



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

SDLF Platinum-Level of Governance



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

**NOTICE OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
Wednesday May 18, 2022, 7:00 P.M.**

**NOTICE
Coronavirus COVID-19**

In response to the current proclaimed State of Emergency, indoor masking requirements, 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 accommodate the public during this period of time, the Town of Discovery Bay Community Services District Board of Directors has arranged for members of the public to observe and address the meeting telephonically or in person.

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

TO ATTEND BY WEBINAR:

Please register for the Regular Meeting of the Board of Directors by: *(Copy and paste into your browser the registration URL. You will then be directed to download the webinar to your device and register with LogMeIn, Inc.)*

Registration URL: <https://attendee.gotowebinar.com/register/7114963255938051341>
Webinar ID# 742-710-891

After registering, you will receive a confirmation email containing information about joining the webinar by computer or by phone.

For listen only mode dial: +1 (562) 247-8422 ID# 276-294-550

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 May 4, 2022.
2. Approve Register of District Invoices.
3. Approve Resolution 2022-15 Re-Authorizing Remote Teleconference Meetings of the Legislative Body of the Town of Discovery Bay Community Services District Pursuant to the Brown Act Provisions.

D. AREA AGENCIES AND LIAISON REPORTS / PRESENTATIONS

1. None.

E. PRESENTATIONS

1. Veolia Presentation.

F. DISCUSSION AND POSSIBLE ACTION

1. Discussion and Possible Action to Approve Resolution 2022-16 Amending Board Policy No.002 Bylaws – Deleting Contra Costa County as the District’s Treasurer and Naming the General Manager as the District’s Treasurer.
2. Discussion and Possible Action to Amend Finance Policy No.003 Investment Policy – Deleting Contra Costa County as the District’s Treasurer and Naming the General Manager as the District’s Treasurer.

G. MANAGER’S REPORT

1. Water and Wastewater Engineer Gregory Harris, Herwit Engineering – Diffuser Project (no received bids – next steps).
2. Interim Assistant General Manager, Michael Davies – Residential Sound Wall Decay.

H. GENERAL MANAGER’S REPORT

I. DIRECTOR REPORTS

1. None.

J. DIRECTORS REGIONAL MEETING AND TRAINING REPORTS

1. None.

K. CORRESPONDENCE RECEIVED

1. None.

L. FUTURE AGENDA ITEMS

M. OPEN SESSION DISCLOSURE OF CLOSED SESSION AGENDA

(Government Code Section 54957.7)

N. CLOSED SESSION:

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: one case.

O. RETURN TO OPEN SESSION, REPORT ON CLOSED SESSION

(Government Code Section 54957.1)

P. ADJOURNMENT

1. Adjourn to the next Regular Meeting of the Board of Directors on June 1, 2022, 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.”

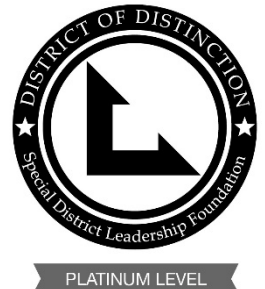
"Materials related to an item on the Agenda submitted to the Town of Discovery Bay after distribution of the agenda packet are available for public inspection in the District Office located at 1800 Willow Lake Road during normal business hours."



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

SDLF Platinum-Level of Governance



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

NOTICE OF THE REGULAR MEETING MINUTES OF THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY Wednesday May 4, 2022

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Call business meeting to order by 7:00 p.m.
2. Pledge of Allegiance led by General Manager Dina Breitstein.
3. Roll Call – four members were present; Director Graham was not 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 Regular Board of Directors DRAFT Meeting minutes from April 20, 2022.
2. Approve Register of District Invoices.
3. Approve Resolution 2022-13 Re-Authorizing Remote Teleconference Meetings of the Legislative Body of the Town of Discovery Bay Community Services District Pursuant to the Brown Act Provisions.
4. Direct Herwit Engineering to prepare the 2022-2023 Annual Assessment Report for the Ravenswood Improvement District, Discovery Bay Landscape & Lighting Zone #9 by Adopting Resolution No. 2022 - 14.

Vice-President Porter made a Motion to Approve the Consent Calendar as presented.

Director Gutow second.

Vote: Motion Carried – AYES: 4, NOES: 0, ABSTAINED: 0, ABSENT: 1

D. AREA AGENCIES AND LIAISON REPORTS / PRESENTATIONS

1. Supervisor Diane Burgis, District III Report Presented by Dawn Morrow.
 - Public Works is fully closing a portion of Bixler Road full shutdown will be between Echo Place and Balfour and Point of Timber East of Poe Drive, June 15th – August 2nd from 7:00 am – 5:00 p.m. due to maintenance to an existing PG&E natural gas line system.
 - Michele DiMaggio, Supervising Environmental Health Specialist would like to conduct a free class on food safety and handling.

President Graves commented that the Lions Club and Chamber will be extended an invitation to attend.

2. Sheriff's Office Report Presented by Lieutenant, Mark Johnson for the month of April 2022.
 - 30 arrests for the Station House.
 - 379 calls for service for Discovery Bay.
 - 57 Reports.
 - The Boat and RV lot near the Park and Ride on Bixler, RV Storage on Newport and Delta RV Storage had over 20 catalytic converters thefts.
 - A neighbor reported hearing sawing noise at approximately 1:00 a.m. and contacted the Sheriff's Office. A suspect was found sitting in a car outside the gate, a vehicle search was done and a stolen catalytic converter was found inside the car. Officers believed there was a second person

in the lot and a drone and canine search was done for the second person but was unsuccessful. Approximately eight catalytic converters were found lying on the ground. Investigators are following up on the suspect that was caught.

- The State is cracking down on places that buy catalytic converters.
- Bixler Post Office was broken into and an individual stole the mailbox keys and opened mailboxes. The US Postal Inspector is taking the lead on this case and has a suspect.
- DUI turnover - a mother was intoxicated with her three children; CHP took the case.
- Three domestic battery arrests, one domestic battery report.
- Lieutenant Johnson saw a suspicious subject leave Safeway and made a car stop. The person that came out of the store had a bag of stolen alcohol, two other people in the car had drugs they all went to jail.
- One stolen vehicle report and recovered one stolen vehicle.
- Assault with a deadly weapon - adult son attacked his elderly mother, the mother sustained some injuries the son was arrested. Juvenile son attacked his father with a knife and was caught.
- One theft from an unlocked vehicle.
- One non-criminal death under investigation.
- Three identity thefts, two fraud cases.
- One runaway juvenile.
- Eight people arrested for methamphetamine.
- Traffic officers are back to work overtime in Discovery Bay due to traffic conditions. Modified Citizen's Police Academy for Brentwood Police Department will be held the last three Tuesdays of June and July from 6:00 pm – 8:30 p.m. President Graves stated that he would like to have the information flyer posted and advertised on Town of Discovery Bay's website.

3. CHP Report Presented by Officer, Donnie Thomas.

- Nine DUI arrest under the influence of alcohol, two under the influence of narcotics.
- DUI turnover - a mother was intoxicated with her three children; CHP Officer took the case and charged the mother with child endangerment.
- One warrant arrest, two site release arrest for misdemeanor hit and run, two site releases for unlicensed drivers, and one site release for suspended drivers' license.
- 21 speed citations, four registration, two equipment, one right-away violation, nine written warnings given, one stop sign, and one seatbelt violation.
- More enforcement will be conducted on Bixler near schools in the afternoons, also on Clipper and Newport.
- On May 23rd enforcement will be conducted in school zone areas primarily in Discovery Bay and Bryon predominately during the morning hours.
- Eight new officers are finishing training and will be on the road soon.
- Suspect that is known for predominately stealing trailers has been arrested.

