



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



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

TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT
AGENDA PACKET

Regular Board Meeting
Wednesday, January 20, 2021

7:00 P.M. Regular Board Meeting

Community Center
1601 Discovery Bay Boulevard



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

SDLF Platinum-Level of Governance



PLATINUM LEVEL

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

**NOTICE OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
Wednesday, January 20, 2021
REGULAR MEETING 7:00 P.M.**

**NOTICE
Coronavirus COVID-19**

In accordance with the Governor's Executive Order N-33-20, and for the period in which the Order remains in effect, the Town of Discovery Bay Community Services District Board Chambers will be closed to the public.

To accommodate the public during this period of time that the Board's Chambers are closed to the public, the Town of Discovery Bay Community Services District Board of Directors has arranged for members of the public to observe and address the meeting telephonically.

TO ATTEND BY TELECONFERENCE:
Toll-Free Dial-In Number: (877)778-1806
CONFERENCE CODE **891949**

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

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Call business meeting to order 7:00 p.m.
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 DRAFT minutes of December 16, 2020 Regular Board of Director's meeting.
2. Approve Register of District Invoices.
3. Elect Board Officers for Calendar Year 2021 – Bryon Gutow President and Kevin Graves Vice-President.

D. PRESENTATIONS

1. Draft Water Shortage Contingency Plan

E. MONTHLY WATER AND WASTEWATER REPORT- VEOLIA

1. Veolia Report – Month of December 2020.

F. BUSINESS AND ACTION ITEMS

1. Discussion and Possible Action Regarding Board Member Appointments to Standing Committees.
2. Discussion and Possible Action Related to Board Member Appointment to Regional Committees.
3. Discussion and Possible Action to Set the Date and Time of the 2021 Annual Board Workshop.
4. Discussion and Possible Action Regarding Landscaping on Discovery Bay Boulevard.
5. Award Contract to McNabb Construction for the Installation of Ravenswood Park Play Structure.

H. MANAGER'S REPORT

1. Water & Wastewater Capital Improvement Project Update.

I. GENERAL MANAGER'S REPORT**J. DIRECTORS' REPORTS****K. CORRESPONDENCE RECEIVED (Information Only)****L. FUTURE AGENDA ITEMS****M. ADJOURNMENT**

1. Adjourn to the next regular meeting on February 3, 2021 at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard.

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

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SDLF Platinum-Level of Governance



PLATINUM LEVEL

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

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
Wednesday, December 16, 2020
REGULAR MEETING 7:00 P.M.**

**NOTICE
Coronavirus COVID-19**

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REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Call business meeting to order 7:00 p.m. – By President Gutow
2. Pledge of Allegiance – Led by Director Porter.
3. Oath of Office for Elected Board Members
Carolyn Graham and Michael Callahan took the Oath of Office to officiate their elections as Directors for the Town of Discovery Bay.
4. Roll Call – All Present.

B. RECOGNITIONS

1. Award Presented to Former Board President Bill Pease.
President Bryon Gutow thanked Bill Pease for his dedication to the Town throughout the years and presented him with an award.
2. Recognition – Board Member Service to the Town of Discovery Bay: Bill Pease 8 years and Bill Mayer 4 Years.
President Bryon Gutow expressed appreciation to Bill Mayer and Bill Pease for their time on the Board of Directors.
Words of appreciation were expressed by Vice President Graves, Director Porter and General Manager Mike Davies.

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

None.

D. CONSENT CALENDAR

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

President Bryon Gutow requested to remove Item D-5 from the Consent Calendar temporarily.

1. Approve DRAFT minutes of regular meeting for November 18, 2020.
2. Approve Register of District Invoices.

3. Approve the Storage Space Lease Agreement between the Town of Discovery Bay and Discovery Bay Lions Club and a Storage Space Lease Agreement with the Discovery Bay Community Foundation.
4. Approve \$6000 Donation from Veolia North America to the Community Center.
5. Adopt Resolution No. 2020-26 Assigning Check Signing Signature Authority.

Motion made by Vice President Graves to approve Items 1-4 on the Consent Calendar as presented.
Second by Director Porter.

Vote: Motion Carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

Finance Manager Julie Carter requested approval of Resolution 2020-26 with changes to Article 7, Section 1 as follows;

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 as provided in the Bylaws.

Motion made by Director Porter to approve Item D-5 as presented.

Second by Director Graham.

Vote: Motion Carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

E. PRESENTATIONS

1. Veolia Report – Month of November 2020.

Veolia Project Manager Gerry Lemus updated the Board with November 2020 operations. He discussed an incident with a manhole on Pescadero where water was coming out of the sewage system. Veolia Project Manager Gerry Lemus advised the Board that Veolia was onsite and had resolved the issue within 30 minutes of the notification. The incident was caused by construction debris that was left behind many years ago. After clearing the debris, additional issues regarding this matter are not expected. The state was notified and agreed with the solution enforced.

Director Porter asked if there is a protocol for inspecting manholes and surrounding construction areas before developers complete work.

Veolia Project Manager Gerry Lemus advised that inspectors are responsible for sweeping and clearing worksite of anything left behind and should be looking for any violations.

Comment made by Vice President Graves to Water and Wastewater Manager Aaron Goldsworthy.

Recognition for prompt and efficient work on the weekend when a pipe broke and was flooding underneath some homes. Water and Wastewater Manager Aaron Goldsworthy and Water Technician Bailey Bautista responded and directed landscapers on how to repair the damage.

2. Presentation on the Schedule for Adopting the 2020 Urban Water Management Plan and the Water Shortage Contingency Plan.

Water Engineer Justin Shobe from Luhdorff & Scalmanini Consulting Engineers presented the 2020 Urban Water Management Plan. In his presentation, Water Engineer Justin Shobe discussed the Overview of 2020 Urban Water Management Plan (UWMP), the Overview of Water Shortage Contingency Plan (WSCP) and the Schedule for Plan Adoption included in this Agenda Packet.

F. BUSINESS AND ACTION ITEMS

1. Discussion and Possible Action to Amend Section 1, of Article VII, of Policy 002 Bylaws.

General Manager Mike Davies advised the Board that the current Bylaws require two Board of Directors provide signatures to allow for payments or check issuing. This at times poses an issue as Directors are not always available to come into the Town Office to provide signatures. Resolution 2020-28 would change Bylaws to state that two District official's signatures shall provide sufficient authorization for payments.

Vice President Graves requested to hear from Legal.

Legal Counsel Rod Attebery responded that this is a common format for other entities. The practice being presented in Resolution 2020-28 will allow flexibility allowing the Town to make payments on time.

Motion made by Director Porter to approve Resolution 2020-28.

Second by Director Graham.

Vote: Motion Carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

2. Discussion and Possible Action to Increase the Budget for the Filter Maintenance and Repairs at Willow Lake and Newport Drive Water Treatment Plants and to Award the Lowest Responsive Bidder.

Water Engineer Justin Shobe reported that media at Willow Lake needs to be replaced. Typically, media is replaced every ten years. The media at Willow Lake has not been replaced in over 15 years. It has been placed on the Capital Improvement Project list for a few years. Upon inspection, it was determined that there is a small hole in one of the filter vessels and coating will need to be replaced. There will be a review of internal piping which may require some replacement depending on the results of the inspection. Therefore, some funds will need to be set aside in the event that replacements are needed. It is requested that the Board allow the Town to use some funds from the Infrastructure Replacement Funds to conduct needed repairs and take care of unknowns that might present themselves during construction.

Director Porter asked how it was determined that there needs to be more work done.

Water Engineer Justin Shobe advised that addressing all the concerns at once was more economical to the Town instead of just replacing media and not looking into other possible concerns.

Vice President Graves asked which account the funds were going to be taken from.

Assistant General Manager Dina Breitstein advised it would come from the Infrastructure Replacement Fund and it fits into our structure since we have reserves to do it.

Motion made by Vice President Graves to approve Action to Increase the Budget for the Filter Maintenance and Repairs at Willow Lake and Newport Drive Water Treatment Plants and to Award the Lowest Responsive Bidder.

Second by Director Porter.

Vote: Motion Carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

3. Discussion and Possible Action Regarding Repairs to Broken Willow Lake and Marina Waterlines and Approve Resolution No. 2020-27, Adopting a CEQA Exemption, Approving the Project, and Directing Filing of the Notice of Exemption.

Project Manager Mike Yeraka advised that a pipe underneath the lake failed in 2019. Solution was determined to drill underneath the lake. Quotes from contractors were obtained. In the meantime, a waterline has also failed and damage inside the pipeline was found. The pipeline has pinholes and repair will not be feasible, as it will continue to fail. Recommendation is to authorize the General Manager to execute all contracts and documents necessary to repair the broken waterlines, adopt Resolution 2020-27 and to file Notice of Exemption with County Clerk's office.

