



TOWN OF DISCOVERY BAY CSD

President - Kevin Graves • Vice-President - Brian Dawson • Director - Mark Simon • Director - Chris Steele • Director - Ray Tetreault

**NOTICE OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY CSD**
Wednesday March 2, 2011
1800 Willow Lake Road, Discovery Bay, California
REGULAR MEETING 7:00 P.M.
Website address: www.todb.ca.gov

Regular Meeting 7:00p.m.
Closed Session Meeting after Regular Meeting

A. ROLL CALL

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

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

The public may address the Board on any issue in the District's jurisdiction, which is not on the agenda. The public may comment on any item on the agenda at the time that item is taken up. Any person wishing to speak must come up and speak from the podium. There will be no dialog between the Board and the commenter. Any clarifying questions from the Board must go through the Chair.

C. AREA AGENCIES REPORTS / PRESENTATION

1. SHERIFF'S OFFICE REPORT – (AC)
2. CHP REPORT – (AC)
3. FIRE DISTRICT REPORT – (AC)
4. EAST CONTRA COSTA FIRE PROTECTION DISTRICT REPORT – (AC)
5. SUPERVISOR MARY PIEPHO, DISTRICT III REPORT – (AC)

D. COMMITTEE/LIAISON REPORTS

1. Trans-Plan Report – (AC)
2. County Planning Commission Report – (AC)
3. Code Enforcement Priority Report – (AC)
4. Special Districts Report **

***These meetings are held Quarterly*

E. 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. Minutes of the Regular Meeting dated February 16, 2011
2. District Invoices

F. NEW BUSINESS AND ACTION ITEMS

G. CHAIR REPORT AND DIRECTORS' COMMENTS

H. MANAGERS REPORTS

1. Landscaping Report
2. Water and Wastewater Report

I. GENERAL MANAGER'S REPORT

J. LEGAL COUNSEL REPORT

1. Discussion regarding Board Meeting Rules of Order and Amend Board's Rules of Procedure to consider adopting Rosenberg's Rules of Order

K. CORRESPONDENCE – Discussion and Possible Action

1. R – Letter to Supervisor Piepho from David O. Livingston regarding the staff of David O. Livingston to research the P-6 fund balance
2. R – Contra Costa County Department of Conservation & Development regarding revised Agency Comment Request Form dated February 9, 2011
3. R – Copy of letter from the California Regional Water Quality Control Board regarding the June 2010 sanitary sewer overflow dated February 9, 2011
4. R – Letter from Supervisor Piepho regarding a Board Order - January 25, 2011, Byron Corners General Plan Amendment Study Authorization dated February 9, 2011

L. PUBLIC RECORD REQUESTS RECEIVED

Request from Mark Doran – 2010-2011 Submissions and resubmissions to and from County for AC Functions – Dated February 10, 2011

Request from Don Flint – Names and Email addresses of the people who received the Annual Renewal of the Town of Discovery Bay CSD Agendas email – Dated February 11, 2011

Request from William Richardson – Follow up CSD Defamation of Citizens Submitting PRRs – Dated February 11, 2011

M. FUTURE AGENDA ITEMS

N. ADJOURNMENT

1. Adjourn to the Special Meeting on March 2, 2011 at 1800 Willow Lake Rd – Located in back of Delta Community Presbyterian Church.

O. CLOSED SESSION:

CONFERENCE WITH LEGAL COUNSEL

Initiation of litigation, Government Code Section 54956.9(c)

One (1) potential case

P. Return to open session; report on closed session.

Q. ADJOURNMENT

1. Adjourn to the next regular meeting on March 16, 2011 at 1800 Willow Lake Rd – Located in back of Delta Community Presbyterian Church.

"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 twenty-four hours prior to the time of the meeting."

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



TOWN OF DISCOVERY BAY CSD

President - Kevin Graves • Vice-President - Brian Dawson • Director - Mark Simon • Director - Chris Steele • Director - Ray Tetreault

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
TOWN OF DISCOVERY BAY CSD**
Wednesday February 16, 2011
1800 Willow Lake Road, Discovery Bay, California
Website address: www.todb.ca.gov

REGULAR MEETING at 7:00p.m.

A. ROLL CALL

The meeting was called to order. President Graves led in the Pledge of Allegiance. Roll call was taken and all directors were present.

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

There were several residents attending the meeting to discuss the Discovery Bay Property Owner Association (DBPOA). Those residents were notified by the use of email that they should attend the Town of Discovery Bay CSD meeting. The names below are those that spoke on the subject and expressed their concern with the DBPOA. Some of the residents provided documentation to the Town of Discovery Bay CSD Board.

Resident Anthony Stelle, Resident Roger di Fate, Resident Frank Visintin, Resident Jack Snavelly, Resident Bob Quist, Resident Bobbi Nugent, and Resident Lynne Willenburg
Resident Don Flint – Would like to have the DBPOA documents placed within the minutes. He expressed his concern regarding the Chamber Dinner charges.

C. PRESENTATIONS

None

D. CHAIR REPORT AND DIRECTORS' COMMENTS

President Graves – Stated that he, Director Steele, and General Manager Howard attended the LAFCo meeting and discussed the items from that meeting. President Graves also moved item F-4, the Special District Election to LAFCo, and moved to this point of the meeting. President Graves stated that Michael R. McGill was sworn in at the last meeting. He was elected to be the Special District to LAFCo Representative by eight (8) votes. When the Board met at the January 19, 2011 Board meeting, they made a decision on two (2) candidates, Michael R. McGill as the secondary for the LAFCo seat and Thomas E. Baldocchi, Jr. as the primary LAFCo seat. The Board voted three (3) to two (2) to vote for Thomas E. Baldocchi, Jr. as the primary for the LAFCo seat. President Graves voted for Mr. McGill because he believed that the qualifications of Mr. McGill exceeded those of Thomas E. Baldocchi, Jr and did not feel comfortable having Thomas E. Baldocchi, Jr represent our district. "The vote was a three (3) to two (2) vote and I changed my vote, which changed what the Board vote was." President Graves also believes that any other Board Member would have felt the same way as he if they were present at the Special District Election to LAFCo Meeting hearing the qualifications. President Graves also pointed out that Michael R. McGill won by eight (8) votes, therefore would have won by seven (7) votes, if he would have voted for Thomas E. Baldocchi. He expressed his apology for altering his decision on voting for the candidates for the Special District Election for LAFCo. Director Simon accepts the apology of President Graves, however, still has an issue with the decision. When the Board makes a choice on a vote it should not change and does not believe that President Graves is entitled to change the vote, nor should he have changed his vote. Director Tetreault believes that President

Graves broke the trust of the Board. Director Tetreault also believes that the Board made the decision of who to vote for and the choice was made by President Graves to change that vote. Director Steele expressed that it is important to make a decision and not make a change on your own but make a change as a Board.

President Graves also attended and discussed the items from the East Contra Costa Fire Protection District meeting and the Contra Costa Aviation Advisory Committee meeting. He also provided his reports.

Vice-President Dawson – Attended the School Board meeting and discussed the items.

Director Steele – Stated that he, President Graves, and General Manager Howard attended the LAFCo meeting and discussed the items from the meeting. He provided a report.

Director Tetreault – Attended the Community Center Committee meeting and discussed the three (3) Committee's, the Community Center, the Budget Review, and the Communications and a press release was sent out requesting citizen involvement.

E. CONSENT CALENDAR

1. Minutes of a Regular Meeting from February 2, 2011
2. District Invoices
3. Application and Adoption of Resolution 2011-03 for an Out-of-Agency Service Agreement – Farnholz
4. Change order to McFadden Construction for Shade Structure at UV Control Platform
5. Measure WW Local Grant Program Project (WW Grant) Application for Cornell Park Playground Replacement

President Graves – Item three (3) and item five (5) pulled from the Consent Calendar

Motion made by – Director Simon to approve items one (1), two (2), and four (4) of the Consent Calendar and seconded by Vice-President Dawson. Motion carried by the following vote: AYES: 5, NOES: 0

Discussion on item three (3) on the Consent Calendar – Application and Adoption of Resolution 2011-03 for an Out-of-Agency Service Agreement – Farnholz – The Board and General Manager Howard discussed the item in regards to the conditions of the agreement, along with the health and safety issues.

Motion made by – Director Tetreault to approve this item and seconded by Vice-President Dawson.

