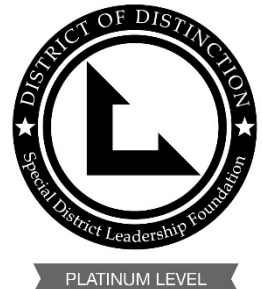




TOWN OF DISCOVERY BAY

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 October 19, 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/1824366194245542925>

Webinar ID#: 325-356-379

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 (415) 930-5321 ID# 804-449-053

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 5, 2022.
2. Approve Register of District Invoices.
3. Approve Resolution 2022-35 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

E. PRESENTATIONS

1. Introduction of New Assistant General Manager.

F. DISCUSSION AND POSSIBLE ACTION

1. Discussion and Possible Action to Rescind Resolution No. 2012-02 Adopting an Investment Policy and Adopt Resolution No. 2022-36 Establishing the Revised Investment Policy for the Town of Discovery Bay Community Services District "(CSD)".

G. MANAGER'S REPORT

H. GENERAL MANAGER'S REPORT

I. DIRECTOR REPORTS

J. DIRECTORS REGIONAL MEETING AND TRAINING REPORTS

K. CORRESPONDENCE RECEIVED

L. MUNICIPAL ADVISORY COUNCIL

1. Discussion and Possible Action Regarding Contra Costa County Agency Comment Request File #CDDP22-03040.

M. FUTURE AGENDA ITEMS

N. ADJOURNMENT

1. Adjourn to the next Regular Meeting of the Board of Directors on November 2, 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."

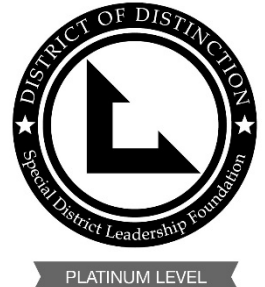
"Materials related to an item on the Agenda submitted to the Town of Discovery Bay after distribution of the agenda packet are available for public inspection in the District Office located at 1800 Willow Lake Road during normal business hours."



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

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
Wednesday October 5, 2022, 7:00 P.M.**

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Meeting called to order at 7:00 p.m.
2. Attorney Andy Pinasco led Pledge of Allegiance.
3. Roll Call was taken and all members were present.

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

- First speaker voiced concerns regarding Airbnb.
- Second speaker voiced concerns regarding Airbnb.
- Third speaker voiced concerns regarding Airbnb.
- Fourth speaker spoke on possible solutions regarding Airbnb.

President Graves gave an update on what the District is able to do regarding Airbnb's. He stated the Board of Directors has sent letters to the Board of Supervisors and has brought up the subject multiple times with Code Enforcement.

Director Graham directed residents to our website where they can view the letter sent to the Board of Supervisors.

- Fifth speaker asked why we are not an incorporated town. President Graves directed her to call staff at the Town offices to get a comprehensive understanding.

Stephen Griswold the District Representative for Diane Burgis's Office spoke via teleconference. He encouraged residents to continue to call code enforcement and the Sheriff's office with their concerns.

Vice President Porter told residents to call the Sheriff's office first so that there is a report for Code Enforcement to reference as they do not work on the weekends.

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 September 21, 2022.
2. Approve Register of District Invoices.
3. Approve Resolution 2022-34 Re-Authorizing Remote Teleconference Meetings of the Legislative Body of the Town of Discovery Bay Community Services District Pursuant to the Brown Act Provisions.

Director Gutow made a Motion to Approve the Consent Calendar.
Director Graham seconded.

Vote: Motion carried – AYES: 5, NOES 0, ABSTAINED 0, ABSENT 0.

D. AREA AGENCIES AND LIAISON REPORTS / PRESENTATIONS

1. Supervisor Diane Burgis, District III Report.

Presented by Stephen Griswold.

- Board of Supervisors opened a time capsule from the old County Administration building that is being demolished.
 - Board of Supervisors is putting together a time capsule for the new facility. The Town of Discovery Bay submitted a letter to be included in the new time capsule.
 - Board of Supervisors is hosting a Veterans' Round Table Discussion and Resource Fair tentatively scheduled for November 12, 2022.
 - There are no new developments on the proposed apartment complex in Discovery Bay.
 - The general amendment for the fire house was approved at the Board of Supervisors meeting.
2. Sheriff's Office Report.
None.
 3. CHP Report.
None.
 4. ~~Contra Costa Fire Report~~ (Assignment by Con Fire Pending)
None.

E. PRESENTATIONS

F. DISCUSSION AND POSSIBLE ACTION

1. Discussion and Possible Action to Accept Capacity Fee Charge Report for Fiscal Year 2021-22.

Presented by Finance Manager, Julie Carter.

- There was one residential sewer permit issued for a total of \$17,080.00.
- Water & Wastewater ending balance on June 30, 2022, was \$1,855,881.07.

Director Callahan made a Motion to Accept Capacity Fee Charge Report for Fiscal Year 2021-22.
Vice President Porter seconded.

Vote: Motion carried – AYES: 5, NOES 0, ABSTAINED 0, ABSENT 0.

2. Discussion and Possible Action to Approve Reimbursement Disclosure Report – Gov. Code 53065.5

Presented by Finance Manager, Julie Carter.

- There were two reimbursements over the \$100 threshold for last year.

Director Gutow made a Motion to Approve Reimbursement Disclosure Report – Gov. Code 53065.5
Director Graham seconded.

Vote: Motion carried – AYES: 5, NOES 0, ABSTAINED 0, ABSENT 0.

3. Discussion and Possible Action to Approve an Employment Contract with Michael R. Davies to Provide Services on an As-Needed Basis During the Period of October 16, 2022, through June 30, 2023, and Authorize Board President to Sign the Agreement on Behalf of the District.

Presented by General Manager, Dina Breitstein.

- Interim General Manager Michael R. Davies will stay on to help train the new Assistant General Manager as well as provide services on an as-needed basis through June 30, 2023.

Vice President Porter made a Motion to Approve an Employment Contract with Michael R. Davies to Provide Services on an As-Needed Basis During the Period of October 16, 2022, through June 30, 2023, and Authorize Board President to Sign the Agreement on Behalf of the District.

Director Graham seconded.

Vote: Motion carried – AYES: 5, NOES 0, ABSTAINED 0, ABSENT 0.

G. MANAGER’S REPORT

H. GENERAL MANAGER’S REPORT

Presented by General Manager, Dina Breitstein.

- Allan Cantando has been hired as the new Assistant General Manger effective October 17, 2022. He will be introduced at the October 19, 2022, Board of Directors meeting.

I. DIRECTOR REPORTS

J. DIRECTORS REGIONAL MEETING AND TRAINING REPORTS

1. Contra Costa County Fire Protection District Advisory Fire Commission Meeting– September 12, 2022 (President Kevin Graves).
2. Contra Costa County Aviation Advisory Committee Meeting– September 14, 2022 (President Kevin Graves).
3. Liberty Union High School District Board Meeting- September 21, 2022 (President Kevin Graves).