Vice President Graves asked for a timeline.

Project Manager Mike Yeraka advised the end of the project will hopefully be the middle of spring.

Director Graham asked how the surrounding areas will be disrupted by the repairs.

Project Manager Mike Yeraka advised that the public will be notified of any possible disturbances.

President Gutow asked if these projects are the start of many we can expect in the future.

Project Manager Mike Yeraka advised that in the rate study there are funds budgeted for these projects.

Motion made by Vice President Graves to approve Item F-3 as presented.

Second by Director Graham.

Vote: Motion Carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

4. Discussion and Possible Action to Approve the Notice of Completion and Final Payment for the Pickleball Courts at the Community Center.

General Manager Mike Davies advised the Board the project to convert tennis courts into pickleball courts has been completed. Recreation Program Supervisor Monica Gallo expressed her satisfaction with the final results of the project.

Motion made by Director Porter to Approve the Notice of Completion and Final Payment for the Pickleball Courts at the Community Center.

Second by Vice President Graves.

Vote: Motion Carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

G. MANAGER'S REPORT

1. 457(b) and 401(a) Retirement Plan Update

General Manager Mike Davies reported the approval of 457(b) and 401(a) plans for Town staff.

2. Newport Pointe Development Update.

The LAFCO approved Town Sphere of Influence of the Newport Pointe Development and in January 2021 LAFCO will move Town of Discovery Bay jurisdictional boundaries to include this property.

H. CORRESPONDENCE RECEIVED

I. FUTURE AGENDA ITEMS

J. OPEN SESSION DISCLOSURE OF CLOSED SESSION AGENDA

(Government Code Section 54957.7) Legal Counsel opened closed session at 8:05 p.m.

K. CLOSED SESSION

1. Conference with Real Property Negotiators Pursuant to Government Code Section 54956.8
Property: 1535 Discovery Bay Boulevard, Discovery Bay, CA 94505 (APN 008-200-010)
Agency Negotiator: Bryon Gutow/Mike Davies/Rod Attebery
Negotiating Parties: East Contra Costa Fire Protection District
Under Negotiation: Price and Terms

L. RETURN TO OPEN SESSION, REPORT ON CLOSED SESSION

(Government Code Section 54957.1) The Board came back from closed session at 8:35PM with no

reportable action.

M. ADJOURNMENT

1. Adjourned at 8:35 p.m. to the regular meeting on January 20, 2021 beginning at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard.

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DRAFT



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

January 20, 2021

Prepared By: Julie Carter, Finance Manager & Lesley Marable, Accountant

Submitted By: Michael R. Davies, General Manager

Agenda Title

Approve Register of District Invoices.

Recommended Action

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

Executive Summary

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

Fiscal Impact:

Amount Requested \$ 656,942.49

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

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

Previous Relevant Board Actions for This Item

Attachments

Request For Authorization to Pay Invoices for the Town of Discovery Bay CSD 2020/2021

AGENDA ITEM: C-2

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

Veolia Water North America	\$141,326.29
Pacific Gas & Electric	\$70,689.52
J.W. Backhoe & Construction, Inc.	\$63,567.32
Town of Discovery Bay CSD	\$60,916.34
Herwit Engineering	\$60,032.50
Luhdorff & Scalmanini	\$47,264.79
U.S. Bank Corporate Payment System	\$28,348.77
Terracare Associates	\$24,821.00
SWRCB	\$24,545.40
CaliforniaChoice Benefit Admin	\$20,032.42
Neumiller & Beardslee	\$13,112.45
Badger Meter	\$11,236.25
Delta Roofing	\$11,150.00
Carlson, Barbee & Gibson, Inc.	\$9,441.32
Pacific Landscape Supply, Inc.	\$7,714.27
Precision IT Consulting	\$6,581.46
R & B Company	\$6,087.92
Watersavers Irrigation Inc.	\$5,771.20
Brentwood Decorative Rock, Inc.	\$5,148.47
Brentwood Press & Publishing	\$4,388.00
Mt. Diablo Resource Recovery	\$4,343.58
Paul E. Vaz Trucking, Inc.	\$3,031.06
Freedom Mailing Service, Inc	\$3,000.12
Trugreen	\$2,675.00
Matrix Trust	\$2,573.83
Univar Solutions USA Inc.	\$2,070.59
SDRMA	\$1,746.92
Upper Case Printing, Inc.	\$1,392.39
California Rural Water Association	\$1,367.00
Benefit Resources, Inc.	\$1,202.08
United States Postal Services	\$1,065.00
Bryon Gutow	\$920.00
Verizon Wireless	\$904.42
ECS Imaging, Inc.	\$900.00
Kevin Graves	\$805.00
Brentwood Ace Hardware	\$751.98
Dog Waste Depot	\$742.26
Ricoh USA, Inc	\$597.41
Ashley Porter	\$575.00
Bill Pease	\$460.00
William Mayer	\$460.00
Aflac	\$354.80
Herc Rentals Inc.	\$351.92
Quadient Leasing USA, Inc.	\$300.00
Carolyn Graham	\$230.00
County Of Contra Costa, Dept of Info Tec	\$228.00
UniFirst Corporation	\$223.54
Denalect Alarm Company	\$223.50
Water Utility Refund Customer	\$213.20
ReliaStar Life Insurance Company	\$200.00
Office Depot	\$189.33
Geotab USA, Inc.	\$177.75
Discovery Pest Control	\$99.00
Lesley Marable	\$97.98
Alhambra	\$80.99
Shred-It USA-Concord	\$73.51
Cintas	\$67.68
Carol McCool	\$34.50
FasTrak Notice Processing Dept.	\$21.00
Bay Area Driving School, Inc.	\$16.46
	<hr/>
	\$656,942.49



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

January 20, 2021

Prepared By: Michael Davies, General Manager *MVD*
Submitted By: Michael Davies, General Manager *MVD*

Agenda Title: Elect Board Officers for Calendar Year 2021 – Bryon Gutow President and Kevin Graves Vice-President.

Recommended Action

Elect the Board Officers for Calendar Year 2021 consistent with Board Policy 004: Board President – Bryon Gutow; Board Vice-President – Kevin Graves.

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 2021 calendar year.

According to Policy 004, the following Directors will serve in calendar year 2021:

Board President: Bryon Gutow
 Board Vice-President: Kevin Graves


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

Attachments

Board Policy 004

AGENDA ITEM: C-3

 <h2 style="margin: 0;">Town of Discovery Bay</h2>		
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.




Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

January 20, 2021

Prepared By: Justin Shobe, District Water Engineer
Submitted By: Dina Breitstein, Assistant General Manager 

Agenda Title

Presentation on the Draft Water Shortage Contingency Plan

Recommended Action

None.

Executive Summary

The State of California requires every urban water supplier that provides over 3,000 acre-feet of water annually, or serves more than 3,000 urban connections, to prepare an Urban Water Management Plan (UWMP) every five years. The 2020 UWMP must be adopted by the Board and submitted to the Department of Water Resources by July 1, 2021. Among the new requirements for the 2020 UWMP is a requirement to adopt a separate plan called a Water Shortage Contingency Plan (WSCP). The elements of the WSCP must be incorporated into the 2020 UWMP, therefore the WSCP must first be developed and adopted in order to finalize the 2020 UWMP.

A draft WSCP was prepared by Luhdorff and Scalmanini Consulting Engineers in coordination with Staff. The draft WSCP is presented here by LSCE to make the Board aware of the contents of the WSCP and take any comments or questions prior to a public hearing to adopt the WSCP. The public hearing to review and adopt the WSCP is currently scheduled for February 17, 2021.

Previous Relevant Board Actions for This Item

The Board approved the General Manager to execute a contract with Luhdorff & Scalmanini to prepare the UWMP at the May 20, 2020 Board Meeting.

Fiscal Impact: N/A
Amount Requested: None
Sufficient Budgeted Funds Available?: N/A
Prog/Fund # Category: N/A

Attachment

1. Presentation Slides

AGENDA ITEM: D-1



Town of Discovery Bay

DRAFT Water Shortage Contingency Plan

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January 20, 2021



Water Shortage Contingency Plan (WSCP)

Overview

- 1. Purpose**
- 2. WSCP Requirements**
- 3. Elements of a WSCP**



Water Shortage Contingency Plan (WSCP)

What is the WSCP

- A planning document required by the California Department of Water Resources (DWR) to be prepared by water suppliers with more than 3,000 customers or supplying more than 3,000 acre-feet per year.
- The WSCP is an action plan that can be followed during water shortages, such as from droughts or catastrophic events.
- Some of the actions in the WSCP were implemented during the last drought, to successfully meet State-imposed water reductions.
- The WSCP are only initiated by the Board of Directors in the event of a water shortage condition.
- The WSCP can be updated by the Board of Directors at any time.