The item had more discussion in regards to the structure of the agreement along with the conditions of the item. The resolution states the details of the agreement therefore will move forward with the approval agreement. Motion carried by the following vote: AYES: 5, NOES: 0

Discussion on item five (5) on the Consent Calendar – Measure WW Local Grant Program Project (WW Grant) Application for Cornell Park Playground Replacement – Landscape Manager Perez discussed items on the WW Grant Application

Motion made by – Vice-President Dawson to approve this item and seconded by Director Tetreault. Motion carried by the following vote: AYES: 5, NOES: 0

F. NEW BUSINESS AND ACTION ITEMS

1. East Contra Costa Fire Protection District Board Representation (AC)

President Graves – Stated that there was a lack of support from the representative. President Graves also stated that Chris Finetti resigned from the ECC Fire Protection District Board and that creates an opening on that Board. There will be a posting for the position on the Contra Costa Website and there will be ten (10) days to apply for that position

2. Water Meter Installation Status Report

General Manager Howard – Stated that this item is to obtain feedback from the Board.

There was discussion between the Board and General Manager Howard on the concerns of this item. The item has been placed on the Agenda Forecast with a pending status.

3. Direction to Staff and Letter of Support for Slifer Park Improvement Project (FY 2011-2012)

General Manager Howard – Stated that this item is direction to Staff with a letter of Support for the Slifer Park Improvement Project.

Landscape Manager Perez – Provided other details on the project including the pickle ball courts, a shade structure, and a restroom. There were concerns in regards to the restroom so that particular item will be reviewed at a later time. There was discussion on the project between the Board and some of the public.

Motion made by – Vice-President Dawson recommends that we send a letter of support to the County for Slifer Park Improvement Project and seconded by Director Simon. Motion carried by the following vote: AYES: 5, NOES: 0

4. Report on Special District Election to LAFCo

President Graves – Provided details under Agenda item D within his Chair report

G. VEOLIA REPORT

1. Veolia Report for January 2011
Veolia Manager Gerald Smart – Gave details of the monthly report
2. Veolia Report for 4th Quarter 2010

H. MANAGERS REPORTS

General Manager Howard – Stated that for informational purposes, he has a fabric gasket that is from a fire hydrant and a water valve that was corrosive due to the soil leading to leaks. General Manager also pointed out that he has been receiving interest for the Internship program.

I. GENERAL MANAGER REPORT

J. DISTRICT LEGAL COUNSEL REPORT

Legal Counsel Schroeder – Pointed out that the Board does not have any jurisdiction for any decision on the DBPOA.

K. CORRESPONDENCE-Discussion and Possible Action

1. R – Contra Costa County Aviation Advisory Committee Minutes for November 9, 2010
2. R – Letter from Supervisor Piepho to Sheriff David O. Livingston regarding the current fund balance for the Discovery Bay P-6 Zones dated February 1, 2011
3. R – Letter from Supervisor Piepho regarding recent correspondence from Sheriff Livingston dated February 2, 2011
4. R – State Route 4 Bypass Authority Minutes for January 13, 2011
5. R – Byron Municipal Advisory Council Meeting Minutes for January 20, 2011
6. R – Letter from LAFCo regarding the Transmittal of Correspondence from Don Flint dated February 3, 2011

L. PUBLIC RECORD REQUESTS RECEIVED

Request from William Richardson – Community Center/Still continuing – Dated January 28, 2011

M. FUTURE AGENDA ITEMS

N. ADJOURNMENT

The meeting was adjourned at 8:53p.m. to the next Regular meeting of March 2, 2011 starting at 7:00pm at 1800 Willow Lake Road. Located in back of the Delta Community Presbyterian Church.

cmc 02:23:11



Town of Discovery Bay CSD

AGENDA REPORT

Meeting Date

March 02, 2011

Prepared By: Liz Hardy, Accounts Assistant
Submitted By: Rick Howard, General Manager *RH*

Agenda Title

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 \$178,951.66

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
Town of Discovery Bay CSD Operating and Capital Budgets
Request For Authorization to Pay Invoices for the Discovery Bay Lighting & Landscape District #8
Discovery Bay Lighting & Landscape District #8 Operating and Capital Budgets
Request For Authorization to Pay Invoices for the Discovery Bay Lighting & Landscape District #9
Discovery Bay Lighting & Landscape District #9 Operating Budget and Capital Budgets

AGENDA ITEM: E-2

Request for authorization to pay invoices
 For the Meeting on March 2, 2011
 Town of Discovery Bay CSD
 For Fiscal Year's 7/10 - 6/11

Acct Code			
1	7002	Express Employment Inv# 99275138-8, dtd 2/9/11	Payroll for Temp Services \$163.05
2	7002	RellaStar Life Insurance Co. Emp# JR52, ING Employer # JR52 457 (b) for Feb 18-28 for 3.04.11 Check	\$350.00
3	7003	RellaStar Life Insurance Co. Emp# JR52, ING Employer # JR52 457 (b) for Feb 18-28 for 3.04.11 Check	<u>\$590.22</u>
		Sub-Total	\$940.22
4	7005	Neumiller & Beardslee Inv# 238446, dtd 2/9/11	General services performed thru 1/31/11 \$6,439.36
5	7010	AMS.NET Inv# 125221, dtd 2/18/11	Camera issue, switch port dead or having issues \$112.50
6	7010	Big Dog Computer Inv# 20090930-13, dtd 2/11/11	Remote assistance \$170.00
	7670	Big Dog Computer Inv# 20090930-13, dtd 2/11/11	Paris memory for pc3200 <u>\$191.80</u>
		Sub-Total	\$361.80
7	7010	Luhdorff & Scalmanini Inv# 26600, dtd 01/30/11	DB Water Master Plan services rendered thru 1/30/11 \$7,529.15
8	0809-002	Luhdorff & Scalmanini Inv# 26586, dtd 1/30/11	Well & Pump Station 6 Design & Const-serv thru 1/30/11 <u>\$4,370.00</u>
		Sub-Total	\$11,899.15
9	7010	Telstar Instruments Inv# 65384, dtd 01/31/11	Field reports dated 1/24-1/27/11 job# 21642 \$390.00
10	7011	Veolia Water Inv# 451, dtd 1/21/11	Discovery Bay R&M Overage \$5,072.49
		<u>WATER</u>	
11	7135	PG&E / Acct# 2943721807-5	Newport WTP 01/12-02/10/11 \$3,577.20
12	7135	PG&E / Acct# 2990602600-9	Willow Lake WWTP 01/11-02/09/11 \$3,296.43
13	7135	PG&E / Acct# 3349549227-5	Well #3 DB Blvd & Edgeview 01/11-02/09/11 \$18.71
14	7135	PG&E / Acct# 6760524303-8	Irr. Controller (Newport @ Well 4A) 01/12-02/10/11 \$14.71
15	7135	PG&E / Acct# 7068319849-6	Well #5 01/10-02/08/11 \$5,929.78
16	7135	PG&E / Acct# 8351173112-3	Well #2 01/11-02/09/11 \$1,662.77
17	7135	PG&E / Acct# 8609981202-5	Well #1 (Gas) 01/11-02/09/11 \$46.57
18	7135	PG&E / Acct# 8651647866-5	Well #1 01/11-02/09/11 <u>\$1,384.47</u>
		Sub-Total	\$15,930.64
		<u>SEWER</u>	
19	7137	PG&E / Acct# 0631986334-3	Newport Lift Station 01/12-02/10/11 \$1,871.14
20	7137	PG&E / Acct# 1182741894-5	Pump Station D 01/11-02/09/11 \$103.21
21	7137	PG&E / Acct# 1318320217-8	Pump Station A 01/11-02/09/11 \$48.74
22	7137	PG&E / Acct# 2068717691-5	Pump Station G 01/12-02/10/11 \$28.15
23	7137	PG&E / Acct# 2172798825-1	Pump Station R 01/12-02/10/11 \$48.01
24	7137	PG&E / Acct# 2527523613-8	Pump Station S 01/13-02/11/11 \$287.85
25	7137	PG&E / Acct# 3016215915-3	Pump Station F 01/10-02/08/11 \$522.71
26	7137	PG&E / Acct# 3101013157-6	Lakes 4 Lift Station 01/11-02/09/11 \$85.15
27	7137	PG&E / Acct# 3497478293-9	Lakeshore Lift Station 01/10-02/08/11 \$441.70
28	7137	PG&E / Acct# 3881134135-3	WWTP #1 01/12-02/10/11 \$2,865.00
29	7137	PG&E / Acct# 4193709211-6	Pump Station C 01/12-02/10/11 \$48.15
30	7137	PG&E / Acct# 4201000159-4	Golf Course Valve Station 01/13-02/11/11 \$32.68
31	7137	PG&E / Acct# 4225081240-3	Disc WWTP & Pump Station W 01/12-02/10/11 \$25.98
32	7137	PG&E / Acct# 4516230421-1	Pump Station H 01/11-02/09/11 \$22.31
33	7137	PG&E / Acct# 7234986505-4	Pump Station J 01/11-02/09/11 \$202.50
34	7137	PG&E / Acct# 7312115758-7	SS/HWY 4 E/Disco Bay Blvd W/O Bridge 01/12-02/10/11 \$15,024.20
35	7137	PG&E / Acct# 7630923070-4	Pump Station E 01/10-02/08/11 \$234.25
36	7137	PG&E / Acct# 8343916134-6	Fern Ridge Circle/Hofmann 01/08-02/07/11 \$527.77
37	7137	PG&E / Acct# 8440119997-5	Knighten School Pump Station 01/11-02/09/11 <u>\$27.42</u>
		Sub-Total	\$22,446.92
38	7290	Pleasant Hill Rec & Park District Dtd 2/24/11	AB 1234 Ethics Training \$135.00
	7730	Pleasant Hill Rec & Park District Dtd 2/24/11	AB 1234 Ethics Training <u>\$90.00</u>
		Sub-Total	\$225.00
39	7300	American Retrofit Systems Inv# 51, dtd 2/23/11	Install GFI outlet in control box 9 on DB Blvd \$140.00
40	7665	American Retrofit Systems Inv# 52, dtd 2/23/11	Install emergency light in LS/C, also light bulb district off <u>\$150.00</u>
		Sub-Total	\$290.00
41	7300	Hach Company Inv# 7113146, dtd 2/14/11	Annual service for plant #2 at UV area \$1,638.00

