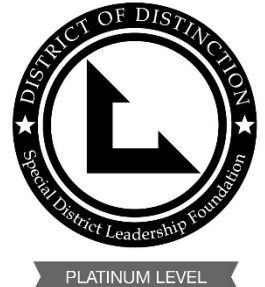




TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

SDLF Platinum-Level of Governance



President – Carolyn Graham • Vice-President – Bryon Gutow • Director – Kevin Graves • Director – Ashley Porter • Director – Lesley Belcher

**NOTICE OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
Wednesday, January 15, 2025 7:00 P.M.**

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

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

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

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

Download Agenda Packet and Materials at <http://www.todb.ca.gov/>

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Call business meeting to order 7:00 p.m.
2. Pledge of Allegiance.
3. Roll Call.

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

During Public Comments, the public may address the Board on any issue within the District's jurisdiction which is not on the Agenda. The public may comment on any item on the Agenda at the time the item is before the Board for consideration. Any person wishing to speak will have 3 minutes to make their comment. There will be no dialog between the Board and the commenter as the law strictly limits the ability of Board members to discuss matters not on the agenda. We ask that you refrain from personal attacks during comment, and that you address all comments to the Board only. Any clarifying questions from the Board must go through the President. Comments from the public do not necessarily reflect the viewpoint of the Directors.

C. CONSENT CALENDAR

All matters listed under the CONSENT CALENDAR are considered by the District to be routine and will be enacted by one motion.

1. Approve Regular Board of Directors DRAFT Meeting minutes from December 18, 2024.
2. Monthly Disbursement Report - December 2024.
3. Elect Board Officers for Calendar Year 2025 – Carolyn Graham President and Bryon Gutow Vice-President.

D. PRESENTATIONS

1. Veolia.

E. DISCUSSION AND POSSIBLE ACTION

1. Discussion and Possible Action to Approve Sponsor Agreement with the California Conservation Corps, Delta Center (CCC).
2. Discussion and Possible Action Regarding Board Member Appointments to Standing Committees.
3. Discussion and Possible Action Related to Board Member Appointments to Regional Committees.

F. MANAGER'S REPORT

1. Hoffman Fund Update.
2. Landscape Update.

G. GENERAL MANAGER'S REPORT

H. DIRECTOR REPORTS

I. DIRECTORS REGIONAL MEETING AND TRAINING REPORTS

J. CORRESPONDENCE

1. Supervisor Diane Burgis – January 3, 2025.
2. Contra Costa County Department of Conservation and Development Memo – Dated November 6, 2024.

K. LEGAL REPORT

L. FUTURE AGENDA ITEMS

M. ADJOURNMENT

1. Adjourn to the next Regular Meeting of the Board of Directors on February 5, 2025 beginning at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard.

"This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the American with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code § 54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact the Town of Discovery Bay, at (925) 634-1131, during regular business hours, at least forty-eight hours prior to the time of the meeting."

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



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

SDLF Platinum-Level of Governance



PLATINUM LEVEL

President – Carolyn Graham • Vice-President – Bryon Gutow • Director – Kevin Graves • Director – Ashley Porter • Director – Lesley Belcher

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
Wednesday, December 18, 2024 7:00 P.M.**

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Called business meeting to order 7:00 p.m.
2. Director Graves led Pledge of Allegiance.
3. Oath of Office for Elected Board Members - General Manager Dina Breitstein issued the Oath of Office to Director Carolyn Graham and Director Lesley Belcher.
4. Roll Call was taken, and all members were 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 December 4, 2024.
2. Monthly Disbursement Report - November 2024.
3. Approve Board and Management Attendance at the 2025 Annual Discovery Bay Chamber of Commerce State of the Town Event.
4. Approve the Storage Space Lease Agreement between the Town of Discovery Bay and the Discovery Bay Lions Club and a Storage Space Lease Agreement with the Discovery Bay Community Foundation.
5. Approve Letter of Concern and Opposition to Supervisor Burgis Regarding the Application of 170 Residential Units on Discovery Bay Boulevard at Sand Point Road, Discovery Bay, CA 94505 County File #CDDP24-03048.

Director Porter made a motion to approve the Consent Calendar.

Vice-President Gutow seconded.

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

D. PRESENTATIONS

1. Veolia.

Presented by Anthony Harper, Project Manager for Veolia.

- 509 Safe working days.
- All Wells are active.
- Hydrant flushing is in progress.
- Valve-exercising is in progress.
- 490 tons of biosolids were hauled in calendar year 2024.

E. DISCUSSION AND POSSIBLE ACTION

1. Public Hearing: Discussion and Possible Action to Approve Resolution 2024-19 Approving the Veolia Master Services Agreement (MSA) and the Phase One Statement of Work (SOW) for the Community Center and Willow Water Treatment Facility Upgrades.

Public Hearing was opened.

General Manager Dina Breitstein introduced John Burdette of Veolia Sustainable Industries and Buildings.

- The Town faces challenges such as utility grid reliability, resiliency, high energy cost escalation, aging infrastructure, climate change, limited financial resources, future planned expansion, and limited internal resources to develop programs.
- PG&E has average annual increase of over 11%.
- Proposed project will install a 328 kW PV Carport System – Community Center (CC) and WLWTP, install new LED path lighting at CC, install new LED lighting at CC parking lot, replace natural gas pool heater at CC, replace AC and furnace with heat pumps at CC, replace domestic water heater at CC, and install LEDs inside the booster pump room.
- Five (5) solar panel carports will be installed at the CC parking lot.
- CA Energy Commission Energy Conservation Assistance Act offers loans at 1% interest.
- Return on investment (ROI) @ 6% is 397.7% which is over \$12 Million.
- Return on investment (ROI) @10% is 987.63% which is over \$30 Million.

There were no public comments.

Public Hearing was closed.

Director Porter made a motion to approve the Master Services Agreement (MSA) and Statements of Work (SOW) with Veolia North America, Sustainable Industries and Buildings for the Solar Energy Project, authorize the General Manager to execute the MSA and SOW contracts with Veolia North America, Sustainable Industries and Buildings for the Solar Energy Project and approve Resolution No. 2024-19 Energy Service Contract between the Town and Enovity, a Veolia Company, for the implementation of energy measures and improvements for the Community Center and the Willow Lake Water Treatment Facility.

Director Graves seconded.

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

2. Discussion and Possible Action Regarding the Fiscal Year Ending June 30, 2024 Audited Financial Statements.

Finance Manager Margaret Moggia introduced Daphne Munoz with Clifton Larson Allen

- Outline of audit includes scope of services, auditors' opinions and reports, and communication with those charged with governance.
- FY covered July 1, 2023 through June 30, 2024.
- Auditors' opinion states that management is responsible for preparation and fair presentation of the financial statements. Auditors' responsibility is to express opinions on the financial statements.
- Auditors found no evidence of noncompliance.
- Recommendation made regarding journal entries.
- No disagreements arose during the course of audit. No difficulties experienced during audit.

Director Graves made a motion to accept and approve the Audited Financial Statements for the Fiscal Year ending June 30, 2024.

Director Belcher seconded.

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

3. Discussion and Possible Action to Approve an Agreement for Consultant to Perform a Classification and Compensation Study.

Presented by Finance Manager Margaret Moggia.

- Classification and compensation study is typically done every five years.
- The last study was done in 2015.
- The study is intended to provide a Board with a series of recommendations as to whether the organization's current compensation structure, policies and personnel practices are effective, or if they need to be updated and adjusted.
- Staff presented a quote from CPS HR Consulting to the October 2, 2024 Finance Committee. At that time, the committee asked staff to gather additional quotes.
- Staff received one additional proposal. CPS HR Consulting is the preferred firm.
- Work will take approximately 10-12 weeks to complete.
- Cost of the Classification and Compensations Study is \$41,260.00.

Director Graves made a motion to approve the agreement with CPS HR Consulting to perform a Classification and Compensation Study for \$41,260, authorize the General Manager to execute a Contract with CPS HR Consulting to perform a Classification and Compensation Study and authorize the General Manager to execute any additional change orders for CPS HR Consulting, Inc. up to 15% of the contract value.

President Graham seconded.

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

4. Discussion and Possible Action to Authorize General Manager to Contract with Qualified Service Providers for Improvements to Selected Zone 8 Landscape Islands.

Presented by Landscape Manager Monica Gallo.

- Zone 8 consists of several islands whose landscaping has not had any improvements in 25-30 years old.
- President Graham recused herself from this item as she lives within 500 feet of one of the proposed areas.
- Staff received proposals from Monarch Landscape/Jensen Landscape Companies in the amount of \$45,502.96 for the South Point Islands, \$76,598.57 for the Cabrillo Point Islands and \$256,001.55 for the Discovery Point Islands through its OMNIA cooperative agreement.

Director Graves made a motion to approve the agreement and execute a Contract with Monarch Landscape/Jensen Landscape Companies for landscape improvements on the *South Point Islands* for an amount of \$45,502.96 and authorize the General Manager to execute any additional change orders to Monarch Landscape/Jensen Landscape Companies up to 15% of the contract value, approve the agreement and execute a Contract with Monarch Landscape/Jensen Landscape Companies for landscape improvements on the *Cabrillo Point Islands* for an amount of \$76,598.57 and authorize the General Manager to execute any additional change orders to Monarch Landscape/Jensen Landscape Companies up to 15% of the contract value and approve the agreement and execute a Contract with Monarch Landscape/Jensen Landscape Companies for landscape improvements on the *Discovery Point Islands* for an amount of \$256,001.55 and authorize the General Manager to execute any additional change orders to Monarch Landscape/Jensen Landscape Companies up to 15% of the contract value.

