



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, February 3, 2021

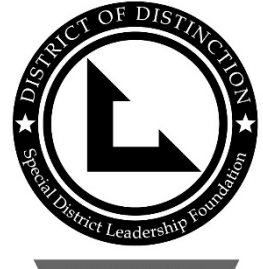
7:00 P.M. Regular Board Meeting

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, February 3, 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 January 20, 2021 Regular Board of Director's meeting.
2. Approve DRAFT minutes of January 28, 2021 Special Board of Director's meeting.
3. Approve Register of District Invoices.

D. AREA AGENCIES REPORTS / PRESENTATION

1. Assembly Member Jim Frazier, District 11.
2. Supervisor Diane Burgis, District III Report.
3. Sheriff's Office Report.

4. CHP Report.
5. East Contra Costa Fire Protection District Report.

E. LIAISON REPORTS

F. PRESENTATIONS

G. BUSINESS AND ACTION ITEMS

1. Discussion and Possible Action Related to Board Member Appointment to Regional Committees.
2. Discussion and Possible Action Regarding Advocating for East Contra Costa Fire Protection District (“ECCFPD”) to Receive a Fixed Percentage of Measure X Funds and Support the Feasibility Assessment of a ECCFPD Consolidation Effort with ConFire.
3. Discussion and Possible Action Regarding Specified Board Member Training Qualifying as a Compensable “Day of Service.”

H. MANAGER’S REPORT

I. GENERAL MANAGER’S REPORT

1. Nominations Are Open for SDRMA Board of Directors.

J. DIRECTORS’ REPORTS

1. Standing Committee Reports.
 - a. Finance Committee Meeting (Committee Members Kevin Graves and Bryon Gutow) February 3, 2021.
 - b. Internal Operations Committee Meeting (Committee Members Michael Callahan and Carolyn Graham) February 3, 2021.
 - c. Water and Wastewater Committee Meeting (Committee Members Kevin Graves and Ashley Porter) February 3, 2021.
2. President Gutow – Training Report
 - a. Completion of state mandated “Anti-Harassment Training for Supervisors and Managers” (SB1343/AB1825) on 11/3/20.
 - b. Completion of state mandated “Local Agency Ethics” (AB1234) on 12/8/20.
3. Vice President Graves – Training Report
 - a. Completion of state mandated “Anti-Harassment Training for Supervisors and Managers” (SB1343/AB1825) on 1/26/21.
4. Director Porter – Training Report
 - a. Completion of state mandated “Anti-Harassment Training for Supervisors and Managers” (SB1343/AB1825) on 1/26/21.
 - b. Completion of state mandated “Local Agency Ethics” (AB1234) on 1/20/21.
 - c. Completion of “Brown Act Principles, Traps and Avoiding Intentional Violations” on 1/14/21.
 - d. Completion of “Special District Leadership Academy – Module 1: Governance Foundations” on 12/8/20.
5. Director Callahan – Training Report
 - a. Completion of state mandated “Anti-Harassment Training for Supervisors and Managers” (SB1343/AB1825) on 1/26/21.
 - b. Completion of state mandated “Local Agency Ethics” (AB1234) on 1/20/21.
 - c. Completion of “Brown Act Principles, Traps and Avoiding Intentional Violations” on 1/14/21.
6. Director Graham – Training Report
 - a. Completion of state mandated “Anti-Harassment Training for Supervisors and Managers” (SB1343/AB1825) on 1/26/21.
 - b. Completion of state mandated “Local Agency Ethics” (AB1234) on 1/20/21.
 - c. Completion of “Brown Act Principles, Traps and Avoiding Intentional Violations” on 1/14/21.

K. CORRESPONDENCE RECEIVED (Information Only)

L. FUTURE AGENDA ITEMS

M. OPEN SESSION DISCLOSURE OF CLOSED SESSION AGENDA

(Government Code Section 54957.7)

N. CLOSED SESSION:

1. Public Employee Performance Evaluation pursuant to Government Code 54957 (Position: General Manager).
2. Conference with Labor Negotiator Pursuant to Government Code 54957.6
Agency Designated Representative: Bryon Gutow/Rod Attebery
Unrepresented Employee: General Manager

O. RETURN TO OPEN SESSION; REPORT ON CLOSED SESSION

(Government Code Section 54957.1)

P. BUSINESS AND ACTION ITEMS

1. Discussion and Possible Action Regarding General Manager Compensation.

Q. ADJOURNMENT

1. Adjourn to the next regular meeting of February 17, 2021 beginning at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard.

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

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**MINUTES 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
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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 General Manager Mike Davies.
3. Roll Call – All Present.

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

Public comment regarding:

- Funding to maintain Clipper Drive linear park. The possibility of using video conferencing for any Board of Directors or Committee meetings. Will comments be allowed three minutes per topic if a member of the public has multiple topics to discuss?

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.

Public comment regarding:

- Inquiry about what services were received from JW Backhoe & Construction, Inc. for \$63,567.32.
Requested description of Town of Discovery Bay expense for \$60,916.34.

Motion made by Vice President Graves to accept Consent Calendar as presented.

Second by Director Ashley Porter.

