by appropriate signs or by red paint upon the curb surface.
- D. The General Manager is authorized to issue permits described in this Ordinance.
- E. Fees for permits issued for a Vehicle or combination of Vehicles under the provisions of this Ordinance shall be established by resolution of Town of Discovery Bay Board of Directors.

#### **SECTION 4. Enforcement**

The Town of Discovery Bay shall install parking regulation signs at all Discovery Bay Parks which are wholly owned and maintained by the Town of Discovery Bay, including the Discovery Bay Community Center in order to enforce the terms of this Ordinance.

#### **SECTION 5. Violation**

Pursuant to the provisions of California Vehicle Code Section 22650 et seq., any Vehicle that fails to comply with any condition of this Ordinance shall be subject to removal by a local towing company, provided that signs are posted giving notice that Vehicles may be removed. All costs, fees, and expenses, including towing charges for the removal of vehicles (impound, storage, DMV and administrative fees) are the sole responsibility of the registered owner of the vehicle.

#### **SECTION 6. Severability**

The various parts, paragraphs, section, and clauses of this Ordinance are declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected.

#### **SECTION 7. Duty of Care**

This Ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the Town of Discovery Community Services District or any officer or employee thereof a mandatory duty of care toward persons and property within or without the District so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

#### **SECTION 8. Adoption and Effective Date**

This Ordinance is hereby declared to have been adopted by the District Board at a meeting thereof duly called and held on the November 15, 2023, and ordered to be given effect thirty (30) days after its first publication as mandated by statute.

Passed and adopted at a regular meeting of the Board of Directors of the Town of Discovery Bay Community Services District held on November 15, 2023 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

Ashley Porter  
Board President

Attest

---

Dina Breitstein  
Board Secretary

### CERTIFICATION

I, Dina Breitstein, the Board Secretary of the Town of Discovery Bay, DO HEREBY CERTIFY that foregoing Ordinance 26 was duly introduced at a regular meeting of the Board of Directors of the Town of Discovery Bay Community Services District held on November 1, 2023, and adopted at the regular meeting held November 15, 2023 by the following vote, to wit:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Dina Breitstein  
Board Secretary

I hereby certify that the foregoing is the original of Ordinance 26 duly passed and adopted by the Town of Discovery Bay Community Services District Board of Directors at their regular meeting held November 15, 2023, and that Summaries of the Ordinance were published on November 10, 2023, and December [DATE AFTER ADOPTION], in the [NEWSPAPER].

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Dina Breitstein  
Board Secretary



TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT ORDINANCE NO. 26

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY, A CALIFORNIA COMMUNITY SERVICES DISTRICT, ESTABLISHING PARKING RESTRICTIONS AT CORNELL AND RAVENSWOOD PARKS AND THE DISCOVERY BAY COMMUNITY CENTER

Be it ordained by the Board of Directors of the Town of Discovery Bay as follows:

SECTION 1. Short Title

This Ordinance shall be known and may be cited as Discovery Bay Park's Parking Restrictions Ordinance.

SECTION 2. Purpose

The purpose of this Ordinance is to protect the health, safety, and welfare of residents of the Town of Discovery Bay; and to address overnight parking and unlawfully parked vehicles in Discovery Bay Parks which are wholly owned and maintained by the Town of Discovery Bay, including the Discovery Bay Community Center.

SECTION 3. Regulations

A. The provisions of this Ordinance prohibiting the stopping, standing, or parking of a vehicle shall apply at all times or at those times specified in this Ordinance, except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer, other authorized officer, or official traffic control device.

B. The provisions of this Ordinance imposing a regulation on standing or parking of a vehicle shall not relieve any person from the duty to observe other and more restrictive provisions of the California Vehicle Code or the Ordinances of the Town of Discovery Bay prohibiting or limiting the standing or parking of vehicles in specified places or at specified times.