42	7300	J.W. Backhoe & Constr. Inv# 1475, dtd 2/15/11	Leak at 1963 Seal Way	\$6,093.42
43	7300	J.W. Backhoe & Constr. Inv# 1476, dtd 2/15/11	Dug up leaking gate valve at 1973 Seal Way	\$4,470.98
44	7300	J.W. Backhoe & Constr. Inv# 1477, dtd 2/15/11	Dug up leak at 4555 Discovery Point	<u>\$2,694.25</u>
			Sub-Total	\$13,258.65
45	7300	MCI Engineering, Inc. Inv# 01, dtd 2/22/11	Labor and equipment on waterline at Health Club	\$896.93
46	7300	MCI Engineering, Inc. Inv# 01, dtd 2/22/11	Labor, equipmnt, material, subcontractor at 5501 Beaver Ln	<u>\$1,808.27</u>
			Sub-Total	\$2,705.20
47	7300	Paul E Vaz Trucking, Inc. Inv# 11598 dtd 2/18/11	Materials for waste water plant	\$644.76
48	7300	Paul E Vaz Trucking, Inc. Inv# 11599, dtd 2/18/11	Hauling for water treatment plant	<u>\$763.33</u>
			Sub-Total	\$1,408.09
49	7300	R & B Company Inv# S1246939.001, dtd 2/11/11	B9 conc utility box 10-1/4x17-1/4	\$286.45
50	7300	R & B Company Inv# S1247451.001, dtd 2/15/11	Lb400 clow hydrant b/o check	\$1,020.79
51	7685	R & B Company Inv# S1247272.001, dtd 2/11/11	Tools for Dan	<u>\$247.62</u>
			Sub-Total	\$1,554.86
52	7330	Basic Chemical Solutions Inv# SI5837657, dtd 2/10/11	Chemicals for 1800 Newport Drive	\$536.31
53	7330	Basic Chemical Solutions Inv# SI5837658, dtd 2/10/11	Chemicals for 1800 Willow Lake Drive	<u>\$1,185.97</u>
			Sub-Total	\$1,722.28
54	7420	MailFinance Inv# N2297266, dtd 2/18/11	Lease payment for 3/19/11 - 04/18/11	\$75.09
55	7420	Neopost by Neopost Inv# xxxx-xxxx-xxxx-4658, dtd 2/04/11	Postage	\$821.89
56	7430	Office Depot Inv# 551390624001, dtd 2/08/11	Office Supplies	\$33.73
57	7430	Office Depot Inv# 552631749001, dtd 2/17/11	Office Supplies	\$25.96
58	7430	Office Depot Inv# 552631815001, dtd 2/17/11	Office Supplies	<u>\$40.16</u>
			Sub-Total	\$99.85
59	7430	Quill Corp Inv# 2299059, dtd 2/11/11	QB file folder Letter paper	\$102.02
60	7430	UPS Inv# 000012X417071, dtd 2/12/11	SDRMA pkg - status of ancillary coverage	\$11.42
61	7430	UPS Inv# 000012X417081, dtd 2/19/11	Thompson Publishing group books returned	<u>\$10.60</u>
			Sub-Total	\$22.02
62	7630	Sunstate Equip Inv# 4861626-001, dtd 2/11/11	Skiploader 4WD - w/4 in 1 bucket	\$484.81
63	7720	Brian Dawson dtd 2/11/11	Directors Meetings for Feb 2011	\$500.00
64	7952	Dept of Conservallon & Development Dtd 2/22/11	Basket Ball Ct to park rest of payment*** ***To be Reimbursed by Zone # 57	\$100.00
65	7952	Villiage Nurseries Inv# 00193257, dtd 2/14/11	Ground cover for various areas*** ***To be Reimbursed by Zone #'s 35 and 61	<u>\$532.60</u>
		TODB TOTAL...		\$89,296.49