Director Porter seconded.

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

F. MANAGER'S REPORT

None.

G. GENERAL MANAGER'S REPORT

The holiday closure will be December 24- January 1.

H. DIRECTOR REPORTS

None.

I. DIRECTORS REGIONAL MEETING AND TRAINING REPORTS

1. Fire Protection District – December 3, 2024 (Director Carolyn Graham).
2. East County Water Management Association – November 13, 2024 (Director Ashley Porter).

J. CORRESPONDENCE

None.

K. LEGAL REPORT

None.

L. FUTURE AGENDA ITEMS

None.

M. ADJOURNMENT

1. Adjourned at 8:35p.m. to the next Regular Meeting of the Board of Directors on January 15, 2024 beginning at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard.

DRAFT



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

**AGENDA ITEM:
C2**

Agenda Title: Monthly Disbursement Report – December 2024

Meeting Date: January 15, 2025

Prepared By: Margaret Moggia, Finance Manager and Lesley Marable, Project Accountant

Submitted By: Dina Breitstein, General Manager

RECOMMENDED ACTION:

Receive and file.

EXECUTIVE SUMMARY:

In accordance with Financial Policy #031, Section VIII (F), the Finance Manager shall submit a register of District invoices paid in the preceding month.

The amounts paid represents the operating and capital expenditures for the month of December 2024 for a total amount of \$ 949,007.85.

FISCAL IMPACT:

Amounts paid are respectively budgeted in the fiscal year annual budget for each fund.

PREVIOUS RELEVANT BOARD ACTIONS FOR THIS ITEM:

Not applicable

ATTACHMENTS:

1. Check Register – BOD Report

Check Register - BOD Report
Check Issue Dates: 12/1/2024 - 12/31/2024

Check Number	Payee	Amount
2410	Alhambra	\$84.38
2411	CliftonLarsonAllen LLP	\$1,963.50
2412	Dennis Dean Allen	\$45.00
2413	DoorKing Inc.	\$32.95
2414	Karina Dugand	\$1,390.50
2415	Lincoln Aquatics	\$1,609.24
2416	Michelle Dominge	\$615.00
2417	National Aquatic Services, Inc.	\$700.00
2418	Neumiller & Beardslee	\$107.49
2419	ODP Office Solutions, LLC	\$199.50
2420	Precision IT Consulting	\$2,026.86
2421	SiteOne Landscape Supply, LLC	\$1,610.13
2422	U.S. Bank Corporate Payment System	\$828.04
2423	Valencia Janitorial Plus	\$1,670.00
2424	Watersavers Irrigation Inc.	\$128.96
2425	Brentwood Ace Hardware	\$16.13
2426	Geotab USA, Inc.	\$106.65
2427	Pacific Gas & Electric	\$2,018.56
2428	Town of Discovery Bay CSD	\$38,632.93
2429	Verizon Wireless	\$309.29
2430	CliftonLarsonAllen LLP	\$456.70
2431	Community Center Refund Customer	\$50.00
2432	Denalect Alarm Company	\$231.41
2433	Discovery Pest Control	\$70.00
2434	MDRR-Discovery	\$969.46
2435	ODP Office Solutions, LLC	\$126.54
2436	Precision IT Consulting	\$623.33
2437	Town of Discovery Bay CSD	\$2,549.85
2438	Umpqua Bank	\$2,467.98
14946	Gavin Capelli	-\$36.86
15284	Water Utility Refund Customer	-\$48.90
15565	Water Utility Refund Customer	-\$20.61
15571	Robert Half	-\$903.00
15586	Water Utility Refund Customer	\$48.90
15587	Alhambra	\$126.89
15588	Badger Meter	\$5,906.40
15589	City Of Brentwood	\$512.65
15590	CliftonLarsonAllen LLP	\$7,854.00

15591	Core & Main LP	\$1,248.82
15592	Freedom Mailing Service, Inc	\$3,732.98
15593	Water Utility Refund Customer	\$250.00
15594	Neumiller & Beardslee	\$8,464.62
15595	ODP Office Solutions, LLC	\$244.57
15596	Water Utility Refund Customer	\$1,000.00
15597	Precision IT Consulting	\$6,991.80
15598	Quadient Leasing USA, Inc.	\$302.26
15599	Robert Half	\$1,580.25
15600	Shred City	\$99.00
15601	SiteOne Landscape Supply, LLC	\$632.00
15602	U.S. Bank Corporate Payment System	\$2,896.84
15603	Valencia Janitorial Plus	\$1,420.00
15604	Veolia Water North America	\$275,828.19
15605	Applied Best Practices	\$882.20
15606	Ashley Porter	\$690.00
15607	Bay Area Air Quality Mgmt. District	\$620.00
15608	Brentwood Ace Hardware	\$2,050.80
15609	CaliforniaChoice Benefit Admin	\$22,824.64
15610	Carolyn Graham	\$345.00
15611	Core & Main LP	\$114.84
15612	Delta Regional Monitoring Program	\$4,791.00
15613	Denalect Alarm Company	\$117.00
15614	Diablo Excavation & Construction	\$30,650.92
15615	FasTrak Invoice Processing Dept.	\$7.00
15616	Geotab USA, Inc.	\$130.35
15617	Grainger	\$5,558.45
15618	Water Utility Refund Customer	\$69.86
15619	Kelly Rajala	\$52.65
15620	Kevin Graves	\$690.00
15621	Les Schwab Tire Center	\$140.59
15622	MDRR-Delta Debris Box	\$1,746.00
15623	Michael Callahan	\$345.00
15624	Monarch Landscape LLC	\$27,208.51
15625	Pacific Gas & Electric	\$69,766.31
15626	Robert Half	\$451.50
15627	SDRMA	\$1,937.49
15628	SWRCB	\$27,078.00
15629	Verizon Wireless	\$570.43
15630	Beacon Athletics, LLC	\$11,117.52
15631	Bryon Gutow	\$230.00
15632	CliftonLarsonAllen LLP	\$1,826.80
15633	Diablo Excavation & Construction	\$35,622.46
15634	Gavin Capelli	\$36.86

15635	Grainger	\$1,311.11
15636	Harris & Associates, Inc.	\$2,215.00
15637	Luhdorff & Scalmanini	\$178,152.88
15638	Margaret Moggia	\$151.00
15639	Mobile Modular Management Corp.	\$45,190.00
15640	Precision IT Consulting	\$5,609.93
15641	Robert Half	\$451.50
15642	Shred City	\$50.00
15643	Stantec Consulting Services Inc	\$20,813.00
15644	Umpqua Bank	\$19,705.59
120624	Empower Retirement	\$3,442.00
122024	Empower Retirement	\$3,338.00
110609704	Conco West Inc.	\$21,396.23
110619310	Luhdorff & Scalmanini	\$12,876.75
110619311	Luhdorff & Scalmanini	\$6,861.50

Grand Total

\$949,007.85



Town of Discovery Bay

“A Community Services District”

STAFF REPORT

**AGENDA ITEM:
C3**

Agenda Title: Elect Board Officers for Calendar Year 2025 – Carolyn Graham President and Bryon Gutow Vice-President.

Meeting Date: January 15, 2025

Prepared By: Dina Breitstein, General Manager

Submitted By: Dina Breitstein, General Manager

RECOMMENDED ACTION:

Elect the Board Officers for Calendar Year 2025 consistent with Board Policy 004: Board President – Carolyn Graham; Board Vice-President – Bryon Gutow.

EXECUTIVE SUMMARY:

Yearly the Board of Directors elects a President and Vice-President. Board Policy 004 (amended February 21, 2018) designates the procedure for electing Board officers for the 2025 calendar year.

According to Policy 004, the following Directors will serve in calendar year 2025:

Board President: Carolyn Graham
Board Vice-President: Bryon Gutow

FISCAL IMPACT:

PREVIOUS RELEVANT BOARD ACTIONS FOR THIS ITEM:

January 4, 2017 - Board Officers for Calendar Year 2017
December 6, 2017 – Board Officers for Calendar Year 2018
January 16, 2019 – Board Officers for Calendar Year 2019
January 15, 2020 – Board Officers for Calendar Year 2020
January 20, 2021 – Board Officers for Calendar Year 2021
January 12, 2022 – Board Officers for Calendar Year 2022
January 18, 2023 - Board Officers for Calendar Year 2023
January 17, 2024 – Board Officers for Calendar Year 2024

ATTACHMENTS:

1. Board Policy 004.



Town of Discovery Bay

Program Area: Board	Policy Name: Board Policy	Policy Number: 004
Date Established: June 19, 2002	Date Amended: February 21, 2018	Resolution: 2018-01

PURPOSE

The purpose of the elected Board of Directors of the Town of Discovery Bay, a multipurpose independent special district, is to represent the residents within its boundaries in any and all matters covered under the California Government Code relating to a Community Services District.

In addition to the purposes listed in the Government Code, the District has been ordered by LAFCO and the Board of Supervisors to perform an advisory role for the residents of Discovery Bay. This role includes, but is not limited to, advising the County in matters of land use planning, zoning, compliance, roads and streets, lighting, landscaping, parks and public safety services.

I. BOARD OF DIRECTORS

The governing body of the Town of Discovery Bay is a Board of Directors comprised of five (5) Board members elected by the registered voters of the District to serve four (4) year staggered terms. During the elections every two (2) years, either two (2) or three (3) Directors are elected to serve the District for the next four (4) years.