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

D. PRESENTATIONS

1. Draft Water Shortage Contingency Plan

Water Engineer Justin Shobe presented the draft of the Water Shortage Contingency Plan. This plan is created to comply with requirements from the California Department of Water Resources. In the event of a water shortage, the Board of Directors will be required to initiate the plan and provide the Town with guidance and suggestions for solutions. Some of the possible solutions mentioned by Water Engineer Justin Shobe were adjustments to wells, observation of leaks, mandatory restrictions, bill inserts, public workshops. There are six water shortage levels from Mild to Catastrophic. Responses will vary depending on severity. Water shortages are determined by an Annual Water Supply and Demand Assessment. Water Engineer Justin Shobe discussed a schedule and deadlines for submitting this plan to the state. The Board can modify this Water Shortage Contingency Plan at any time. Water Engineer Justin Shobe requested to bring this item to the Board on February 17 for adoption.

Director Carolyn Graham asked how the six water shortage levels differ from the last drought we faced.

Water Engineer Justin Shobe stated there was a requirement to send in monthly reports to the state identifying measures the Town was taking to resolve the water shortage issue.

Vice President Kevin Graves asked if the regulations that Town of Discovery Bay had to comply with were the same state mandates that the entire state had to comply with and it did not necessarily apply to us because of our water supply.

Water Engineer Justin Shobe replied: Yes, that is correct.

Vice President Kevin Graves asked if the six water shortage levels presented today were the same as the ones previously presented.

Water Engineer Justin Shobe stated one level was added. Previously there were 5 levels.

Public comment regarding:

- Our ability to meet the demands of our consumers are more than adequate. Recalls water restrictions. Inquired if Town could contest with the state if restrictions were once again implemented. Stated that anyone is allowed to discuss this item since it is on the Agenda.

E. MONTHLY WATER AND WASTEWATER REPORT- VEOLIA

1. Veolia Report – Month of December 2020.

Veolia Project Manager Gerry Lemus updated the Board with December 2020 operations. Advised of reports which have been submitted to the state as required. There was one Sanitary Sewer Overflow reported to the state and has not received a reply from that submission.

Vice President Kevin Graves asked if the Sanitary Sewer Overflow was the same one as previously discussed.

Veolia Project Manager Gerry Lemus confirmed it was the same situation.

Director Ashley Porter asked if there is a limitation of time for the state to respond.

Veolia Project Manager Gerry Lemus advised there is no time limit.

Public comment regarding:

- None.

F. BUSINESS AND ACTION ITEMS

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

General Manager Mike Davies asked the Board to select Committees for a two year appointment. Selections were made by each Board Member in order of Member seniority.

<u>Standing Committee Name</u>	<u>Director Appointed</u>	<u>Director Appointed</u>
Water and Wastewater	Vice President Kevin Graves	Director Ashley Porter
Parks and Recreation	President Bryon Gutow	Director Ashley Porter
Finance	President Bryon Gutow	Vice President Kevin Graves
Communications	Director Carolyn Graham	Director Michael Callahan
Internal Operations	Director Michael Callahan	Director Carolyn Graham

Public comment regarding:

- Seniority of Director Michael Callahan and Director Carolyn Graham is due to more votes during election.

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

General Manager Mike Davies asked the Board to select a primary and secondary for each Regional Committee. Board was advised that attendance to these meetings is uncompensated and can be voted on prior to each meeting by the Board to make each meeting stipendiary.

Board and General Manager Mike Davies had a discussion regarding the necessity of attendance at the Regional Meetings listed. There were questions regarding the specifics of each meeting in order to understand its importance and the need to attend each one. Direction by the Board was given to bring this item before the Board in the future with descriptions of the meeting content and degree of recommendation

to attend.

General Manager Mike Davies advised the Board two members can attend these meetings voluntarily without creating an issue.

Public comment regarding:

- The possibility of the Regional Meetings being held on video calls or telephone conference. Are they open for the public to attend?

Legal Counsel Rod Attebery reminded the Board that Town of Discovery Bay does not control the meetings and historically meetings have been relevant to keep ourselves informed. Generally, these meetings are open to the public.

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

Annually the Town holds a meeting to update the Board on past, present and future plans for the Town of Discovery Bay. General Manager Mike Davies recommended this Annual Board Workshop be scheduled for Thursday, March 4, 2021 at 4:00 p.m.

Public comment regarding:

- The posting of the Agenda for this Workshop Meeting.

President Bryon Gutow asked the Board if this date and time worked for everyone. All Board Members agreed on Thursday, March 4, 2021 at 4:00 p.m.

4. Discussion and Possible Action Regarding Landscaping on Discovery Bay Boulevard.

There is a refresh in process for the west side of Discovery Bay Blvd. Consideration was given to doing something more permanent such as widening walkways. It was determined that this would not be an economical and cost effective idea. Suggestion was made to instead allow the new Parks and Recreations Committee to present ideas for something more elegant than the refresh. This will require a pause in refreshing the west side of Discovery Bay Blvd.

President Bryon Gutow advised that in speaking to Reclamation 800, it was determined that exploring other options is not feasible.

General Manager Mike Davies advised that if a pause were taken, staff recommendation would be to work on islands on the south part of Discover Bay Blvd.

President Bryon Gutow stated he prefers to not take a pause and to continue with the work that has already been decided upon by the past committee.

Discussion was had by the Board and Parks and Landscape Manager Bill Engelman regarding landscape possibilities.

Public comment regarding:

- Continuing with the landscaping upgrade of Discovery Bay Blvd.

General Manager Mike Davies advised Legal Counsel Rod Attebery a motion would not be necessary as it was decided to proceed with the last approved motion for this item.

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

Parks and Landscape Manager Bill Engelman discussed the replacement of the play structure at Ravenswood Park. Original budget was approved for \$98,853.00. McNabb Construction provided a bid for playground structure installation of \$48,888.00. Total budgeted for this project was \$173,000. The new total cost of this project is \$161,161.00. Staff requested approval allowing Town General Manager to be permitted to execute all contracts and necessary purchase orders for the installation of this playground equipment.