K. CORRESPONDENCE RECEIVED

1. Delta Stewardship Council – Proposed Amendment to Existing Regulation.

L. MUNICIPAL ADVISORY COUNCIL

1. Discussion and Possible Action Regarding Municipal Advisory Committee Agency Comment Request- County File #CDLP22-02055.

Presented by General Manager, Dina Breitstein.

- Staff has no comment on County File #CDLP22-02055.

Vice President Porter made a Motion to approve staff recommendation of no comment Regarding Municipal Advisory Committee Agency Comment Request- County File #CDLP22-02055.

Director Callahan seconded.

Vote: Motion carried – AYES: 5, NOES 0, ABSTAINED 0, ABSENT 0.

M. FUTURE AGENDA ITEMS

N. ADJOURNMENT

1. Meeting adjourned at 7:40 p.m. to the next Regular Meeting of the Board of Directors on October 19, 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.”

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Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

October 19, 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 \$ 2,026,194.40

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 2022/2023

AGENDA ITEM: C-2

Request for Authorization to Pay Invoices

For The Meeting On October 19, 2022

Town of Discovery Bay CSD

Fiscal Year 7/22 - 6/23

U.S. Bank	\$1,577,929.89
Veolia Water North America	\$196,620.56
J.W. Backhoe & Construction, Inc.	\$63,026.23
Artisan Panels, Inc.	\$42,251.55
Town of Discovery Bay CSD	\$35,952.37
Neumiller & Beardslee	\$33,001.60
U.S. Bank Corporate Payment System	\$16,118.03
Contra Costa County Treasurer-Tax Collct	\$13,416.78
Badger Meter	\$6,969.59
Robert Half	\$6,319.12
Univar Solutions USA Inc.	\$4,744.31
Precision IT Consulting	\$4,306.25
Herwit Engineering	\$3,182.50
Mt Diablo Resource Recovery	\$2,771.28
National Aquatic Services, Inc.	\$2,260.00
ParcelQuest	\$1,799.00
Brentwood Ace Hardware	\$1,688.20
Michelle Dominge	\$1,552.50
Bob Harkrader & Sons Trucking, Inc.	\$1,387.80
Karina Dugand	\$1,221.75
ODP Office Solutions, LLC	\$1,214.28
Alhambra	\$1,157.18
Verizon Wireless	\$941.58
Kevin Graves	\$690.00
California Park & Recreation Society	\$550.00
Watersavers Irrigation Inc.	\$502.08
Streamline	\$480.00
Ashley Porter	\$460.00
Bryon Gutow	\$460.00
Carolyn Graham	\$345.00
Michael Callahan	\$345.00
Core & Main LP	\$301.24
Dog Waste Depot	\$300.04
Harris & Associates	\$280.00
Concentra	\$270.00
Community Center Refund Customer	\$250.00
Geotab USA, Inc.	\$197.50
UniFirst Corporation	\$188.96
Julie Carter	\$174.25
Cintas	\$134.23
Denalect Alarm Company	\$126.00
Discovery Pest Control	\$99.00
Shred-It USA-Concord	\$93.92
Holt Of California, Inc.	\$57.82
Department of Justice	\$49.00
Water Utility Refund Customer	\$8.01

\$2,026,194.40



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT
RESOLUTION 2022-35**

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 Contra Costa County Health Officer, through guidance and current health orders, strongly encourages indoor masking for everyone, regardless of vaccination status, recommends measures for social distancing when individuals have been exposed to COVID-19, and also acknowledges that close contact to other persons increases risk of transmission.

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 October 19, 2022, by the following vote of the Board:

AYES:
NOES:
ABSENT:
ABSTAIN:

Dina Breitstein
Board Secretary



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

October 19, 2022

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

Agenda Title

Discussion and Possible Action to Rescind Resolution No. 2012-02 Adopting an Investment Policy and Adopt Resolution No. 2022-36 Establishing the Revised Investment Policy for the Town of Discovery Bay Community Services District "(CSD)".

Recommended Action

To Rescind Resolution No. 2012-02 and approve Resolution No. 2022-36 adopting the revised Investment Policy for the Town of Discovery Bay CSD.

Executive Summary:

In 1998, the Board of Directors adopted Resolution No 98-20 establishing an Investment Policy. That policy was rescinded at the January 18, 2012, Board of Directors meeting and replaced with Resolution No. 2012-02.

In December of 2021 The Town of Discovery Bay moved all funds from the Contra Costa County and became its own treasurer. Since doing this, a new financial policy was established. Since then, all other financial policies in place are being reviewed and revised to align with the District's treasury duties.

An investment policy describes the parameters for investing government funds and identifies the investment objectives, preferences or tolerance for risk, constraints on the investment portfolio, and how the investment program will be managed and monitored. The document itself serves as a communication tool for the staff, elected officials, the public, rating agencies, bondholders, and any other stakeholders on investment guidelines and priorities. An investment policy enhances the quality of decision making and demonstrates a commitment to the fiduciary care of public funds, making it the most important element in a public funds investment program.

Staff has revised the 2012 Investment Policy and Resolution to align with the District's fiduciary procedures and current CSD law.

Staff recommends that the board Rescind Resolution No. 2012-02 Adopting an Investment Policy and Adopt Resolution No. 2022-36 Establishing the Revised Investment Policy for the Town of Discovery Bay Community Services District "(CSD)".

Previous Relevant Board Actions for This Item

Resolution Establishing an Investment Policy, Resolution No. 98-20, dated July 1, 1998
Resolution Delegating Authority for Investment of the Town of Discovery Bay Funds to the Treasurer of the County of Contra Costa, Resolution No. 2001-01, dated January 17, 2001
Rescinding of Resolution 98-20 and adopting Resolution No. 2012-02

Attachments

1. Copy of Resolution 2012-02
2. Copy of the Current Investment Policy 2012-02, dated January 18, 2012
3. Resolution No. 2022-36
4. Draft Investment Policy 2022-003
5. Local Investment Guidelines 2022

AGENDA ITEM: F1



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2012-02**

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT
ESTABLISHING A TOWN OF DISCOVERY BAY CSD INVESTMENT POLICY**

WHEREAS, on July 1, 1998 the Board of Directors of the Discovery Bay Community Services District adopted Resolution No. 98-20, establishing an Investment Policy for the District; and

WHEREAS, on January 1, 2006, Governor Schwarzenegger signed SB 135 into law as Chapter 249 of the Statutes of 2005, also known as *Community Services District Law (CSD law)*; and

WHEREAS, included in CSD law is Government Code §61050(b) which stipulates that the Contra Costa County Treasurer shall serve as the Treasurer of the District; and

WHEREAS, the previously adopted Policy is no longer in compliance with CSD law; and

WHEREAS, the Town of Discovery Bay Community Services District adopts a policy for maintaining investments in compliance with CSD law.

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

SECTION 1. That Resolution No. 98-20 is hereby rescinded.

SECTION 2. That the Board of Directors adopts the Investment Policy and all attached documents to this resolution including the Investment Policy of Contra Costa County.

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

PASSED, APPROVED AND ADOPTED THIS 18th DAY OF JANUARY 2012.