4. East Contra Costa Fire Protection District Report.

None.

E. PRESENTATIONS

1. None.

F. DISCUSSION AND POSSIBLE ACTION

1. Discussion and Possible Action to Approve the Date, Time, and Proposed Budget for the Town of Discovery Bay to Host the Tuesday, September 27, 2022, Discovery Bay Chamber of Commerce Mixer Event.

No public comment.

Update Provided by General Manager, Dina Breitstein.

- General Manager, Dina Breitstein is requesting Board approval to host the Discovery Bay Chamber of Commerce mixer at the Community Center patio on September 27, 2022, from 5:30 p.m. to 7:30 p.m. budget not to exceed \$1,000.

Director Gutow made a Motion to Approve the Discovery Bay Chamber of Commerce Mixer.
Vice-President Porter second.

Vote: Motion Carried – AYES: 4, NOES: 0, ABSTAINED: 0, ABSENT: 1

G. MANAGER'S REPORT

None.

H. GENERAL MANAGER'S REPORT

None.

I. DIRECTOR REPORTS

1. Standing Committee Reports.

- a. Parks and Recreation Committee Meeting (Committee Members Ashley Porter and Byron Gutow). May 4, 2022.

Update Provided by Director Gutow.

- o Golf cart parking - due to Recreation Supervisor Gallo's excellent diligence the contractor is going to donate asphalt at no cost.
- o Landscape Manager will prepare Project Timeline chart.

- b. Water and Wastewater Committee Meeting (Committee Members Kevin Graves and Ashley Porter). May 4, 2022.

Update Provided by Vice-President Porter.

- o Update on rotors – broken rotor in ox ditch 3 is broken beyond repair. Renting floating rotors to keep the bugs alive until repairs can be done.
- o Denite Project – on schedule despite delays with material supply chain issues, will have time to test and complete project. Bonds have been approved and purchased.

2. Other Reportable Items by President Graves.

- o President Graves, Director Gutow and General Manager, Dina Breitstein are working together on an ad hoc committee for the new office building construction project. Five firms have been interviewed for needs assessment and architectural design build. Project will take approximately three years; recommendation will be coming to the Board.

J. DIRECTORS REGIONAL MEETING AND TRAINING REPORTS

1. East Contra Costa Fire Protection District Meeting – April 13, 2022 (President Graves).

K. CORRESPONDENCE RECEIVED

L. FUTURE AGENDA ITEMS

None.

M. OPEN SESSION DISCLOSURE OF CLOSED SESSION AGENDA

(Government Code Section 54957.7)

N. CLOSED SESSION:

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS ALLOWED UNDER GOVERNMENT CODE SECTION 54956.8.

Property: A Portion of APN 008-330-057 and 008-330-017, Discovery Bay

Agency Negotiator: Dina Breitstein, General Manager

Negotiating Parties: Discovery Bay Marina

Under Negotiation: Price and Terms of Payment

O. RETURN TO OPEN SESSION, REPORT ON CLOSED SESSION

(Government Code Section 54957.1)

No reportable action.

P. ADJOURNMENT

1. Meeting adjourned at 7:33 p.m. to the next Regular Meeting of the Board of Directors on May 18, 2022, beginning at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard.

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Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

May 18, 2022

Prepared By: Julie Carter, 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 \$ 545,653.01

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: C2

Request for Authorization to Pay Invoices
For The Meeting On May 18, 2022
Town of Discovery Bay CSD
Fiscal Year 7/21 - 6/22

W.R. Forde Associates, Inc.	\$246,538.51
Badger Meter	\$77,691.06
H & R Plumbing and Drain Cleaning	\$66,600.00
Herwit Engineering	\$40,934.62
SRS Crisafulli, Inc.	\$16,720.31
J.W. Backhoe & Construction, Inc.	\$15,412.83
U.S. Bank Corporate Payment System	\$15,213.29
JDH Corrosion Consultants, Inc.	\$8,955.00
Backflow Distributors, Inc.	\$7,624.79
Silicon Valley Paving, Inc.	\$5,097.88
Precision IT Consulting	\$4,297.58
Robert Half	\$3,538.20
Watersavers Irrigation Inc.	\$3,306.15
Janitorial Plus	\$3,090.00
Brentwood Ace Hardware	\$2,735.09
Bob Harkrader & Sons Trucking, Inc.	\$2,450.65
Delta Bay Builders & Roofing, Inc.	\$2,050.00
Dog Waste Depot	\$1,972.95
National Aquatic Services, Inc.	\$1,949.11
City Of Brentwood	\$1,729.00
Univar Solutions USA Inc.	\$1,664.71
Delta Fence Company, Inc.	\$1,625.00
Leslie's Pool Supplies, Inc.	\$1,483.14
Devil Mountain Wholesale Nurse	\$1,439.63
Luhdorff & Scalmanini	\$1,044.00
Karina Dugand	\$981.00
Verizon Wireless	\$866.46
Mt Diablo Resource Recovery	\$825.49
Lechowicz & Tseng Municipal Consultants	\$802.23
BACWA	\$757.76
Kevin Graves	\$690.00
Ashley Porter	\$575.00
Bryon Gutow	\$575.00
County of Contra Costa Public Works Dept	\$485.23
Streamline	\$480.00
Concentra	\$479.00
Contra Costa Health Services	\$462.00
Carolyn Graham	\$460.00
Michael Callahan	\$460.00
Bay Area News Group	\$396.00
Lincoln Aquatics	\$317.90
Department of Justice	\$245.00
Geotab USA, Inc.	\$197.50
UniFirst Corporation	\$126.28
Cintas	\$81.41
Daniel Elliott	\$80.00
Discovery Pest Control	\$70.00
County Of Contra Costa, Dept of Info Tec	\$59.25
FasTrak Invoice Processing Dept.	\$17.00

\$545,653.01



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT
RESOLUTION 2022-15**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TOWN DISCOVERY BAY
COMMUNITY SERVICES DISTRICT RE-AUTHORIZING REMOTE TELECONFERENCE
MEETINGS OF THE LEGISLATIVE BODY OF THE TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT PURSUANT TO BROWN ACT PROVISIONS**

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 body 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 body conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provision 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, the Town’s Board of Directors previously adopted a Resolution, Number 2021-16 on October 20, 2021, finding that the requisite conditions exist for the legislative body of the Town to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Board of Directors must make findings that the Board has reconsidered the circumstances of the state of emergency that exist in the Town, and that either the state of emergency continues to directly impact the ability of the members to meet safely in person, or State or local officials continue to impose or recommend measures to promote social distancing; and

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

WHEREAS, currently the dominant strain of COVID-19 in the country continues to be 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 and members; and

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

WHEREAS, the health orders issued by the Contra Costa County Health Officer to preserve the public health, including requiring all people in Contra Costa County who aren’t fully vaccinated, to adhere to indoor masking requirements, recommending measures for social distancing from non-household members for vaccinated individuals that have been exposed to COVID-19, and measures acknowledging that close contact to other persons increases the risk of transmission, remain in effect.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT 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. AB 361 Compliance. The Board of Directors began using teleconferencing in accordance with subdivision (e) of Section 54953 of the Government Code, as amended by AB 361, on October 20, 2021, and have made the requisite findings by majority vote not later than 30 days after October 20, 2021, and every 30 days thereafter.