Yearly the Board of Directors elects a President and Vice-President. The President of the Board chairs the meeting, performs such duties as prescribed by State or Federal law and such other duties as prescribed by Board Policy or the established Bylaws of the Town of Discovery Bay. In the event of the President's absence, the Vice-President performs said duties.

Should the President and Vice President not be present to chair a meeting, the duties of the chair shall be performed by the Board member with the highest seniority. In the event seniority cannot be determined due to the date of the assumption of office, the Board member with the highest vote count in their most recent election shall prevail as the senior member.

The appointment of Board officers shall be established based upon the following schedule:

Board President

In order to be considered to serve as President of the Board, the Board member must have served on the Board for a minimum 24 months prior to being considered for rotation into the Board President position. The Board Presidency shall be assigned to the Board member who has not served as President and who has met the 24 month requirement.

If more than one Board member has met the 24 month requirement and not served as President, the member with the longest tenure on the Board of Directors shall be the first person appointed to the position of President.

In the event each member of the Board has previously served as President at one point in their respective office, the Board member to serve as Board President shall be the member who has not served as President for the longest period time.

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.

Vice President

The Vice President shall be the Director next in line to be President based on the then current service time. In order for a Board member to be considered for the position of Vice President, the Board member must have served on the Board for a minimum of 12 months prior to being considered for rotation into the Board Vice President position. The Board Vice President shall be assigned to the Board member who has not served as Vice President and who has met the minimum 12 month service requirement.

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.

II. POWER OF THE BOARD

The Board of Directors recognizes its duty to formulate and approve the policy program for the operation, control, administration and planning of the District's facilities and activities of the District.

Board meetings shall be noticed and shall take place pursuant to the Ralph M Brown Act of 1953, as amended (hereafter, Brown Act).

The parliamentary procedure for conducting all meetings will be Rosenberg's Rules of Order.

The Board meets its obligations to the electorate by performing as a legislative, administrative and control body.

The Board may have standing committees and may appoint ad hoc committees as the need arises. The District's General Manager or Designee may serve as staff support to those committees.

In the discharge of their duties, Directors 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 Directors required by California law.

III. RESPONSIBILITIES

A. Responsibilities of the Board of Directors:

1. To select a General Manager as the Board's chief administrative officer and professional advisor and properly delegate to him or her the authority and responsibility to execute its' policies, enforce its rules and regulations, and administer the facilities, programs, and services of the District. Provide the General Manager with the necessary personnel and resources to carry out his or her responsibilities.
2. To adopt a District budget that provides the best possible facilities, programs, and services, within the limits of fiscal responsibility, to the people of the District.
3. To adopt a comprehensive set of Board policies and administrative procedures to govern the operation of the District. These policies and procedures shall be amended and revised as appropriate and shall be compiled and published in a Board Policies Manual. The District shall keep at its offices a master copy of such manual, which shall be kept for all purposes the official record of the Board policies of the District.
4. By motion, resolution, or ordinance conduct the business of the District, taking those actions that ensure that satisfactory services are provided throughout the community.
5. Keep informed on agenda items and on-going business of the Board.
6. Be well informed on the provisions of laws, ordinances and resolutions as they affect conduct of the District and the Board.
7. Attend meetings with promptness and regularity.
8. Elect officers and confirm standing and ad hoc committee members and District representatives to external agencies.
9. Initiate, review and approve plans that will satisfy future requirements, including a long-range plan (five (5) to ten (10) years).
10. Review and act upon plans and recommendations submitted by the Board committees and the General Manager. This action includes adoption, rejection, amendment or return to committee.

11. Single Board members will not represent the whole of the Board in other open or closed meetings without prior sanction by the majority direction of the Board.

B. GENERAL CONDUCT OF BOARD OF DIRECTORS AND OFFICERS

1. No member of the Board or Officers of the District shall:

- a. Represent his or her position as that of the Board unless the Board has acted upon that position.
- b. Make unsolicited statements to anyone other than the Board during Board deliberations.
- c. Issue any writings or statements to the press or public without clearly distinguishing which statements are his or her own and which are established Board positions.

2. Preparation and Commitment:

- a. Shall respect the Board's commitment to work through the General Manager by requesting desired information about the District's programs/activities directly from him/her, by referring to him/her suggestions for new policies, for his/her professional advice, by refraining from acting on any complaint until after the General Manager has had an opportunity to investigate fully and report to the Board, and by wholeheartedly supporting Board approved actions of the General Manager and his/her staff.
- b. Accept the principle of Board unity or consensus by supporting majority decisions of the Board.
- c. Shall make decisions involving the welfare of the District based on factual information and evidence recognizing that personal feelings, opinions and other such factors are not conducive to sound decision making.
- d. Come prepared, ready to ask questions and make decisions.
- e. Do what is agreed upon.
- f. Respect confidentiality of Closed Session agenda items.
- g. Contact the General Manager prior to meeting for more information, if needed.

C. ADDITIONAL RESPONSIBILITIES OF THE BOARD MEMBERS

1. Orientation of Board Members

- a. The Board of Directors recognizes its responsibility in helping and assisting a newly elected or appointed Board member to understand the operation of the District as well as the roles and responsibilities of a member of the Board. The Board and General Manager shall assist each new member-elect to understand the Board functions, policies, procedures, roles, duties and responsibilities of members of the Board. The following methods shall be employed:

- b. The new member shall be given selected material on the duties and responsibilities associated with Board membership. These materials shall include, but are not limited to: The Government Code dealing with Community Services Districts, the Ralph M. Brown Act, the California Public Records Act, Board Policies, and any pertinent publications issued by the California Special Districts Association, the California Parks and Recreation Society and other agencies, as needed.
- c. As soon as practical after the new Board member assumes office, an orientation meeting with General Manager will be held prior to the first Board meeting to acquaint the new member with details of District operations.
- d. The incoming member may meet with the General Manager and members of his staff to discuss services they perform for the Board and the District.

2. Policy Violations

- a. Board Members who intentionally or repeatedly do not comply with this Policy may be reprimanded or formally censured by the Board of Directors.

D. Responsibilities of a Committee Chairperson

1. Undertake the specific tasks or assignments as established by the Board or Board President together with the participation of the other members of the committee.
2. Plan and schedule the necessary activities and obtain commitments for the necessary resources to complete the assignment.
3. Present a report on status and progress to the Board at appropriate times as designated by the President.
4. Prepare recommendations and justification for any proposed action and submit to the Board for decision and implementation when approved.
5. Provide overall leadership of the committee.
6. Perform the duties of a Board member if appropriate.

Water & Wastewater Monthly Presentation



— THE TOWN OF —
DISCOVERY BAY

Live Where You Play

December 2024

Safety & Training

- Winter Driving
- Slips, trips and falls
- End of year safety closeout



540 Safe Work Days

WATER SYSTEM



WILLOW WTP

Well 1: **Active**
Well 2: **Active**
Well 6: **Active**

Filter A: **Online**
Filter B: **Online**
Filter C: **Offline**
Filter 1: **Online 10/10/24**

3153 gal
29.3 MG

< Sodium Hypochlorite >
< Water Production >

1526 gal
23.8 MG

Total Water Demand: 53.1 MG

NEWPORT WTP

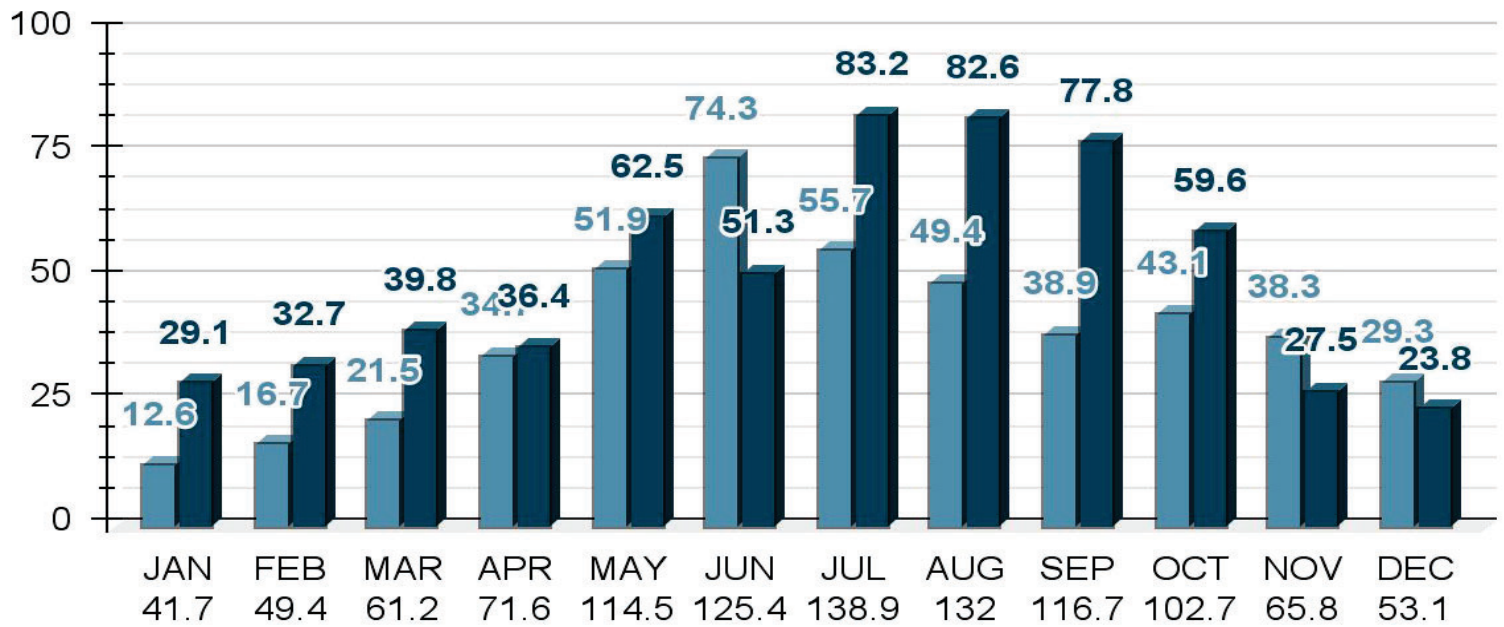
Well 4: **Active**
Well 5: **Offline**
Well 7: **Active**