C. The following activities shall be prohibited at all Town of Discovery Bay Parks and Grounds, including the Discovery Bay Community Center:

- 1. The parking of any motor vehicle, motor home, trailer, boat, or equipment (collectively referred to as "Vehicle") that displays "For Sale" or any other type of advertising that the vehicle is for sale between the hours of 8:00PM and 7:00AM for the principal purpose of displaying such Vehicle for sale;
2. The parking of any motor home vehicle, trailer, boat, or equipment, between the hours of 8:00 PM to 7:00 AM, between the hours of 11:00 pm and 6:00 am unless the vehicle displays a permit issued by the Town of Discovery Bay or is an official vehicle and displaying Exempt California license plates;
3. Overnight parking may be permitted in advance and only when displaying an overnight parking pass permit issued by the Town of Discovery Bay;
4. No operator of any Vehicle shall stop, stand, park, or leave standing any Vehicle, whether attended or unattended, in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer, other authorized officer, or official traffic control device:

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- a) Within any loading zone for any purpose other than unloading or loading of passengers or materials; provided, that no stop for the loading or unloading of passengers shall be made for more than five minutes; or provided, that no stop for the loading or unloading of materials shall be made for more than 20 minutes.
- b) In a designated "No Parking," "No Stopping," or any time-specific no parking or no stopping zone when signs or markings, as prescribed in California Vehicle Code Section 21458, are placed giving notice of such prohibition on any off-street parking area owned or operated by the Town of Discovery Bay.
- c) Parking w*W*ithin 15' of a fire hydrant lane.
- d) Parking in any red curbed area. In any area where the General Manager determines that the parking or stopping of a Vehicle would constitute a traffic hazard or would endanger life or property, when such area is indicated by appropriate signs or by red paint upon the curb surface.
- e) Parking in any manor area which interferes with the entrance to or exit from entrance gates or driveways.
- f) Parking on In or on any lawn, or planted areas, or divisional island unless authorized and clearly indicated with appropriate signs or markings.
- g) In any area where Pparking, stopping, or leaving standing any Vehicle in an area which may interfere with law enforcement, or first responders.
- h) In any area established by resolution of the Town of Discovery Bay as a no parking or no stopping area, which such area is indicated by appropriate signs or by red paint upon the curb surface.

D. The General Manager is authorized to issue permits described in this Ordinance.

3-E. Fees for permits issued for a Vehicle or combination of Vehicles under the provisions of this Ordinance shall be established by resolution of Town of Discovery Bay Board of Directors.

**SECTION 45. Enforcement**

The Town of Discovery Bay shall install parking regulation signs at all Discovery Bay Parks which are wholly owned and maintained by the Town of Discovery Bay, including the Discovery Bay Community Center in order to enforce the terms of this Ordinance.

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**SECTION 56. Violation**

Pursuant to the provisions of California Vehicle Code Section 22650 et seq., any vehicle that fails to comply with any condition of this Ordinance shall be subject to removal by a local towing company, provided that signs are posted giving notice that Vehicles may be removed. All costs, fees and expenses in connection with such action shall be the responsibility of the owner of the vehicle. All costs, fees, and expenses, including towing charges for the removal of vehicles (impound, storage, DMV and administrative fees) are the sole responsibility of the registered owner of the vehicle.

**SECTION 67. Severability**

The various parts, paragraphs, section, and clauses of this Ordinance are declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected.

**SECTION 7. Duty of Care**

This Ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the Town of Discovery Community Services District or any officer or employee thereof a mandatory duty of care toward persons and property within or without the District so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

**SECTION 88. Adoption and Effective Date**

This Ordinance is hereby declared to have been adopted by the District Board at a meeting thereof duly called and held on the 5th day of November, 2014 November 15, and ordered to be given effect thirty (30) days after its first publication as mandated by statute.