Section 3. State of Emergency. The Board of Directors hereby reconsiders the circumstances of the current State of Emergency proclaimed by the Governor on March 4, 2020, and find that the ongoing conditions of the State of Emergency directly impact the ability of members to meet safely in person.

Section 4. Measures to Promote Social Distancing. The Board of Directors hereby finds that Cal-OSHA and the County Health Official continue to recommend measures to promote physical distancing.

Section 5. Remote Teleconference Meetings. The General Manager of the Town of Discovery Bay Community Services District is 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 6. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption.

Kevin Graves
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 meeting, held on May 18, 2022, by the following vote of the Board:

AYES:
NOES:
ABSENT:
ABSTAIN:

Dina Breitstein
Board Secretary



Water and Wastewater Monthly Report Town of Discovery Bay

Presented May 2022

Safety & Training

Safe Work Days: 4,628

VNA University:

Confined Space: Entry Team Training
for Maintenance Activities (OSHA
ANNUAL)

Weekly Safety Topics:

4/6 – Emergency Showers & Eyewash Stations

4/13 – Confined Space Awareness

4/18 – Training on Bacteriological Sample Siting Plan (BSSP)

4/27 – Injuries – World Safety & Health Day

**Water Well
Status**

Willow WTP

01

Active

02

Active

06

Active

Newport WTP

04

Active

05

Active
(Emergency)

07

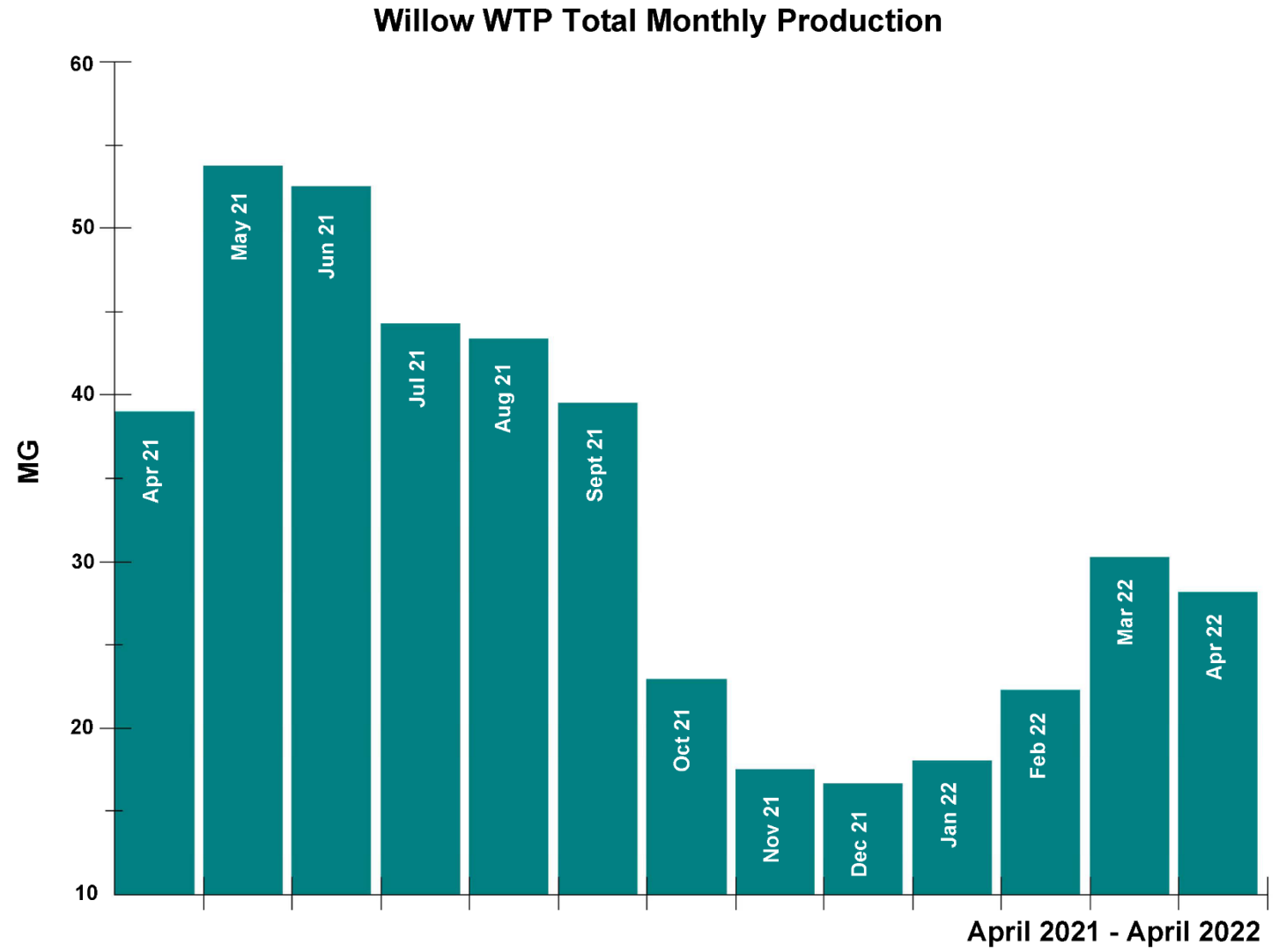
Active

Water Production & Chemicals

Willow WTP	Production (MG) 28.10	Chemicals (gal) (Sodium Hypochlorite) 1,127
Newport WTP	Production (MG) 51.20	Chemicals (gal) (Sodium Hypochlorite) 2,213
TOTAL	Production (MG) 79.30	Chemicals (gal) (Sodium Hypochlorite) 3,340