Acct. #	2009/2010 Budget	2009/2010 YTD ACTUALS	2009/2010 % of Budget YTD	2010/2011 Budget	25.00%	33.33%	41.67%	50.00%	58.33%	Feb 11 Month to Date Expenses	75.00% Mar 11 Month to Date Expenses	Pending Approval 03/02/11	2010/2011 YTD REIMB.	2010/2011 YTD ACTUALS	2010/2011 % of Budget YTD
TOWN OF DISCOVERY BAY CSD															
OPERATING BUDGET 2010/2011															
Approved at 06/16/10 Meeting															
Account Description															
7000 Contract Services															
7001 General Manager	\$102,000	\$103,719	102%	\$130,000						\$55,364				\$66,099	51%
7002 District Staff	\$221,000	\$398,678	176%	\$270,000	\$1,661	\$3,596	\$4,276	\$2,906	\$4,338	\$223,591		\$573		\$287,203	106%
L Staff Water Related				\$126,000						\$0				\$0	0%
L Landscapes Related (Reimb)				\$121,000										\$0	0%
7003 District Benefits	\$50,000	\$0	0%	\$52,500						\$3,690		\$690		\$10,015	19%
7005 Legal	\$80,000	\$87,417	109%	\$80,000		\$4,524	\$8,502		\$3,325	\$3,690		\$6,439		\$36,498	46%
7010 Consulting Services	\$130,000	\$104,787	44%	\$270,000	\$14,381	\$8,392	\$5,668	\$21,436	\$33,988	\$24,611		\$8,202		\$124,847	59%
7011 Veolia Operations	\$1,020,000	\$1,079,478	161%	\$1,173,000	\$83,362				\$169,724	\$295,086		\$5,072		\$666,897	57%
7012 Veolia Prev & Corrective Fund	\$48,000	\$101,879	212%	\$80,000	\$3,560		\$10,266		\$7,120	\$15,754				\$48,982	61%
7013 NPDES Permit		\$0	0%	\$0										\$0	0%
7014 Staff Water Related	\$82,000		0%	\$24,000										\$0	0%
7015 Outsource of Water Billing														\$0	0%
L General Operating Expenses														\$0	0%
7120 Audit	\$19,000	\$21,025	111%	\$35,000			\$1,030	\$1,800	\$20,560					\$23,380	67%
7135 Electrical Cost (water)	\$300,000	\$328,208	109%	\$300,000	\$108	\$53,460	\$39,378	\$28,748	\$17,607	\$13,890		\$15,981		\$244,081	81%
7137 Electrical Cost (sewer)	\$300,000	\$371,784	124%	\$325,000	\$9,894	\$39,233	\$32,386	\$27,763	\$39,051	\$26,828		\$22,447		\$729,684	71%
7200 Public Comm & Noticing	\$10,000	\$13,367	134%	\$5,000	\$160									\$398	8%
7210 Election Expenses		\$0	0%	\$12,000										\$0	0%
7220 Rent - Public Meetings	\$500	\$0	0%	\$500										\$0	0%
7280 Memberships	\$6,000	\$28,073	468%	\$16,000	\$575	\$1,098	\$327	\$4,141	\$100	\$237				\$0	0%
7285 Permits	\$30,000	\$29,233	97%	\$30,000	\$575	\$14,786		\$6,929						\$6,023	38%
7285 NPDES NOV Fines (s)				\$25,000										\$29,111	56%
7280 Staff Training	\$3,500	\$1,716	49%	\$2,500		\$281			\$165			\$135		\$0	0%
7300 General Repairs Water / Sewer	\$300,000	\$554,147	185%	\$350,000	\$93,956	\$39,043	\$32,737	\$41,035	\$90,302	\$27,444		\$20,457		\$427,244	79%
P Pump Repairs	\$15,000	\$0	0%	\$15,000	\$1,445	\$550	\$5,041	\$6,109		\$7,029				\$47,990	32%
7310 NTR / SIP Testing	\$3,000	\$4,699	157%	\$3,000	\$105	\$158	\$425							\$0	0%
7320 Special Equipment/Signage	\$3,000	\$97,797	196%	\$65,000	\$8,683	\$12,701	\$4,443	\$8,498	\$4,154	\$2,394		\$1,722		\$688	23%
7330 Chemicals/Odor Materials	\$50,000	\$97,797	196%	\$65,000	\$157	\$440		\$289	\$428					\$60,313	93%
7400 Office Expenses	\$5,000	\$4,697	94%	\$4,500	\$288	\$1,720	\$321	\$284	\$284					\$1,849	41%
7410 Copier Maint	\$7,000	\$17,497	250%	\$8,000	\$124	\$451	\$956	\$307	\$1,630	\$765		\$997		\$6,539	262%
7420 Postage	\$3,000	\$29,109	970%	\$1,000	\$160	\$479	\$346	\$1,121	\$1,554			\$224		\$4,511	56%
7430 Office Supplies	\$3,000	\$4,849	162%	\$4,500	\$460	\$651	\$370	\$1,046	\$1,888	\$852				\$3,723	372%
7500 Communications	\$2,500	\$6,371	255%	\$4,000	\$390	\$1,154	\$441	\$1,046	\$1,138	\$107				\$4,282	95%
7510 Web Site/Internet														\$3,370	84%
7520 Wireless														\$0	0%
7600 District Wide														\$0	0%
7650 Site Maintenance /Landscape	\$10,000	\$23,632	236%	\$15,000	\$196	\$136	\$4,265	\$592	\$8,020	\$823				\$3,723	372%
7655 Office Bldg / Improvements	\$5,000	\$21,877	438%	\$10,000	\$2,141	\$2,141	\$6	\$419	\$105			\$485		\$14,740	98%
7670 Office Equipment / Software	\$5,000	\$30,083	601%	\$8,000	\$30	\$631	\$50		\$170					\$2,852	29%
7680 Office Furnishings	\$1,000	\$1,456	146%	\$1,000	\$38	\$232				\$312				\$2,646	33%
7685 Tools	\$3,000	\$6,193	206%	\$3,500	\$38	\$1,027	\$2,989	\$102	\$78	\$594		\$248		\$397	40%
7690 Maint / Fuel	\$18,000	\$25,323	141%	\$19,000	\$293	\$9,087	\$1,895	\$594	\$2,176	\$1,068				\$5,517	158%
7700 Directors Expense														\$20,657	109%
7720 Compensation	\$36,000	\$25,098	70%	\$36,000	\$2,266	\$1,400	\$1,318	\$1,109	\$2,151	\$2,445		\$500		\$13,989	39%
7730 Training	\$1,000	\$312	31%	\$600	\$72	\$94		\$6,822				\$90		\$6,846	1141%
7950 Miscellaneous	\$1,000	\$161,203	16120%	\$12,000	\$72	\$5,622	\$127	\$196	\$810	\$395				\$7,592	63%
7951 Misc. - Reimbursable				\$10,000	\$71	\$30			\$8183					\$9,290	93%
7952 Misc. - Zones Reimbursable				\$100,000	\$1,254	\$10,275	\$12,204	\$359	\$2,798	\$19,022		\$633		\$69,904	69%
7955 Reimbursement (Holmann)		\$0	0%											\$0	0%
7100 Insurance														\$0	0%
7115 General Liability														\$0	0%
7120 Worker's Comp	\$60,000	\$102,503	171%	\$48,000										\$0	0%
7800 County Services				\$6,000										\$0	0%
7805 Revenue Collection	\$3,000	\$5,153	172%	\$5,500										\$1,900	32%
7810-0810 Investment Fee	\$600	\$0	0%	\$700					\$4,640					\$4,640	84%
7815-2315 Data Processing														\$0	0%
7820 Accounting (A/P, A/R, GL)	\$5,000	\$21,180	424%	\$2,500										\$0	0%
7825 Public Works - Permits		\$91,100		\$6,000										\$0	0%
CREDITS Reimbursements to Town of DB		\$91,100		(\$231,000)										\$7,836	131%
TOTAL	\$2,919,100	\$3,711,273	127%	\$3,697,800	\$223,695	\$213,352	\$170,310	\$169,623	\$423,657	\$679,217	\$0	\$84,926	\$0	\$2,494,480	67%

Miscellaneous Adjustments:	
Amount	Description
\$5,545.00	S/B in #7862
\$168.44	S/B in #7952
\$4,403.00	S/B in #1011-017
\$11,331.42	S/B in #7300

Date	No	Company	Amount

Acct. #	TOWN OF DISCOVERY BAY CSD OPERATING BUDGET 2010/2011 Approved at 06/18/10 Meeting Account Description	2009/2010 Budget	2009/2010 YTD ACTUALS	2009/2010 % of Budget YTD	2010/2011 Budget	Sep 10 Month to Date Expenses	Oct 10 Month to Date Expenses	Nov 10 Month to Date Expenses	Dec 10 Month to Date Expenses	Jan 11 Month to Date Expenses	Feb 11 Month to Date Expenses	Mar 11 Month to Date Expenses	Pending Approval 03/02/11	2010/2011 YTD REIMB.	2010/2011 YTD ACTUALS	2010/2011 % of Budget YTD
			\$23,805.08			\$23,805.08	S/B in #7300P									
			\$650.00			\$650.00	S/B in #0809-002									
			\$225.00			\$225.00	S/B in #7630									
			\$86.00			\$86.00	remove - pd 7/27/10									
			\$177.99			\$177.99	S/B in #7300									
			\$4,010.67			\$4,010.67	S/B in #7300P									
			\$731.00			\$731.00	S/B \$716.00									
			\$731.00			\$731.00	S/B \$150.00									
			\$8,944.00			\$8,944.00	S/B \$8,452.00									
			\$1,444.52			\$1,444.52	S/B in #7300P									
			\$550.00			\$550.00	S/B in #7300P									
			\$4,040.70			\$4,040.70	S/B in #7300P									
			\$1,000.00			\$1,000.00	S/B in #7300P									
			\$3,028.58			\$3,028.58	S/B in #7300P									
			\$3,080.55			\$3,080.55	S/B in #7300P									

TOWN of DISCOVERY BAY CSD CAPITAL IMPROVEMENT PROGRAM 2010/2011 Approved at 6/16/10 Meeting		50.00%	58.33%	66.67%	75.00%	2010/2011 BUDGET	2009/2010 % of Budget YTD	2009/2010 ACTUALS	2010/2011 % of Budget YTD
Acct. #	Account Description	Dec 10 M-T-D Exp.	Jan 11 M-T-D Exp.	Feb 11 M-T-D Exp.	Mar 11 M-T-D Exp.	Plan to Approve 03/02/11	2010/2011 YTD REIMB.	2010/2011 ACTUALS	2010/2011 % of Budget YTD
SEWER									
0910-004	Rehab Manholes			\$9,177				\$24,070	160%
0910-005	Landscape Plant #1	\$15,000						\$0	0%
0910-006	Replace Sewer Main	\$5,000						\$0	0%
0910-007	UV System		\$4,719	\$16,810				\$175,550	#DIV/0!
0910-008	Salinity Project	\$200,000		\$1,890				\$308,607	#DIV/0!
0910-009	Pumps /Motors Replacement	\$0						\$0	0%
0910-010	Wetlands	\$85,000						\$0	0%
1011-001	By-Pass Pipeline	\$80,000						\$0	0%
1011-002	Replace PLC's	\$0	\$4,513					\$0	0%
1011-003	Bio-Solids Pumps (2) Wet Well	\$20,000						\$10,102	13%
1011-004	Rehab Lift Station W	\$60,000						\$0	0%
1011-005	Bypass Valve Lift Station S	\$12,000						\$500	1%
1011-006	Metal Cover for UV Area	\$125,000						\$0	0%
1011-007	Clarifier Cleaning Devices	\$25,000						\$0	0%
1011-008	Paving for Bio-Solids Area	\$15,000						\$0	0%
1011-009	New Moles (2)	\$80,000	\$9,750	\$1,625				\$0	0%
1011-010	Road Crossing Ramps	\$25,000						\$53,953	67%
								\$0	0%
	Sewer Sub Total	\$769,000	\$45,591	\$29,502	\$0	\$0	\$0	\$572,812	74%
WATER									
0808-002	Well #3 Design & Drill Test Hole							\$31,829	0%
0910-011	Security Door Locks (12)	\$6,000	\$9,689	\$3,202		\$4,370		\$0	0%
0910-012	Ladder Vandal Guard	\$2,000	\$10,173	\$3,202				\$0	0%
0910-013	Pumps /Motors Replacement	\$0						\$0	0%
0910-014	Water Meter Program	\$500,000						\$21,360	4%
	Water Meter Program: Reimbursements	(\$500,000)						\$0	0%
1011-011	Filter Media Replacement	\$40,000	\$29,469	\$16,300				\$45,769	114%
1011-012	Stabilize Around Willow Lake							\$0	0%
1011-013	Rehab Well(s)	\$30,000		\$10,335				\$10,335	34%
1011-014	Replace Water Mains	\$50,000						\$0	0%
1011-015	Water Meter Trailer	\$20,000						\$0	0%
								\$0	0%
	Water Sub Total	\$148,000	\$39,642	\$29,837	\$0	\$4,370	\$0	\$109,293	74%
OTHER									
1011-016	Pickup Truck (1)	\$20,000						\$0	0%
1011-017	K-Rail for Bulk Material	\$15,000						\$0	0%
1011-018	Portable Message Units	\$30,000						\$4,408	29%
1011-019	GFS Tracking Device	\$12,000						\$0	0%
1011-020	Replace Fence Near Marina	\$15,000						\$0	0%
1011-021	New Chairs for Board Room	\$6,000						\$0	0%
								\$0	0%
	Other Sub Total	\$98,000	\$0	\$0	\$0	\$0	\$0	\$4,408	4%
0102-00	Pipeline Replace Reserve	\$0						\$0	0%
CREDITS	Reimbursement to Town of DB	\$0						\$0	0%
	Total CIP Budget	\$1,015,000	\$54,110	\$59,339	\$0	\$4,370	\$0	\$686,512	#DIV/0!