Vice President Kevin Graves asked if research had been done on this vendor.

Parks and Landscape Manager Bill Engelman stated that McNabb Construction has previously done work for Town of Discovery Bay.

Public comment regarding:

- The use of Zone 9 funds to maintain the playground structure.

Motion made by Director Carolyn Graham to accept this item as presented to the Board.

Second by Vice President Kevin Graves.

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

H. **MANAGER'S REPORT**

1. Water & Wastewater Capital Improvement Project Update.

Water and Wastewater Manager Aaron Goldsworthy provided the Board with updates for the current statuses of Water and Wastewater projects.

Director Ashley Porter asked if the Denitrification Project is a state mandated project.

Water and Wastewater Manager Aaron Goldsworthy confirmed.

Public comment regarding:

- The possibility to sue the state to get funding for this project.

I. GENERAL MANAGER'S REPORT

Legal Counsel Rod Attebery advised the Board they will receive an electronic message from his assistant regarding General Manager Mike Davies' evaluation. This form will also allow the Board the opportunity to comment on goals for the upcoming year. The Board was encouraged to be detailed in their assessment of General Manager Mike Davies' performance in the previous year.

J. DIRECTORS' REPORTS**K. CORRESPONDENCE RECEIVED (Information Only)****L. FUTURE AGENDA ITEMS****M. ADJOURNMENT**

1. Adjourn at 8:17 p.m. to the next regular meeting on February 3, 2021 at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard.

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**MINUTES OF THE SPECIAL MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
Thursday, January 28, 2021
SPECIAL MEETING 6:00 P.M. - 7:00 P.M.**

**NOTICE
Coronavirus COVID-19**

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Please join this meeting from your computer, tablet or smartphone.

<https://www.gotomeet.me/TODB/envision>

You can also dial in using your phone.

United States: [+1 \(571\) 317-3122](tel:+15713173122)

Access Code: 558-086-501

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Agenda Packet and Materials at: www.todb.ca.gov/

SPECIAL MEETING 6:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Call business meeting to order 6:00 p.m. – By President Gutow
2. Pledge of Allegiance – Led by Director Ashley Porter.
3. Roll Call – All Present.

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

1. Pickleball fundraising update.

C. PRESENTATION

1. "Envision Contra Costa 2040"

Will Nelson, Principal Planner for Envision Contra Costa 2040, gave the Board a presentation encouraging the Board and the Town of Discovery Bay community to give input and provide suggestions for improvements or new projects they envision in the community. Among some of the ideas the public was encouraged to consider were the appearance of neighborhoods, resource conservation, roadway design or improvement and development of commercial areas. Special consideration was requested for any proposals to make use of the land on the northwest corner of Willow Lake Road and Discovery Bay Blvd. Mr. Nelson encouraged the community to visit envisioncontracosta2040.org/online-engagement for details. Discussion between Mr. Nelson, the Board and General Manager Mike Davies consisted of ways to encourage the public to participate. The Board will draft a letter with proposed ideas and General Manager Mike Davies will submit it to Mr. Will Nelson for consideration.

D. FUTURE AGENDA ITEMS**E. ADJOURNMENT**

1. Adjourn to the next regular meeting February 3, 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

February 3, 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 \$ 203,673.79

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-3

Request for Authorization to Pay Invoices
For The Meeting On February 3, 2021
Town of Discovery Bay CSD
Fiscal Year 7/20 - 6/21

Pacific Gas & Electric	\$68,566.25
J.W. Backhoe & Construction, Inc.	\$45,689.73
Stantec Consulting Services Inc	\$18,509.50
Luhdorff & Scalmanini	\$17,219.00
Neumiller & Beardslee	\$12,312.00
City Of Brentwood	\$6,208.89
JDH Corrosion Consultants, Inc.	\$5,560.00
Dryco Construction, Inc.	\$5,232.10
R & B Company	\$5,163.74
Precision IT Consulting	\$3,816.30
Freedom Mailing Service, Inc	\$2,933.09
Paul E. Vaz Trucking, Inc.	\$2,140.87
Belkorp AG	\$2,055.42
Town of Discovery Bay CSD	\$2,010.01
Univar Solutions USA Inc.	\$1,552.77
Mt. Diablo Resource Recovery	\$1,434.00
Central Valley Environmental	\$1,000.00
Aflac	\$652.22
Office Depot	\$648.05
Michael Callahan	\$230.00
Discovery Pest Control	\$138.00
Water Utility Refund Customer	\$131.46
UniFirst Corporation	\$107.19
Alhambra	\$101.68
Upper Case Printing, Inc.	\$94.88
Shred-It USA-Concord	\$73.94
Cintas	\$67.68
Verizon Wireless	\$25.02
	\$203,673.79



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

February 3, 2021

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

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 20, 2021 Regular Board Meeting, Regional Committee appointments for two-year terms were on the Agenda for member selection. Staff was requested to bring the matter back before the Board to discuss each Regional Committee, its necessity of attendance, and consideration of stipend.

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." The Board may vote to do a blanket (for the full two-year term or less) authorization of attendance for any particular meeting date or all meetings.