Water Shortage Contingency Plan (WSCP)

WSCP Requirements

Legislation in 2018 created new WSCP requirements including:

- Water supply reliability analysis
- Procedures to conduct Annual Water Supply and Demand Assessment.
- Six Water Shortage Levels.
- Local Shortage Response Actions.
- Communication Protocols.
- The WSCP needs to be adopted and included in the 2020 Urban Water Management Plan (due to DWR by July 1, 2021).



Water Shortage Contingency Plan (WSCP)

Elements of WSCP

1. Water Supply Reliability Analysis (new)
2. Annual Assessment Procedures (new)
3. Six Standard Shortage Levels (update)
4. Shortage Response Actions (update)
5. Communication Protocols (new)
6. Compliance and Enforcement (update)
7. Legal Authority (new)
8. Financial Consequences of WSCP
9. Monitoring and Reporting (new)
10. WSCP refinement Procedures (new)
11. Special Water Feature Distinction (new)
12. Plan Adoption, Submittal and Availability (new)



Water Shortage Contingency Plan (WSCP)

Procedures to conduct an Annual Water Supply and Demand Assessment

- Each year review available water supply and customer demand.
- If there is an anticipated water shortage, the Board of Directors can initiate a water shortage level.
- Supply and demand are determined on an annual volumetric basis.
- Infrastructure considerations allow the Board to consider specific issues that can cause a water shortage.



Water Shortage Contingency Plan (WSCP)

Six Standard Water Shortage Levels

Level	Percent Shortage Range	Water Shortage Condition
1	Up to 10%	Mild Water Shortage
2	Up to 20%	Moderate Water Shortage
3	Up to 30%	Severe Water Shortage
4	Up to 40%	Critical Water Shortage
5	Up to 50%	Critical Water Shortage
6	>50%	Catastrophic Water Shortage

The water shortage level declared by the Town of Discovery Bay Board of Directors.



Water Shortage Contingency Plan (WSCP)

Shortage Response Actions

1. Supply Augmentation

- *Such as modifying wells, non-potable recycled water*

2. Demand Reduction Actions, Levels I – VI (**next slides**)

3. Operational Changes

- *Such as reduced flushing, enhanced metering, leak reduction*

4. Mandatory Restrictions

- *Enacted at level III and above*

5. Emergency Response Plan

- *Resulting from a catastrophic event*



Water Shortage Contingency Plan (WSCP)

Demand Reduction Actions

Shortage Level	Demand Reduction Actions	Projected Reduction	Additional Explanation	Penalty or Charge
All levels	Other	0-50%	Demand Reduction Program	No
I-II	Other	0-20%	Voluntary Water Use Reductions	No
I-II	Other		Voluntary Restrictions – no waste, not enforced	No
I-II	Expand Public Information Campaign	0-20%	Public Outreach Measures - General	No
II-VI	Other	20-30%	Expedite Conversion of Water Efficient Fixtures	No
II-III	Landscape - Limit landscape irrigation to specific days	20-30%	Irrigation Reduction – limit 3 watering days/week	Yes
II-VI	Landscape - Prohibit certain types of landscape irrigation	20-40%	Irrigation Reduction – parks/open spaces	Yes



Water Shortage Contingency Plan (WSCP)

Demand Reduction Actions (Cont.)

Shortage Level	Demand Reduction Actions	Projected Reduction	Additional Explanation	Penalty or Charge
II-VI	Other	20%+	Utility Leak Repair – expedite larger leak repairs	No
III-IV	Landscape - Limit landscape irrigation to specific days	30-40%	Irrigation Reduction – limit 2 watering days/week	Yes
III-VI	Expand Public Information Campaign	30%+	Public Outreach Measures – General and Specific	No
III-VI	Implement or Modify Drought Rate Structure or Surcharge	30-50%	Water shortage pricing - surcharge	Yes
III-VI	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	30%+	Customer Leak Repair – within five days of detection	Yes



Water Shortage Contingency Plan (WSCP)

Demand Reduction Actions (Cont.)

Shortage Level	Demand Reduction Actions	Projected Reduction	Additional Explanation	Penalty or Charge
III-VI	Other	30-50%	Mandatory restrictions – no waste enforced [patrols, tickets, fines, etc.]	Yes
III-VI	Other	30-50%	Apply penalties for excessive water use	Yes
IV-VI	Other	40-50%	Apply flow restrictions to customers	Yes
IV-VI	Other	10-50%	Restrict water use for only priority uses	Yes
V-VI	Landscape - Prohibit all landscape irrigation	40%-50%+	Irrigation Reduction – no lawn watering	Yes
V-VI	Other	20-50%	Mandatory water rationing, per capita allotment	Yes



Water Shortage Contingency Plan (WSCP)

Communication Protocols

Level No.	Water Supply Conditions	Communication Method
I - Voluntary	Normal to Minimum (0 to 10%)	None
II – Mandatory Conservation	Moderate (11 to 20%)	Bill Insert, Newsletter, Website
III - Rationing	Severe (21 to 30%)	Same as above plus: direct mail, newspaper, press release, advertising, social media, mobile electronic sign
IV – Intense Rationing	Critical (31 to 40%)	Same as above, plus: community workshop and meetings
V - Restrictions/Allocations	Critical (41 to 50%)	Same as above
VI - Restrictions/Allocations	Catastrophic (> 50%)	Same as above



Schedule

December 15, 2020
Presentation
UWMP and WSCP
Overview

January 20, 2021
Presentation
Draft WSCP

February 17, 2021
Public Hearing
Review and Adopt
WSCP

April 7, 2021
Presentation
Draft UWMP

May 5, 2021
Public Hearing
Review and Adopt
UWMP

***DUE TO DWR
BY JULY 1, 2021***

DECEMBER

JANUARY

FEBRUARY

MARCH

APRIL

MAY

JUNE

JULY

January 26, 2021
UWMP- 60 Day
Notice

Feb 3 and 10, 2021
WSCP - 14 Day
Newspaper Notice

April 21 and 28, 2021
UWMP – 14 Day
Newspaper Notice

May 26, 2021
Submit UWMP
to DWR





Questions?



**Luhdorff &
Scalmanini**
Consulting Engineers

Water Shortage Contingency Plan

Town of Discovery Bay Community Services District

January 20, 2021

Prepared for



Prepared by



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This Water Shortage Contingency Plan (WSCP) outlines water supply reliability analysis, annual water supply and demand assessment procedures, water shortage levels, water shortage response actions and communication protocols that will be implemented by the Town of Discovery Bay Community Services District (TODB) in the event of water supply shortages due to catastrophic events, drought, etc. The purpose of this WSCP is to provide a plan of action to be followed at the various levels of a water shortage. A copy of the TODB's Resolution 2014-11 Voluntary Water Reduction and Ordinance 2016-27 Drought Regulation, are included in Appendix A and B.

SECTION 1 WATER SUPPLY RELIABILITY ANALYSIS

California Water Code (CWC) Section 10632(a)(1) requires an analysis of water supply reliability per CWC Section 10635. The TODB relies exclusively on groundwater to meet customer needs and has historically met customer demands through times of drought. Conditions could arise such as catastrophic events, prolonged periods of drought, unforeseen impacts to the groundwater supply, etc. that could require the activation of the WSCP.

The TODB maintains six well facilities which meet the maximum day demand of its system with the largest well source offline, in accordance with State of California Code of Regulations, Title 22 California Waterworks Standards. Water supplies to meet the maximum daily demand and instantaneous peak flow requirements of the system are maintained through a combination of the water supply wells, treatment, storage, and booster pump capacity. All water is pumped from the East Contra Costa Groundwater Subbasin.

The water supply reliability analysis is based on the ability to meet annual water demands, as required in CWC 10635. The analysis considers the capacity of operating all six wells for 12 hours per day, 365 days per year, which the wells are capable of supplying. The total pumping capacity of the six wells is 2,500 million gallons per year. However, the wells will only be operated to the extent that meets the TODB's demand and thus will pump less than what is possible.

The water demand for the TODB was 1,050 million gallons for the fiscal year from July 1, 2019 to June 30, 2020. Water demand projections from the TODB's 2020 Urban Water Management Plan project a water demand of 1,941 million gallons per year in 2045. Thus, the existing capacity of the wells can reliably meet current and future annual water demands based on current growth projections.

Historically, the TODB has not experienced water supply shortfalls during periods of drought including the recent drought in 2012 through 2015. The groundwater wells can adequately meet the projected annual demands. The TODB is participating in the East Contra Costa Groundwater Sustainability Working Group to develop a Groundwater Sustainability Plan to ensure the continued reliability of groundwater to meet the water demands of the basin.