Filter A: **Online**
Filter B: **Online**



Water Demand in Million Gallons

■ Willow WTP ■ Newport WTP





Hydrant Flushing:	In-Progress	Water Quality Complaints:	0
Valve Exercising:	In-Progress	Water Pressure Concerns:	0
Consumer Confidence Report:	Completed	Coliform Positive Results:	0
Lead & Copper Sampling:	Completed	Notice of Violations:	0



WASTEWATER COLLECTION SYSTEM

Lift Stations

A: Active

G: Active

Bixler: Active

IPS: Active

C: Active

H: Active

Village 4: Active

Y: Online

D: Active

J: Active

Lakes: Active

E: Active

R: Active

Lakeshore: Active

F: Active

S: Active

Newport: Active



— THE TOWN OF —
DISCOVERY BAY
Live Where You Play



WASTEWATER TREATMENT

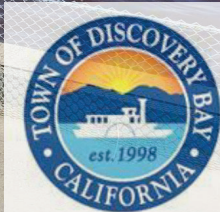


Influent Daily Avg Flow: 1.30 MG
Effluent Daily Avg Flow: 1.12 MG
Total Flow This Period: 34.8 MG
Total Flow Last Year: 36.0 MG

Polymer: 300 gal
Alum: 0 gal
PAC: 0 gal
UV: 65 %

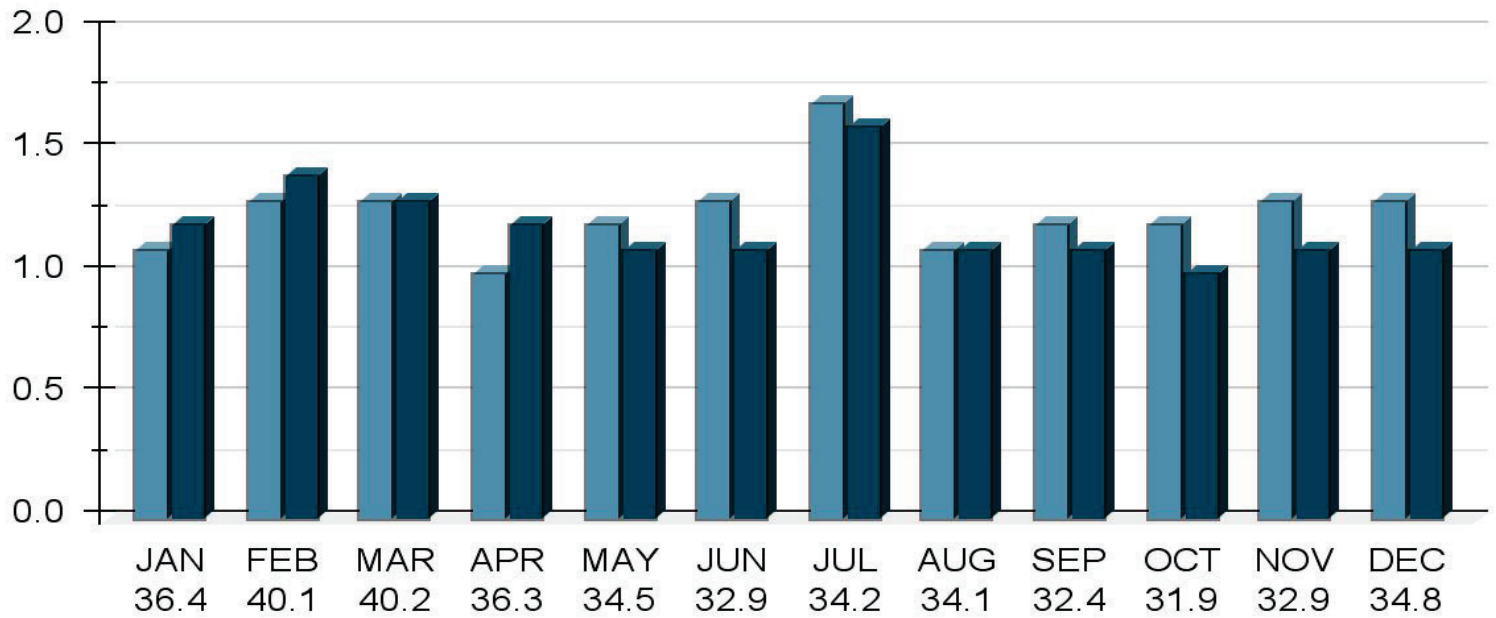
Effluent BOD <10: 1.7 mgL
Effluent TSS <10: 1.2 mgL
Total Coliform 7 Day < 2.2: ND
Total Coliform Daily Max <23: ND
Effluent NTU Daily Avg <2: 0
Effluent Ammonia <8.4: ND
Effluent Nitrates <10: 4

BOD Removal >85%: 99.0%
TSS Removal >85%: 99.4%
Conductivity Avg: 2250



Wastewater Flow in Million Gallons

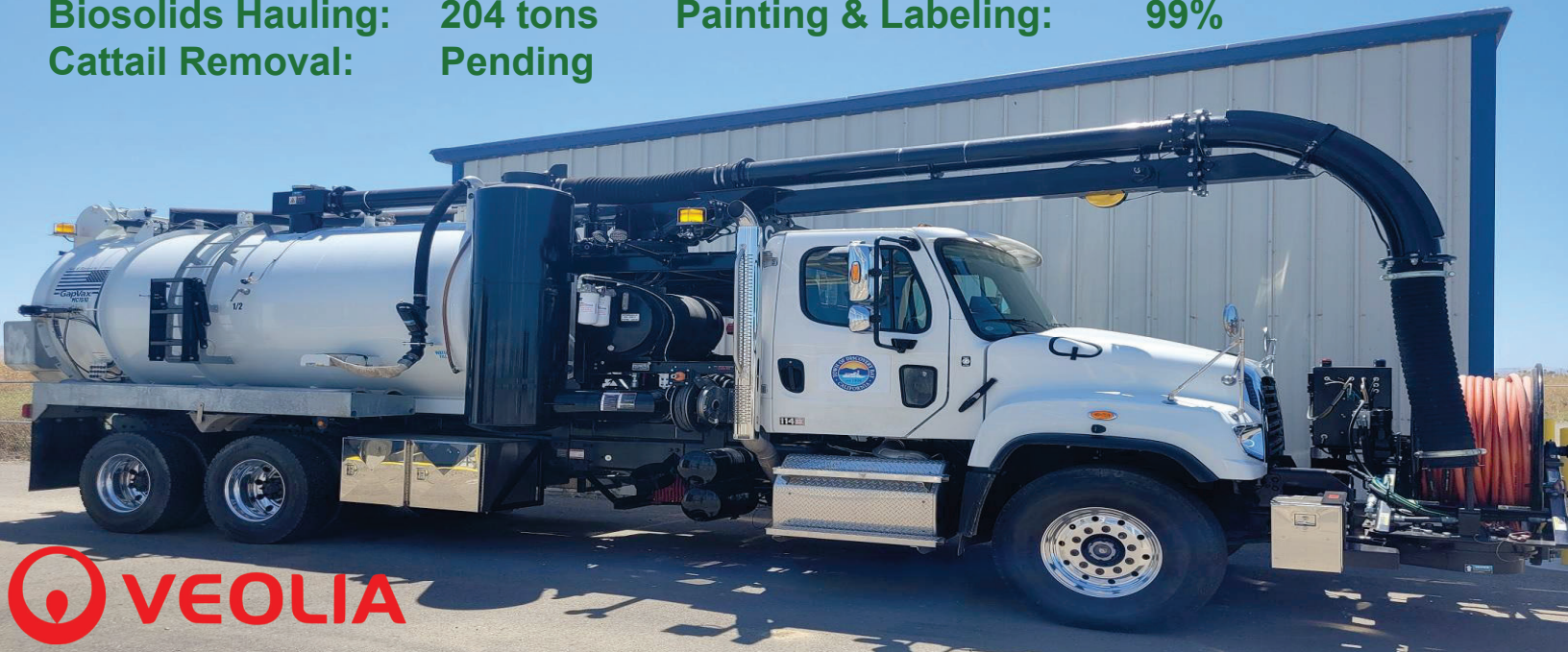
■ WW Influent ■ WW Effluent



MAINTENANCE

Customer Complaints: 0
Sewer Overflows: 0
Biosolids Hauling: 204 tons
Cattail Removal: Pending

Lift Station Cleanouts: 98%
SL Rat Status: 100%
Painting & Labeling: 99%





Town of Discovery Bay

“A Community Services District”

STAFF REPORT

Agenda Title: Discussion and Possible Action to Approve Sponsor Agreement with the California Conservation Corps, Delta Center (CCC).