Chris Steele
Board President

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Town of Discovery Bay Community Services District at a regularly scheduled meeting, held on January 18, 2012 by the following vote of the Board:

AYES: 4
NOES: 1 - Director Simon
ABSENT: 0
ABSTAIN: 0

Richard J. Howard
Board Secretary



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(b), the Contra Costa County Treasurer 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. 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.

1. 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.

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

E. Management of Investments

Pursuant to Government Code §61050(b), the Treasurer of Contra Costa County serves as Treasurer of the District 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 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 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	"A-1" if the issuer has issued long-term debt it must be rated "A" without regard to modifiers"
Commercial Paper - Other Agencies	270 Days	40% of the Agency's Money	"A-1" if the issuer has issued long-term debt it must be rated "A" without regard to modifiers"
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



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT**

RESOLUTION 2022-36

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY,
A CALIFORNIA COMMUNITY SERVICES DISTRICT
ESTABLISHING A POLICY FOR INVESTMENTS FOR THE TOWN OF DISCOVERY BAY CSD.**

WHEREAS, ON July 1, 1998 the Board of Directors of the Discovery Bay Community Services District (CSD) adopted Resolution No. 98-20, establishing an Investment Policy for the District; and

WHEREAS, On January 18, 2012 The Board of Directors of the Discovery Bay Community Services District Rescinded Resolution No. 98-20 and replaced it with Resolution 2012-02; and

WHEREAS, the Board of Directors adopted Resolution 2021-15 appointing the General Manager as the Town’s Treasurer on November 3, 2021; and

WHEREAS, the Board of Directors desires to revise Policy 003 Investment Policy to identify the General Manager as the Town’s Treasurer and identify best financial practices recommended by California law.

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

SECTION 1. That Resolution No. 2012-02 is hereby rescinded.

SECTION 2. That the Board of Directors adopts the Investment Policy and all attached documents to this resolution.

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

PASSED, APPROVED, AND ADOPTED THIS ____ DAY OF _____ 2022.

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 regularly scheduled meeting, held on October 19, 2022, by the following vote of the Board:

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

Dina Breitstein
Board Secretary



Town of Discovery Bay

Program Area: Administration	Policy Name: Investment of District Funds	Policy Number: DRAFT
Date Established: DRAFT October 2022	Date Amended:	Resolution: DRAFT

Town of Discovery Bay Investment of District Funds Policy

Table of Contents

1	Premise.....	2
2	Scope	2
3	Prudence	2
4	Objectives.....	2
5	Reporting.....	3

1 Premise

- a) The State Legislature has declared the deposit and investment of public funds by local officials and local agencies is an issue of statewide concern (Government Code (GC) § 53600.6 and § 53630.1); and,
- b) Government Code Sections 53601, et seq., allow the legislative body of a local agency to invest surplus monies not required for the immediate necessities of the local agency; and,
- c) The treasurer or fiscal officer of a local agency is required to annually prepare and submit a statement of investment policy and such policy, and any changes thereto, is to be considered by the local agency's legislative body at a public meeting (GC § 53646(a)). The statement shall also be annually presented to any oversight agency of the local agency.
- d) For these reasons, and to ensure prudent and responsible management of the public's funds, it is the policy of the District to invest funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the District and conforming to all statutes governing the investment of District funds as defined in GC §53600 et seq.

2 Scope

This investment policy applies to all financial assets of the District. These funds are accounted for in the annual audited financial statements of the District.

3 Prudence

The Board and persons authorized to make investment decisions subject to these policies are fiduciaries subject to the prudent investor standard. When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a fiduciary shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the District.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of capital as well as the probable income to be derived.

The Board and authorized persons acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from policy or expectations are reported in the next issued treasury report and appropriate actions are taken to control adverse developments. When a deviation poses a significant risk to the District's financial position, the District Treasurer shall notify the Board immediately.

4 Objectives

As specified in GC §53600.5, when investing, reinvesting, purchasing, acquiring, exchanging, selling or managing public funds, the primary objectives of the investment activities, in priority order, shall be:

- a) Safety: Safety of principal is the foremost objective of the investment program. Investments of the District shall be undertaken in a manner that seeks to ensure the preservation of capital in the whole portfolio. To attain this objective, diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.
- b) Liquidity: The secondary objective shall be to meet the liquidity needs of the District.
- c) Yield: The third objective shall be to achieve a return on the funds under the District's control.

5 Reporting

The District will comply with the reporting requirements as defined in GC §53646 et seq. and GC §53607.

6 Ethics and Conflict of Interest

Officers and employees involved in the investment process shall refrain from personal business activities that could conflict with proper execution of the investment program or which could impair their ability to make impartial decisions. Officers and employees involved in the investment process shall abide by the District's Conflict of Interest Code, and the California Political Reform Act.

7 Authorized Investments

District funds and monies may be deposited and invested in only one or a combination of the institutions and investment types authorized by California Government Code section 53600 et seq. and following and described in Figure 1 and the Table of Notes for Figure 1 in the Local Investment Guidelines effective January 1, 2022, published by the California Debt and Investment Advisory Commission.

8 Brokers

In selecting securities brokers, the District Treasurer shall conduct credit and capitalization analysis to determine that firms are adequately financed to conduct public business.

9 Amendment

Any amendments or modifications to the Investment of District Funds Policy shall not take effect unless expressly approved by the District's Board of Directors.

FIGURE 1

ALLOWABLE INVESTMENT INSTRUMENTS PER STATE GOVERNMENT CODE (AS OF JANUARY 1, 2022)^A APPLICABLE TO ALL LOCAL AGENCIES^B

See "Table of Notes for Figure 1" on the next page for footnotes related to this figure.

INVESTMENT TYPE	MAXIMUM MATURITY ^C	MAXIMUM SPECIFIED % OF PORTFOLIO ^D	MINIMUM QUALITY REQUIREMENTS	GOV'T CODE SECTIONS
Local Agency Bonds	5 years	None	None	53601(a)
U.S. Treasury Obligations	5 years	None	None	53601(b)
State Obligations— CA And Others	5 years	None	None	53601(c) 53601(d)
CA Local Agency Obligations	5 years	None	None	53601(e)
U.S Agency Obligations	5 years	None	None	53601(f)
Bankers' Acceptances	180 days	40% ^E	None	53601(g)
Commercial Paper—Non-Pooled Funds ^F (under \$100,000,000 of investments)	270 days or less	25% of the agency's money ^G	Highest letter and number rating by an NRSRO ^H	53601(h)(2)(c)
Commercial Paper—Non-Pooled Funds (min. \$100,000,000 of investments)	270 days or less	40% of the agency's money ^G	Highest letter and number rating by an NRSRO ^H	53601(h)(2)(c)
Commercial Paper— Pooled Funds ^I	270 days or less	40% of the agency's money ^G	Highest letter and number rating by an NRSRO ^H	53635(a)(1)
Negotiable Certificates of Deposit	5 years	30% ^J	None	53601(i)
Non-negotiable Certificates of Deposit	5 years	None	None	53630 et seq.
Placement Service Deposits	5 years	50% ^K	None	53601.8 and 53635.8
Placement Service Certificates of Deposit	5 years	50% ^K	None	53601.8 and 53635.8
Repurchase Agreements	1 year	None	None	53601(j)
Reverse Repurchase Agreements and Securities Lending Agreements	92 days ^L	20% of the base value of the portfolio	None ^M	53601(j)
Medium-Term Notes ^N	5 years or less	30%	"A" rating category or its equivalent or better	53601(k)
Mutual Funds And Money Market Mutual Funds	N/A	20%	Multiple ^{P,Q}	53601(l) and 53601.6(b)
Collateralized Bank Deposits ^R	5 years	None	None	53630 et seq. and 53601(n)
Mortgage Pass-Through and Asset-Backed Securities	5 years or less	20%	"AA" rating category or its equivalent or better	53601(o)
County Pooled Investment Funds	N/A	None	None	27133
Joint Powers Authority Pool	N/A	None	Multiple ^S	53601(p)
Local Agency Investment Fund (LAIF)	N/A	None	None	16429.1
Voluntary Investment Program Fund ^T	N/A	None	None	16340
Supranational Obligations ^U	5 years or less	30%	"AA" rating category or its equivalent or better	53601(q)
Public Bank Obligations	5 years	None	None	53601(r), 53635(c) and 57603