**CERTIFICATION**

Passed and adopted at a regular meeting of the Board of Directors of the Town of Discovery Bay Community Services District held on November 5, 2014 November 15 November 15, 2023 by the following vote:

Mark Simon Ashley Porter  
Board President

AYES:  
NOES:  
ABSENT:  
ABSTAIN: Attest

Richard J. Howard Dina Breitstein  
Board Secretary

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**CERTIFICATION**

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I, Dina Breitstein, the Board Secretary of the Town of Discovery Bay, DO HEREBY CERTIFY that foregoing Ordinance 26 was duly introduced at a regular meeting of the Board of Directors of the Town of Discovery Bay Community Services District held on November 1, 2023, and adopted at the regular meeting held November 15, 2023 by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

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\_\_\_\_\_  
Dina Breitstein  
Board Secretary

I hereby certify that the foregoing is the original of Ordinance 26 duly passed and adopted by the Town of Discovery Bay Community Services District Board of Directors at their regular meeting held November 15, 2023, and that Summaries of the Ordinance were published on November 10, 2023, and December [DATE AFTER ADOPTION], in the [NEWSPAPER].

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Dina Breitstein  
Board Secretary

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**ORDINANCE NO. 26  
DISCOVERY BAY PARKS  
DISCOVERY BAY COMMUNITY CENTER  
PARKING RESTRICTIONS ORDINANCE**

**NO PARKING:**

1. Any motor vehicle, motor home, trailer, boat, or equipment (collectively referred to as "Vehicle") for the principal purpose of displaying such Vehicle for sale.
2. Any "Vehicle" between the hours of 8:00PM-7:00AM, unless the vehicle displays a permit issued by the Town of Discovery Bay or is an official vehicle and displaying Exempt California license plates.
3. Within 15' of a fire hydrant lane.
4. In any red curbed area.
5. In any manner which interferes with the entrance to or exit from entrance gates or driveways.
6. On any lawn, planted areas, or divisional island unless authorized and clearly indicated with appropriate signs or markings.
7. In any area which may interfere with law enforcement, or first responders.
8. Refer to [www.todb.ca.gov/ordinances](http://www.todb.ca.gov/ordinances) for complete ordinance.

**VIOLATION**

Pursuant to the provisions of California Vehicle Code Section 22650 et seq., any vehicle that fails to comply with any condition of the Ordinance shall be subject to removal by a local towing company.

All costs, fees, and expenses, including towing charges for the removal of vehicles (impound, storage, DMV and administrative fees) are the sole responsibility of the registered owner of the vehicle.

The public may attend the Board meeting in person and remotely via call-in or Zoom. Board meetings are televised live on Comcast Cable 27, ATT/U-Verse Channel 99, and WAVE Channel 32, and can be seen live online at [www.contracosta.ca.gov](http://www.contracosta.ca.gov). Meetings of the Board are closed-captioned in real time.

Persons who wish to address the Board during public comment or with respect to an item on the agenda may comment in person or may call in during the meeting by dialing 888-278-0254 followed by the access code 843298#. A caller should indicate they wish to speak on an agenda item by pushing "#2" on their phone. Persons who wish to address the Board in person should complete the form provided for that purpose. Access via Zoom is also available using the following link: <https://cccounty-us.zoom.us/j/87344719204>. Those participating via Zoom should indicate they wish to speak on an agenda item by using the "raise your hand" feature in the Zoom app. To provide contact information, please contact Clerk of the Board at [clerkoftheboard@cob.cccounty.us](mailto:clerkoftheboard@cob.cccounty.us) or call 925-655-2000. A Spanish language interpreter is available to assist Spanish-speaking callers.

Public comments generally will be limited to two minutes per speaker. In the interest of facilitating the business of the Board, the total amount of time that a member of the public may use in addressing the Board on all agenda items is 10 minutes. Your patience is appreciated.

A lunch break or closed session may be called at the discretion of the Board Chair. Staff reports related to open session items on the agenda are also accessible online at [www.contracosta.ca.gov](http://www.contracosta.ca.gov).