SECTION 2 ANNUAL WATER SUPPLY AND DEMAND ASSESSMENT

CWC Section 10632 (a)(2) requires written procedures to be developed to conduct an annual water supply and demand assessment (annual assessment) to determine the water system's reliability. The annual assessment needs to be completed and submitted to the California Department of Water Resources (DWR) by July 1 of each year.

A presentation to the TODB Board of Directors shall be made each year following the completion of the annual assessment and prior to submittal to DWR. The Board of Directors shall vote on the findings of the annual assessment and if necessary, trigger implementation of any water shortage response actions resulting from the annual assessment through a resolution. Appendix C includes a sample resolution for Implementation of Water Supply Shortage Level.

The steps to complete the annual assessment are described below.

Available Water Supply

Available water supplies for the TODB shall be quantified each year by summing the capacity of each groundwater well. An analysis of one subsequent dry year shall also be done. Since the TODB has not historically been impacted by drought, the available supply for the subsequent dry year shall be the same as the current year.

Unconstrained Customer Demand

Water use for the previous year shall be quantified by summing the meter usage of each customer class for the previous year. Customer water demands for the TODB shall be projected for the upcoming year based on the previous year's water usage and the number of anticipated new customer connections.

The first step to calculate the anticipated demand is to calculate the future population. To calculate future population, multiply the number of anticipated new customer connections by the number of persons per household as shown on the U.S. Census Bureau website for the TODB. That number shall be added to the current population to obtain the future population.

$$\text{Future Population} = \text{Current Population} + \text{No. of New Connections} \times \text{Persons per Household}$$

To calculate anticipated demands for the upcoming year, multiply each meter usage per customer class by the future population and divide it by the current population.

$$\text{Anticipated Demand} = \frac{\text{Meter Usage} \times \text{Future Population}}{\text{Current Population}}$$

Evaluation Criteria

If the available water supply is greater than the anticipated customer demand for the upcoming year, then the TODB does not need to take any further action. If the anticipated customer demand for the upcoming year is greater than the available water supplies the TODB can initiate water conservation actions as detailed

in this WSCP.

Planned Water Use for Current Year Considering Dry Subsequent Year

As mentioned above, the TODB has not historically been impacted by drought thus planned water use for the current year shall not be impacted by an anticipated subsequent dry year.

Infrastructure Considerations

If infrastructure projects are anticipated for the upcoming year that could impact water supply production (e.g. repairs at treatment plant, new groundwater well, etc.), these water supply impacts shall be evaluated for the timeframe (i.e. months) the infrastructure projects will impact the system. Thus, the available water supply shall be increased or reduced accordingly for each month.

SECTION 3 STANDARD WATER SHORTAGE LEVELS

CWC Section 10632 (a)(3)(A) requires standard water shortage levels including greater than a 50-percent reduction in water supply. The TODB will implement six water shortage levels in response to water supply shortages to comply with CWC requirements. The levels will be implemented during water supply shortages, or regional drought conditions that may not be directly influencing the TODB water supplies. The level determination and declaration of a water supply shortage will be made by the TODB Board of Directors.

Level I – This level would be initiated during a mild water shortage (up to 10%) and is part of an ongoing public information campaign encouraging voluntary water conservation. The TODB issued a resolution for voluntary water use in *Resolution 2014-11 – Voluntary Water Reduction* (Appendix A). There are no mandatory measures during Level I. Although Level I is ongoing, customers are reminded when a regional single-year drought is occurring.

Level II – This level would be initiated during a moderate water shortage (11-20%) and would be addressed through enhanced voluntary measures and public outreach with voluntary enforcement of the water waste ordinance. Level II would be implemented during a moderate drought where water conservation is mandatory but impacts to the TODB's groundwater supply wells are negligible or non-existent. During Level II, the TODB Board of Directors will declare prohibitions on water use, in accordance with the TODB *Ordinance No. 2016-27 Drought Regulation* (Appendix B).

Level III – This level would be initiated during a severe regional water shortage (21 to 30%), which could be caused by State mandated water use reductions or when the TODB has a redundant back-up well offline for repairs, which makes the overall supply system more vulnerable to shortages. During Level III, the TODB Board of Directors would adopt a new ordinance providing authority for the General Manager to implement additional prohibitions and consumption reduction methods that would include cutbacks in irrigation water use by all customers, enhanced leak repair by customers and the District, establishment of water shortage pricing surcharges, and other consumption reduction methods as needed to effectively reduce water demands to match available supplies.

Level IV – This level would be initiated during a critical water shortage (31 to 40%), which could be caused by a catastrophic failure of two groundwater supply wells. All steps taken in the prior levels would be intensified and production would be monitored daily for compliance with necessary reductions. Residents would be under water rationing. The TODB would be in emergency status to repair and bring online water supply wells.

Level V – This level would be initiated during a critical water shortage (41-50%), which could be caused by a natural disaster, prolonged severe drought event, or failure of water system facilities that greatly reduces supply capacity.

Level VI – This level would be initiated during a catastrophic water shortage (>50%), which could be caused by a natural disaster, catastrophic failure of the system of 3 or more groundwater supply wells. Rationing and mandatory restrictions would be enhanced as needed to effectively reduce water demands to match available supplies.

Table 1 lists the six (6) water shortage levels of the WSCP.

Table 1: Water Shortage Contingency Plan Levels

	Percent Shortage Range	Water Shortage Condition
1	Up to 10%	Mild Water Shortage
2	Up to 20%	Moderate Water Shortage
3	Up to 30%	Severe Water Shortage
4	Up to 40%	Critical Water Shortage
5	Up to 50%	Critical Water Shortage
6	>50%	Catastrophic Water Shortage

The six water shortage levels represent an ever-increasing gap between normal available supplies and normal expected customer demands to be addressed through appropriate local water shortage response actions.

SECTION 4 SHORTAGE RESPONSE ACTIONS

CWC Section 10632(a)(4) requires water suppliers to implement water shortage response actions that align with the water shortage levels and include water supply augmentation actions, demand reduction actions, operational changes, mandatory prohibitions, and an estimate of the projected water demand reduction from the action.

Supply Augmentation

The TODB relies exclusively on groundwater to meet its water supply needs and does not have access to surface water or water supply augmentation through other means. Existing wells could be modified to increase pumping capacity if feasible. Recycled water available at the TODB wastewater treatment plant can be considered for non-potable applications although there is currently no infrastructure nor permit in place to support the use of recycled water.

Demand Reduction

The CWC requires the water supplier to implement consumption-reduction actions during the most severe levels of water shortage that are capable of reducing water use by at least 50%. The TODB would implement the water consumption–reduction actions shown on Table 2, below. Some of the methods are on-going and are part of the TODB water conservation efforts addressed in the Demand Management Measures. The actual combination of measures implemented will be based on water shortage levels and the effectiveness of demand reduction measures.

Table 2: Demand Reduction Actions

Shortage Level	Demand Reduction Actions	Projected Reduction	Additional Explanation	Penalty or Charge
All levels	Other	0-50%	Demand Reduction Program	No
I-II	Other	0-20%	Voluntary Water Use Reductions	No
I-II	Other	0-20%	Voluntary Restrictions – no waste, not enforced	No
I-II	Expand Public Information Campaign	0-20%	Public Outreach Measures - General	No
II-VI	Other	20-30%	Expedite Conversion of Water Efficient Fixtures	No
II-III	Landscape - Limit landscape irrigation to specific days	20-30%	Irrigation Reduction – limit 3 watering days/week	Yes
II-VI	Landscape - Prohibit certain types of landscape irrigation	20-40%	Irrigation Reduction – parks/open spaces	Yes
II-VI	Other	20%+	Utility Leak Repair – expedite larger leak repairs	No
III-IV	Landscape - Limit landscape irrigation to specific days	30-40%	Irrigation Reduction – limit 2 watering days/week	Yes
III-VI	Expand Public Information Campaign	30%+	Public Outreach Measures – General and Specific	No
III-VI	Implement or Modify Drought Rate Structure or Surcharge	30-50%	Water shortage pricing - surcharge	Yes
III-VI	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	30%+	Customer Leak Repair – within five days of detection	Yes
III-VI	Other	30-50%	Mandatory restrictions – no waste enforced [patrols, tickets, fines, etc.]	Yes
III-VI	Other	30-50%	Apply penalties for excessive water use	Yes
IV-VI	Other	40-50%	Apply flow restrictions to customers	Yes
IV-VI	Other	10-50%	Restrict water use for only priority uses	Yes
V-VI	Landscape - Prohibit all landscape irrigation	40%-50%+	Irrigation Reduction – no lawn watering	Yes
V-VI	Other	20-50%	Mandatory water rationing, per capita allotment	Yes

Operational Changes

During times of water supply shortage, the TODB can also implement operational changes such as reduced system flushing, increased hydrant security, meter upgrades for accurate measurement of water use and enhanced reading capabilities, and change water CIP priorities to focus on water reducing projects and programs. Staff can make use of customer water meter information to monitor where water leaks may be occurring. If water meter monitoring is implemented, Staff shall endeavor to notify customers of possible water leaks. During demand reduction actions are initiated, the operations can avoid using inefficient wells that are known to result in higher levels of system flushing.