Water Production - Willow

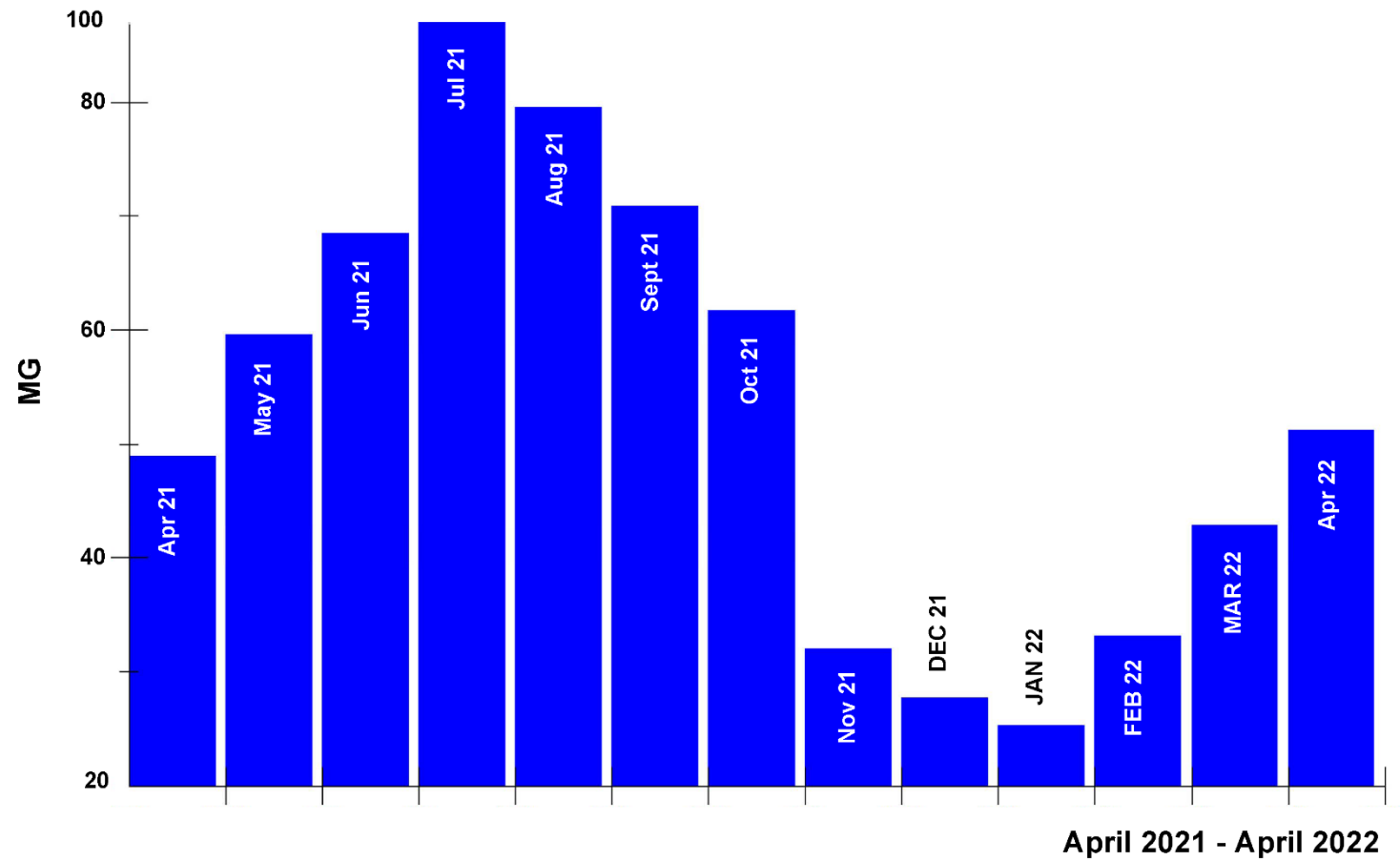
Total Monthly Production



Water Production - Newport

Total Monthly Production

Newport WTP Total Monthly Production



Water Compliance

Coliform Samples Collected: 20

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

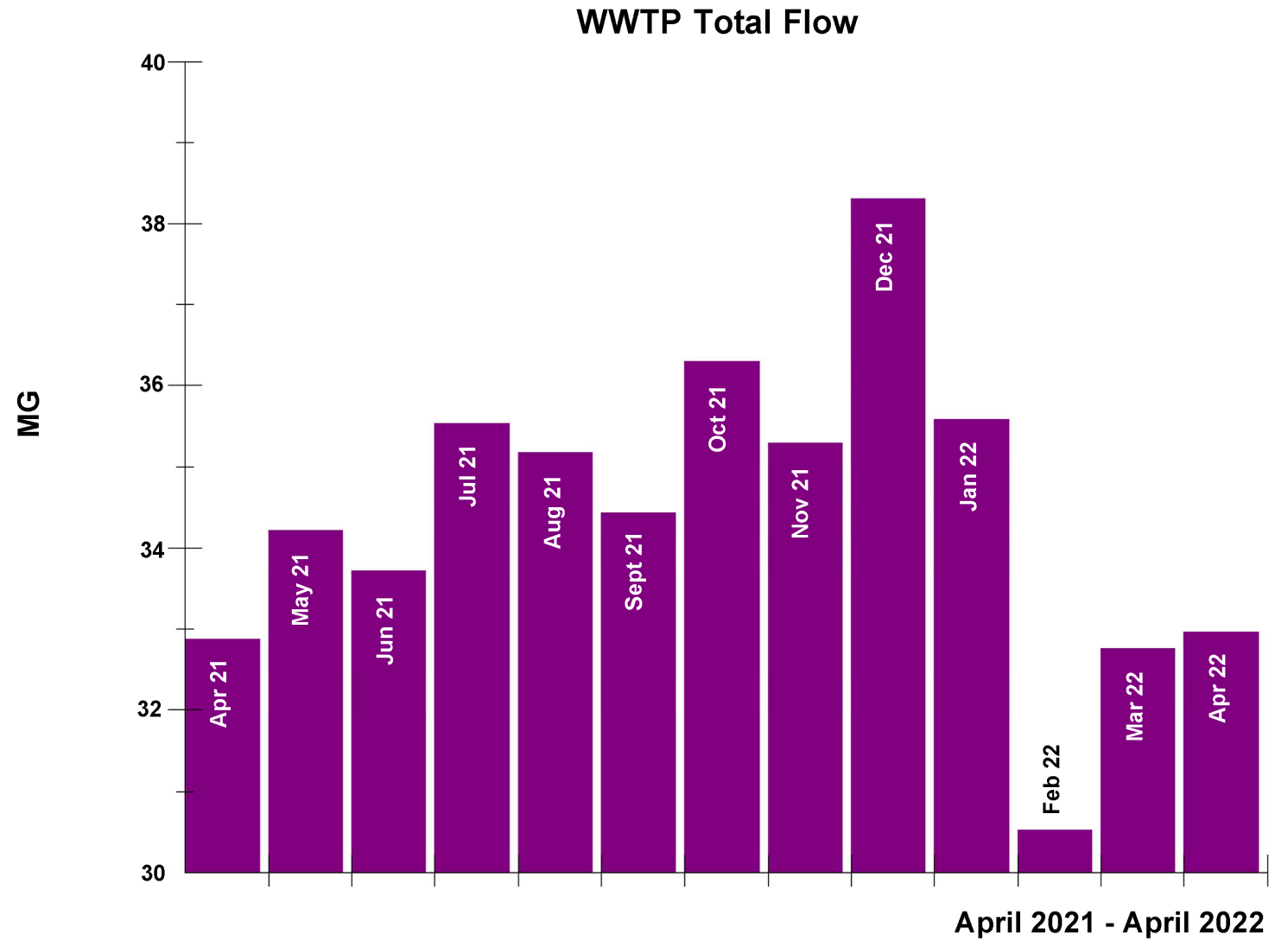
Active

Wastewater Flow & Chemicals

WW Plant 1	Total Flow (MG) 0	Influent Flow avg. (MG) 0	Discharge Flow avg. (MG) 0
WW Plant 2	Total Flow (MG) 32.96	Influent Flow avg. (MG) 1.17	Discharge Flow avg. (MG) 1.10
	Last Year Flow (MG) 32.87	Polymer (gal) 0	Alum (gal) 0