Amount	Description
\$4,408.00	S/B in #1011-017
\$38,032.20	removed - paid on 7/28/10

Request for authorization to pay invoices
 For the Meeting on March 2, 2011
 Town of Discovery Bay, D.Bay L&L Park #8
 For Fiscal Year's 7/10 - 6/11

Acct Code				
1	2120	PG&E / Acct# 0869258994-1	(Sprink Contr) DB Blvd. & Willow Lake	01/11-02/09/11 \$14.71
2	2120	PG&E / Acct# 2068897992-9	DB Blvd across from 510	01/12-02/10/11 \$140.44
3	2120	PG&E / Acct# 2249446019-3	(Sprinkler) Disco Point, Tr #4077, Lot 71	01/11-02/09/11 \$15.29
4	2120	PG&E / Acct# 2800977208-9	(Irr Contr) 9295Beacon Pl @ Str Lite	01/12-02/10/11 \$15.44
5	2120	PG&E / Acct# 3736907925-8	(Sprink Contr) E/S Edgview Dr N/O DB Blvd	01/11-02/09/11 \$14.71
6	2120	PG&E / Acct# 4111412785-9	(Sprink Contr) DB Blvd & Seal Way	01/11-02/09/11 \$14.71
7	2120	PG&E / Acct# 4455555569-5	(Sprinkler) Disco Point, Tr #3653, Lot 17	01/11-02/09/11 \$15.29
8	2120	PG&E / Acct# 5465914049-2	(Sprinkler) DB Blvd. & Spinnaker	01/11-02/09/11 \$14.71
9	2120	PG&E / Acct# 5939734421-5	PG&E Owned Street & Highway Lighting	01/19-02/16/11 \$6,331.84
10	2120	PG&E / Acct# 7135420365-6	(Sprinkler) Disco Point, Tr# 4077, Lot 65	01/11-02/09/11 \$15.29
11	2120	PG&E / Acct# 7452568975-3	(Sprink Contr) S/E cnr DB Blvd & Willow Lk	01/11-02/09/11 \$14.71
12	2120	PG&E / Acct# 7696548482-7	(Sprinkler) DB Blvd, Tr# 4178, Lot 5	01/11-02/09/11 \$15.29
13	2120	PG&E / Acct# 8009270258-0	@ Clipper Dr w/o Cove Ct 7723 Marina Dr	01/11-02/09/11 \$29.42
14	2120	PG&E / Acct# 8101346815-2	(Irr Contr) Newport Dr. w/o Pier Ct	01/11/02/09/11 \$14.71
15	2120	PG&E / Acct# 8163719795-5	(Irr Contr) 9271 Newport Dr @ Str. Lite	01/12-02/10/11 \$15.44
16	2120	PG&E / Acct# 8167536097-8	(Irr Contr) @ Clipper Dr	01/11-02/09/11 \$14.71
17	2120	PG&E / Acct# 8399010651-6	(Sprink Contr) Willow Lake Ct, Lot 31	01/12-02/10/11 \$15.29
18	2120	PG&E / Acct# 8400813429-2	(Sprinkler) Laguna Ct, Tr# 4076, Lot 18	01/11-02/09/11 \$15.29
19	2120	PG&E / Acct# 8545920147-2	(Lites & Sprinklers) 2489 'A' DB Blvd.	01/11-02/09/11 <u>\$90.85</u>
				Sub-Total \$6,818.14
20	2310	TODB Inv# 2628, dtd 2/1/11	Reimb for Payroll charges from Sep 2010	\$6,265.52
21	2310	TODB Inv# 2634, dtd 2/1/11	Reimb for Payroll charges from Oct 2010	\$5,258.79
22	2310	TODB Inv# 2640, dtd 2/2/11	Reimb for Payroll charges from Nov 2010	\$4,595.25
23	2310	TODB Inv# 2646, dtd 2/2/11	Reimb for Payroll charges from Dec 2010	\$4,573.38
24	2272	TODB Inv# 2652, dtd 2/3/11	Reimb for Misc charges from Jan 2011	\$295.01
25	2282	TODB Inv# 2652, dtd 2/3/11	Reimb for Misc charges from Jan 2011	\$20.19
26	2303	TODB Inv# 2652, dtd 2/3/11	Reimb for Misc charges from Jan 2011	\$389.00
27	4834	TODB Inv# 2652, dtd 2/3/11	Reimb for Misc charges from Jan 2011	\$2,685.50
28	4265	TODB Inv# 2652, dtd 2/3/11	Reimb for Misc charges from Jan 2011	<u>\$102.82</u>
				Sub-Total \$24,185.46
29	2130	Watersavers Irrigation Inv# 11031651	dtd 2/23/11 Chemical suit w/hood elastic cuffs	\$47.95
30	2282	Green Valley Landscape Inv# 5489,	dtd 2/10/11 Renovate Irrig system on Seal Way at DB Blvd	\$4,493.44
31	4829	Green Valley Landscape Inv# 5488,	dtd 2/10/11 Renovate Irrig system on DB Blvd & Sand Pt Rd	\$32,147.36
32	4829	Green Valley Landscape Inv# 5490,	dtd 2/10/11 Replace old gate valves, coupler DB Blvd/Sand Pt Rd	<u>\$4,340.72</u>
				Sub-Total \$40,981.52
33	2282	Valley Crest Inv# 3696082,	dtd 2/10/11 Landscape Maint for February 2011	\$8,457.00
34	2282	Village Nurseries Inv# 00193257,	dtd 2/14/11 Ground cover for various areas	\$685.54
TOTAL				\$81,175.61

County	Account Description	2009/2010 Budget	2009/2010 Actuals	2009/2010 % of Budget YTD	2010/2011 Budget	Nov 10 Month to Date Expenses	Dec 10 Month to Date Expenses	Jan 11 Month to Date Expenses	Feb 11 Month to Date Expenses	Mar 11 Month to Date Expenses	Apr 11 Month to Date Expenses	Approve 3/2/2011	2010/2011 Actuals	2010/2011 % of Budget YTD
4265	Various Improvements	\$7,500	\$4,842	65%	\$7,500		\$665	\$3,294				\$103	\$3,959	53%
4546	Structure & Walkway Repairs	\$3,500	\$0	0%	\$3,500		\$7,627		\$616				\$0	0%
4739	DB L&L Zone #8 Playground Equipment	\$3,000	\$0	0%	\$115,000	\$3,080	\$34	\$924	\$14,773			\$36,488	\$11,323	10%
4829	DB L&L Zone #8 Landscape Master Plan Entral	\$0	\$0		\$0								\$66,096	#DIV/0!
	DB L&L Zone #8 Landscape Clipper Drive Phas	\$0	\$0		\$0								\$0	#DIV/0!
	DB L&L Zone #8 Misc. Projects (1)	\$233,100	\$9,314	4%	\$350,000		\$468		\$815			\$2,686	\$39,440	11%
4834	Cornell Park - Discovery Bay	\$3,000	\$0	0%	\$7,500								\$815	11%
4953	Vehicle Purchase	\$1,000	\$26	3%	\$0								\$17,493	#DIV/0!
4956	Tools & Sundry Equipment	\$251,100	\$14,182	6%	\$484,500	\$3,080	\$8,793	\$4,217	\$18,804	\$0	\$0	\$39,276	\$2,600	260%
	Total													