Additional Mandatory Restrictions

The TODB would implement additional mandatory restrictions against specific water use practices that may be considered excessive during water shortages. If drought conditions or water shortages warrant mandatory restrictions (Level III), the TODB will implement the current water shortage emergency response plan, *Ordinance No. 2016-27 Drought Regulation* (Appendix B). Further mandatory restrictions will be implemented if warranted based on Level IV, V or Level VI conditions. Table 3 identifies mandatory restrictions that would be enforced during a water shortage emergency.

Table 3: Mandatory Restrictions

Restrictions	Level When Restriction Becomes Mandatory
Excessive outdoor watering (causing runoff to non-irrigated areas)	II, III, IV
Use of hose without a shut-off nozzle for vehicle washing	II, III, IV
Application of water to driveways or sidewalks	II, III, IV
Use of water in non-circulating fountain or water feature	II, III, IV
Outdoor irrigation beyond the allowed watering schedule	II, III, IV
Uncorrected plumbing leaks	III, IV
Washing cars	III, IV
Watering lawns/landscapes or filling outdoor water features	III, IV

Emergency Response Plan

In the event of catastrophic reduction in water supplies, the TODB would implement emergency preparedness plans, depending on the cause and severity of the water shortage. A catastrophic event resulting in a water shortage would be any event, either natural or man-made, with varying levels of severity to the water supply conditions. Examples include, but are not limited to, a regional power outage, an earthquake, or other disasters.

The TODB has in place an Emergency Operations Plan that would be implemented by the TODB staff in the event of a catastrophic water shortage. The TODB has equipped its facilities with standby emergency generators that would be operated if the catastrophic event involved loss of power. Both of the water treatment plants and booster stations are equipped with permanent emergency generators and automatic transfer switches. The TODB owns portable generators that can be used to operate the groundwater pumping stations. If there is catastrophic rupturing of pipelines, during an earthquake for example, the emergency operations procedures would be followed to isolate the damaged sections, notify customers and immediately repair the damage. Table 1 shows an example of how water shortage levels are tied to catastrophic loss of wells.

Seismic Risk Assessment and Mitigation Plan

The CWC requires the WSCP to include a seismic risk assessment and mitigation plan to assess the vulnerability of each water facility. Per CWC Section 10632.5 (c), this requirement is met by the Contra Costa County Hazard Mitigation plan.

Shortage Response Action Effectiveness

The CWC Section 10632(a)(4)(E) requires the water supplier to estimate the projected reduction of each shortage response action to close the gap between supplies and demand. Estimated water use reduction is shown above in Table 2.

SECTION 5 COMMUNICATION PROTOCOLS

The CWC Section 10632 (a)(5)(A) requires the TODB to notify all customers and stakeholders of any anticipated water shortages as result of the annual water supply and demand assessment. Per, the CWC Section 10632 (a)(5)(B), the TODB will also notify all customers and stakeholders if any shortage response actions are triggered pursuant to the annual water supply and demand assessment. In the event of an anticipated water shortage, the TODB will inform customers through newsletters and messages on the TODB website, water bill inserts, direct mail (e.g. post cards), newspapers, press releases, advertising, social media (Nextdoor app), mobile electronic street sign and community workshops and meetings as shown below in Table 4.

Table 4: Communication Protocol for Each Level

Level No.	Water Supply Conditions	Communication Method
I - Voluntary	Normal to Minimum (0 to 10%)	None
II – Mandatory Conservation	Moderate (11 to 20%)	Bill Insert, Newsletter, Website
III - Rationing	Severe (21 to 30%)	Same as above plus: direct mail, newspaper, press release, advertising, social media, mobile electronic sign
IV – Intense Rationing	Critical (31 to 40%)	Same as above, plus: community workshop and meetings
V - Restrictions/Allocations	Critical (41 to 50%)	Same as above
VI - Restrictions/Allocations	Catastrophic (> 50%)	Same as above

SECTION 6 COMPLIANCE AND ENFORCEMENT

CWC Section 10632 (a)(6) requires a water supplier to penalize or charge for excessive use, where applicable. In accordance with the TODB Ordinance No. 2016-27, when a water shortage emergency is declared, the General Manager may issue a Notice of Violation to any customer that fails to comply with the conditions of the ordinance. After one notice has been issued further violations shall be punishable by a fine of: \$25 for a first violation; \$50 for a second violation; \$100 for a third violation; and \$500 for a fourth violation and any subsequent violation thereafter. Furthermore, each day upon which any condition of the ordinance is violated constitutes a separate violation.

During severe and critical water shortages (Levels III, IV, V and VI), there will be additional charges applied for excessive water use. During these water shortages, the General Manager may take further actions if violations continue after the one written warning, such as installing a flow-restricting device on the service line, or termination of service for repeated violations of unauthorized water use. Table 5 presents the stages during which penalties and charges take effect.

Table 5: Penalties and Charges

Penalties or Charges	Stage When Penalty Takes Effect
Penalty for Excess Use	III-VI
Charge for Excess Use	III-VI
Flow Restriction	IV-VI
Termination of Service	V-VI

In accordance with the TODB Ordinance No. 2016-27, violations or fines may be appealed for reconsideration. Appeals for reconsideration shall be processed as indicated in the TODB Ordinance No. 2016-27.

SECTION 7 LEGAL AUTHORITIES

Per the TODB Drought Regulation, Ordinance No. 2016-27, the TODB has the authority to implement the water response actions presented in Section 4.

The TODB shall declare a water shortage emergency as required depending on the severity of the water shortage level in accordance with CWC Chapter 3, Sections 350 through 359.

The TODB shall coordinate with Contra Costa County for the possible proclamation of a local water supply emergency per California Government Code, California Emergency Services Act, Article 2, Section 8558.

SECTION 8 FINANCIAL CONSEQUENCES OF WSCP

CWC Section 10632 (a)(8) requires a description of the impacts of consumption reduction on the revenues and expenditures of the water supplier. The TODB will establish an accounting system for tracking expenses and revenue shortfalls associated with voluntary and mandatory water use reductions. The TODB maintains reserve funds that can be used to offset expenditure impacts during times of emergency. The TODB will implement a surcharge to recover unmitigated revenue shortfalls.

SECTION 9 MONITORING AND REPORTING

Per CWC Section 10632 (a)(9), the TODB will monitor and report on the implementation of the WSCP. Monthly water production and metered water use data will be collected, tracked and analyzed to monitor compliance and meet state reporting requirements. The State Water Resources Control Board is in the process of preparing regulations for regular monthly water use reporting by urban water suppliers.

SECTION 10 WSCP REFINEMENT PROCEDURES

Per CWC Section 10632 (a) (10), the TODB may choose to refine the WSCP based on monitoring and reporting of data collected. Based on analysis of the data collected, the TODB may choose to modify or

add consumption reduction methods to more accurately meet water level targets. Any updates to the WSCP will be approved by the Board of Directors as needed to maintain an effective water shortage response plan for the community.

SECTION 11 SPECIAL WATER FEATURE DISTINCTION

Per CWC Section 10632 (b), the TODB shall analyze and define water features in the WSCP that are artificially supplied with water, including, ponds, fountains, etc. separately from pools and spas as defined by subdivision (a) of Section 115921 of the Health and Safety Code. Pools and spas must use potable water whereas ponds, fountains and other water features may be able to use recycled water.

SECTION 12 PLAN ADOPTION, SUBMITTAL AND AVAILABILITY

Per the CWC, the following steps shall be performed prior to adoption of the WSCP:

The TODB will issue a notification of a public hearing to customers, the county and public.

- The TODB will publish in a local newspaper for two consecutive weeks notification of the public hearing.
- The TODB shall hold a public hearing to obtain public input.
- Following the public hearing or at a subsequent Board meeting, the Board of Directors shall formally adopt the WSCP.
- Per CWC Section 10632 (a)(c), the TODB will make the WSCP available on the TODB's website, <https://www.todb.ca.gov/>, within 30 days of adoption by the Board of Directors.

The TODB may choose to amend the WSCP at any time, if so each of the steps above must be followed.