TABLE OF NOTES FOR FIGURE 1

- ^A Sources: Sections 16340, 16429.1, 27133, 53601, 53601.6, 53601.8, 53630 et seq., 53635, 53635.8, and 57603.
- ^B Municipal Utilities Districts have the authority under the Public Utilities Code Section 12871 to invest in certain securities not addressed here.
- ^C Section 53601 provides that the maximum term of any investment authorized under this section, unless otherwise stated, is five years. However, the legislative body may grant express authority to make investments either specifically or as a part of an investment program approved by the legislative body that exceeds this five year remaining maturity limit. Such approval must be issued no less than three months prior to the purchase of any security exceeding the five-year maturity limit.
- ^D Percentages apply to all portfolio investments regardless of source of funds. For instance, cash from a reverse repurchase agreement would be subject to the restrictions.
- ^E No more than 30 percent of the agency's money may be in bankers' acceptances of any one commercial bank.
- ^F Includes agencies defined as a city, a district, or other local agency that do not pool money in deposits or investment with other local agencies, other than local agencies that have the same governing body.
- ^G Local agencies, other than counties or a city and county, may purchase no more than 10 percent of the outstanding commercial paper and medium-term notes of any single issuer.
- ^H Issuing corporation must be organized and operating within the U.S., have assets in excess of \$500 million, and debt other than commercial paper must be in a rating category of "A" or its equivalent or higher by a nationally recognized statistical rating organization, or the issuing corporation must be organized within the U.S. as a special purpose corporation, trust, or LLC, have program wide credit enhancements, and have commercial paper that is rated "A-1" or higher, or the equivalent, by a nationally recognized statistical rating agency.
- ^I Includes agencies defined as a county, a city and county, or other local agency that pools money in deposits or investments with other local agencies, including local agencies that have the same governing body. Local agencies that pool exclusively with other local agencies that have the same governing body must adhere to the limits set forth in Section 53601(h)(2)(C).
- ^J No more than 30 percent of the agency's money may be in negotiable certificates of deposit that are authorized under Section 53601(i).
- ^K Effective January 1, 2020, no more than 50 percent of the agency's money may be invested in deposits, including certificates of deposit, through a placement service as authorized under 53601.8 (excludes negotiable certificates of deposit authorized under Section 53601(i)). On January 1, 2026, the maximum percentage of the portfolio reverts back to 30 percent. Investments made pursuant to 53635.8 remain subject to a maximum of 30 percent of the portfolio.
- ^L Reverse repurchase agreements or securities lending agreements may exceed the 92-day term if the agreement includes a written codicil guaranteeing a minimum earning or spread for the entire period between the sale of a security using a reverse repurchase agreement or securities lending agreement and the final maturity dates of the same security.
- ^M Reverse repurchase agreements must be made with primary dealers of the Federal Reserve Bank of New York or with a nationally or state chartered bank that has a significant relationship with the local agency. The local agency must have held the securities used for the agreements for at least 30 days.
- ^N "Medium-term notes" are defined in Section 53601 as "all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States."
- ^O No more than 10 percent invested in any one mutual fund. This limitation does not apply to money market mutual funds.
- ^P A mutual fund must receive the highest ranking by not less than two nationally recognized rating agencies or the fund must retain an investment advisor who is registered with the SEC (or exempt from registration), has assets under management in excess of \$500 million, and has at least five years' experience investing in instruments authorized by Sections 53601 and 53635.
- ^Q A money market mutual fund must receive the highest ranking by not less than two nationally recognized statistical rating organizations or retain an investment advisor registered with the SEC or exempt from registration and who has not less than five years' experience investing in money market instruments with assets under management in excess of \$500 million.
- ^R Investments in notes, bonds, or other obligations under Section 53601(n) require that collateral be placed into the custody of a trust company or the trust department of a bank that is not affiliated with the issuer of the secured obligation, among other specific collateral requirements.
- ^S A joint powers authority pool must retain an investment advisor who is registered with the SEC (or exempt from registration), has assets under management in excess of \$500 million, and has at least five years' experience investing in instruments authorized by Section 53601, subdivisions (a) to (o).
- ^T Local entities can deposit between \$200 million and \$10 billion into the Voluntary Investment Program Fund, upon approval by their governing bodies. Deposits in the fund will be invested in the Pooled Money Investment Account.
- ^U Only those obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development (IBRD), International Finance Corporation (IFC), and Inter-American Development Bank (IADB), with a maximum remaining maturity of five years or less.



Town of Discovery Bay
"A Community Services District"
STAFF REPORT

Meeting Date

October 19, 2022

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

Agenda Title

Discussion and Possible Action Regarding Contra Costa County Agency Comment Request File #CDDP22-03040.

Recommended Action

Authorize staff to provide the comment of "none."

Executive Summary:

Staff has reviewed the Contra Costa County Department of Conservation and Development Agency Comment Request Dated 10/05/2022 File # CDDP22-03040 concerning "Drive Up and Go" parking stalls at the Safeway Store, 14840 Highway #4, Discovery Bay.

Staff has no recommended comment.

Previous Relevant Board Actions for This Item

Attachments

1. Contra Costa County Department of Conservation and Development Agency Comment Request CDDP22-03040.

AGENDA ITEM: L1



Planning Application Summary

County File Number: CDDP22-03040

File Date: 10/5/2022

Applicant:

Nick Ford
GOLDEN GATE SIGN COMPANY INC.
2500 Bisso Lane
Concord, CA 94520

nickf@goldengatesign.com
(925) 771-6300

Property Owner:

SAFEWAY INC- TAX DIVISION
1555 Dublin Canyon Rd.
Plesanton, ca 94566

dung.dao@safeway.com
(925) 467-3422

Project Description:

This is a request for a modification to final development plan #CDDP01-03032, condition of approval #9, to allow for the conversion of (6) parking spaces to "Drive Up and Go" parking lot stalls for Safeway and the modification of the approved sign program under condition of approval #22. The project also includes a Sign Review pursuant to County Code Chapter 88-6 - Signs. The proposed scope of work includes: 1. Install (6) Drive up and go parking lot stall identification packages; 2. Install (2) directional pole signs; and 3. Install/paint (6) parking space signs.