*** DB L&L Zone #8 Misc. Projects (1)

- 1 Willow Lake Rd \$120,000
 - 2 Discovery Bay Blvd. (East) \$230,000
- \$350,000

Request for authorization to pay invoices
 For the Meeting on March 2, 2011
 Town of Discovery Bay, D.Bay L&L Park #9 (Ravenswood)
 For Fiscal Year's 7/10 - 6/11

Acct Code					
1	2120	PG&E / Acct# 1066166716-1	829 Poe Dr (Irrig Ctrlr)	1/11-02/09/11	\$10.18
2	2120	PG&E / Acct# 0422260312-0	Ravenswood Tract 8710	1/19-02/16/11	\$551.64
3	2120	PG&E / Acct# 7705163630-4	1738 Wilde Dr (Irrig Controller)	1/11-02/09/11	<u>\$10.47</u>
				Sub-Total	\$572.29
4	2120	TODB Inv# 2653, dtd 2/3/11	Reimb for Misc charges from Jan 2011		\$19.03
5	2130	TODB Inv# 2653, dtd 2/3/11	Reimb for Misc charges from Jan 2011		\$48.03
6	2272	TODB Inv# 2653, dtd 2/3/11	Reimb for Misc charges from Jan 2011		\$74.68
7	2310	TODB Inv# 2629, dtd 2/1/11	Reimb for Misc charges from Sept 2011		\$2,170.62
8	2310	TODB Inv# 2635, dtd 2/1/11	Reimb for Misc charges from Oct 2011		\$2,002.93
9	2310	TODB Inv# 2647, dtd 2/2/11	Reimb for Misc charges from Dec 2011		<u>\$2,204.98</u>
				Sub-Total	\$6,520.27
10	4265	American Retrofit Systems	Inv# 50, dtd 2/16/11	Install SS nema 4xx inclosure & wire for fountain	\$1,387.00
				TOTAL	\$8,479.56

County Acc#	Town of Discovery Bay/L&L #9 Ravenswood Operating Expense Budget Approved at 6/16/10 Meeting Account Description	2009/2010 Budget	2009/2010 YTD ACTUALS	2009/2010 % of Budget YTD	2010/2011 Budget	50.00% Dec 10 Month Expenses	53.33% Jan 10 Month Expenses	66.67% Feb 10 Month Expenses	75.00% Mar 10 Month Expenses	83.33% Apr 10 Month Expenses	Planned to Pay 3/2/2011	2010/2011 YTD REIMB.	2010/2011 YTD ACTUALS	2010/2011 % of Budget YTD
2100	Office Expenses	\$150	80	54%	\$150	\$117	\$60	\$25					\$379	253%
2102	Books, Periodicals & Subscriptions	\$50	120	240%	\$50	\$24							\$24	49%
2103	Postage	\$50	10,432	20865%	\$50	\$44	\$21						\$80	161%
2110	Communications (Messenger, Radio, etc.)	\$100	220	220%	\$650								\$120	18%
2120	Utilities (Street Lights, Water, & Garbage)	\$5,000	103	2%	\$12,500	\$581	\$600	\$566			\$591	\$10,432	\$83	83%
2130	Small Tools & Instruments	\$100	239	239%	\$100	\$17		\$26			\$48	\$220	\$220	220%
2131	Minor Equipment, Furniture Less than \$1,000.	\$100	253	253%	\$500							\$103	\$103	21%
2170	Household Items	\$0	581	#DIV/0!	\$700			\$46				\$239	\$239	34%
2190	Public Notices	\$50	38	76%	\$150							\$253	\$253	169%
2200	Memberships	\$50	0	0%	\$165							\$40	\$40	24%
2250	Rent & Lease of Equipment	\$800	0	0%									\$0	0%
2251	Computer Software		0	#DIV/0!	\$500								\$0	0%
2270	Maintenance of Equipment	\$200	109	55%	\$200								\$0	0%
2271	Automotive Supplies & Repairs	\$300	0	0%	\$300								\$80	40%
2272	Gasoline/Fuel for Equipment	\$300	0	0%	\$500			\$297					\$87	29%
2282	Grounds Maintenance	\$54,000	32,593	60%	\$48,540	\$3,220	\$2,920	\$2,912			\$75	\$783	\$23,573	157%
2301	Auto Mileage/Employee Reimbursement	\$100	129	129%									\$0	0%
2303	Other Travel Employee Expenses		48	#DIV/0!	\$250								\$0	0%
2310	Professional Services	\$5,000	2,890	58%	\$2,000								\$0	0%
2310	Staff Payroll	\$13,000	356	3%	\$25,500			\$1,954			\$6,379	\$3,792	\$3,792	190%
2360	Insurance	\$5,000	0	0%	\$1,850		\$315						\$3,153	12%
2470	Road/Construction Materials (Street Signs)		0	0%									\$490	27%
2479	Other Special Expenses		1,249	#DIV/0!	\$500			\$10					\$0	0%
2490	Miscellaneous Services & Supplies		0	#DIV/0!	\$300								\$343	69%
3530	Taxes & Assessments	\$1,000	0	0%	\$500								\$0	0%
5011	Reimbursement-Gov/Gov County Admin. Chrgs	\$100	0	0%									\$0	0%
Misc.	Reserves		0	#DIV/0!									\$0	0%
	Total Expenses	\$85,150	49,438	58%	\$95,955	\$4,081	\$3,917	\$5,846	\$0	\$0	\$7,093		\$44,193	46%

Reserves=
Total Reserves
* Maintenance includes bioswales/mitigation areas.
* Future budget for utilities etc. to be based on actuals.

Town of Discovery Bay/L&L #9 Ravenswood
Capital / Asset

For 2007/08 there is no planned Capital Improvement
Plans
Miscellaneous Adjustments:

County Acct#	Account Description	2010/2011 Budget	50.00%	58.33%	66.67%	75.00%	83.33%	Planned to Pay 3/2/2011	2010/2011	2010/2011	2010/2011 % of Budget YTD
			Dec 10 Month to Date Expenses	Jan 10 Month to Date Expenses	Feb 10 Month to Date Expenses	Mar 10 Month to Date Expenses	Apr 10 Month to Date Expenses		YTD REIMB.	YTD ACTUALS	
4226	Various Park	\$0									
4265	Various Improvements	\$87,865			\$71,777			\$1,387		75,461	86%
4546	Structure & Walkway Repairs	\$11,000		\$14	\$3,245					21,672	197%
4789	Playground Equipment	\$0									
4956	Tools & Sundry Equipment	\$0								0	
	Total	\$98,865	\$0	\$14	\$75,022	\$0	\$0	\$1,387	\$0	97,133	98%

NO BACK UP
DOCUMENTATION
FOR THIS AGENDA
ITEM # F

NO BACK UP
DOCUMENTATION
FOR THIS AGENDA
ITEM # G

NO BACK UP
DOCUMENTATION
FOR THIS AGENDA
ITEM # H-1

NO BACK UP
DOCUMENTATION
FOR THIS AGENDA
ITEM # H-2

NO BACK UP
DOCUMENTATION
FOR THIS AGENDA
ITEM # I



Town of Discovery Bay CSD

AGENDA REPORT

Meeting Date

March 2, 2011

Prepared By: Dan Schroeder, Legal Counsel
Submitted By: Rick Howard, General Manager *RH*

Agenda Title

Discussion regarding Board Meeting Rules of Order and Amend Board's Rules of Procedure to consider adopting Rosenberg's Rules of Order

Recommended Action

Consider Amending Article VIII of the Town of Discovery Bay CSD's By-Laws and the corresponding Board Policy to replace Robert's Rules of Order with Rosenberg's Rules of Order.

Executive Summary

Article VIII of the of the Town of Discovery Bay CSD's By-Laws ("By-Laws") currently uses Robert's Rules of Order as the procedures for running the Town's meetings. Robert's Rules of Order were developed for a Parliamentary Style form of Government. However, many of the procedures in Robert's Rules of Order are inconsistent and conflict with the California Brown Act and established rights and principles of local government in California. In addition, Robert's Rules of Order are extremely complex, and intimidating to many elected officials. The current edition of Robert's Rules of Order is contained in a paperback book that exceeds 600 pages.

Rosenberg's Rules of Order are a simplified set of procedural rules tailored for local governments by the League of California Cities that are user friendly and easy to understand. They are consistent with the Brown Act and address the typical procedural situations that the Town and other local governments encounter. The current edition of Rosenberg's Rules of Order is contained in a 5 page pamphlet, a copy of which is attached hereto.

Article VIII of the By-Laws currently reads as follows:

Robert'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.