Appendix A
Resolution 2014-11 - Voluntary Water Reduction



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT**

RESOLUTION 2014-11

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY,
A CALIFORNIA COMMUNITY SERVICES DISTRICT,
ENCOURAGING DISCOVERY BAY RESIDENTS TO VOLUNTARILY
REDUCE WATER CONSUMPTION BY 20% TO AID IN DROUGHT RELIEF EFFORTS**

WHEREAS, Town of Discovery Bay Community Services District has as one of its functions the production, treatment and delivery of potable water for domestic purposes; and

WHEREAS, the State of California is in the midst of a three-year water drought that has severely depleted the reservoirs and lakes necessary to provide continued water supplies to all Californians; and

WHEREAS, on January 17, 2014 California Governor Edmund G. Brown declared a water State of Emergency as California and the West enter yet another year of extreme drought conditions; and

WHEREAS, on April 25, 2014 Governor Brown urged all Californians to reduce water consumption by 20%, and encourages all Californians to visit www.saveourh2o.org to find out how water can be conserved.

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

SECTION 1. That the Town of Discovery Bay encourages all Discovery Bay water users to voluntarily reduce water consumption by 20% until the time the drought has ended and to visit www.saveourh2o.org to find ways to conserve water.

SECTION 2. The Board Secretary shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED THIS 4th DAY OF June, 2014.

Mark Simon
Board President

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Town of Discovery Bay Community Services District at a regularly scheduled meeting, held on June 4, 2014, by the following vote of the Board:

AYES: 5
NOES: 0
ABSENT: 0
ABSTAIN: 0

Richard J. Howard
Board Secretary

Appendix B
Ordinance No. 2016-27 – TODB Drought Regulation



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT
ORDINANCE NO. 2016-27**

**AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY,
A CALIFORNIA COMMUNITY SERVICES DISTRICT,
DROUGHT REGULATION ORDINANCE
AMENDING IN ITS ENTIRETY AND RE-NUMBERING ORDINANCE NO. 25**

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

SECTION 1. Short Title

This Ordinance shall be known and may be cited as Town of Discovery Bay Drought Regulation Ordinance ("Ordinance").

SECTION 2. Purpose

The purpose of this Ordinance is to protect the health, safety, and welfare of residents of the Town of Discovery Bay Community Services District ("District"); to continue to respond to the ongoing drought issues and to regulate water usage in the District for the purpose of conserving limited water resources.

SECTION 3. Water Shortage Emergency Declaration and Response Authority

The Board of Directors may declare a water shortage emergency by resolution upon finding that water use restrictions are necessary for the immediate protection of health and safety or as required by State law.

A water shortage emergency declaration is effective until the Board of Directors finds, and declares by resolution, that the water shortage emergency condition has abated, changed in degree, or no longer exists.

The Board of Directors has the authority to continue water conservation regulations to address water supply conditions within the District. The Board of Directors may also take additional action to prevent waste and unreasonable use of water and to further promote conservation.

SECTION 4. Water Conservation Regulations

While the District continues to be impacted by limited water supplies, the following activities are prohibited, except where necessary to address an immediate health and safety need:

1. The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;

2. The use of a hose that dispenses potable water to wash a motor vehicle except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;
3. The application of potable water to driveways and sidewalks;
4. The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system;
5. The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall;
6. The irrigation of landscapes outside of newly constructed homes and buildings with potable water in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development;
7. The irrigation of ornamental turf on public street medians with potable water;
8. The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served or purchased.

SECTION 5. Enforcement

The General Manager of the District shall administer, implement and enforce the provisions of this Ordinance. Any powers or duties granted to the General Manager may be delegated by the General Manager to persons acting in the beneficial interest of or in the employ of the District.

SECTION 6. Violation

The General Manager, or his/her designee, may issue a Notice of Violation to any person, business, association, or other party who fails to comply with any conditions of this Ordinance. Any person, business, association or other party violating this Ordinance after issuance of a Notice of Violation shall be assessed a fine of \$25 for a first violation, a fine of \$50 for a second violation in any 6-month period, and a fine of \$100 for each additional violation in any 6-month period. Fines assessed pursuant to this Ordinance may be included in the offending party's water service bill or, for unmetered accounts which do not receive a water service bill, with the water service charges collected on the county tax roll on behalf of the District. Non-payment of water service bills or water service charges collected on the county tax roll on behalf of the District, including the non-payment of any fine included therein, may result in termination of service and disconnection from the water system pursuant to District Ordinance. In addition to any other action taken by the District, the District may utilize an outside collection agency to recover unpaid fines.

Any use or activity in violation of the terms of this Ordinance is declared to be a nuisance per se, and may be abated by order of any court of competent jurisdiction. The District Board, in addition to other remedies, may institute any appropriate action or proceedings to prevent, abate, or restrain the violation. All costs, fees and expenses in connection with such action shall be assessed as damages against the violation.

SECTION 7. Appeals

Any party subject to a Notice of Violation or fine issued pursuant this Ordinance may appeal for reconsideration. Appeals for reconsideration shall be processed as follows:

1. A party appealing for reconsideration a Notice of Violation or fine issued pursuant to this Ordinance shall do so in writing to the General Manager by either using forms provided by the District or by letter setting forth in detail the reasons for the appeal.
2. The General Manager shall review all appeals for consideration and shall within fifteen (15) days of receipt of the written appeal notify the appealing party of his or her decision to deny or sustain the appeal, or to modify the Notice of Violation or fine based on the evidence presented.
3. If the appealing party disagrees with the General Manager's decision, the decision may be appealed to the Board of Directors. An appeal to the Board of Directors shall be submitted in writing to the Clerk of the Board by either using forms provided by the District or by letter setting forth in detail the reasons for the appeal. Each appeal to the Board of Directors shall be accompanied by the payment of an appeal fee of \$25.00, or as set by resolution of the Board of Directors, to defray the costs of the appeal.
4. If an appeal to the Board of Directors is made, the appealing party shall be notified of a hearing date by mail. Such hearing shall be scheduled within thirty (30) days of receipt of the written appeal. A decision shall be forwarded to the appealing party within fifteen (15) days after completion of the hearing. Decisions by the Board of Directors are final.

SECTION 8. Severability

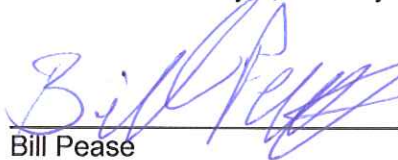
The various parts, paragraphs, section, and clauses of this Ordinance are declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected.

SECTION 9. Adoption and Effective Date


This Ordinance is hereby declared to have been adopted by the District Board of Directors at a meeting thereof duly called and held on the 6th day of July, 2016, and ordered to be given effect thirty (30) days after its first publication as mandated by statute.

CERTIFICATION

Passed and adopted at a regular meeting of the Board of Directors of the Town of Discovery Bay Community Services District held on July 6, 2016 by the following vote:


 Bill Pease
 Board President

AYES: 5
 NOES: 4
 ABSENT: 8
 ABSTAIN: 8


 Catherine Kutsuris
 Board Secretary

Appendix C

Sample Resolution – Implementation of Water Supply Shortage Level

TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT

RESOLUTION _____

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY,
A CALIFORNIA COMMUNITY SERVICES DISTRICT,**

**ON THE IMPLEMENTATION OF LEVEL [III, IV, V OR VI] OF THE WATER SHORTAGE
CONTINGENCY PLAN AS OUTLINED IN THE 2020 URBAN WATER MANAGEMENT PLAN ON
FILE WITH THE CALIFORNIA DEPARTMENT OF WATER RESOURCES**

WHEREAS, on [DATE], by Resolution _____, The Board of Directors of the Town of Discovery Bay Community Services District approved the 2020 Urban Water Management Plan (UWMP); and

WHEREAS, the 2020 Urban Water Management Plan includes the Water Shortage Contingency Plan which is required for inclusion in a Department of Water Resources (DWR) compliant 2020 UWMP; and

WHEREAS, based on the DWR requirements included in the DWR 2020 UWMP Guidebook [describe water supply shortage condition caused by drought or loss of water supply wells] the Board of Directors of the Town of Discovery Bay Community Services District hereby approves a six (6) level WSCP that enables the Board of Directors to declare that a water shortage condition or emergency prevails within the water service area of the Town of Discovery Bay and that water use within the Town of Discovery Bay should be reduced by 50% or more with effective response measures; and

WHEREAS, required water use reduction described above necessitates implementation of Level [III, IV, V or VI] of the Town of Discovery Bay's Water Shortage Contingency Plan. The water conservation measures and water use restrictions for Level [III, IV, V or VI] are described in the attached Water Shortage Contingency Plan. Implementation of Level [III, IV, V or VI] shall be cumulative and shall include implementation of all previous provisions listed in Level [I, II, III, IV, or V]; and

WHEREAS, the General Manager is hereby authorized and empowered to delegate his or her authority hereunder to such assistants, deputies, officers, employees, or agents of the Town of Discovery Bay as he or she shall designate, and to establish such rules, regulations and procedures, and to prepare or furnish such forms, as he or she deems necessary or appropriate to carry out the provisions of the Resolution; and

WHEREAS, this Resolution shall be effective upon its adoption, and shall remain effective until the water shortage conditions are resolved, in which case this Resolution shall be rescinded, or until conditions worsen, thus requiring additional action by the Board of Directors, in which case a subsequent Resolution will be considered for adoption.