Contra Costa County Aviation Advisory Committee

The Aviation Advisory Committee (AAC) was established in 1977 to provide advice and recommendations to the Board of Supervisors on aviation issues related to the Contra Costa County Airports. The AAC works to advance aviation while giving those community members living and working near the Airports a chance to stay informed on Airport matters as well as voice their opinions and concerns. The AAC also provides a forum for vetting policy matters related to Buchanan Field and Byron Airports. Meetings are noticed and open to the public. Agendas:

<https://www.contracosta.ca.gov/3811/Aviation-Advisory-Committee>

Staff recommendation: Attendance determined by Agenda relevance & issues affecting Byron Airport.

Contra Costa County Code Enforcement

The Contra Costa County Code Enforcement meetings take place at the County Supervisor's Office in Brentwood. In attendance are representatives from Byron, Bethel Island, Knightsen and Discovery Bay. County staff includes a member from County Health, County Code Enforcement, the Sheriff's Office (occasionally) and a representative of the Supervisor's office. Discussion involves reporting code violations, progress on past violations and enforcement issues. Meetings are not open to the public. Since most code violations are reported to staff, the Discovery Bay GM attends the meetings and follows up on enforcement. Agendas are prepared & sent to participants prior to the standing meeting dates. Meetings are scheduled for either the 4th or 5th Thursday of the month.

Staff Recommendation: The GM attends the meetings since most violations are reported to the main office. Board Member attendance is not necessary on a routine basis.

Contra Costa Special Districts Association (CCSDA)

The purpose of CCSDA is to propose and advocate constructive means for the improvement and functioning of Independent Special Districts within Contra Costa County and to assist such Districts and their governing bodies to provide an effective and efficient government that will result in benefits to the public. CCSDA also cooperates with the California Special District Association in fulfilling its mission. CCSDA frequently conducts workshops, education seminars, and other programs of interest and benefit to its member districts. CCSDA is a non-profit unincorporated Association 501(C)6 entity. Its meetings are not open to the public, except by invitation. Agendas:

<https://contracostasda.specialdistrict.org/chapter-meetings>

Recommendation: Regular Board Member attendance is recommended. CCSDA meetings provide current information on matters affecting special districts. The GM attends if available.

East Contra Costa Fire Protection District (ECCFPD) Liaison:

ECCFPD provides fire and rescue services to East Contra Costa County, including Discovery Bay. ECCFPD is an Independent Special District that is governed by a 5-member Board of Directors. ECCFPD issues and policy decisions affect Discovery Bay. Discovery Bay Board Member attendance at meetings allows our Board to be up to date on matters affecting fire service and allows our Board Member a voice before ECCFPD policy decisions are made. ECCFPD meetings are noticed and open to the public. Agendas:

<https://www.eccfpd.org/eccfpd-board-of-directors>

Recommendation: Regular Board Member attendance is recommended. Allows for input at a time when ECCFPD decisions are being made.

East County Water Management Association (ECWMA):

The East Contra Costa County Integrated Regional Water Management Region (ECC-IRWM) is a distinct geographic region that covers 350 square miles. The IRWM is a collaborative effort to manage all aspects of water resources in a region. The East County Water Management Association (ECWMA) is a 12-agency group, including Discovery Bay CSD. Although staff attends and presents at the meetings, it is agency Board Members that have voting rights and hold office. The ECWMA covers all aspects of water management within the region: drinking water supply and quality, wastewater, recycled water, flood control and stormwater, and watershed and habitat management. Bi-annual meetings are noticed and open to the public. Agendas:

<https://www.eccc-irwm.org/meetings>

Recommendation: Regular Board Member attendance is recommended due to voting rights. GM typically attends.

Local Agency Formation Commission (LAFCo) Liaison:

LAFCo is responsible for overseeing most forms of local government boundary changes, including incorporation, annexations, and special district formations. LAFCo is the agency that must approve all Sphere of Influence (SOI) and jurisdictional boundary changes in Discovery Bay. LAFCo determines Discovery Bay's powers of water, wastewater, lighting, landscaping, parks and recreation. Every 5 years LAFCo does a SOI and Municipal Service Review (MSR) of Discovery Bay, the most recent in 2019: https://www.todb.ca.gov/sites/main/files/file-attachments/lafco_2019_reso_msr_discovery_bay.pdf?1563488076. Meetings are noticed and open to the public. Agendas:

<https://www.contracostalafco.org/meetings-and-public-hearings/>

Recommendation: Attendance determined by Agenda relevance & issues affecting Discovery Bay CSD.

Police Services (P6 Committee):

Residents who live in the P-6 Zone pay into a Sheriff's fund for law enforcement related services. A committee of local residents (appointed by the County Supervisor) meet with representatives of the Sheriff's Office to provide input on how P-6 monies are spent, and discuss concerns regarding public safety in the community. Bi-annual meetings are noticed and open to the public. Agendas:

<https://www.contracosta.ca.gov/AgendaCenter/Discovery-Bay-P6-Zone-CAC-117>

Recommendation: Regular Board Member attendance is recommended due to its direct relevance to public safety in Discovery Bay.

School District Representative Liaison:

Liberty Union High School District (LUHSD) consists of five high school in far east county, including students residing in Discovery Bay. LUHSD provides education curriculum for grade levels 9-12 and adult education. LUHSD has a five-

member board that meets monthly at 7:00pm. Meetings are noticed and open to the public. Agendas:

<https://go.boarddocs.com/ca/luhsd/Board.nsf/Public>

Byron Union School District (BUSD) serves the Byron/Discovery Bay area with three schools serving grades K-8. Two schools are located in Discovery Bay: Timber Point (grades K-5) and Discovery Bay Elementary (grades K-5). BUSD has a five-member Board that meets twice a month at 6:30pm. Meetings are noticed and open to the public. Agendas:

<https://go.boarddocs.com/ca/byronusd/Board.nsf/Public>

Recommendation: Attendance at either school district should be determined by Agenda relevance on issues directly affecting TODB.