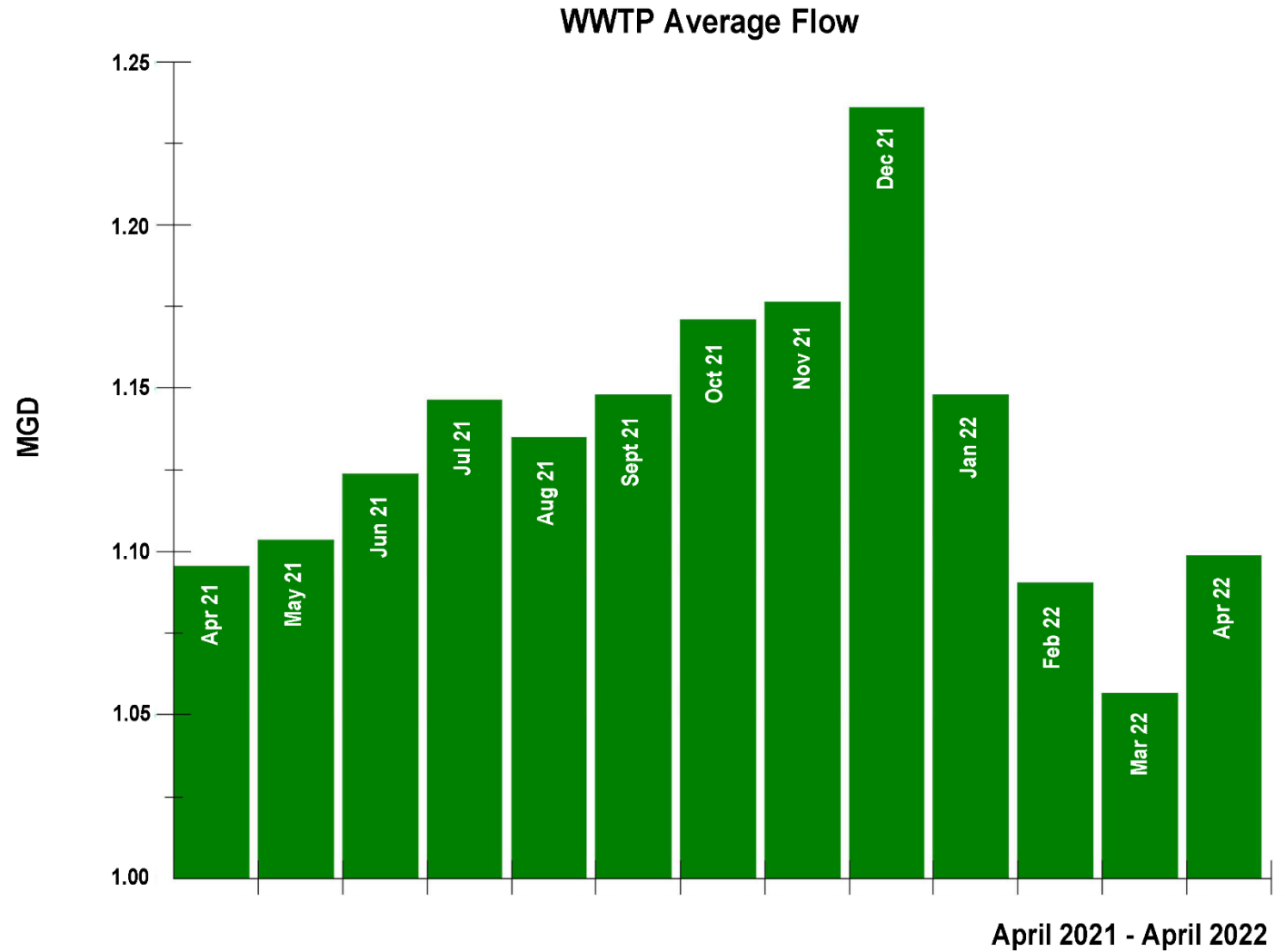
WWTP 2

Total Monthly Flow



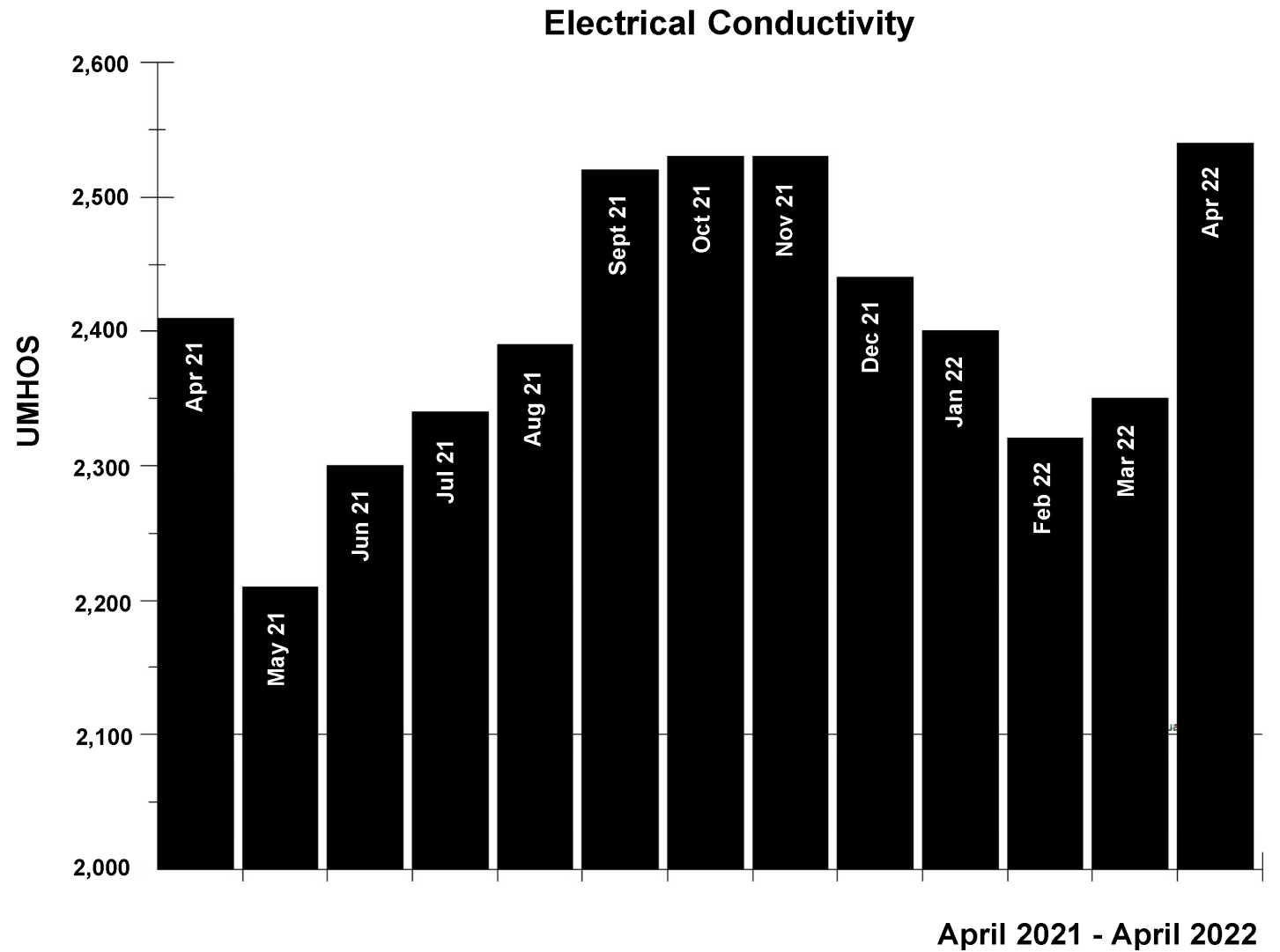
WWTP 2

Average Discharge Flow



WWTP 2

Monthly Conductivity



Wastewater Compliance

Effluent BOD₅, mg/L < 10: 0.9

Effluent TSS, mg/L < 10: 0.7

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%: 99.7%

Removal TTS, monthly > 85%: 99.7%

Conductivity annual avg < 2,400: 2,403

Maintenance & Improvements

SSOs: 0

Customer Inquires: 0



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

May 18, 2022

Prepared By: Julie Carter, Finance Manager
Submitted By: Michael R. Davies, Interim Assistant General Manager

Agenda Title

Discussion and Possible Action to Approve Resolution 2022-16 Amending Board Policy No.002 Bylaws – Deleting Contra Costa County as the District's Treasurer and Naming the General Manager as the District's Treasurer.