Project Location: (Address: 14840 HIGHWAY 4 , DISCOVERY BAY, CA 945052236), (APN: 011470009)

Additional APNs:

General Plan Designation(s): CO

Zoning District(s): P-1

Flood Hazard Areas: B, X

AP Fault Zone: Liquefaction Zone

60-dBA Noise Control: Yes

MAC/TAC: Town of Discovery Bay CSD

Sphere of Influence: None

Fire District: CONSOLIDATED FIRE

Sanitary District: TOWN OF DISCOVERY BAY CSD

Housing Inventory Site: No

Fees:

Fee Item	Description	Account Code	Total Fee	Paid
048F	Fish & Wildlife Fee (\$75)	002606-9660-REV-000-5B048F	75.00	75.00
052B	Notification Fee (\$30)	002606-9660-REV-000-5B052B	30.00	30.00
DPS039B	Dev. Plan Non-Subst. Modif. P-1 DCD	002606-9660-REV-000-5B039B 0.931	2000.00	2000.00
HSDR	Environmental Health Fee (\$57)	002606-9660-REV-000-5BHSDR \$5.00	57.00	57.00
Total:			2162.00	2162.00

SITE

22

29

CDDP22-03040

09
5.446Ac.

10
5.64Ac.

02
1.84Ac.

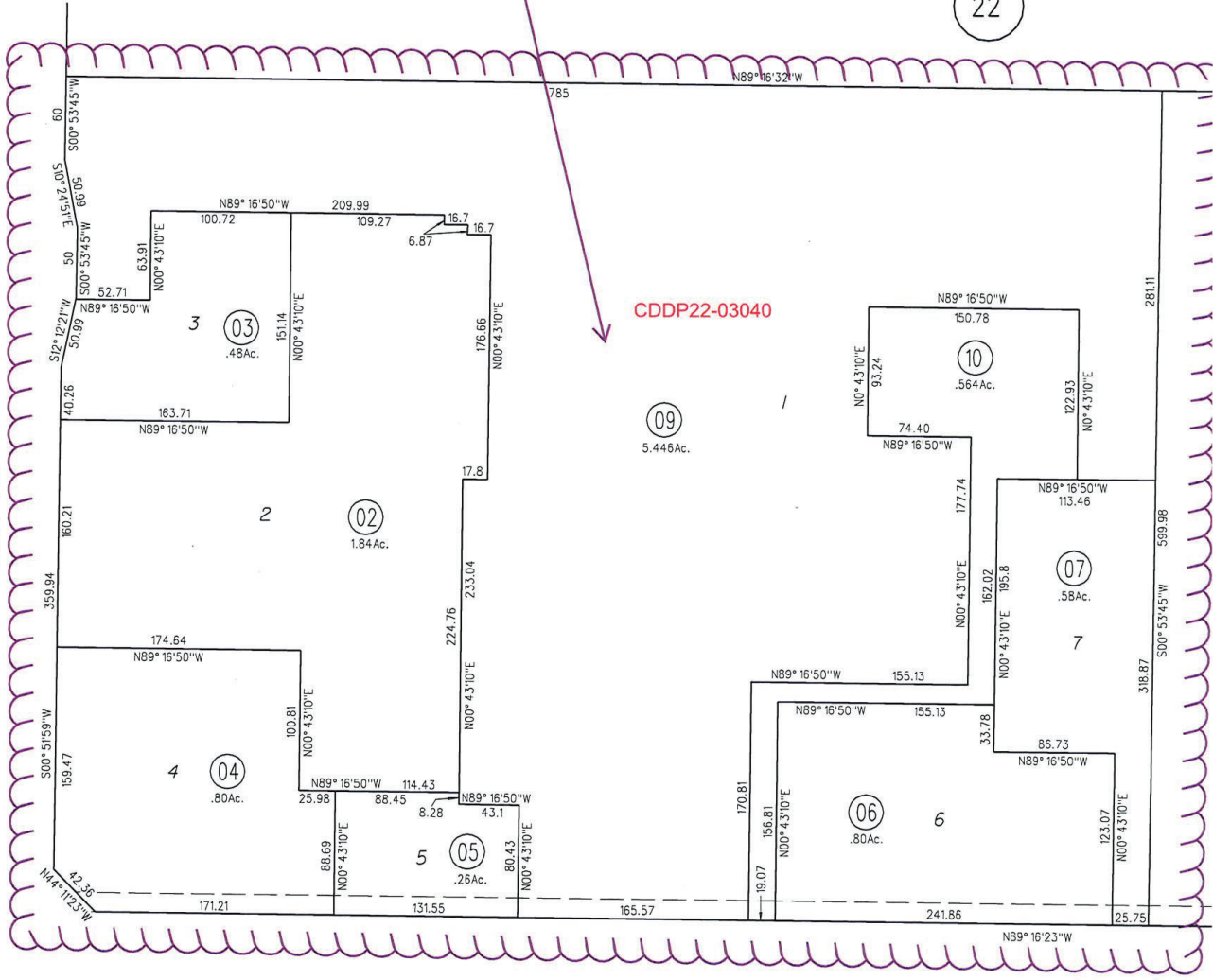
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06
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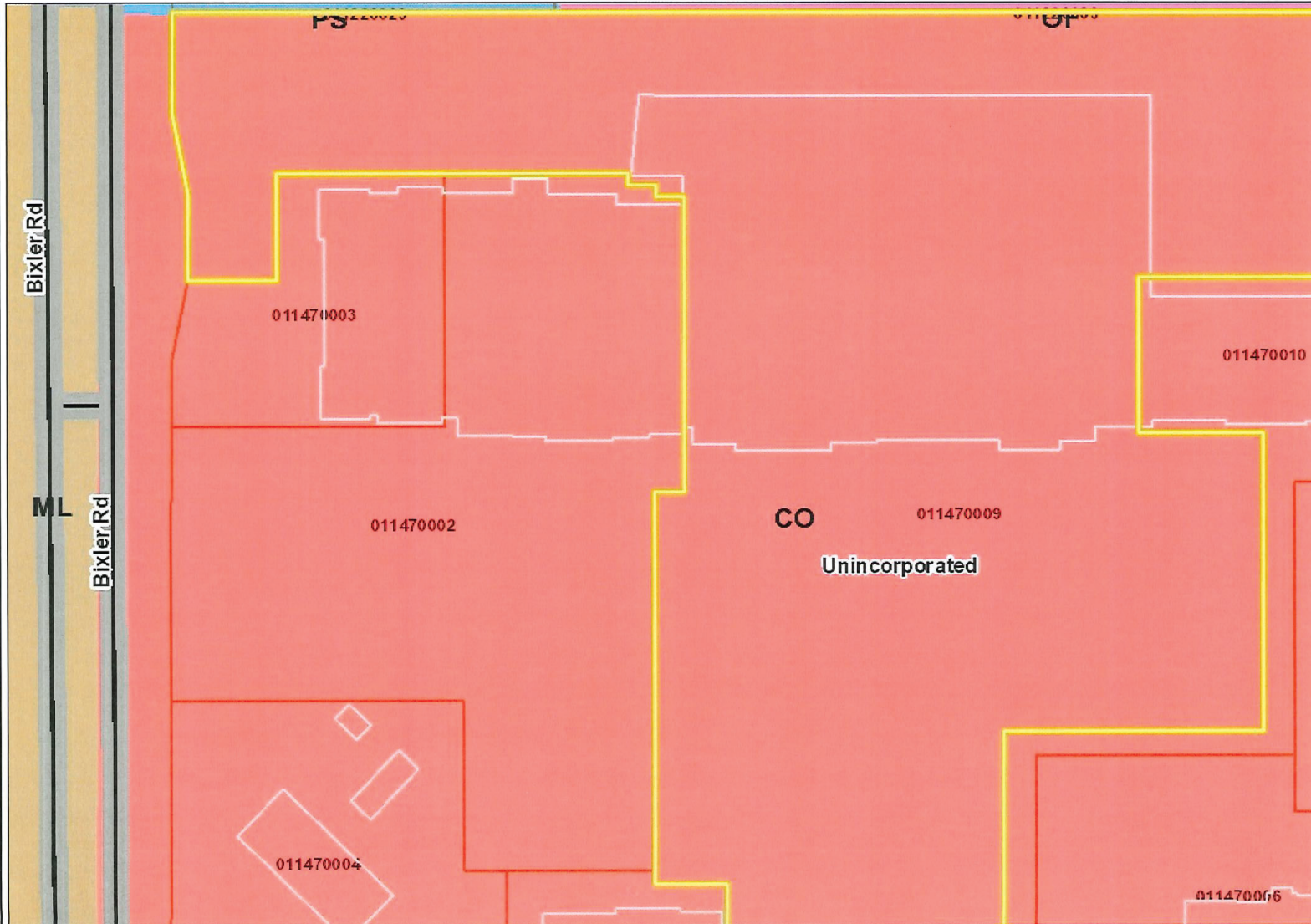
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BIXLER RD