Regional Transportation Agencies

State Route 4 Bypass Authority: This 4-member Authority made up of Mayors from Antioch, Brentwood and Oakley, and Supervisor Burgis typically meets the 2nd Thursday of every month at Tri-Delta Transit. The meetings are noticed and open to the public. Staff checked online for Agendas and the last posted Agenda was in 2019. Staff does know that these meetings still take place and the Agenda is emailed to the GM.

Eastern Contra Costa Transit Authority (ECCTA): This was formed in 1977 as a Joint Powers Agency (JPA) consisting of the cities of Antioch, Brentwood, Pittsburg and the county of Contra Costa. Oakley incorporated as a city and joined in 1999. ECCTA is governed by an eleven-member board of directors composed of two appointed members from each of the mayors of Antioch, Brentwood, Oakley, and Pittsburg, two appointed members by the Contra Costa County Board of Supervisors, and one member at large. ECCTA operates fixed-route and paratransit service under the name "Tri Delta Transit" and contracts with a private company, First Transit, for the operation of buses. Bus routes end in Brentwood and do not reach Discovery Bay. The Board meets once a month on a Wednesday (typically the last Wednesday of the month) at 4:00PM, 801 Wilbur Ave, Antioch. Meetings are noticed and open to the public. Agendas:

<https://trideltatransit.com/board.aspx>

Contra Costa Transportation Authority (CCTA): CCTA works to plan, fund, and implement innovative transit programs that strengthen our diverse communities and improve the lives of residents; as well as to reduce harmful emissions, improve mobility, and strengthen the economy. CCTA has 11 Commissioners and meets once a month on the third Wednesday at 6:00pm. Meetings are noticed and open to the public via video conference. Agendas:

<https://ccta.net/public-meetings/>

TRANSPLAN Committee: The TRANSPLAN Committee coordinates the regional transportation interests of the communities in eastern Contra Costa County. Similar committees serve the other parts of the county. The five member governments of TRANSPLAN include the cities of Antioch, Brentwood, Oakley and Pittsburg, and Contra Costa County. In addition to the four cities, the region includes the unincorporated communities of Bay Point, Bethel Island, Byron, Discovery Bay and Knightsen, which are governed by the County. Representatives who serve on TRANSPLAN are elected officials and planning commissioners from the 5 member governments. The Committee meets on the second Thursday of the month at 6:30pm at the Tri Delta Transit building, 801 Wilbur Ave, Antioch. Meetings are noticed and open to the public. Agenda:

<https://transplan.us/agenda.html>

Recommendation: Attendance at one or more transportation-related meetings should be determined by Agenda relevance on issues that may directly affect Discovery Bay.

Committee Name	Location	Day and Time
Contra Costa County Aviation Advisory Committee	550 Sally Ride Dr. Concord or 500 Eagle Court, Byron	2 nd Thursday of Month at 10:00am
Contra Costa County Code Enforcement	3361 Walnut Boulevard Suite 140 Brentwood	4 th or 5 th Thursday of month at 1:30pm
Contra Costa Special Districts Association	5019 Imhoff Place, Martinez CA 94553	Bi-Monthly at 10:00am
East Contra Costa County Fire Protection District Liaison	150 City Parkway, Brentwood, CA 94513	2 nd Wednesday of month at 6:30pm
East County Water Management Association	69 Big Break Road, Oakley, CA 94561	Every 6 months at 11:30am
LAFCO Liaison	40 Muir Road, Martinez CA 94553	2 nd Wednesday of month 1:30pm
Police Service (P6 Committee)	Community Center	Semiannual - TBD
School District Representative Liaison	BUSD: 14301 Byron Highway, Byron LUHSD: 20 Oak St., Brentwood	1 st & 3 rd Thurs of month @ 7:00pm 2 nd & 4 th Wed of month @ 7:00pm
Regional Transportation Agencies	As Noticed	As Noticed


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: G-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

February 3, 2021

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

Agenda Title:

Discussion and Possible Action Regarding Advocating for East Contra Costa Fire Protection District (“ECCFPD”) to Receive a Fixed Percentage of Measure X Funds and Support the Feasibility Assessment of a ECCFPD Consolidation Effort with ConFire.

Recommended Action

- 1) Adopt Resolution No. 2021- 01 advocating for Contra Costa County to obligate a fixed percentage of Measure X funds to ECCFPD in order to fully operate three additional fire stations to enhance fire service response; and
- 2) Adopt Resolution No. 2021-02 supporting the feasibility assessment of a consolidation effort with ConFire.

Executive Summary

As is widely known, there is a well-documented public safety emergency in the East Contra Cost Fire Protection District (“ECCFPD”) service area due to insufficient funding to expand personnel, stations, and equipment necessary to adequately protect the community. Adequate fire protection services is of great importance to not only the residents of Discovery Bay, but to the Town’s water and wastewater facilities, landscaping, parks and recreation areas as well.

Measure X

The County Board of Supervisors submitted Measure X, a half-cent sales tax increase, to the voters at an election held on November 3, 2020, and it passed with 58.45% of the vote. For 20 years, Measure X is expected to annually generate an estimated \$81 million in new County general fund revenues that the Board of Supervisors can allocate to address a wide array of community needs.