Recommended Action

Approve Resolution 2022-16 Amending Board Policy No.002 Bylaws – deleting Contra Costa County as the District's Treasurer and naming the General Manager as the District's Treasurer.

Executive Summary

On November 3, 2021, the Town of Discovery Bay Board of Directors (District) approved Resolution 2021-15 authorizing the appointment of the General Manager as the District's Treasurer; and authorized the transfer of the District's funds to be transferred from the Contra Costa County Treasurer's Office to the District's bank accounts at BAC Bank.

On December 8, 2021, the Contra Costa County Board of Supervisors approved TODB Resolution 2021-15.

On April 20, 2022, the District received the 1st of the fund transfers from the Contra Costa County Treasurer.

Currently, Board Policy No.002 – Bylaws, state that Contra Costa County is the District's Treasurer. This Policy needs to be updated to state that the District's Treasurer is the District's General Manager.

Resolution 2022-16 and Draft Amended Board Policy No.002 – Bylaws are attached (text changes are in colored print).

Fiscal Impact:

Amount Requested: N/A

Sufficient Budgeted Funds Available?: Yes

Prog/Fund # Category:

Previous Relevant Board Actions for This Item

Resolution 2021-15 Authorizing Appointment of Treasurer and funds transfer from County

Resolution 2020-28 Policy No.002 Bylaws

Attachments:

Resolution 2022-16

Draft Amended Board Policy No.002 – Bylaws

AGENDA ITEM: F1



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2022-16**

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE TOWN DISCOVERY BAY,
A CALIFORNIA COMMUNITY SERVICES DISTRICT,
AMENDING THE BYLAWS AND BOARD POLICY OF THE TOWN OF DISCOVERY BAY**

WHEREAS, the Town of Discovery Bay Community Services District (the “Town”) is a public agency and complies with a number of federal and state statutes, and local laws and regulations; and

WHEREAS, it is in the public’s interest that the Board of Directors adopts and from time to time reviews a set of established Town of Discovery Bay Bylaws to provide for those exercise of powers as established in California Government Code Section 61000 et seq. (Community Services District Law); and

WHEREAS, the Bylaws of the Town were originally adopted by Resolution No. 98-07 on March 25, 1998, and were most recently amended on December 16, 2020; and

WHEREAS, the Town’s Board of Directors desire to revise Section 1B, of Article V, of the Bylaws to delete Contra Costa County serving as the Town’s Treasurer and name the Town’s General Manager as the Town’s Treasurer; and

WHEREAS, it is now necessary to make certain changes and amend the Town of Discovery Bay Bylaws and Board Policy.

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

SECTION 1. That the Bylaws of the Town of Discovery Bay are hereby amended as set forth in Section 1B, of Article V - Appointed Officers, of Policy 002 – Bylaws attached to this Resolution and are incorporated by this reference as though fully set forth herein.

SECTION 2. That these Amended Bylaws and Board Policy shall become effective immediately upon adoption of this Resolution.

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

Kevin Graves
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 meeting, held on May 18, 2022, by the following vote of the Board:

AYES:
NOES:
ABSENT:
ABSTAIN:

Dina Breitstein
Board Secretary



Town of Discovery Bay

Program Area: Board	Policy Name: Bylaws	Policy Number: 002
Date Established: March 25, 1998	Date Amended: December 16, 2020 May 18, 2020	Resolution: 2020-28 2022-16

ARTICLE I

NAME

This unit of local government shall be known as the Town of Discovery Bay, a Community Services District, with powers and territorial boundaries as prescribed in Resolution No. 97/295 of the Board of Supervisors of Contra Costa County, State of California, dated June 10, 1997, and as provided by law.

ARTICLE II

PURPOSE

The purposes of the Town of Discovery Bay, as approved by the Local Agency Formation Commission and by law, are

- A. To Operate as a Community Services District and provide water distribution, wastewater connection and treatment; and parks, landscaping and recreation services to the residents of Discovery Bay.
- B. To provide for those exercise of those powers set forth in Government Code §61000 et seq. (Community Services District Law).
- C. To continue the advisory responsibilities of the Discovery Bay Municipal Advisory Council;
- D. To serve the residents of the Town of Discovery Bay, in the manner provided by law.

ARTICLE III

BOARD OF DIRECTORS

Section 1. Board of Directors

The governing body of the District shall consist of five (5) elected Directors, each of whom shall serve for a term of four (4) year staggered terms. During elections every two (2) years, either two (2) or three (3) Directors are elected to serve to the District for the next four (4) years.

Section 2. Compensation

The Board may authorize each Director to receive compensation of One Hundred and Fifteen Dollars (\$115.00) for each meeting of the Board attended, and One Hundred Fifteen Dollars (\$115.00) for each day's service not to exceed Six Hundred Ninety Dollars (\$690.00) per month as provided in Government Code §61047 and Chapter 2 commencing with Section 20200 of Division 10 of the Water Code.

Director participation in and completion of any mandatory training program for Directors required by California law shall be considered a single "day of service" approved for compensation only upon the Director's actual completion of each mandatory training program and the Director's delivery of a written report to the Board regarding the Director's participation in and completion of the mandatory training program at the next Board meeting following the Director's completion of the mandatory training program.

Director attendance at Regional Meetings shall only count as a compensated day of service when attendance at a Regional Meeting is specifically authorized in advance by the full Board.

Travel and such other necessary expenses actually incurred in performing District duties shall be reimbursed, and such reimbursement shall be in addition to the compensation specified herein consistent with the authorized Reimbursement and Travel Policy.

Section 3. Vacancies

- A. Vacancies on the Board shall be filled in accordance with Government Code § 1780.
- B. Vacancies shall be deemed to exist as provided in Government Code § 1770.

Section 4. Resignation

A Director may resign at any time by giving written notice to the Board, to the President, or to the Secretary of the Board. Any such resignation shall take effect at the date of the receipt of such notice or at any later time specified therein; and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

ARTICLE IV

OFFICERS

Section 1. Elected Officers

The elected officers shall be chosen by the Board from among the five (5) members of the Board and shall consist of a President (who may be called "Chair") and a Vice-President (who may be called "Vice-Chair").

Section 2. Terms and Responsibilities of Elected Officers

Elected Officers of the Board, as provided in Article IV, Sec. 1, shall be elected by the Board at the first meeting in January and shall serve for one (1) year, said term to commence upon election. All elected officers shall be eligible to serve successive terms, except that the President shall be eligible to serve not more than two (2) full successive terms as President.

Board members shall comply with all applicable local, state, and federal laws, including, but not limited to, the participation in and completion of any mandatory training program for Board members required by California law.

Board members may serve on Standing Committees, Ad Hoc Committees, and attend Regional Meetings as necessary.

Board members shall be assigned to attend Regional Meetings. Director attendance at Regional Meetings as a representative of the Board shall only be compensated as a day of service, when attendance at a specific Regional Meeting is approved in advance by the full Board.

Regional Representation is to be assigned based upon the position held by the Board member and the seniority of each member of the Board. Board members will have preference of committee selections in the following order: President and Vice-President, followed by the senior most next consecutive Board members. In the event seniority cannot be determined due to the date of assumption of office, the Board member with the highest vote count in their most recent election shall prevail as the senior member for purposes of this selection procedure. This procedure shall be used to fill Primary and Alternate members to respective Regional Representation. Board Members shall be assigned to the Regional Meetings for a two-year term.