Meeting Date: January 15, 2025

Prepared By: Monica Gallo, Landscape Manager

Submitted By: Dina Breitstein, General Manager

RECOMMENDED ACTION:

It is recommended that the Board take the following Action:

- a. Approve the Sponsor Agreement and execute a Contract with the California Conservation Corps, Delta Center for an amount of \$74,000.00.

EXECUTIVE SUMMARY:

The Town has been utilizing an outside contractor to assist in streetscape work and park landscaping since 2021 in lieu of hiring one additional full-time member of the Town’s landscape team and this has proven to be both cost effective and efficient.

The California Conservation Corps is the oldest and largest conservation corps in the country and develops thousands of young men and women ages 18 through 25 and military veterans through age 29. The CCC works for a wide range of project sponsors throughout California, including state and federal agencies, school districts, nonprofits and private industry.

The CCC provides a wide range of services from targeted conservation programs, emergency response to natural or manmade disasters in California, and natural resource conservation.

Staff have recently met with the California Conservation Corps, Delta Center and provided a tour of our Town. The CCC, Delta Center, is excited to build a working relationship with the Town of Discovery Bay and Staff are thrilled at the possibility of being a sponsor for the CCC.

CCC will provide a 5-6 crew member team at 40 hours per week for 12 weeks at a schedule that works for both the Town and the CCC for an amount of \$74,000.

FISCAL IMPACT:

\$74,000 Salary Budget

PREVIOUS RELEVANT BOARD ACTIONS FOR THIS ITEM:

None.

ATTACHMENTS: None.



SPONSOR AGREEMENT (CCC-96) (for Private Entity)

This Sponsor Agreement (Agreement) is entered into by the California Conservation Corps (CCC), State of California and

Sponsor's Name: _____, a private entity (Sponsor).

WHEREAS, the CCC is statutorily mandated to provide job skills training, educational opportunities and an increasing awareness of the State's natural resources to young adults;

WHEREAS, the CCC is authorized to work on projects in rural and urban areas that provide a benefit to the public by, among other things, preserving, maintaining and/or enhancing the lands and water of the State of California, directly contributing to the conservation of energy and/or assisting in fire prevention and suppression;

WHEREAS, the CCC is authorized pursuant to the California Public Resources Code Section 14306 to execute contracts for furnishing the services of the CCC to any federal, state or local public entity, any California Native American tribe, any local or statewide private organizations, and any person, firm, partnership, or corporation concerned with the objectives of the CCC program as specified in California Public Resources Code Sections 14000 and 14300;

WHEREAS, the Sponsor is concerned with the objectives of the CCC program as specified in California Public Resources Code Sections 14000 and 14300 and can provide opportunities for public service through meaningful and productive work projects;

WHEREAS, each party to this Agreement is duly authorized to enter into this Agreement; and

WHEREAS, the parties to this Agreement find and determine that it would be to their mutual advantage and the public benefit to join together to accomplish the purpose herein, and coordinate their power, authority and expertise for the CCC to use its corpsmembers and employees to accomplish projects specified by Sponsor and agreed to by the CCC;

CCC-96 PE (rev. 11/2024)





NOW THEREFORE, in consideration and recognition of the above, the Sponsor and CCC (collectively referred to herein as “the parties”) agree as follows:

A. Documentation of Projects

1. Sponsor shall submit project proposals to the CCC.
2. The CCC shall work with Sponsor to include details of project proposals in a CCC Project Evaluation and/or other appropriate forms and documentation where applicable.
3. No project work will begin without CCC Project Evaluation documentation being signed by the parties’ representatives.
4. The documentation for any project necessarily incorporates into it this Agreement.
5. If there should be a conflict with terms and conditions contained in any other documents related to the parties’ relationship or any project related thereto, the terms and conditions set forth in this CCC 96 will take precedence.
6. Unless otherwise specified in the project documentation, the parties agree to accept documents that are electronically signed in accordance with Government Code Section 16.5.

B. Parties Obligations:

1. Sponsor agrees:
 - a. To pay for all costs, including but not limited to, labor, material and supply costs negotiated and agreed to by the parties that are directly related to and necessitated by a project and that are set forth in the project documentation;
 - b. To make available to the CCC adequate plans, specifications, materials, supplies, equipment and/or special labor requirements to complete the project as determined and agreed to by the parties as specified in the project documentation;
 - c. To provide adequate technical supervision as determined and agreed to by the parties;
 - d. To obtain approvals, clearances, and permits required by any local, state, tribal, or federal entity, law, or regulation;
 - e. To the extent any project involves the CCC performing work on private property, the Sponsor will obtain and/or has obtained all necessary approvals, authorizations and/or permits from the owners

2





- of said private property before the CCC begins project work on said property and that the CCC is authorized to perform the project work on said private property;
- f. To obtain clearances and/or meet requirements, if any, of trade unions or other labor organizations occasioned by the participation of the CCC in the project;
 - g. To provide project sites that, to the best of the Sponsor's knowledge, are free of any known hazardous materials, but if there are any known hazardous materials present, the Sponsor will provide the location, identity, and amounts of such hazardous materials as well as the Safety Data Sheets associated;
 - h. To provide or reimburse the CCC for acceptable temporary living accommodations for CCC personnel engaged in working on a project if: (1) the project is located at a site that is more than a one-hour drive from the designated CCC base center; and, (2) provision of such living accommodation is determined necessary by the parties;
 - i. To conduct an orientation with CCC personnel at the commencement of each project to explain the technical aspects, safety requirements and other relevant information necessary for the CCC to successfully complete the project including the identification of restroom facilities or alternatives;
 - j. To work with the CCC to conduct an educational or training presentation at the CCC base center or project site to CCC Corpsmembers; and,
 - k. To consider authorizing the CCC to place a sign, plaque or emblem on the project site that presents the CCC's contribution to the project.
2. CCC agrees to:
- a. Review project proposals submitted by the Sponsor and work with Sponsor to prepare project documentation for those proposed projects that are covered by the CCC's statutory mandate, consistent with the CCC's organizational priorities and within the CCC's operational capabilities;
 - b. Provide CCC personnel, equipment and materials to perform the obligations specified in the project documentation. The CCC will





- only use personnel who have received adequate prior training and are sufficiently equipped for and alerted to the general nature of the hazards inherent in the scope of work; and,
- c. Provide its personnel with Workers' Compensation coverage and benefits that are administered by the State Compensation Insurance Fund in accordance with the California Labor Code.
3. The Sponsor and CCC mutually agree to the following:
- a. This Agreement is not intended to affect the legal liability of either of the parties by imposing any standard of care other than the standard of care imposed by law;
 - b. The Sponsor shall defend, indemnify and hold harmless the State of California, CCC and their officers, agents, employees and program participants from any and all claims, demands, losses, or liability of any sort arising (or alleged to have arisen) in whole or in part as a result of conduct undertaken by the Sponsor in performance of this Agreement or otherwise in connection with this Agreement.
 - c. Insurance:
 - i. The State of California has elected to cover its motor vehicle and general liability exposure through claims procedures instituted in accordance with the California Government Code provisions and the other provisions of the law relating to such liability. Pursuant to those procedures, tort liability claims should be presented as a government claim to the Government Claims Program, P.O. Box 989052 MS 414, West Sacramento, CA 95798-9052; ; <https://www.dgs.ca.gov/ORIM/Services/Page-Content/Office-of-Risk-and-Insurance-Management-Services-List-Folder/File-a-Government-Claim?search=government%20claim%20form> in accordance with the California Government Code and the other provisions of the law governing submission of such claims. In addition, unless notified otherwise or on behalf of the CCC, motor vehicle liability claims should be presented to the Office of Risk and Insurance Management (ORIM), P.O. Box 989052 MS-403, West Sacramento, CA 95798-9052, (800) 900-





3634, claims@dgs.ca.gov. If your motor vehicle liability claim is not resolved within six months from the date of loss, California law requires you to file a formal claim with the Government Claims Program, P.O. Box 989052 MS 414, West Sacramento, CA 95798-9052 (link above). It should be noted, however, that the willingness of ORIM to receive such motor vehicle liability claims does not constitute a waiver by the State of California or the CCC of the time limits or procedures provided by law or the filing of claims relating to such motor vehicle liability. It also should be noted that the addresses set forth in this paragraph are subject to change; any claimant is advised to verify the accuracy of and currency of the addresses for filing claims, and by setting forth addresses in this paragraph, neither the State of California nor the CCC is waiving any time limits or procedures provided by law for filing claims related to alleged motor vehicle or general liability or any other alleged liability.

- ii. The California Department of Human Resources has entered into a Master Agreement with the State Compensation Insurance Fund to administer Workers' Compensation benefits for State employees and Corpsmembers as required by the California Labor Code.

