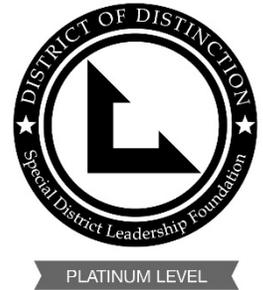




# TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

SDLF Platinum-Level of Governance



PLATINUM LEVEL

President – Bill Pease • Vice-President – Bryon Gutow • Director – Kevin Graves • Director – Bill Mayer

**NOTICE OF THE SPECIAL MEETING  
OF THE BOARD OF DIRECTORS  
OF THE TOWN OF DISCOVERY BAY**  
Thursday October 1, 2020  
**SPECIAL MEETING 3:00 P.M.**  
Website address: [www.todb.ca.gov](http://www.todb.ca.gov)

**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/>

**SPECIAL MEETING 3:00 P.M.**

**A. ROLL CALL AND PLEDGE OF ALLEGIANCE**

1. Call business meeting to order 3:00 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. BOARD MEMBER VACANCY**

1. Appoint Individual to Vacancy Created by Robert Leete's resignation

**D. FUTURE AGENDA ITEMS**

**E. ADJOURNMENT**

1. Adjourn to the next regular meeting of October 7, 2020 beginning at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard.

"This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the American with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code § 54954.2). Persons requesting a disability related modification or accommodation in order to

participate in the meeting should contact the Town of Discovery Bay, at (925) 634-1131, during regular business hours, at least forty-eight hours prior to the time of the meeting.”

“Materials related to an item on the Agenda submitted to the Town of Discovery Bay after distribution of the agenda packet are available for public inspection on the District’s website located at <https://www.todb.ca.gov>.”



# Town of Discovery Bay

*"A Community Services District"*

## STAFF REPORT

**Meeting Date**

October 1, 2020

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

### Agenda Title

Appoint Individual to Vacancy Created by Robert Leete's resignation

### Recommended Action

That the Board appoint an individual to fill the vacancy created by Robert Leete's resignation in accordance with the procedure adopted at the September 23, 2020, Board meeting.

### Executive Summary

1. The Town is a CSD formed in accordance with the Water Code
2. The Town's bylaws and California Water Code section 61042 provides that any vacancy in the office of a member elected to a board of directors shall be filled pursuant to Government Code section 1780.
3. At its September 16, 2020, regular meeting, and in accordance with section 1780, the Board opted to appoint an individual to the vacant position
4. The Board directed staff to accept applications from qualified individuals through close of business, Monday, September 21, 2020.
5. At the special meeting on Wednesday, September 23, 2020, the Board interviewed applicants, and approved a procedure for making an appointment at the October 1, 2020, special meeting.

### Verified Applicant Names

Below, appearing in the order determined by the Secretary of State's Randomized Alphabet for the November 3, 2020, statewide election, are the names of individuals that submitted a timely application and participated in the Board interview at the September 23, 2020, special meeting. These individuals will be considered for appointment by the Town's Board using the procedure adopted at the September 23, 2020, Board meeting.

- Lesley Belcher
- Donald Littell
- Carolyn Graham
- Charles (Bill) Helfrick
- Ashley Porter
- Eric Swalwell
- Alberto Delgado
- Frank Visintin

### Adopted Procedure to Fill Vacancy Created by Mr. Leete's Resignation

The procedure adopted by the Board at its September 23, 2020, meeting to fill the vacancy created by Mr. Leete's resignation is as follows:

1. The Board President shall introduce the agenda item and request that staff provide a brief report to the Board
2. The Directors may ask any technical questions clarifying the process.
3. Each Director may submit a nomination list including up to 3 of the 8 verified applicants to the Town's Secretary.
4. The Town's Secretary shall read aloud the names on each Director's list, first naming the Director whose list is being read and then reading the names on the list.

5. As each Director's list is read aloud, Town staff shall make a corresponding marking on the visual aid provided by staff in the Director's column on the row assigned to each of the Director's listed nominees.
6. The visual aid will be a single grid matrix listing the Director's names across the top columns of the grid matrix, and the nominees names in rows on the left side of the grid matrix in the order determined by the Secretary of State's Randomized Alphabet for the November 3, 2020, statewide election. The visual aid is solely intended to assist the Directors as they discuss the nominees. Unmarked visual aids will be available to the public on the Town's website as part of the agenda packet for the October 1, 2020, meeting.
7. Once all of the Directors' lists have been read aloud by the District Secretary, and corresponding marks made on visual aids, the Board President shall invite public comment.
8. Once public comment has been closed, the Board members may discuss the nomination lists, or any member of the Board may make a motion to appoint a particular applicant.
9. The applicant receiving a simple majority vote in favor of appointment shall fill the vacancy created by Mr. Leete's resignation.
10. Rosenberg's Rules of Order shall apply to all questions of procedure and parliamentary law with regard to this procedure to fill the vacancy created by Mr. Leete's resignation.

**Fiscal Impact:**

Amount Requested \$ - None at this time.

**Attachment:**

Board Member – Applicant Matrix

AGENDA ITEM: C-1



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## BOARD MEMBER – APPLICANT MATRIX Special Board Meeting - October 1, 2020 3:00PM

	President Pease	Vice President Gutow	Director Graves	Director Mayer
Lesley Belcher				
Donald Littell				
Carolyn Graham				
Charles (Bill) Helfrick				
Ashley Porter				
Eric Swalwell				
Alberto Delgado				
Frank Visintin				

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[www.todb.ca.gov](http://www.todb.ca.gov)