The Board shall maintain five (5) advisory Standing Committees. Two members of the Board of Directors shall be assigned to each Standing Committee. The Standing Committees and their subject matter and responsibilities are as follows:

1. WATER AND WASTEWATER COMMITTEE

- a. Provide guidance/policy recommendations regarding all water and wastewater operations and planning.

2. PARKS AND RECREATION COMMITTEE

- a. Provide guidance/policy recommendations regarding community center operations/activities, parks and recreation activities and landscaping efforts.

3. FINANCE COMMITTEE

- a. Provide guidance/policy recommendations regarding budgets, investments/debt and the Public Financing Authority.

4. COMMUNICATIONS COMMITTEE

- a. Provide guidance/policy recommendations regarding all Town of Discovery Bay Community Services District external communications activities.

5. INTERNAL OPERATIONS COMMITTEE

- a. Provide guidance/policy recommendations regarding Town of Discovery Bay Community Services District personnel policies and general administration of the organization.

Each advisory Standing Committee shall meet within the boundaries of the Town of Discovery Bay Community Services District or at a Town of Discovery Bay Community Services District facility. Each Standing Committee shall establish its meeting schedule, which shall, at a minimum, meet at least quarterly. Said meetings shall be noticed pursuant to the Brown Act.

Board Standing Committees are to be assigned based upon the position held by the Board member and the seniority of each member of the Board. Board members will have preference of committee selections in the following order: President and Vice-President, followed by the senior most next consecutive Board members. In the event seniority cannot be determined due to the date of assumption of office, the Board member with the highest vote count in their most recent election shall prevail as the senior member for purposes of this selection procedure. This procedure shall be used to fill two appointees to each Standing Committee. Board Members shall serve on the Standing Committee for a two-year term. Board members may voluntarily trade committee assignments with another Board member by mutual consent.

The Board may establish Ad Hoc Committees that may become necessary from time to time to receive input from the public on a specific subject matter and limited in term, and formed by Resolution of the Board.

A. General Responsibilities of the Board President

1. Shall preside at all meetings of the board and such other meetings approved by the Board, and have authority to call for short recesses during meetings unless a majority of the Directors by vote oppose a recess.
2. Cooperatively work with the General Manager/Board Secretary and Staff on the preparation of CSD Meeting Agendas and its contents.
3. Shall serve as official spokesperson for the Board.
4. Shall designate Directors or others to represent the Board at various meetings, hearings, and conferences, as confirmed by the Board. May co-sign all checks for warrants approved by the Board.
5. Shall perform such other duties as necessary to carry out the work of the Board.
6. Shall perform such duties as prescribed by law.

B. General Responsibilities of the Vice-President

1. Shall serve in the absence of the President.

C. Senior Most Board Member

1. Shall serve in the absence of the President and the Vice-President.
2. In the event seniority cannot be determined due to the date of assumption of office, the Board member with the highest vote count in their most recent election shall prevail as the senior member for purposes of this selection procedure.

ARTICLE V

APPOINTED OFFICERS

Section 1. Appointed Officers

- A. The appointed officers of the District shall be General Manager, and a Secretary, who may be the same person, but neither of whom shall be a Director. The duties of the appointed officers shall be as specified in law, and as directed by the Board.
- B. Pursuant to Government Code §61050(c), the ~~treasurer of the County of Contra Costa~~ District's General Manager shall serve as the District Treasurer, and shall be the depository and have the custody of all of the district's money except those accounts that are lawfully on deposit with Contra Costa County. authorized under the Community Services District laws and/or in effect prior to January 1, 2006.

The Board may appoint such other officers as it deems necessary.

Section 2. General Responsibilities of the General Manager

- A. Appraise and evaluate the effects of the Board policies and the manner of their execution, and the efficiency of District personnel in terms of services rendered to the people of the District.
- B. Provide leadership to staff in identifying District needs, establishing priorities and determining the objectives, which will achieve the established goals of the District.
- C. Encourage and assist staff in the performance of their duties and encourage their professional growth.
- D. Ensure evaluation of personnel under his/her direction.
- E. Interpret and publicize the programs and services of the District for and to the public.
- F. ~~P~~Provide financial oversight of the District and Contra Costa County pursuant to funds on deposit at that agency.
- G. Lead the District management team in the preparation of the budget, control of expenditures, inventory control, program planning, changing priorities and public relations.
- H. Perform the function of the District's Public Information Officer.
- I. Participate in community activities.

- J. Continue a program of professional development to assure and enhance staff's professional growth.
- K. Keep the Board informed of all communications affecting the District.

Section 3. General Responsibilities of the Secretary of the Board

- A. Certify official documents and letters as required.
- B. Maintain the official files and records of the Board.
- C. Prepare the agenda for the Board meetings.
- D. Prepare and distribute minutes of the meeting of the Board.
- E. Maintain historical record and newspaper articles.
- F. Post agendas, minutes, public notices and proposed action documents as required by Board and government regulations.

ARTICLE VI

MEETINGS

Section 1. Regular and Special Meetings

- A. The Board shall hold a regular meeting on the first (1st) and third (3rd) Wednesdays of each month, at the District Office located at 1800 Willow Lake Road, Discovery Bay, California 94505. Such regular meetings shall be for considering reports of the affairs of the District and for transacting such other business as may be properly brought before the meeting. Such meetings may be altered as to date, time and place, as provided for in a Resolution adopted by the Board.
- B. Special meetings may be called in accordance with the California Ralph M. Brown Act of 1953, as amended (hereafter Brown Act).

All meetings shall be conducted in accordance with the Brown Act.

Section 2. Quorum

The Board shall be empowered to conduct the business of the District whenever there is present at a properly called meeting, a quorum, as defined as comprising a majority of the existing Directors; normally three (3); except as otherwise provided by law. Pursuant to Government Code §61045, the affirmative votes of three (3) members of the Board are required for action to be taken.

Section 3. Voting

- A. Voting shall only be conducted at proper noticed meeting where a quorum has been established and members are physically present.
- B. Voting shall be by voice, show of hands, or roll call vote.
- C. Any vote that is other than unanimous shall be recorded by name of the voting member and whether the member voted "AYE", "NO" or "ABSTAIN".

Section 4. Notice of Regular and Special Meetings

- A. Notices of Regular Meetings shall be pursuant to the Brown Act. Such notices shall specify the place, the day, and the hour of the meeting and accompanying the notice shall be a copy of the agenda for that meeting.
- B. Notices of Special Meetings shall be pursuant to the Brown Act. In the case of special meetings, the notice, written or by telephone, shall specify the specific nature of the business to be transacted.

ARTICLE VII

PAYMENTS, CONTRACTS, AND REPORTS

Section 1. Payments

All checks, warrants, drafts, or other orders for payment of money, notes, or other evidences of indebtedness issued in the name of, or payable to, the District, shall be signed or endorsed by at least two of the District officials listed below:

- General Manager
- Assistant General Manager
- Finance Manager
- Member of the District Board of Directors

Section 2. Contracts

The Board, except as in the Bylaws otherwise provided, may authorize any officer or officers, agent or agents, to enter into any contract or execute any instrument in the name of, and on behalf of, the District. Such authority may be general or confined to specific instances. Unless so authorized by the Board, no officer, agent, or employee shall have any power or authority to bind the District by any contract or engagement, to pledge its credit, or to render it liable for any purpose or to any amount.