- d. The California Labor Code Section 1720.4(c) specifically exempts the CCC from paying state prevailing wages to Corpsmembers when engaged in public works projects. The CCC is not subject to the federal prevailing wage requirements set forth in the Davis-Bacon Act (Title 40 USC 276A et seq.) when providing labor on federal government contracts. Title 29 of the Code of Federal Regulations (CFR), Section 5.2(h) specifically provides that a State is not considered a contractor under statutes providing loans, grants, or other federal assistance in situations where construction is performed by its own employees and/or personnel;





- e. The California Business and Professions Code, Section 7040 exempts the State of California from contractor licensing requirements. The CCC is a state entity subject to the exemption;
- f. Non-Public Benefit Prohibition:
 - i. Sponsor recognizes and agrees that: (a) the CCC Corpsmembers and services subject to this Agreement are being funded, at least in part, by public funds; and, (b) the CCC's Corpsmembers and services are being offered and will be provided only in order to confer a public benefit consistent with the CCC's operating statutes (see Public Resources Code Section 14000 et seq.).
 - ii. Sponsor guarantees and agrees that neither it nor any of its affiliates, subcontractors, partners, agents, and/or otherwise related entities and/or individuals will generate any profit directly from a markup of the CCC rate or charge any third party above Sponsor's direct cost for any CCC services provided pursuant to this Agreement.
- g. Improvements and Land Use:
 - i. All improvements constructed in whole, or in part by the CCC on lands owned or controlled by the Sponsor will remain the property of the Sponsor;
 - ii. Permission to camp and/or perform work on lands owned or controlled by Sponsor does not in any way convey to the CCC, its staff or any person or persons working with the CCC in the performance of said work, employee status that would extend to them the benefits afforded to permanent employees of Sponsor;
- h. Emergency Services and Possible Delays:
 - i. The CCC is required to provide emergency services when directed by the Governor of the State of California pursuant to an Executive Order, the Office of Emergency Services (Cal OES), Department of Forestry and Fire Protection (CAL FIRE) and other agencies charged with responding to emergencies throughout California arising from fire, flood, wind, and other natural and man-caused disasters.
 - ii. The CCC may be required to temporarily suspend or permanently cease work on projects due to required emergency response or emergency conditions. The parties agree that any delay in





completing the work by the CCC due to response to an emergency shall be excused and costs incurred by the delay shall be the responsibility of the Sponsor;

- iii. The resources of the CCC are limited and the public service conservation work of the CCC may be altered in priority from time-to-time. The parties agree that other than delays caused by the CCC's response to an emergency, all other delays by either party shall be excused and costs caused by delays shall be the responsibility of the party incurring such costs.
- i. Audit: It is mutually agreed that, pursuant to California Government Code, § 8546.7, any project performed under this Agreement that involves the expenditure of public funds in excess of ten thousand dollars (\$10,000) shall, along with the Parties thereto, be subject to the examination and audit of the California State Auditor for a period of three years after final payment under said project. Such audit may be triggered at the request of the public entity expending said funds or as part of any California State Auditor audit of said public entity.
- j. All contracts relating to the construction or operation of a project will contain a clause prohibiting discrimination and/or harassment against any person, employee or employee applicant engaged in the project work on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status, and denial of family care leave;
- k. Budget Contingencies:
 - i. It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under this Agreement does not appropriate sufficient funds for the program, this Agreement shall be of no further force and effect. In this event, the State of California and the CCC shall have no liability to pay any funds whatsoever to Sponsor or to furnish any other considerations under this Agreement or related project documentation and Sponsor shall not be obligated to perform any provisions of this Agreement or related project documentation; and,





- ii. If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the State of California and the CCC shall have the option to either cancel this Agreement with no liability occurring to the State of California or CCC, or offer an amendment to the Agreement reflecting the reduced amount;
- l. Subject to the provisions herein, all remedies allowed by law are available to either party for enforcement of this Agreement. Any waiver of rights by either party or any matter relating to this Agreement shall not be deemed to be a waiver unless in writing and approved by both parties and shall not be a waiver to any other provision or matter relating to this Agreement;
- m. If any part of this Agreement is found to be invalid the remainder of the Agreement shall continue in full force and effect;
- n. Neither the CCC nor the Sponsor may assign this Agreement or any interest therein without the written consent of the other party;
- o. No amendment or variation of the terms of this Agreement shall be valid unless made in writing, signed by the parties and approved as required. No oral understanding or Agreement not incorporated in the Agreement is binding on any of the parties;
- p. This Agreement is governed by and shall be interpreted in accordance with the laws of the State of California;
- q. This Agreement shall remain in effect unless terminated upon thirty (30) days written notice from either party; and

CONTINUED ON NEXT PAGE





- r. Each Party and its respective agents executing this Agreement warrants and represents that it has the full power and authority to execute, deliver and perform the obligations under this Agreement and that each Party's performance hereunder has been duly authorized by all requisite actions on the part of that Party.

Sponsor Information:

Sponsor Name:	Sponsor Department:
Address:	
Contact Person:	Phone:
Email Address:	

SIGNATURES

In Witness Whereof, the parties have agreed to the conditions of this Agreement as of the date shown below.

Sponsor Representative Signature:	
Print Name:	Date:

CCC District Director/Region Deputy Signature:	
Print Name:	Date:





Town of Discovery Bay

“A Community Services District”

STAFF REPORT

Agenda Title: Discussion and Possible Action Regarding Board Member Appointments to Standing Committees.

Meeting Date: January 15, 2025

Prepared By: Dina Breitstein, General Manager

Submitted By: Dina Breitstein, General Manager

RECOMMENDED ACTION:

Select new two-year term Standing Committee appointments pursuant to Policy No. 002, Article IV, Section 2 of the Board’s Bylaws.

EXECUTIVE SUMMARY:

At the January 18, 2023 Regular Board Meeting, Standing Committee assignments for two-year terms were selected. Those Standing Committee terms have expired, and it is time to make new Standing Committee selections for a new two-year term.

Park and Recreation, Finance, Communications, and Internal Operations Committees

Pursuant to Board Bylaws, Policy 002, Article IV, Section 2: “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 most senior member for purposes of this selection procedure.”

By this formula, priority selection is as follows:

- 1. President Graham
- 2. Vice-President Gutow
- 3. Director Graves
- 4. Director Porter
- 5. Director Belcher.

Water and Wastewater Committee (“WWC”)

Pursuant to Board Bylaws, Policy 002, Article IV, Section 2: “The senior member currently on the WWC shall have the first-choice option to either remain on the WWC for an additional two-year term or to participate in the selection process to choose another Standing Committee. If the senior WWC member chooses to participate in the selection process, then any remaining WWC member shall have the first-choice option to either stay on the WWC for an additional two-year term or to participate in the selection process. Senior member is determined by the longest uninterrupted service time on the WWC. In the event seniority cannot be determined based on time on the WWC, then seniority will be based on Board seniority. In the event WWC seniority cannot be determined based on Board seniority, the Board member with the highest vote count in their most recent election shall prevail as the senior member.”

By this formula, priority selection is as follows:

1. Director Graves
2. President Graham
3. Vice-President Gutow
4. Director Porter
5. Director Belcher.

Committee Name	Location	Day and Time
Finance Committee	Community Center	Bimonthly (even months) on first Wednesday at 4:30pm
Water and Wastewater	Community Center	Monthly on first Wednesday at 5:30pm
Internal Operations	Community Center	As Needed
Parks and Recreation	Community Center	Bimonthly (odd months) on first Wednesday at 4:30pm
Communications	Community Center	Bimonthly (odd months) on first Wednesday at 3:30pm

FISCAL IMPACT:

PREVIOUS RELEVANT BOARD ACTIONS FOR THIS ITEM:

January 18, 2023.

ATTACHMENTS:

1. Bylaws Policy No. 002.
 2. Standing Committee Selection Worksheet.
-



Town of Discovery Bay

Program Area: Board	Policy Name: Bylaws	Policy Number: 002
Date Established: March 25, 1998	Date Amended: September 18, 2024	Resolution: 2024-14

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

Town of Discovery Bay CSD Bylaws
Amended September 18, 2024

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's 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. Said meetings shall be noticed pursuant to the Brown Act. Board member assignment to Standing Committees are to be for a two-year term following certification of the biennial election results and based on the following selection process:

Water and Wastewater Committee (“WWC”)

The senior member currently on the WWC shall have the first-choice option to either remain on the WWC for an additional two-year term or to participate in the selection process to choose another Standing Committee. If the senior WWC member chooses to participate in the selection process, then any remaining WWC member shall have the first-choice option to either stay on the WWC for an additional two-year term or to participate in the selection process.

Senior member is determined by the longest uninterrupted service time on the WWC. In the event seniority cannot be determined based on time on the WWC, then seniority will be based on Board seniority. In the event WWC seniority cannot be determined based on Board seniority, the Board member with the highest vote count in their most recent election shall prevail as the senior member.

Park and Recreation, Finance, Communications, and Internal Operations Committees

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 most senior member for purposes of this selection procedure.

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 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.

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. 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.

STANDING COMMITTEE SELECTION WORKSHEET

COMMITTEE	DAY AND TIME	DIRECTOR	DIRECTOR
Finance Committee	Bimonthly (even months) on first Wednesday at 4:30pm		
Water and Wastewater	Monthly on first Wednesday at 5:30pm		
Internal Operations	As Needed		
Parks and Recreation	Bimonthly (odd months) on first Wednesday at 4:30pm		
Communications	Bimonthly (odd months) on first Wednesday at 3:30pm		



Town of Discovery Bay

“A Community Services District”

STAFF REPORT

**AGENDA ITEM:
E3**

Agenda Title: Discussion and Possible Action Related to Board Member Appointment to Regional Committees.

Meeting Date: January 15, 2025

Prepared By: Dina Breitstein, General Manager

Submitted By: Dina Breitstein, General Manager

RECOMMENDED ACTION:

Select new two-year term Regional Committee appointments pursuant to Article IV of the Board’s Bylaws

EXECUTIVE SUMMARY:

At the January 18, 2023 Regular Board Meeting, Regional Committee appointments for two-year terms were selected. As such, existing Regional Committee terms are expired.