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the Town of Discovery Bay that Level [III, IV, V, or VI] of the Water Shortage Contingency Plan is hereby adopted.

PASSED, APPROVED AND ADOPTED THIS [day] DAY OF [month], [year] by the following vote:



**Town of Discovery Bay, CA
Water & Wastewater**

MONTHLY OPERATIONS REPORT

December 2020

4144 Days of Safe Operations

199,288 worked hours without a recordable incident

TRAINING:

- **Safety**
 - OPL—Safety Point Lesson Toy Safety
 - OPL— Safety Point Lesson Holidays Hazards
 - OPL— Safety Point Lesson Winter Driving Safety Tips

REPORTS SUBMITTED TO REGULATORY AGENCIES:

- ❖ Monthly Discharge Monitoring Report (DMR) -Submitted
- ❖ Monthly electronic State Monitoring Report (eSMR) -Submitted
- ❖ Monthly Coliform Report, State Water Board (DDW) -Submitted
- ❖ Annual Report 2020 (eSMR) -Submitted
- ❖ Quarterly Disinfectant Residual Report (DDW) –Submitted

WATER SERVICES

Groundwater Well:

- **1B - Active**
- **2 – Active**
- **4 – Active**
- **5B - Active (Standby only)**
- **6 – Active**
- **7 - Active**

2020 Monthly Water Production Table (MG):



January	February	March	April	May	June
40	53	61	68	113	124
July	August	September	October	November	December
134	127.4	109.1	94.4	77.4	59.9

Bacteriological Test Results:

- All **20** Bacti samples were absent

Routine Bacteria Samples Collected	No. Total Coliform Positives	No. Fecal/E. coli Positives	Brown Water Calls	Fire Hydrant Flushing
• 20	• 0	• 0	• 0	•

WASTEWATER SERVICE

<i>WW Effluent Parameter</i>	<i>Permit Limits</i>	November Lab Data	<i>December Lab Data</i>
Flow, MG Effluent, monthly total	T	32.5	34.82
Flow, MG Daily Influent Flow, avg.	N/A	1.43	1.42
Flow, MG Daily Discharge Flow, avg.	2.35	1.08	1.12
Effluent BOD ₅ , mg/L, monthly avg.	10	1.40	<1.3
Effluent TSS, mg/L, monthly avg.	10	0.7	0.9
Total Coli form 7 day Median Max	23	ND	ND
Total Coli form Daily Maximum	240	ND	ND
Eff NTU, Daily avg.	2	0	1
Eff Ammonia (N), mg/L, Daily Max	8.4	ND	ND
% Removal BOD ₅ , monthly avg.	85% min.	99.4	99.6
% Removal, TSS, monthly avg.	85% min.	99.6	99.7
Electrical Conductivity, umhos/cm annual avg.	2400	2378	2375

National Pollution Discharge Elimination System (NPDES):



NPDES Related Excursions	Permit Parameter	NPDES Parameter Limit	Actual Parameter Result
• 0	• N/A	• N/A	• N/A

COLLECTION

Lift Station Status:

# of Active Lift Stations	# of Inactive Lift Stations	SSO
• 15	• 0	• 1

Distribution and Collections Systems:

- **January 2021** Veolia North America is concentrating on collections



MAINTENANCE

Preventive and Corrective:

December 2020

CLOSED WORK ORDERS

		Totals	Preventative	Corrective	P/C Ratio
KPI # 1: % (P) Work Order Count Out of Total Closed Last 30 Days	Count	232	226	6	97.4%
	Skipped	0			
12/02/2020	thru 01/01/2021				
<hr/>					
		Totals	Preventative	Corrective	Hr.s P/C Ratio
KPI # 2: % (P) Work Order Hours Out of Total Closed Last 30 Days	Hours	169.43	156	13	92.3%
12/02/2020	thru 01/01/2021				

OPEN WORK ORDERS (BackLog)

		Totals	Preventative	Corrective	Skipped
KPI # 3: Backlog Aging 7 days or less	Count	62	60	2	0
	Est Hours	65.9	60.4	5.5	
12/31/2020	thru 01/06/2021				
<hr/>					
KPI # 4: Backlog Aging 8 to 30 days	Count	41	37	4	0
	Est Hours	57.5	50.5	7.0	
12/07/2020	thru 12/30/2020				
<hr/>					
KPI # 5: Backlog Aging 31 to 60 days	Count	17	16	1	See Notes
	Est Hours	16.5	16.5	0.0	
11/07/2020	thru 12/6/2020				
<hr/>					
KPI # 6: Backlog Aging greater than 60 days	Count	29	21	8	See Notes
	Est Hours	30.0	25.0	5.0	
06/19/2020	thru 11/06/2020				
<hr/>					
KPI # 7: Backlog Aging Totals	Count	Total >60	135	15	See Notes
	Est Hours	171.4	149.4	17.5	
06/19/2020	thru 01/06/2021				

TERMS

WWTP	WASTEWATER TREATMENT PLANT
WTP	WATER TREATMENT PLANT
WL	WILLOW LAKE
NP	NEWPORT
VFD	VARIABLE FREQUENCY DRIVE
WO	WORK ORDER
PLC	PROGRAMMABLE LOGIC CONTROLLER
L/S	LIFT STATION
SSO	SANITARY SEWER OVERFLOW
BOD	BIOLOGICAL OXYGEN DEMAND
TSS	TOTAL SUSPENDED SOLIDS
MGD	MILLION GALLONS PER DAY
mg/l	MILLIGRAMS PER LITRE
CCTV	CLOSED CIRCUIT TELEVISION
PPM	PARTS PER MILLION
RAS	RETURN ACTIVATED SLUDGE
WAS	WATSE ACTIVATED SLUDGE
UV	ULTRAVIOLET LIGHT



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

January 20, 2021

Prepared By: Michael R. Davies, General Manager
Submitted By: Michael R. Davies, General Manager

MRD
MRD

Agenda Title

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

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 16, 2019 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.

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.... This procedure shall be used to fill two appointees to each Standing Committee." By this formula, priority selection is as follows:

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

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


Previous Relevant Board Actions for This Item

January 16, 2019

Attachments

1. Bylaws Policy No. 002.

AGENDA ITEM: F-1

 <h2 style="margin: 0;">Town of Discovery Bay</h2>		
Program Area: Board	Policy Name: Bylaws	Policy Number: 002
Date Established: March 25, 1998	Date Amended: December 16, 2020	Resolution: 2020-28

ARTICLE I

NAME

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

ARTICLE II

PURPOSE

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

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

ARTICLE III

BOARD OF DIRECTORS

Section 1. Board of Directors

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

Section 2. Compensation

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

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

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

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

Section 3. Vacancies

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

Section 4. Resignation

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

ARTICLE IV

OFFICERS

Section 1. Elected Officers

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

Section 2. Terms and Responsibilities of Elected Officers

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

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

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

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

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

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

1. WATER AND WASTEWATER COMMITTEE
 - a. Provide guidance/policy recommendations regarding all water and wastewater operations and planning.
2. PARKS AND RECREATION COMMITTEE
 - a. Provide guidance/policy recommendations regarding community center operations/activities, parks and recreation activities and landscaping efforts.
3. FINANCE COMMITTEE
 - a. Provide guidance/policy recommendations regarding budgets, investments/debt and the Public Financing Authority.
4. COMMUNICATIONS COMMITTEE
 - a. Provide guidance/policy recommendations regarding all Town of Discovery Bay Community Services District external communications activities.
5. INTERNAL OPERATIONS COMMITTEE

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

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

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

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

A. General Responsibilities of the Board President

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

B. General Responsibilities of the Vice-President

1. Shall serve in the absence of the President.

C. Senior Most Board Member

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

ARTICLE V

APPOINTED OFFICERS

Section 1. Appointed Officers

- A.** The appointed officers of the District shall be General Manager, and a Secretary, who may be the same person, but neither of whom shall be a Director. The duties of the appointed officers shall be as specified in law, and as directed by the Board.
- B.** Pursuant to Government Code §61050(b), the treasurer of the County of Contra Costa 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 authorized under the Community Services District laws and/or in effect prior to January 1, 2006.