**1:00 P.M. Convene and call to order**

**1. CONSIDER CONSENT ITEMS (Items listed as C.1 through C.11 on the following agenda) – Items are subject to removal from Consent Calendar by request of any Director or on request for discussion by a member of the public. Items removed from the Consent Calendar will be considered with the Discussion Items.**

**2. DISCUSSION ITEMS**

*Investigation*  
*5 cameras*  
*offload emergency departments in movement. Larson SPP 4-9*

**D.1. CONSIDER approving and authorizing the Fire Chief, or designee, to implement a body worn camera program and execute a software subscription agreement with Axon Enterprises, Inc., in an amount not to exceed \$38,500, for a records storage and management system for fire investigations for the period October 1, 2023, to October 30, 2028. (100% CCCFPD General Operating Fund) (Lewis Broschard, Chief, Contra Costa County Fire Protection District)** [23-582](#)

**D.2. CONSIDER accepting a report from the Fire Chief providing a status summary for ongoing Fire District activities and initiatives. (No fiscal impact) (Lewis Broschard, Fire Chief)** [23-583](#)

**Attachments:** [FC REPORT - October 17, 2023 final](#)

**D.3 PUBLIC COMMENT (2 Minutes)**

**3. CONSENT ITEMS**

**C.1. ADOPT Resolution No. 23-09 recognizing Fire Captain Josh Andrews as the 2023 Firefighter of the Year.** [FPD-RES 23-09](#)

- C.2. ADOPT Resolution No. 23-10 honoring Fire Engineer Nick Galvan on the occasion of his retirement from the Contra Costa County Fire Protection District. [FPD-RES 23-10](#)
- C.3. ADOPT Resolution No. 23-11 honoring Cheryl Miller, Diablo Firesafe Council Executive Director, on the occasion of her retirement. [FPD-RES 23-11](#)
- C.4. ADOPT Resolution No. 23-12 honoring Jackie Lorrekovich, Chief of Administrative Services, on the occasion of her retirement from the Contra Costa County Fire Protection District. [FPD-RES 23-12](#)
- C.5. ADOPT Resolution No. 23-13 proclaiming October 8-14, 2023 as Fire Prevention Week in Contra Costa County as recommended by the Fire Chief, Contra Costa County Fire Protection District. [FPD-RES 23-13](#)
- C.6. ADOPT the proposed 2024 meeting schedule for the Contra Costa County Fire Protection District Board of Directors, as well as fixing the dates for budget hearings and adoption, as recommended by the County Administrator. [23-584](#)  
**Attachments:** [Proposed 2024 Fire Protection District Schedule.pdf](#)
- C.7. DENY claims filed by Sean Gilmore, Timothy Patrick Curtin, and Shahin Naima. [23-585](#)
- C.8. APPROVE and AUTHORIZE the Fire Chief, or his designee, to execute a contract amendment with American Medical Response West to increase the payment limit by \$14,000,000 for a new payment limit of \$414,000,000 to increase ambulance unit hour rates and expand basic life support ambulance services with no change to the 10-year contract term through December 31, 2025. (100% Ambulance Transport Fund) [23-586](#)  
**Attachments:** [Exhibit D to the District-AMR Contract for Emergency Ambulance Services](#)
- C.9. APPROVE AND AUTHORIZE the Fire Chief, or designee, to execute a contract with H&N Enterprises in the amount not to exceed \$1,940,000 for the Lafayette / Walnut Creek Shaded Fuel Break project for the period of November 1, 2023 through June 30, 2025. (100% State) [23-587](#)
- C.10. APPROVE and AUTHORIZE the Fire Chief to implement a policy to institute performance objectives as a metric for service improvement and contract compliance. (No fiscal impact) [23-588](#)  
**Attachments:** [Performance Objectives for Emergency Response](#)



C.11. APPROVE and AUTHORIZE the Auditor-Controller, on behalf of the Contra Costa County Fire Protection District, to issue payment to the Moraga-Orinda Fire District in an amount not to exceed \$164,250, as reimbursement for the third year of the Zonehaven Agreement for a comprehensive regional evacuation support system. (100% CCCFPD Operating Fund)

23-589

**Attachments:** [Genasys Invoice Zonehaven 3rd Year](#)

ADVISORY COMMISSION

The Contra Costa County Fire Protection District Advisory Fire Commission is scheduled to meet next on Monday, November 13, 2023, at 7:00 p.m. at their Administrative Office, 4005 Port Chicago Highway, Suite 250, Concord, CA 94520.

AGENDA DEADLINE: Thursday, 12 noon, 12 days before the Tuesday Board meetings.

*Adjourn  
2:19*