Pursuant to Board Bylaws, Policy 002, Article IV, Section 2: “Board members shall be assigned to attend Regional Meetings.... 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.... This procedure shall be used to fill Primary and Alternate members to respective Regional Representation.” By this formula, priority selection is as follows:

1. President Graham
2. Vice-President Gutow
3. Director Graves
4. Director Porter
5. Director Belcher

Pursuant to Article III, Section 2 of the Board Bylaws, “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.”

Committee Name	Location	Day and Time
Contra Costa County Aviation Advisory Committee	550 Sally Ride Dr. Concord or 500 Eagle Court, Byron	2nd Thursday of the Month at 10:00 a.m.
Contra Costa County Code Enforcement	3361 Walnut Boulevard Suite 140 Brentwood	4th or 5th Thursday of the Month at 1:30 p.m.
Contra Costa Special Districts Association	5019 Imhoff Place, Martinez CA 94553	Bi-Monthly at 10:00 a.m.
Contra Costa County Fire Protection District Liaison	CCC Board Chambers 1025 Escobar Street, Martinez CA	Varying Tuesdays of the Month 1:00 PM
East County Water Mngmt. Assoc.	69 Big Break Road, Oakley, CA 94561	Every 6 months at 11:30 a.m.
LAFCO Liaison	40 Muir Road, Martinez CA 94553	2nd Wednesday of the Month 1:30p.m.
Police Service (P6 Committee)	Community Center	Semiannual - TBD
School District Representative Liaison	14301 Byron Highway, Byron	3rd Thursday of the Month at 7:00 p.m.
Regional Transportation Agencies	As Necessary	As Necessary

PREVIOUS RELEVANT BOARD ACTIONS FOR THIS ITEM:

January 8, 2014 – Appointment of Board Members to District Representative Committee Positions.
December 16, 2015 – Board Officer Rotation Schedule and Appointment of District Representatives.
February 4, 2015 – Adopted District Representative Listing for Calendar Year's 2015-16.
February 18, 2015 – Amended Board Policy No. 004.
January 18, 2017 – Consider approving the proposal by the Board President to make modifications to the Board Bylaws and Policies related to staff sub-committees and regional committees.
April 5, 2017 – Discussion and Possible Action Related to District Board Member Regional Representation.
April 19, 2017 – Discussion and possible action on revised Bylaws regarding Regional Representation and appointments to Regional Committees as may be necessary.
June 7, 2017 – Discussion and Possible Action Regarding Regional Representatives.
January 16, 2019- Discussion and Possible Action Related to Board Member Appointment to Regional Committees.
January 20, 2021- Discussion and Possible Action Related to Board Member Appointment to Regional Committees.
January 18, 2023- Discussion and Possible Action Related to Board Member Appointment to Regional Committees.

ATTACHMENTS:

1. Bylaws Policy No. 002.
 2. Regional Committee Selection Worksheet.
-



Town of Discovery Bay

Program Area: Board	Policy Name: Bylaws	Policy Number: 002
Date Established: March 25, 1998	Date Amended: September 18, 2024	Resolution: 2024-14

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's 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. Said meetings shall be noticed pursuant to the Brown Act. Board member assignment to Standing Committees are to be for a two-year term following certification of the biennial election results and based on the following selection process:

Water and Wastewater Committee (“WWC”)

The senior member currently on the WWC shall have the first-choice option to either remain on the WWC for an additional two-year term or to participate in the selection process to choose another Standing Committee. If the senior WWC member chooses to participate in the selection process, then any remaining WWC member shall have the first-choice option to either stay on the WWC for an additional two-year term or to participate in the selection process.

Senior member is determined by the longest uninterrupted service time on the WWC. In the event seniority cannot be determined based on time on the WWC, then seniority will be based on Board seniority. In the event WWC seniority cannot be determined based on Board seniority, the Board member with the highest vote count in their most recent election shall prevail as the senior member.

Park and Recreation, Finance, Communications, and Internal Operations Committees

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 most senior member for purposes of this selection procedure.

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 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.

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. 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

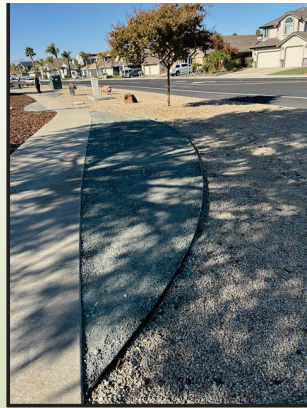
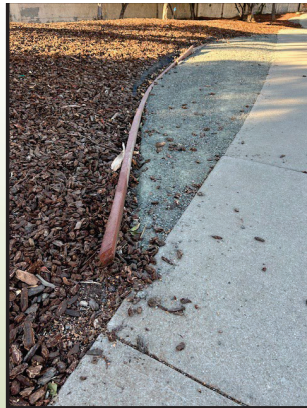
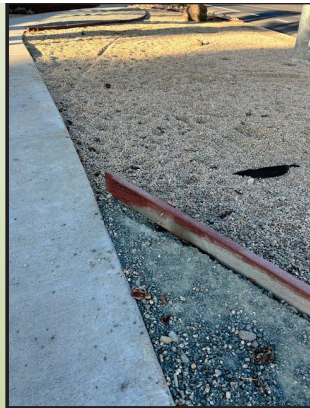
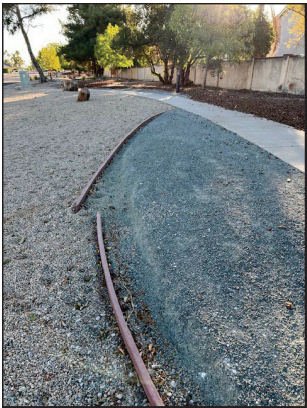
The Bylaws may be repealed or amended, or new Bylaws may be proposed, by resolution and the affirmative vote of at least three (3) members of the Board at any regular meeting of the Board, provided notice of such proposal shall be in compliance with the Brown Act, as amended.

REGIONAL COMMITTEE	LOCATION	DAY AND TIME	PRIMARY DIRECTOR	ALTERNATE DIRECTOR
Contra Costa County Aviation Advisory Committee	550 Sally Ride Dr. Concord or 500 Eagle Court, Byron	2nd Thursday of the Month at 10:00 a.m.		
Contra Costa County Code Enforcement	3361 Walnut Boulevard Suite 140 Brentwood	4th or 5th Thursday of the Month at 1:30 p.m.		
Contra Costa Special Districts Association	5019 Imhoff Place, Martinez CA 94553	Bi-Monthly at 10:00 a.m.		
Contra Costa County Fire Protection District Liaison	CCC Board Chambers 1025 Escobar Street Martinez, CA 94553	Monthly at 1:00PM Tuesdays (weeks vary)		
East County Water Management Association	69 Big Break Road, Oakley, CA 94561	Every 6 months at 11:30 a.m.		
LAFCO Liaison	40 Muir Road, Martinez CA 94553	2nd Wednesday of the Month 1:30p.m.		
Police Service (P6 Committee)	Community Center	Semiannual - TBD		
School District Representative Liaison	14301 Byron Highway, Byron	3rd Thursday of the Month at 7:00 p.m.		
Regional Transportation Agencies	As Necessary	As Necessary		

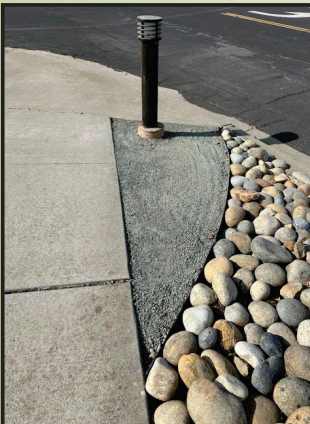
LANDSCAPE UPDATES NOVEMBER/DECEMBER 2024



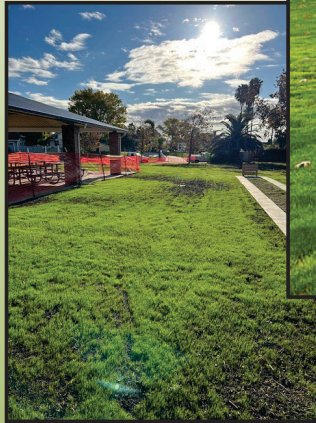
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CLIPPER DRIVE
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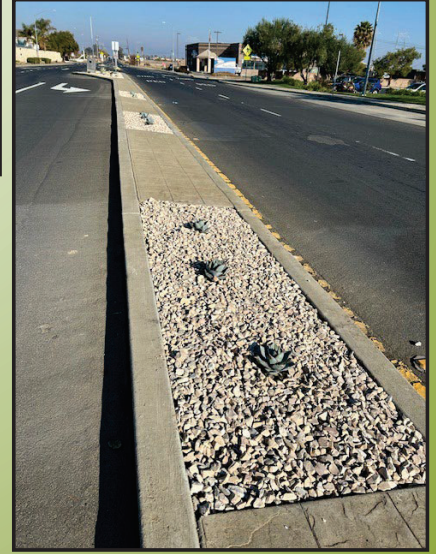
CORNELL PARK



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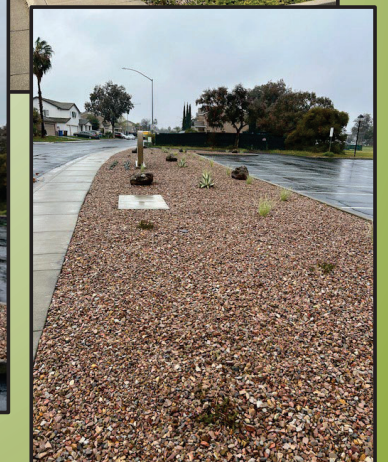
BIXLER ROAD MEDIANS