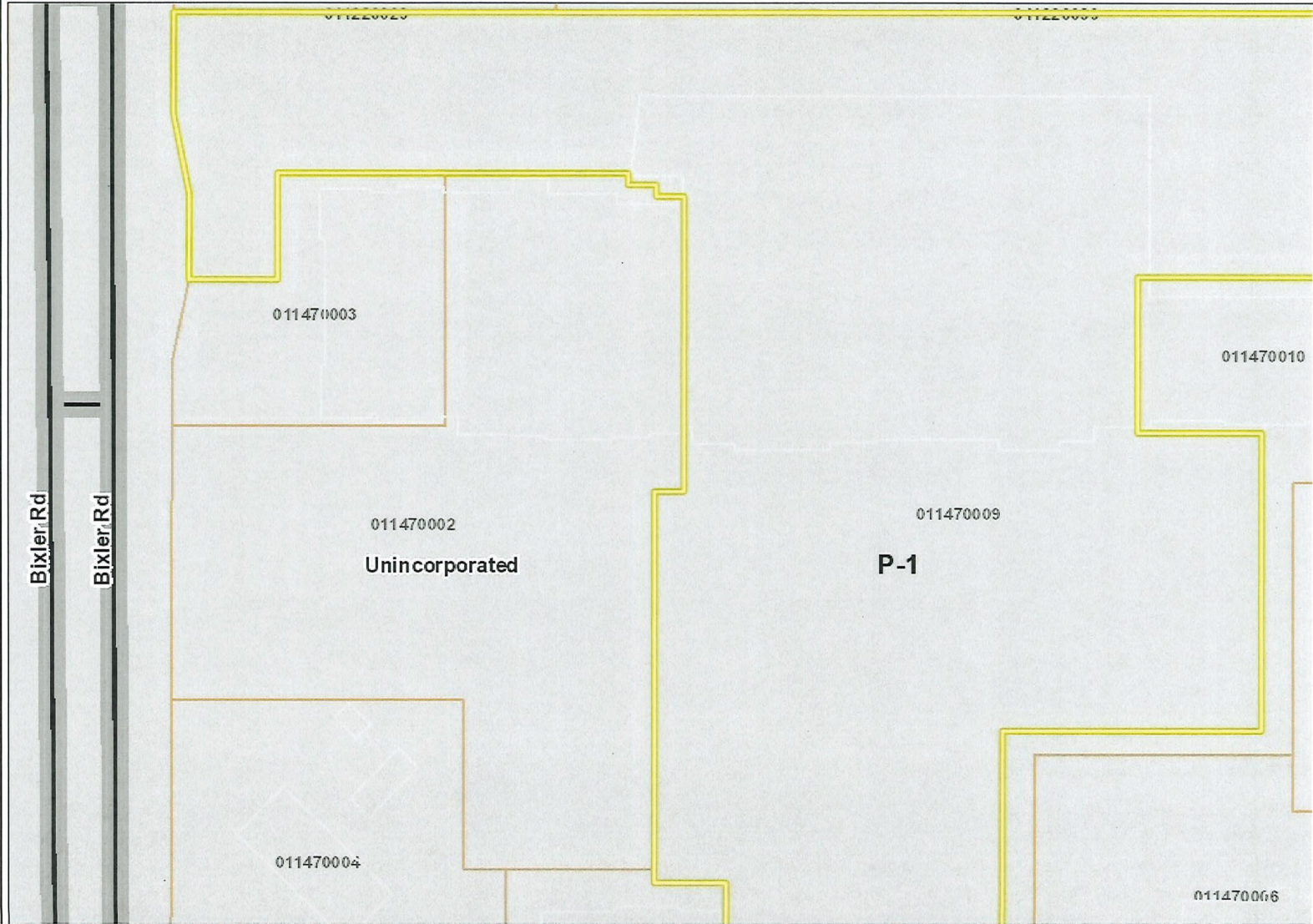


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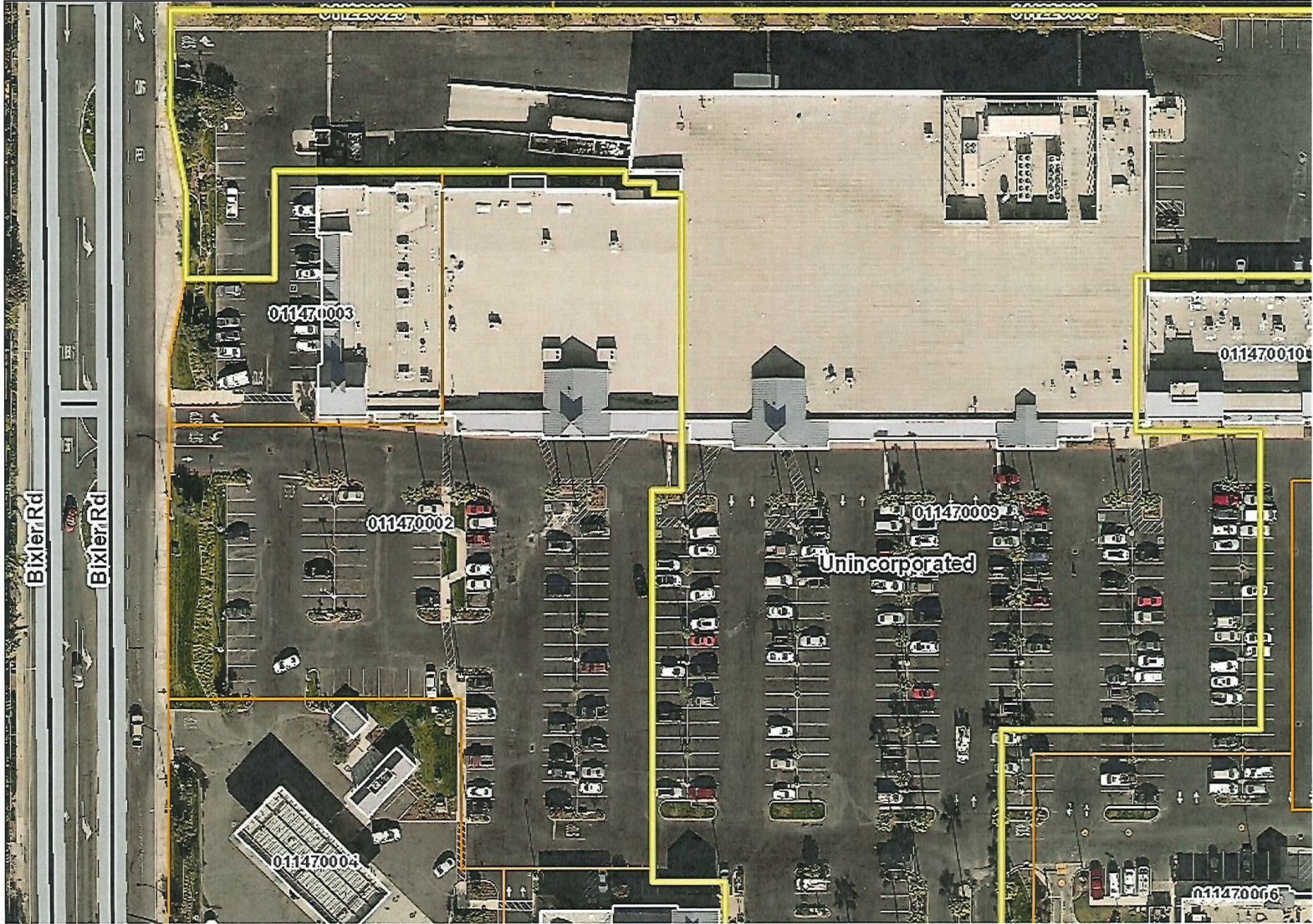
General Plan: Commercial (CO)



Zoning: P-1



Aerial View



SAFEWAY

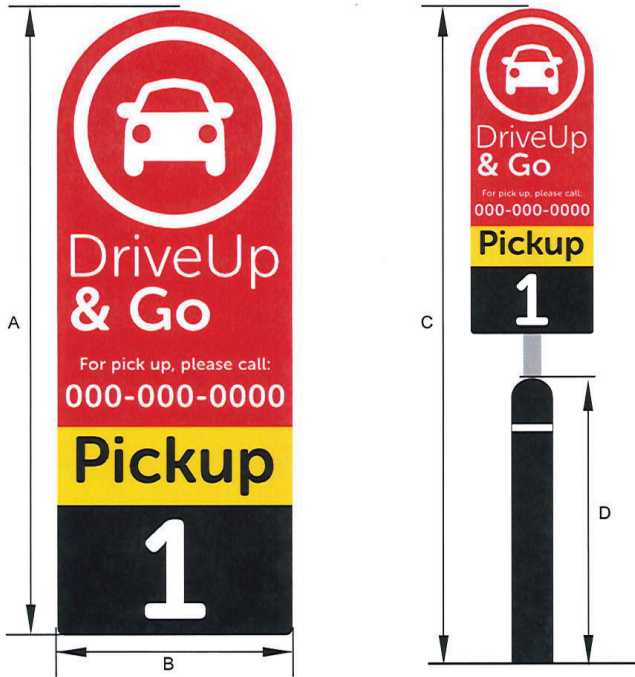
14840 CA-4
Discovery Bay, CA 94505



Drive Up & Go :



Drive Up & Go :



INSTALL EXAMPLE

A

NON-ILLUMINATED FREE STANDING PARKING POST SIGN				
A	B	C	D	BOXED AREA
48	18	96"	48"	6SF

FABRICATION SPECIFICATIONS:		
FACE:	POST:	HARDWARE:

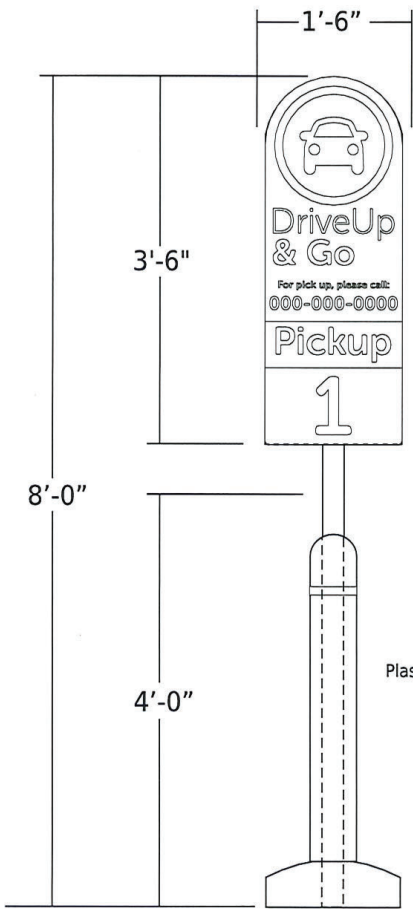


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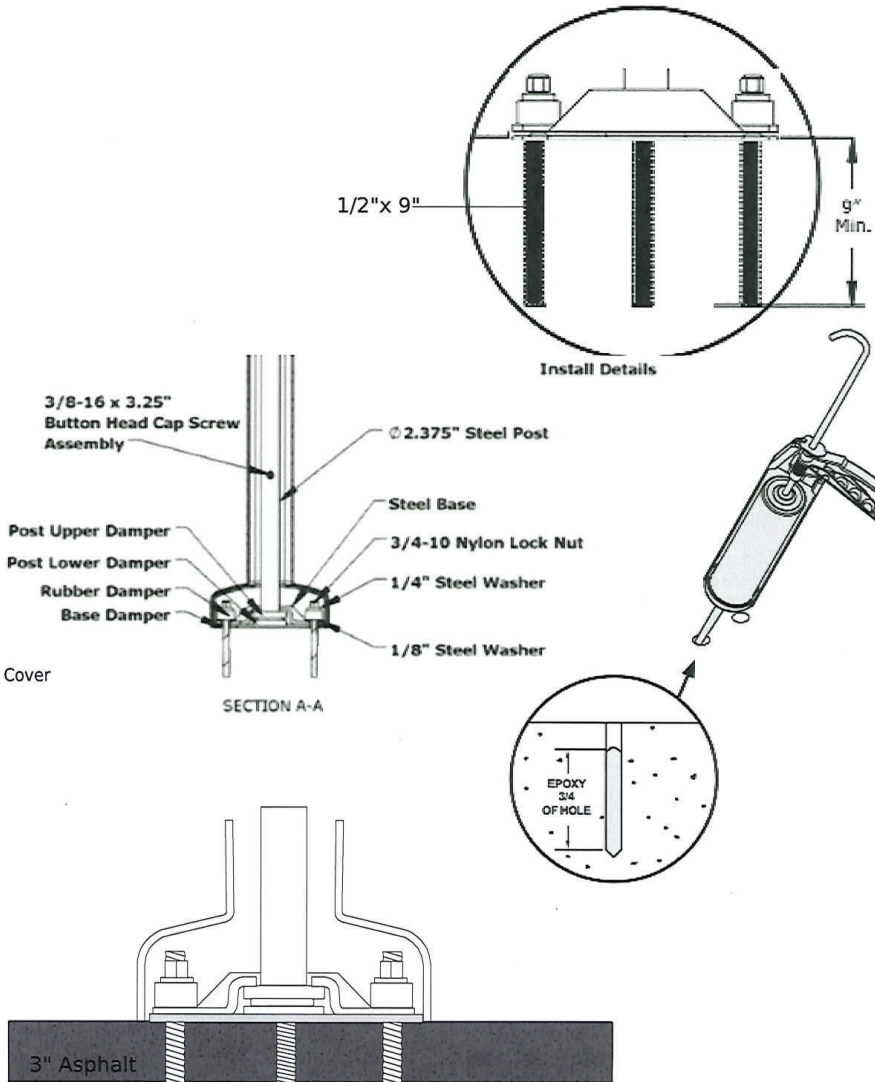
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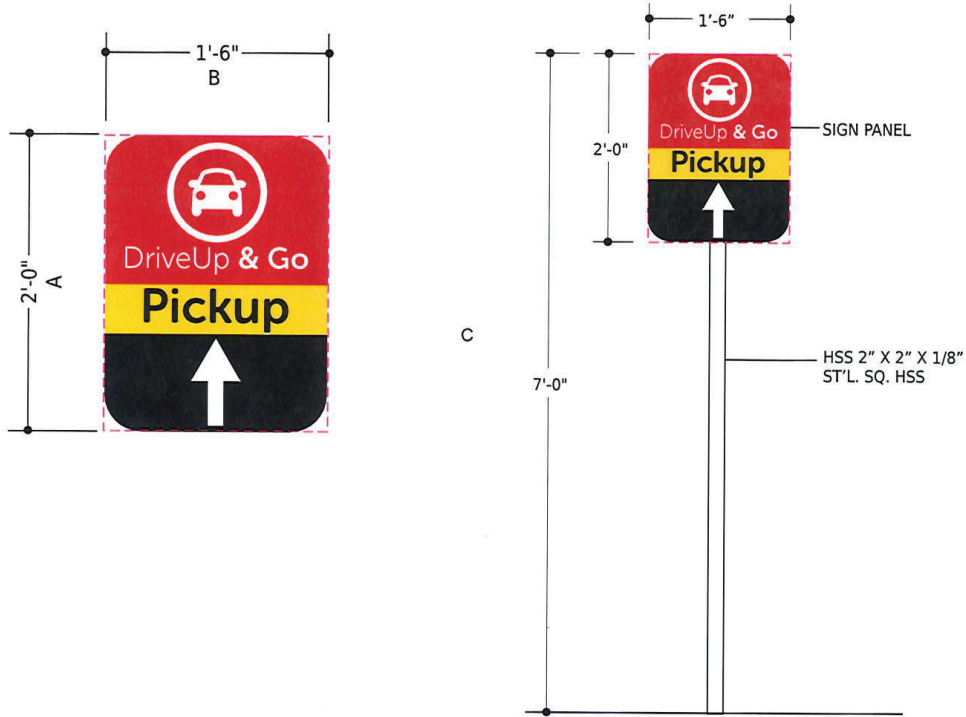
Drive Up & Go :



sm 9.5 Asphalt



Drive Up & Go :



INSTALL EXAMPLE



PRINT



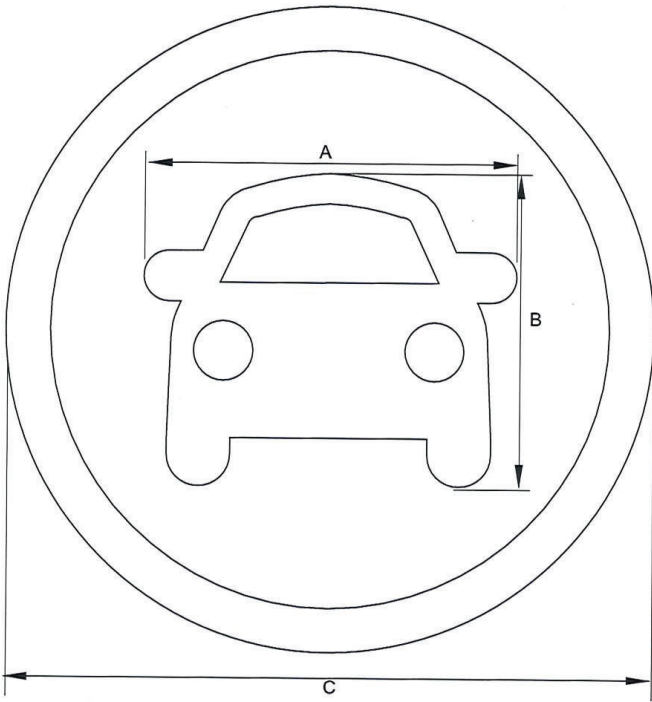
Non-Illuminated Freestanding Directional Sign

Scale: 1"=1'-0"

NON-ILLUMINATED FREE STANDING POST SIGN			
A	B	C	BOXED AREA
24"	18"	84"	3SF

FABRICATION SPECIFICATIONS:

Drive Up & Go :



STENCIL CUT FILE: "DUG PARKING SPOT PAINT FILE .PDF"



NOTES:

*Division Construction Manager to order from Division Purchasing Agent

Lawson #: 61191 (Car) & 61192 (Words)

Leadtime: 3 Weeks

D

PAINTED ICON



RED PAINT TO SPAN ENTIRE WIDTH OF S

PAINTED TEXT STRIPE		
A	B	C
18"	10"	88"