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

Section 2. General Responsibilities of the General Manager

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

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

Section 3. General Responsibilities of the Secretary of the Board

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

ARTICLE VI

MEETINGS

Section 1. Regular and Special Meetings

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

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

Section 2. Quorum

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

Section 3. Voting

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

Section 4. Notice of Regular and Special Meetings

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

ARTICLE VII

PAYMENTS, CONTRACTS, AND REPORTS

Section 1. Payments

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

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

Section 2. Contracts

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

Section 3. Reports

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

ARTICLE VIII

PARLIAMENTARY AUTHORITY

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

ARTICLE IX

AMENDMENTS

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



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

January 20, 2021

Prepared By: Michael R. Davies, General Manager *MRD*
Submitted By: Michael R. Davies, General Manager *MRD*

Agenda Title

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

Recommended Action

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

Executive Summary

At the January 16, 2019 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 Gutow
2. Vice-President Graves
3. Director Porter
4. Director Callahan
5. Director Graham

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.
East Contra Costa County Fire Protection District Liaison	150 City Parkway, Brentwood, CA 94513	2nd Wednesday of the Month at 6:30 p.m.
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

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.

Attachments

1) Bylaws Policy No. 002.

AGENDA ITEM: F-2



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

January 20, 2021

Prepared By: Michael R. Davies, General Manager *MRD*
Submitted By: Michael R. Davies, General Manager *MRD*

Agenda Title:

Discussion and Possible Action to Set the Date and Time of the 2021 Annual Board Workshop.

Recommended Action

Set date and time for 2021 Annual Board Workshop. Staff recommendation is Thursday, March 4, 2021 at 4:00pm.

Executive Summary

Each year the Board schedules an interactive workshop with staff to review Town accomplishments and future direction.

Last year, the Annual Board Workshop was held Thursday, March 5, 2020 at 4:00pm.

Staff recommends Thursday, March 4, 2021 at 4:00pm for the next Board Workshop. This date and time allows staff the time necessary to prepare for the workshop and take input from the Board. The 4:00pm time frame, has in the past, been the most convenient time period for all Board Members to attend. Staff estimates that the workshop will not last longer than two hours.

Primary Recommended Date: Thursday, March 4, 2021 at 4:00pm.

Alternative Dates for Consideration: Day or Evenings: March 8-11, 2021

Previous Relevant Board Actions for This Item

February 2, 2017 Annual Board Workshop for 2017,
 March 1, 2018 Annual Board Workshop for 2018.
 March 7, 2019 Annual Board Workshop for 2019.
 March 5, 2020 Annual Board Workshop for 2020

AGENDA ITEM: F-3



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

January 20, 2021

Prepared By: Michael R. Davies, General Manager
Submitted By: Michael R. Davies, General Manager

Agenda Title:

Discussion and Possible Action Regarding Landscaping on Discovery Bay Boulevard.

Recommended Action

Provide direction to staff. Options are:

- 1) Suspend the landscaping refresh on Discovery Bay Boulevard and have staff work with the Park and Recreation Committee on Landscape design and improvements. Begin refresh of the northern landscape islands on Discovery Bay Blvd.
- 2) Suspend the landscaping refresh on Discovery Bay Boulevard and have staff work with the Park and Recreation Committee on Landscape design and improvements. Do not commence with refresh of the northern landscape islands on Discovery Bay Blvd.
- 3) Continue the landscaping refresh of Discovery Bay Blvd using the same theme as the east side refresh.
- 4) Provide other direction to staff.

Executive Summary

Background

At the September 2, 2020 Board Meeting staff received Board consensus to do an in-house refresh of Clipper Drive, with a probable start date of November 2020. Staff had set aside a budget of about \$100,000 for the Clipper Drive refresh (anticipated roll-over savings in Zone 8 from FY19-20). There was also \$68,000 of Zone 8 money that came from a pickleball grant reimbursement. A portion of the \$68,000 was used to hire an outside landscape contractor to do clean-up work at various locations in Zone 8 (and other zones). The outside landscape contractor completed the work at a cost to Zone 8 of about \$16,000. This left a balance of about \$100,000 to spend on Clipper Drive and about \$52,000 to spend on other Zone 8 landscaping needs (Discovery Bay Blvd and Newport Drive areas).

At the November 18, 2020 Park and Recreation Committee Meeting, the Committee was advised that staff had the opportunity to apply for a Prop 68 competitive grant that could be used to fund a Clipper Drive "linear park." A Committee recommendation was made to the Board (meeting of November 18, 2020), to suspend the refresh on Clipper Drive and apply for a possible linear park grant. Since the grant is competitive and not guaranteed, staff recommended keeping the \$100,000 refresh budget in abeyance. Board consensus was to suspend the refresh on Clipper Drive, apply for the grant to turn Clipper Drive into a linear park, keep the \$100,000 in abeyance, and proceed with doing a refresh of other areas in Zone 8 using the \$52,000 balance of the pickleball reimbursement. By priority, south Discovery Bay Blvd. would receive the first refresh, then the northern landscape islands on Discovery Bay Blvd., and then Newport Drive.

Current Status

The east side of Discovery Bay Blvd. has been completed at an approximate cost of \$22,000. This leaves a balance of about \$30,000 to finish the Zone 8 refresh projects. The refresh of the west side of Discovery Bay Blvd. is underway and the initial ground preparation has been completed.

President Gutow proposes that the current Board of Directors take a fresh look at landscaping ideas for the west side of Discovery Bay Blvd. and consider concepts and improvements that are more elaborate and enduring than just a refresh.

Staff Direction

After Board discussion, staff requests direction on one of the following options:

- 1) Suspend the landscaping refresh on Discovery Bay Boulevard and have staff work with the Park and Recreation Committee on Landscape design and improvements. Begin refresh of the northern landscape islands on Discovery Bay Blvd.
- 2) Suspend the landscaping refresh on Discovery Bay Boulevard and have staff work with the Park and Recreation Committee on Landscape design and improvements. Do not commence with refresh of the northern landscape islands on Discovery Bay Blvd.
- 3) Continue the landscaping refresh of Discovery Bay Blvd using the same theme as the east side refresh.
- 4) Provide other direction to staff.

Previous Relevant Board Actions for This Item**AGENDA ITEM: F-4**



Town of Discovery Bay


"A Community Services District"

STAFF REPORT

Meeting Date

January 20, 2021

Prepared By: Bill Engelman, Parks and Landscape Manager

Submitted By: Dina Breitstein, Assistant General Manager 

Agenda Title

Award Contract to McNabb Construction for the Installation of Ravenswood Park Play Structure.

Recommended Action

Award Contract to McNabb Construction and Authorize General Manager to Execute all contracts and purchase orders to Install the Play Structure at Ravenswood Park.

Executive Summary

In June 2019, the Board approved the adoption of the District's budget for the fiscal year 2019-20. In this budget, Lighting and Landscaping Zone 9 included a capital improvement project to replace the Ravenswood Park play structure in disrepair.

Staff had sourced three playground equipment dealers to present their nautical themed projects incorporating shade structures, which maximized the current space, including multiple play options. The Board approved the purchase of play structure equipment at the March 18, 2020, Board of Directors meeting in the amount of \$98,853.90.

To complete the installation of the play structure equipment and to meet the permit requirements by Contra Costa county, engineering drawings were needed. Due to the COVID-19 outbreak, the project's engineering and construction services and the permit process experienced delays.

Contra Costa County approved the drawings in November 2020, and The Town of Discovery Bay held the bid opening on December 3, 2020. The below is a summary of the bids:

Summary of Bids:

Who Built Creative Builders	\$91,799
Community Playgrounds	\$81,280
NBC Construction	\$77,333
Redwood Engineering Construction	\$59,980
G & G Builders	\$53,652
Ross Recreation	\$52,138
McNabb Construction, Inc.	\$48,888

Staff reviewed the bids and felt that the lowest bid by McNabb Construction, Inc., for a total of \$48,888, met the installation requirements. The budgeted funds for this project are \$173,000, which includes a 15% contingency.

The below table is a summary of the estimated project costs:

Estimated Summary of Costs:

Equipment Purchase	\$96,954
McNabb Construction, Inc.	\$48,888
Equipment Delivery	\$6,032
County Permit	\$3,187
Site Plan Drawings	\$1,600
Engineering Calculations	\$4,500
Total Anticipated Project Cost	\$161,161
CIP Budget Including Contingency	\$173,000

Staff requests Board approval to authorize the General Manager to execute all contracts and purchase orders to McNabb Construction in the amount of \$48,888 for the installation of the Ravenswood Park play structure.

Previous Relevant Board Actions for This Item

Approval of the Ravenswood Park Equipment Purchase at the March 18, 2020 Board meeting.

Attachments

AGENDA ITEM: F-5