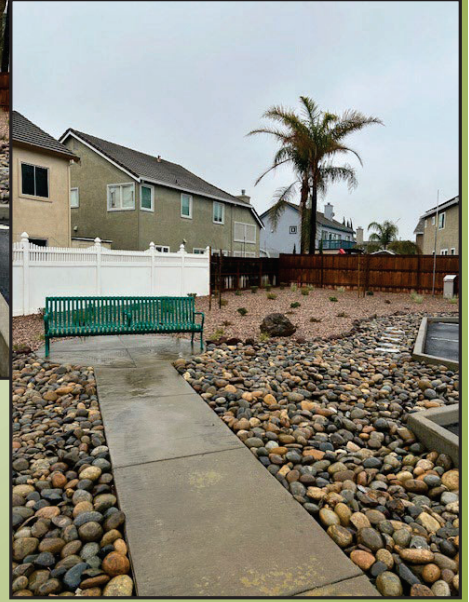
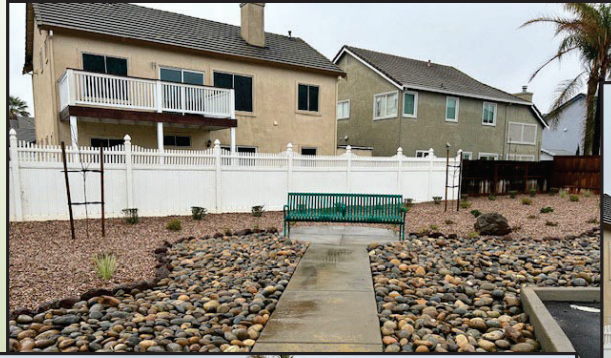
BIXLER ROAD and REGATTA DRIVE



SUSSEX COURT



REGATTA PARK ENTRANCE



YACHT & FOGHORN
OVERFLOW PARKING LOT



County Supervisor Diane Burgis

Contra Costa County Board of Supervisors, District 3

COMMITTEES:

Airports Committee, Chair
Delta Protection Commission, Chair
Open Space/Parks & East Bay Regional Parks District Liaison Committee, Chair
Transportation, Water & Infrastructure Committee, Chair
Contra Costa Health Plan Joint Conference Committee, Vice Chair
Internal Operations Committee, Vice Chair
Legislation Committee, Vice Chair
Bay Area Counties Caucus
California Identification System Remote Access Network Board (Cal-ID RAN Board)
Contra Costa Family Justice Alliance
Delta Counties Coalition
Delta Stewardship Council
East Contra Costa County Habitat Conservancy, Governing Board
East Contra Costa Regional Fee & Finance Authority
East County Water Management Association
eBART Partnership Policy Advisory Committee
Illegal Dumping Ad Hoc Committee
Northern Waterfront Economic Development Ad Hoc Committee
Regional Impact Council, All-Home Steering Committee
Sacramento-San Joaquin Delta Conservancy Board
State Route 4 Bypass Authority
TRANSPLAN (East County Transportation Planning)
Tri-Delta Transit Authority Board of Directors

SERVING AS ALTERNATE:
ABAG Executive Board
ABAG General Assembly
Contra Costa Transportation Authority (CCTA)
CSAC Board of Directors
Dougherty Valley Oversight Committee
East Bay Regional Communication System (EBRCS) Authority Governing Board
Local Agency Formation Commission
San Joaquin Joint Powers Authority

January 3, 2025

Honorable Carolyn Graham
President, Board of Directors
Town of Discovery Bay Community Services District
1800 Willow Lake Road
Discovery Bay, CA 94505

RE: Town of Discovery Bay Community Services District Board of Directors Letter of Concern and Opposition to County File #CDDP24-03048

Dear President Graham,

Thank you for your letter regarding the proposed three-story apartment complex in Discovery Bay. I appreciate you and the Town of Discovery Bay Community Services District (CSD) Board of Directors taking the time to share your concerns about this significant matter. This letter serves as an acknowledgment of receipt of your correspondence dated December 18, 2024.

I recognize the concerns outlined in your letter, including increased traffic congestion, potential strains on public services, and possible effects on local infrastructure and community character. These are important factors that warrant careful consideration, and I greatly value the insights you have provided.

To provide clarity on the process, I asked county staff to prepare a document outlining the ongoing legal and planning procedures related to this project. I encourage the CSD and members of the public review it in order to better understand the framework within which these decisions are being made.

Also, please note that in response to your concerns, I have sent a letter to the Contra Costa County Department of Conservation and Development as well as our state representatives sharing your concerns.

Thank you again for reaching out and sharing your perspective. I encourage continued dialogue between your board, community members, and the county. Please feel free to contact my office if you have any further questions or need additional information.

Sincerely,

Diane Burgis, District 3 Supervisor
Contra Costa County Board of Supervisors

encl:
County File No. CDPC24-00002



**CONTRA COSTA COUNTY
DEPARTMENT OF CONSERVATION &
DEVELOPMENT
30 Muir Road
Martinez, CA 94553
Telephone: (925) 655-2705**

TO: County Supervisor Diane Burgis
Attn: Stephen W. Griswold III, Deputy Chief of Staff

FROM: Ruben Hernandez, Deputy Director, Community Development
Division
By: Syd Sotoodeh, Senior Planner

DATE: November 6, 2024

SUBJECT: County File No. CDPC24-00002
Proposed Affordable Multiple-Family Housing Project
1700 Discovery Bay Blvd., Discovery Bay (APN 004-182-008)

This memo outlines the current status and anticipated processing of the above-referenced affordable multiple-family housing project.

Application Submitted

On October 11, 2024, an applicant submitted a preliminary application for a proposed multiple-family housing project located at 1700 Discovery Bay Blvd., Discovery Bay (APN 004-182-008) (the “Project”). According to the preliminary application, the proposed Project would include approximately 170,000 square feet of construction for 170 residential apartments, a clubhouse and other residential amenities, and outdoor spaces. The preliminary application proposes 306 surface parking stalls to serve the Project. As proposed, the residential apartments would be designated affordable housing units made available to low-, very low-, and extremely low-income households.

The Project preliminary application was submitted pursuant to Senate Bill 330 (“SB330”). SB 330 provides certain benefits and protections for housing development projects. If a preliminary application is submitted, the proposed housing development is subject only to those standards and regulations in effect at the time of submittal. A preliminary application provides only a preliminary, high-level description of the proposed housing development. SB 330 requires that a complete, formal application be submitted within 180 days.

Here, the applicant has thus far only submitted a preliminary application for the proposed Project. A complete, formal application, with more details of the Project, including a development plan (i.e., site plan, affordable housing plan, and information regarding landscaping, parking and circulation, etc.), will be required.

Housing Element Site

The proposed Project site is listed on the Housing Element Sites Inventory in the County's General Plan Housing Element. The County's Housing Element is adopted by the Board of Supervisors and certified by the California Department of Housing and Community Development. The Housing Element identifies the Project site as having the potential to provide 2 units to moderate-income households, 84 units to low-income households, and 84 units to very low-income households, for a total of 170 affordable housing units. The Project site is located within the Housing Element Consistency (HE-C) District, which provides parcel-specific density requirements and development standards for development within the HE-C district.

Housing Element Law Requires Ministerial, Non-Discretionary Approval Process for Qualifying Housing Developments on Housing Element Sites

California Housing Element Law, through regional housing need allocations and other mechanisms, requires local agencies to plan for and enable affordable housing development. The Law also includes provisions that restrict local agency review of certain qualifying projects developed on parcels identified in the agency's Housing Element Sites Inventory. On Housing Element Sites, if a proposed owner-occupied or rental multifamily residential development would provide at least 20 percent of the development's units to lower-income households, the local agency must permit the development "by right." (Gov. Code, § 65583.2(h).) That is, the local agency may not require a conditional use permit, planned unit development permit, or other discretionary local government review or approval, and such projects are not subject to environmental review under the California Environmental Quality Act ("CEQA"). (Gov. Code, §§ 65583.2(i).) The local agency may only impose objective, quantifiable, written development standards, conditions, and policies appropriate to, and consistent with, meeting the agency's share of the regional housing need. (Gov. Code, § 65589.5(f).)

Approval Process for the Proposed Project

The County's HE-C District Ordinance (County Ord. Code, Ch. 84-92) implements the Housing Element Law's requirements for Housing Element Site projects. In accordance with Housing Element Law, a proposed development on a HE-C zoned parcel will be approved ministerially without discretionary review or public hearing if the development meets all of the following requirements:

1. The proposed development is an owner-occupied or rental multi-family residential development.
2. Twenty percent or more of the units in the proposed development will be made affordable to lower-income households.
3. The proposed development complies with the applicable density requirements and development standards in the HE-C District Ordinance.

The Project applicant has not yet submitted a formal application for the Project. If, after submittal of a formal application, the Project complies with the above requirements, State Housing Element Law and the County Ordinance Code would require the County to approve the Project ministerially without discretionary review or public hearing. Moreover, the Project would not be subject to CEQA review.

Other State Laws, including the State Density Bonus Law (Gov. Code, § 65915) and the Housing Accountability Act (Gov. Code, § 65589.5), may also affect the level of local agency review for the Project. Once a formal application for the Project is submitted, County staff will evaluate the applicability of these laws and determine the appropriate process for review and decision on the Project.