Addressing the fire funding deficiencies of ECCFPD is a top priority for ECCFPD, and on September 14, 2020, the ECCFPD board passed a resolution of support for Measure X, and noted that if it passes,

“the Board of Directors advises and asks the County Board of Supervisors to expeditiously dedicate a fixed percentage of the proceeds of Measure X, at a level that is significant with respect to the need for three additional fire stations in the District’s service area, to benefit the residents of East County through improved levels of fire and emergency medical response services to be provided by the District.”

Consolidation with Contra Costa County Fire Protection District (“ConFire”)

ECCFPD is now working on a more detailed assessment of the consolidation opportunity with ConFire and expects a final report by July 2021. If the ECCFPD Board moves forward, consolidation hearings at LAFCo would occur, and if approved, consolidation could be implemented starting early 2022.

Given the great importance that the Town of Discovery Bay CSD has placed on fire and emergency services, staff is recommending that Board adopt Resolutions No. 2021-01 and No. 2021-02.

Attachments

1. Resolution 2021-01
2. Resolution 2021-02

AGENDA ITEM: G-2



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT**

RESOLUTION 2021-01

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY,
A CALIFORNIA COMMUNITY SERVICES DISTRICT,
ADVOCATING FOR CONTRA COSTA COUNTY TO OBLIGATE
A FIXED PERCENTAGE OF MEASURE X FUNDS TO THE EAST
CONTRA COSTA FIRE PROTECTION DISTRICT TO FULLY OPERATE
THREE ADDITIONAL FIRE STATIONS TO ENHANCE THE DISTRICT'S
FIRE SERVICE RESPONSE**

WHEREAS, the East Contra Costa Fire Protection District ("ECCFPD") provides emergency medical response, firefighting, fire prevention, hazardous waste response, and other services relating to the protection of lives and property; and

WHEREAS, during the time ECCFPD has existed in its service area, including the Town of Discovery Bay, it has seen population growth, and the costs associated with ECCFPD services have exceeded increases in funding, so that ECCFPD is unable to adequately respond to the community's emergency medical and fire protection needs; and

WHEREAS, the resulting public safety emergency is well-documented, such that ECCFPD does not have sufficient funding to pay for the personnel, stations, and equipment necessary to adequately protect the community; and

WHEREAS, Discovery Bay and the region expect growth to continue, increasing the ECCFPD service area population to nearly 200,000 by the year 2040, which will generate even greater need and demand; and increase the pressure on the severely under-funded ECCFPD District; and

WHEREAS, the County Board of Supervisors submitted a half-cent sales tax measure to the voters at an election held on November 3, 2020; and

WHEREAS, as passed, the measure ("Measure X") is expected, for 20 years, to annually generate, an estimated \$81 million in new County general fund revenues that the Board of Supervisors can allocate to address a wide array of community needs; and

WHEREAS, Measure X revenues are expected to support essential County services, such as fire and emergency medical response services and other crucial safety-net services, some of which are provided directly by County agencies and some of which are provided by special-purpose agencies such as ECCFPD.

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

SECTION 1. Request that the County Board of Supervisors dedicate a fixed percentage of the proceeds of Measure X, sufficient to provide for three additional fire stations in the ECCFPD service area, to benefit the residents of Discovery Bay and East Contra Costa County.

SECTION 2. That this action is effective immediately.

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

PASSED, APPROVED AND ADOPTED THIS 3rd DAY OF FEBRUARY 2021.

Bryon Gutow
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 February 3, 2021 by the following vote of the Board:

AYES:
NOES:
ABSENT:
ABSTAIN:

Michael R. Davies
Board Secretary



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT**

RESOLUTION 2021-02

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY,
A CALIFORNIA COMMUNITY SERVICES DISTRICT,
SUPPORTING THE FEASIBILITY ASSESSMENT OF A CONSOLIDATION
EFFORT BETWEEN THE EAST CONTRA COSTA FIRE PROTECTION DISTRICT
AND THE CONTRA COSTA FIRE PROTECTION DISTRICT**

WHEREAS, the East Contra Costa Fire Protection District (“ECCFPD”) provides emergency medical response, firefighting, fire prevention, hazardous waste response, and other services relating to the protection of lives and property; and

WHEREAS, ECCFPD serves 128,000 residents throughout 249-square miles in eastern Contra Costa County, including the Town of Discovery Bay; and

WHEREAS, ECCFPD was formed by the County Board of Supervisors in September, 2002, by combining the three small fire districts of Bethel Island, East Diablo, and Oakley; and

WHEREAS, during the time ECCFPD has existed in its service area, including the Town of Discovery Bay, it has seen population growth, and the costs associated with ECCFPD services have exceeded increases in funding, so that ECCFPD is unable to adequately respond to the community’s emergency medical and fire protection needs; and

WHEREAS, the resulting public safety emergency is well-documented such that ECCFPD does not have sufficient funding to pay for the personnel, stations, and equipment needed to adequately protect the community; and

WHEREAS, Discovery Bay and the region expect growth to continue, increasing the ECCFPD service area population to nearly 200,000 by the year 2040, which will generate even greater need and demand; and increase the pressure on the severely under-funded ECCFPD District; and

WHEREAS, the Contra Costa County Fire Protection District (“ConFire”) is an agency of Contra Costa County providing services similar to those provided by ECCFPD, to other geographic regions of Contra Costa County; and

WHEREAS, together ECCFPD and ConFire have begun to discuss and explore consolidation/annexation, with results of a feasibility study expected this summer.