Section 3. Reports

The Board shall prepare and cause to be sent an annual water quality report to the residents of the District.

ARTICLE VIII

PARLIAMENTARY AUTHORITY

Rosenberg's Rules of Order, current edition or such other authority as may be subsequently adopted by resolution of the Board is to apply to all questions of procedure and parliamentary law not specified in these Bylaws or otherwise by law. All motions made at Board meetings shall require a second to the motion prior to the Directors voting. The President of the Board may unilaterally call for a recess at any time during a Regular or Special Meeting of the Board. The Board President may unilaterally adjourn the meeting unless a majority of the Board votes to continue the meeting.

ARTICLE IX

AMENDMENTS

The Bylaws may be repealed or amended, or new Bylaws may be proposed, by resolution and the affirmative vote of at least three (3) members of the Board at any regular meeting of the Board, provided notice of such proposal shall be in compliance with the Brown Act, as amended.



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

May 18, 2022

Prepared By: Julie Carter, Finance Manager
Submitted By: Michael R. Davies, Interim Assistant General Manager

Agenda Title

Discussion and Possible Action to Amend Finance Policy No.003 Investment Policy – Deleting Contra Costa County as the District's Treasurer and Naming the General Manager as the District's Treasurer.

Recommended Action

Approve Amending Finance Policy No.003 Investment Policy - to remove Contra Costa County as the District's Treasurer, name the General Manager as the District's Treasurer, and approve other associated text changes as indicated in Draft Amended Policy No.003 (attached).

Executive Summary

On November 3, 2021, the Town of Discovery Bay Board of Directors (District) approved Resolution 2021-15 authorizing the appointment of the General Manager as the District's Treasurer; and authorized the transfer of the District's funds to be transferred from the Contra Costa County Treasurer's Office to the District's bank accounts at BAC Bank.

On December 8, 2021, the Contra Costa County Board of Supervisors approved TODB Resolution 2021-15.

On April 20, 2022, the District received the 1st of the fund transfers from the Contra Costa County Treasurer.

Currently, Finance Policy No.003 Investment Policy, names Contra Costa County as the District's Treasurer. This Policy needs to be amended to reflect that the District's General Manager is now the District's Treasurer.

Draft Amended Finance Policy No.003 is attached. Changes are indicated in red.

Fiscal Impact:

Amount Requested: N/A

Sufficient Budgeted Funds Available?:

Prog/Fund # Category:

Previous Relevant Board Actions for This Item

Resolution 2021-15 Authorizing Appointment of Treasurer and funds transfer from County

Resolution 2012-02 Policy #003 Investment Policy

Attachments:

Draft Amended Board Policy No.003 Investment Policy

AGENDA ITEM: F2



Town of Discovery Bay

Program Area: Finance	Policy Name: Investment Policy	Policy Number: 003
Date Established: July 1, 1998	Date Amended: January 18, 2012	Resolution: 2012-02

A. Purpose

The purpose of the Investment Policy for the Town of Discovery Bay Community Services District, hereinafter District, is intended to establish the guiding principles and provide direction to the General Manager for the prudent and beneficial investment of all funds and monies of the District. Any reference to the financial investment portfolio shall mean the total District cash and securities, ~~under management by Contra Costa County on behalf of the District.~~

B. Authority

Pursuant to California Government Code §61050(~~cb~~), the ~~Contra Costa County Treasurer~~ District's General Manager shall serve as the Treasurer of the District.

~~The Contra Costa County Treasurer directs investments pursuant to the Contra Costa County Investment Policy, adopted pursuant to Board of Supervisor action on June 21, 2011. The Contra Costa County Investment Policy is included as a part of this Policy and shall serve as the prevailing Investment Policy of the District.~~

Government Code §56301(see Exhibit A) and related subsections permits the types of investments allowed in California for local public agencies. Investment regulations emphasize preservation of capital and are conservative in nature. The authority to invest as defined in the Government Code is delegated to the local agency's legislative board for re-delegation to its General Manager.

~~C.~~ Contra Costa County Governance

~~The District is restricted regarding the investment process and its investments are administered and managed by the Contra Costa County Investment Policy. The Town of Discovery Bay CSD is limited to electing the investment type, determining the duration of that investment, and directing the amount to be invested. The Contra Costa County Treasurer directs investments in accordance with the Contra Costa County Investment Policy.~~

~~D.C.~~ Basic Policy and Objectives

The District's Investment policy is a conservative policy guided by the following four (4) principles of public investment fund management.

- Prohibition of Risk. Investments shall not include any funds in inverse floater, or any security that could result in zero or negative interest accrual if held to maturity, or range notes, or interest-only strips

that are derived from a pool of mortgages as to eliminate financial risk. (see Exhibit "A" for a list of Permitted Investments)

2. Safety of Principal. Investments shall be undertaken in a manner which first seeks to preserve portfolio principal.

3. Liquidity. Investments shall be made with maturity dates that are compatible with cash flow requirements and which will permit easy and rapid conversion into cash, at all times, without substantial loss of value.

~~3.~~

4. Return on Investment. Investments shall be undertaken to produce an acceptable rate of return after the first consideration for principal and liquidity.

E.D. Management of Investments

Pursuant to Government Code §61050(cb), the Treasurer ~~of Contra Costa County serves as Treasurer~~ of the District is the General Manager and is therefore responsible for overseeing the District's investment portfolio. ~~The District is, however, responsible for directing the Treasurer as to the authorized types of investments, maturity dates, and amount in each investment vehicle.~~ It is the Policy of the District to ensure that all District investments adhere to the following four (4) tenants of investment security:

a. Diversification. ~~TODBCSD~~ The District shall maintain a portfolio of authorized investments with diversified maturities, issuers and security types to avoid the risk inherent in over investing in any one sector.

b. Reporting Requirements. Annually the General Manager will report the Return on Investment (ROI) to the Board of Directors for review.

c. Performance Assessment. An assessment and overall gauge of the health of the investment portfolio shall be conducted annually to evaluate the effectiveness of the ~~TODBCSD's District's~~ investment program. The purpose of this review, in addition to evaluation of performance, is to provide the platform and possible recommendations for change and improvement to the portfolio to the Board of Directors.

d. Conflicts. In the event any provision of this Investment Policy is in conflict with any State or Federal statute, the provisions of each statute shall govern.

Exhibit "A" Permitted Investments

Allowable investment instruments per state government code (as of January 1, 2011)

Applicable to all local agencies:

Investment Type	Maximum Maturity	Maximum Specified % of Portfolio	Minimum Quality Requirements
Local Agency Bonds	5 Years	None	None
U.S. Treasury Obligations	5 Years	None	None
State Obligations CA and Others	5 Years	None	None
CA Local Agency Obligations	5 Years	None	None
Bankers' Acceptances	180 Days	40%	None
Commercial Paper - Select Agencies	270 Days	25% of the Agency's Money	<i>"A-1" if the issuer has issued long-term debt it must be rated "A" without regard to modifiers"</i>
Commercial Paper - Other Agencies	270 Days	40% of the Agency's Money	<i>"A-1" if the issuer has issued long-term debt it must be rated "A" without regard to modifiers"</i>
Notable Certificates of Deposit	5 Years	30%	None
CD Placement Service	5 Years	30%	None
Repurchase Agreements	1 Year	None	None
Reverse Repurchase Agreements and Securities Lending Agreements	92 Days	20% of the Base Value of the Portfolio	None
Medium Term Notes	5 Years	30%	"A" Rating