



**TOWN OF DISCOVERY BAY  
COMMUNITY SERVICES DISTRICT**

**RESOLUTION 2015-04**

A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE TOWN OF DISCOVERY BAY,  
A CALIFORNIA COMMUNITY SERVICES DISTRICT,  
RESCINDING RESOLUTION NO. 2012-29 AND AFFIRMING ECC BANK,  
A DIVISION OF BANK OF AGRICULTURE AND COMMERCE BANK  
AS ALTERNATIVE DEPOSITORY FOR CERTAIN DISTRICT FUNDS AND  
AFFIRMING A REVOLVING FUND PURSUANT TO GOVERNMENT CODE SECTION 53952

WHEREAS, the Town of Discovery Bay Community Services District Board of Directors has previously adopted Resolution No. 2012-29 appointing Bank of Agriculture and Commerce as alternative depository for certain district funds, and

WHEREAS, Pursuant to Government Code §53952(b) an independent special district, as defined in Government Code §61000, may by resolution provide for the establishment of a revolving fund in an amount not to exceed 110 percent of one-twelfth of the district's adopted budget for that fiscal year. The fund may be used to pay any authorized expenditures of the independent special district, and

WHEREAS, the District regularly collects funds from rate payers for water consumption or from contributions to the Community Center fund and those funds are deposited in the ECC Bank on behalf of the District; and

WHEREAS, the General Manager, or designee, shall have authority to make disbursements from the revolving fund and is responsible for keeping account of all receipts and disbursements from the fund, and

WHEREAS, the fund is necessary in order to pay down the ECC bank accounts in order to remain within the limits allowed pursuant to Government Code §53952, and

WHEREAS, the maximum amount of the fund shall not exceed 110 percent of one-twelfth of the district's adopted budget for that fiscal year, and

WHEREAS, individual payments from the account shall not exceed \$100,000.00 and all payments of any amount are to be authorized by the Board of Directors with two (2) signatures required; and

WHEREAS, payments that are contractually obligated to Veolia Water shall be allowed to be paid from this account and shall not be subject to the spending \$100,000 limit.

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

SECTION 1. Pursuant to Government Code §53952(b) the Town of Discovery Bay provides for a revolving fund in an amount not to exceed 110 percent of one-twelfth of the district's adopted budget for that fiscal year.

SECTION 2. The fund may be used to pay any authorized expenditures of the Town of Discovery Bay.

SECTION 3. The purpose of the revolving fund is to be able to have the flexibility of paying District invoices that do not exceed \$100,000.00.

SECTION 4. That invoices from Veolia Water for monthly contractual services that exceed \$100,000 be authorized to be paid from this account when the 1%Net10 option is available to the Town per the terms of the contract between the Town of Discovery Bay and Veolia Water .

SECTION 5. That the General Manager, or designee, shall have authority to make authorized disbursements from the revolving fund and is responsible for keeping account of all receipts and disbursements from the fund.

SECTION 6. Signature requirements for warrants issued from these accounts shall be in accordance with Article VII of the District's Bylaws.

SECTION 7. That any individual disbursement from the account shall not exceed \$100,000.00 and all payments of any amount are to be authorized by the Board of Directors at a Regular or Special meeting of the Board of Directors.

SECTION 8. The Board of Directors may waive the \$100,000.00 limit as identified in SECTION 7, above, of any single disbursement at a Regular or Special meeting of the Board of Directors provided that such action shall be taken independently and as a part of a Staff Report to the Board specifically addressing the disbursement.

SECTION 9. This resolution shall take effect immediately upon its passage.

PASSED, APPROVED AND ADOPTED THIS 4<sup>th</sup> DAY OF MARCH, 2015.

V. Chris Steele  
Board President

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Town of Discovery Bay Community Services District at a regularly scheduled meeting, held on March 4, 2015, by the following vote of the Board:

AYES: 4- Vice President Pease, Director Graves, Director Leete, Director Simon  
NOES: 0  
ABSENT: 1- President Steele  
ABSTAIN: 0

  
Richard J. Howard  
Board Secretary