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

SECTION 1. Support for the feasibility assessment of a consolidation effort between East Contra Costa Fire Protection District and the Contra Costa County Fire Protection District, so that the residents of Discovery Bay and Eastern Contra Costa County are provided a level of emergency medical and fire response services that better address the region’s needs.

SECTION 2. That this action is effective immediately.

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

PASSED, APPROVED AND ADOPTED THIS 3rd DAY OF FEBRUARY 2021.

Bryon Gutow
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 February 3, 2021 by the following vote of the Board:

AYES:
NOES:
ABSENT:
ABSTAIN:

Michael R. Davies
Board Secretary



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

February 3, 2021

Prepared By: Michael R. Davies, General Manager

Submitted By: Michael R. Davies, General Manager

Agenda Title

Discussion and Possible Action Regarding Specified Board Member Training Qualifying as a Compensable "Day of Service."

Recommended Action

Authorize Members of the Board of Directors to participate and complete those training programs necessary to qualify for the District of Distinction, Transparency Certificate of Excellence, and SDRMA Credit Incentive Program. Upon Board Member delivery of a written report to the Board of completing the training, the Member may be permitted a compensable "day of service."

Executive Summary

Pursuant to Government Code § 61047 the Board of Directors may provide by resolution or ordinance, that Board Members may be compensated for up to six days of service a month and that compensation is limited to one hundred dollars (\$100) a day. The one hundred dollars (\$100) a day limit may be increased, if the increase is established by ordinance, but the actual days of compensation may not be increased to more than six days. Board Ordinance No. 23 increased the compensation amount to one hundred fifteen dollars (\$115) a day, with a limit of six days of service a month.

Government Code § 61047(e)(5) a "day of service" includes a Director's participation in a training program on a topic that is directly related to the Town, if the Board previously approved the Board Member's participation at a board meeting and the Board Member provides a written report regarding the Board Member's participation at the next board meeting, immediately following the training. As the current law exists, there are not additional requirements for the content of written reports. Therefore, any written document regarding the Board Member's participation in the training, including but not limited to a certificate of completion will meet the requirements of a written report.

Pursuant to Board Policy No. 002, Article III, Section 2: "Director participation 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."

The only training programs required by California law are Ethics Training (AB1234) and Anti-Harassment Training (SB1343/AB1825). When a Board Member participates in one of the aforementioned state-mandated training programs, Board Policy No. 002 provides the Board's prior approval, as required by California law. Therefore, the Board Member is eligible for compensation after the Board Member submits a written report to the Board at the meeting following the training.

There are additional training courses that are not required by California law; specifically, Members of the Board must successfully complete specified training for the Town to qualify for District of Distinction, Transparency Certificate of Excellence, and to receive Special District Risk Management Association (SDRMA) Credit Incentive Program points. The Town is currently at a Platinum Level District of Distinction. Out of over 3,200 Special Districts in the state, only 12 are Platinum Level. Holding/retaining these recognitions are important and can result in insurance cost savings. The following is a list of specified courses that each Board Member must complete to qualify:

- Brown Act Principles, Traps, and Avoiding Unintentional Violations
- Board Member Best Practices
- Special District Leadership Academy (SDLA) OR

- SDLA Module 1 – Governance Foundations
- SDLA Module 2 – Setting Direction/Community Leadership
- SDLA Module 3 – Board’s Role in Human Resources
- SDLA Module 4 – Board’s Role in Finance and Fiscal Accountability

Pursuant to Government Code § 61047(e)(5), the Board may previously authorize a Board Member’s presence at a training program only on a topic directly related to the Town. Board Policy No. 002, Article II identifies one of the purposes of the Town is 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.”

The aforementioned courses directly relate to operating a Community Service District by educating Board Members on the best practices in public agencies and providing savings for insurance costs. As long as, the prior approval and written report requirements are satisfied, the Board Members may be permitted a “day of service” for taking the aforementioned training courses. If a Board Member fails to obtain prior approval or submit a written report at the next board meeting immediately following the training, the aforementioned courses cannot be a “day of service,” in accordance with Government Code § 16407.

Since the aforementioned courses are training programs to obtain good governance recognition and insurance cost savings which are topics directly related to the Town of Discovery Bay, staff recommends that the Board authorize that Board Member participation and completion of each course constitute a compensable single “day of service.”

Attachments

AGENDA ITEM: G-3

Sexual Harassment Prevention for Supervisors (California AB 18-25')

CERTIFICATE OF COMPLETION
This is to acknowledge that

Bryon Gutow

has completed the online training and passed the examination for the 2-hour California Sexual Harassment Prevention for Supervisors training course. [Rc ord ID #163898549]
Town of Discovery Bay Community Services District

Ted Cudal, CSP, CHMM, CHCM, EMS-LA

January 04, 2019

Date of Training

TARGONS

Certificate issued by Targe1Solutions

Occupational & Environmental Courseware
San Diego, CA

CA Local Agency Ethics (AB 1234)

CERTIFICATE OF COMPLETION

This 1st to acknowledge that

Bryon Gutow

Has completed the online training and successfully passed the examination for the CA Local Agency Ethics (AB 1234) training course. [Record ID #247949886] Town of Discovery Bay Community Services District

W

December 08, 2020

Victoria Zambito, VP of Content & Communications

Date of Completion

Urban Centre
4890 West Kennedy Blvd, Suite 300
Tampa, FL 33609
866.5-46.1212

Training Solutions

Occupational & Environmental Course
San Diego, California

Anti-Harassment Training for Supervisors and Managers - California (SB1343/AB1825)

CERTIFICATE OF COMPLETION

This is to acknowledge that

Kevin Graves

has completed the on line training and passed the examination for the 2-hour California Anti-Harassment Training for Supervisors and Managers training course (SB1343/AB1825). [Record ID #259228984] Town of Discovery Bay Community Services District

Ik W

(January 26, 2021)

Victoria Lampert, VP of Content & Communications

Date of Completion

Ty.ro Urban Centre
4890 West Kennedy Blvd. Suite 300
Tampa, FL 33609
866.546.1212

ECTOR" | T e , r , n , e - l o ' l u t i o n s

Occupational & Environmental Courseware
San Diego, Ca fornia

Anti-Harassment Training for Supervisors and Managers - California (SB1343/AB1825)

CERTIFICATE OF COMPLETION

This certificate acknowledges that

Ashley Porter

has completed the online training and passed the examination for the 2-hour California Anti-Harassment Training for Supervisors and Managers training course (SB1343/AB1825).
[Record ID #2479532151 Town of Discovery Bay Community Services District

1A 8/25

October 21, 2020

Victoria Zambito, VP of Content & Communications

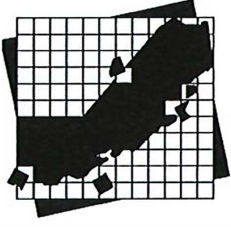
Date of Completion

Two Urban Centre
4890 West Kennedy Blvd. Suite 300
Tampa, FL 33609
866.546.1212

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Occupational & Environmental Courseware
San Diego, California

Certificate of Completion



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Webinar: Public Service Ethics AB 1234

1/20/2021

Ashley Porter

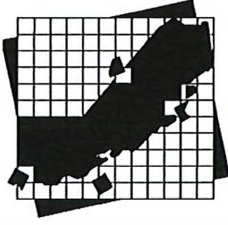
Town of Discovery Bay Community Services District

A/df:

Neil C. McCormick, CSDA Chief Executive Officer

California Special Districts Association

Certificate of Completion



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Webinar: Brown Act Principles

1/14/2021

Ashley Porter

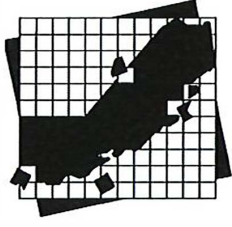
Town of Discovery Bay Community Services District

AJG:

Neil C. McCormick, CSDA Chief Executive Officer

California Special Districts Association

Certificate of Completion



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Virtual Workshop: SOLA Module 1: Governance Foundations

12/8/2020

Ashley Porter

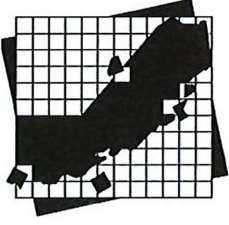
Town of Discovery Bay Community Services District

A stylized signature of Neil C. McCormick, written in a cursive font.

Neil C. McCormick, CSDA Chief Executive Officer

California Special Districts Association

Certificate of Completion



Iij(300

Webinar: Sexual Harassment Prevention Training - 2 hr
1/26/2021

Michael Callahan

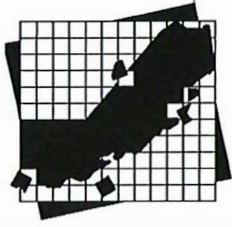
Town of Discovery Bay Community Services District

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Neil C. McCormick, CSDA Chief Executive Officer

California Special Districts Association

Certificate of Completion



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Webinar: Public Service Ethics AB 1234

1/20/2021

Michael Callahan

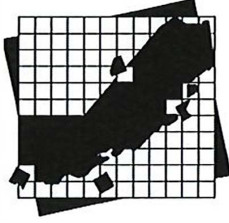
Town of Discovery Bay Community Services District

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Neil C. McCormick, CSDA Chief Executive Officer

California Special Districts Association

Certificate of Completion



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Webinar: Brown Act Principles

1/14/2021

Michael Callahan

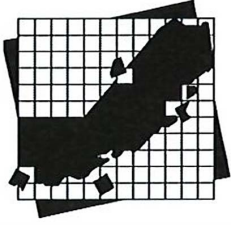
Town of Discovery Bay Community Services District

AJC:

Neil C. McCormick, CSDA Chief Executive Officer

California Special Districts Association

Certificate of Completion



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Webinar: Sexual Harassment Prevention Training - 2 hr

1/26/2021

Carolyn Graham

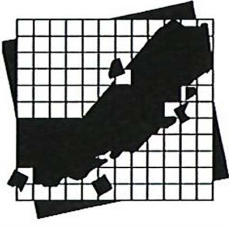
Town of Discovery Bay Community Services District

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Neil C. McCormick, CSDA Chief Executive Officer

California Special Districts Association

Certificate of Completion



1300

Webinar: Public Service Ethics AB 1234
1/20/2021

Carolyn Graham

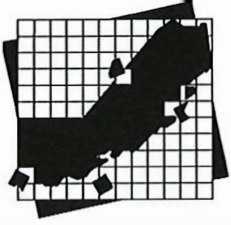
Town of Discovery Bay Community Services District

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Neil C. McCormick, CSDA Chief Executive Officer

California Special Districts Association

Certificate of Completion



£300

Webinar: *Brown Act Principles*

1/14/2021

Carolyn Graham

Town of Discovery Bay Community Services District

A/Jt:K

Neil C. McCormick, CSDA Chief Executive Officer

California Special Districts Association