It is recommended that Article VIII of the By-Laws be amended to read as follows: 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.

The District Counsel will Amend the By-Laws incorporating the changes and return to the next meeting with the changes for consideration.

Fiscal Impact:

Amount Requested \$

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

Prog/Fund # Category: Pers. Optg. Cap. -or- CIP# Fund#

Previous Relevant Board Actions for This Item

N/A

Attachments

1. Rosenberg's Rules of Order
2. Existing Board Policy
3. Existing By-Laws

AGENDA ITEM: J-1

Rosenberg's Rules of Order:
Simple Parliamentary
Procedures for the 21st Century



MISSION:

To restore and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

VISION:

To be recognized and respected as the leading advocate for the common interests of California cities.



About the League of California Cities

Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts educational conferences and research, and publishes *Western City* magazine.

About *Western City* Magazine

Western City is the League of California Cities' monthly magazine. *Western City* provides lively, interdisciplinary analyses of issues affecting local governance. Its goal is to offer immediately practical ideas, information and bigger-picture policy issues and trends. For more information, visit www.westerncity.com.

"Rosenberg's Rules of Order" first appeared in *Western City* magazine in August and September 2003.

About the Author

Dave Rosenberg is an elected county supervisor representing the 4th District in Yolo County. He also serves as director of community and intergovernmental relations, director of operations, and senior advisor to the governor of California. He has served as a member and chair of numerous state and local boards, both appointed and elected, and also served on the Davis City Council for 12 years, including two terms as mayor. He has taught classes on parliamentary procedure and has served as parliamentarian for large and small governing bodies. In the fall of 2003, Gov. Davis appointed Rosenberg as a judge of the Yolo County Superior Court.

Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century

by Dave Rosenberg

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that hasn't always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules, *Robert's Rules of Order*, which are embodied in a small but complex book. Virtually no one I know has actually read this book cover to cover.

Worse yet, the book was written for another time and purpose. If you are running the British Parliament, *Robert's Rules of Order* is a dandy and quite useful handbook. On the other hand, if you're running a meeting of a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order. Hence, the birth of "Rosenberg's Rules of Order."

This publication covers the rules of parliamentary procedure based on my 20 years of experience chairing meetings in state and local government. These rules have been simplified and slimmed down for 21st century meetings, yet they retain the basic tenets of order to which we are accustomed.

"Rosenberg's Rules of Order" are supported by the following four principles:

1. **Rules should establish order.** The first purpose of the rules of parliamentary procedure is to establish a

framework for the orderly conduct of meetings.

2. **Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate and those who do not fully understand and do not fully participate.
3. **Rules should be user-friendly.** That is, the rules must be simple enough that citizens feel they have been able to participate in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of the rules of procedure is to encourage discussion and to facilitate decision-making by the body. In a democracy, the majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself (but not dominate) and fully participate in the process.

The Chairperson Should Take a Back Seat During Discussions

While all members of the governing body should know and understand the rules of parliamentary procedure, it is the chairperson (chair) who is charged with applying the rules of conduct. The chair should be well versed in those

rules, because the chair, for all intents and purposes, makes the final ruling on the rules. In fact, all decisions by the chair are final unless overruled by the governing body itself.

Because the chair conducts the meeting, it is common courtesy for the chair to take a less active role than other members of the body in debates and discussions. This does *not* mean that the chair should not participate in the debate or discussion. On the contrary, as a member of the body, the chair has full rights to participate in debates, discussions and decision-making. The chair should, however, strive to be the last to speak at the discussion and debate stage, and should not make or second a motion unless he or she is convinced that no other member of the body will do so.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, published agenda; informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon road map for the meeting. And each agenda item can be handled by the chair in the following basic format.

First, the chair should clearly announce the agenda item number and should clearly state what the subject is. The chair should then announce the format that will be followed.

Second, following that agenda format, the chair should invite the appropriate people to report on the item, including any recommendation they might have. The appropriate person may be the chair, a member of the governing body,

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire to move on.

a staff person, or a committee chair charged with providing information about the agenda item.

Third, the chair should ask members of the body if they have any technical questions for clarification. At this point, members of the governing body may ask clarifying questions to the people who reported on the item, and they should be given time to respond.

Fourth, the chair should invite public comments or, if appropriate at a formal meeting, open the meeting to public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of each public speaker. At the conclusion of the public comments, the chair should announce that public input has concluded (or that the public hearing, as the case may be, is closed).

Fifth, the chair should invite a motion from the governing body members. The chair should announce the name of the member who makes the motion.

Sixth, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member who seconds the motion. It is normally good practice for a motion to require a second before proceeding with it, to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and a vote on the motion even when there is no second. This is a matter left to the discretion of the chair.

Seventh, if the motion is made and seconded, the chair should make sure everyone understands the motion. This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the chair should now invite discussion of the motion by the members of the governing body. If there is no desired discussion or the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or a very brief discussion, the vote should proceed immediately, and there is no need to repeat the motion. If there has been substantial discussion, it is normally best to make sure everyone understands the motion by repeating it.

Debate on policy is healthy; debate on personalities is not. The chair has the right to cut off discussion that is too personal, too loud or too crude.

Ninth, the chair takes a vote. Simply asking for the "ayes" and then the "nays" is normally sufficient. If members of the body do not vote, then they "abstain." Unless the rules of the body provide otherwise or unless a super-majority is required (as delineated later in these rules), a simple majority determines whether the motion passes or is defeated.

Tenth, the chair should announce the result of the vote and should announce what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members, if any, who voted in the minority on the motion. This announcement might take the following form: "The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring 10 days' notice for all future meetings of this governing body."

Motions in General

Motions are the vehicles for decision-making. It is usually best to have a motion before the governing body prior to discussing an agenda item, to help everyone focus on the motion before them.

Motions are made in a simple two-step process. First, the chair recognizes the member. Second, the member makes a motion by preceding the member's desired approach with the words: "I move ..." A typical motion might be: "I move that we give 10 days' notice in the future for all our meetings."

The chair usually initiates the motion by:

1. Inviting the members to make a motion: "A motion at this time would be in order."

2. Suggesting a motion to the members: "A motion would be in order that we give 10-days' notice in the future for all our meetings."
3. Making the motion.

As noted, the chair has every right as a member of the body to make a motion, but normally should do so only if he or she wishes a motion to be made but no other member seems willing to do so.

The Three Basic Motions

Three motions are the most common:

1. **The basic motion.** The basic motion is the one that puts forward a decision for consideration. A basic motion might be: "I move that we create a five-member committee to plan and put on our annual fundraiser."
2. **The motion to amend.** If a member wants to change a basic motion that is under discussion, he or she would move to amend it. A motion to amend might be: "I move that we amend the motion to have a 10-member committee." A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

3. **The substitute motion.** If a member wants to completely do away with the basic motion under discussion and put a new motion before the governing body, he or she would "move a substitute motion." A substitute motion might be: "I move a substitute motion that we cancel the annual fundraiser this year."

Motions to amend and substitute motions are often confused. But they are quite different, and so is their effect, if passed.

A motion to amend seeks to retain the basic motion on the floor, but to modify it in some way.

A substitute motion seeks to throw out the basic motion on the floor and substitute a new and different motion for it.

The decision as to whether a motion is really a motion to amend or a substitute motion is left to the chair. So that if a member makes what that member calls a motion to amend, but the chair determines it is really a substitute motion, the chair's designation governs.

When Multiple Motions Are Before The Governing Body

Up to three motions may be on the floor simultaneously. The chair may reject a fourth motion until the three that are on the floor have been resolved.

When two or three motions are on the floor (after motions and seconds) at the same time, the *first* vote should be on the *last* motion made. So, for example, assume the first motion is a basic "motion to have a five-member committee to plan and put on our annual fundraiser." During the discussion of this motion, a member might make a second motion to "amend the main motion to have a 10-member committee, not a five-member committee, to plan and put on our annual fundraiser." And perhaps, during that discussion, a member makes yet a third motion as a "substitute motion that we not have an annual fundraiser this year." The proper procedure would be as follows.

First, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passes*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be complete. No vote would be taken on the first or second motions. On the other hand, if the substitute motion (the third motion) *failed*, the chair would proceed to consideration of the second (now the last) motion on the floor, the motion to amend.

If the substitute motion failed, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would now move to consider the main motion (the first motion) as *amended*. If the motion to amend failed, the chair would now move to consider the main motion (the first motion) in its original format, not amended.

The challenge for anyone chairing a public meeting is to accommodate public input in a timely and time-sensitive way, while maintaining steady progress through the agenda items.

Third, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee) or, if amended, would be in its amended format (10-member committee). And the question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are *not* debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

A motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. This motion requires a simple majority vote.

A motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess, which may range from a few minutes to an hour. It requires a simple majority vote.

A motion to fix the time to adjourn. This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn this meeting at midnight." It requires a simple majority vote.

A motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to

be placed on "hold." The motion may contain a specific time in which the item can come back to the body: "I move we table this item until our regular meeting in October." Or the motion may contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

A motion to limit debate. The most common form of this motion is to say: "I move the previous question" or "I move the question" or "I call for the question." When a member of the body makes such a motion, the member is really saying: "I've had enough debate. Let's get on with the vote." When such a motion is made, the chair should ask for a second to the motion, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body. Note that a motion to limit debate could include a time limit. For example: "I move we limit debate on this agenda item to 15 minutes." Even in this format, the

the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions occur when the body is taking an action that effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super-majority) to pass:

Motion to limit debate. Whether a member says, "I move the previous question," "I move the question," "I call for the question" or "I move to limit debate," it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

Motion to close nominations. When choosing officers of the body, such as the chair, nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers, and it requires a two-thirds vote to pass.

pend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself: the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to reconsider is made.

A motion to reconsider requires a majority vote to pass, but there are two special rules that apply only to the motion to reconsider.

First is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon or at the very next meeting of the body. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted *in the majority* on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body may second the motion). If a member who voted *in the minority* seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of the minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If you are running the British Parliament, *Robert's Rules of Order* is a dandy and quite useful handbook.

motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

Majority and Super-Majority Votes

In a democracy, decisions are made with a simple majority vote. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means

Motion to object to the consideration of a question. Normally, such a motion is unnecessary, because the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to sus-

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. And at the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every

It is usually best to have a motion before the governing body prior to discussing an agenda item, to help everyone focus.

lege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person's ability to hear.

Order. The proper interruption would be: "Point of order." Again, the chair would ask the interrupter to "state your point." Appropriate points of order

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Motions to amend and substitute motions are often confused. But they are quite different, and so is their effect, if passed.

speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focus on the item and the policy in question, not on the personalities of the members of the body. Debate on policy is healthy; debate on personalities is not. The chair has the right to cut off discussion that is too personal, too loud or too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body. Can a member of the body interrupt the speaker? The general rule is no. There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be: "Point of privilege." The chair would then ask the interrupter to "state your point." Appropriate points of privi-

relate to anything that would not be considered appropriate conduct of the meeting; for example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, "Let's return to the agenda." If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair's determination may be appealed.

Special Notes About Public Input

The rules outlined here help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the body will be doing.

Rule Two: Keep the public informed while the body is doing it.

Rule Three: When the body has acted, tell the public what the body did.

Public input is essential to a healthy democracy, and community participation in public meetings is an important element of that input. The challenge for anyone chairing a public meeting is to accommodate public input in a timely and time-sensitive way, while maintaining steady progress through the agenda items. The rules presented here for conducting a meeting are offered as tools for effective leadership and as a means of developing sound public policy. □

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on recycled paper*



Town of Discovery Bay

BOARD POLICY

Purpose

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

Yearly the Board of Directors elects a President, Vice-President and Treasurer. 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. In the event of his or her absence, the Vice-President performs said duties. The Treasurer will act as provided in Government Code 61737.04 et. Seq.. The Treasurer may have designated alternates who may act in his/her absence.

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.

While discharging their responsibilities through official actions of the Board as a whole, Board members may be considered to be officers with District jurisdiction over the execution of the Board's policies.

Board meetings will be noticed according to the Ralph M. Brown Act of 1993, as amended.

The parliamentary procedure for conducting all meeting will be The New Robert's Rules of Order Revised.

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

The Board has standing committees and appoints ad hoc committees as the need arises. The District's General Manager may serve as a member of these committees

In the discharge of their duties, Board members act as a Board and not as individuals. *An individual*
Director He/she has no legal or moral right to speak for the Board, unless specifically authorized to do so by action of the Board.

III. RESPONSIBILITIES

A. Responsibilities of the Board Members.

1. To select a General Manager as the Board's chief administrative officer and professional advisor and properly delegate to him 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 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 and Administrative Regulations 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 and administrative regulation of the District.
4. By motion, resolution, or ordinance conduct the business of the Board, 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 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 to ten 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. Agenda formats, and the rules governing the running of the meetings will be up to the President and be governed by current open meeting laws.
12. Single Board members will not represent the whole of the Board in other open or closed meetings without prior sanction by a majority direction of the Board.
13. Board members are elected by their constituents and as such must conduct themselves in an ethical manner.

B. GENERAL CONDUCT OF BOARD OF DIRECTORS AND OFFICERS

1. No member of the Board or Officer 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. (Any writing not previously approved by the Board shall be on personal stationery and shall omit title and Board affiliation.)
 - d. Place on the agenda any item for Board action without providing to every Board member documentation he or she deems necessary for a decision at least twenty-four (24) hours prior to the meeting.
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 Executive Session agenda items.
- g. Call 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 Board Policies and Administrative Regulations Manual, any pertinent publications issued by the California Special Districts Association, the California Parks and Recreation Society and the California Fire Chiefs Association or other agencies, as needed.

- c. The District Secretary shall supply material pertinent at the first official meeting of the Board following election or appointment, and shall explain its function and utilization.
- d. As soon as practical after the new Board member assumes office, an orientation meeting with the General Manager will be held prior to the first Board meeting to acquaint the new member with details of District operations.
- e. The incoming member shall meet with the General Manager and members of his staff to discuss services they perform for the Board and the District.

D. General Responsibilities of the Board President.

- 1. Preside at all meetings of the Board whenever present.
- 2. Maintain order and decorum
- 3. Appoint standing and ad hoc committee members and District representatives to external agencies, all subject to confirmation by the Board.
- 4. Keep the Board informed of all communications affecting the District.
- 5. Communicate actions of the Board to affected persons and private or public entities.
- 6. Receive and reply to questions directed to the Board or refer to the appropriate office or member.
- 7. Act as a spokesman for the Board when queries are received from the media, the public or other agencies.
- 8. Perform the duties of a Board Member.

E. Responsibilities of the Vice-President.

- 1. Perform the duties of the President in his/her absence.
- 2. Be familiar with Board ordinances, resolutions, laws and regulations as they apply to the Office of President.
- 3. Be prepared to assume the duties of President on brief notice. This includes keeping informed of current status by frequent consultations and discussions, being aware of the tasks and projects underway, and their current status.
- 4. Perform the duties of a Board member.

F. Responsibilities of the Treasurer.

- 1. Serve as Chairperson of the Finance/Budget Committee.
- 2. Fulfill the responsibilities as defined in the California Government Codes.

3. Participate with the District General Manager and staff in preparation of:
 - a. Annual budget
 - b. Financial reports
 - c. Allocation and placement of the financial resources
4. Prepare financial plans and recommendations for submittal to the Board for review and approval.
5. Participate in a review of the annual audit. Take action to implement the suggestions and recommendations offered by the auditor
6. Invest appropriate funds in accordance with the Board's Investment Policy.
7. Perform a periodic review of District's insurance coverage.
8. Perform the duties of a Board member.

G. Responsibilities of the Secretary of the Board

1. Certify official documents and letters as required
2. Maintain the official files and records of the Board
3. Prepare the agenda for the Board meetings.
4. Prepare and distribute minutes of the meeting of the Board
5. Maintain historical record and newspaper articles
6. Post agendas, minutes, public notices and proposed action documents as required by Board and government regulations.

H. 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.

I. The Board authorizes the General Manager to:

1. 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.
2. Provide leadership to staff in identifying District needs, establishing priorities and determining the objectives, which will achieve the established goals of the District.

3. Encourage and assist staff in the performance of their duties and encourage their professional growth.
4. Ensure evaluation of personnel under his/her direction.
5. Interpret and publicize the programs and services of the District for and to the public.
6. Lead the District management team in the preparation of the budget, control of expenditures, inventory control, program planning, changing priorities and public relations.
7. Participate in community activities.
8. Continue a program of professional development to assure and enhance staff's professional growth.

Assembly Bill No. 1905

CHAPTER 66

An act to amend Sections 61737.04 and 61737.06 of the Government Code, to add Section 5784.40 to, and to repeal Section 5782.5.1 of, the Public Resources Code, relating to districts.

[Approved by Governor July 3, 2000. Filed with
Secretary of State July 3, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1905, Rod Pacheco. District accounts: authorization.

Existing law authorizes local park and recreation districts to operate and maintain local parks and recreation areas in the state. Tax revenues of the district are required to be placed in the treasury of the city or county in which the district is located, and the treasurer of that city or county acts as the treasurer of the district.

This bill would authorize a recreation and park district to establish an alternative depository pursuant to specified provisions applicable to community services districts, with the approval of the city or county in which the district is located.

This bill would revise the alternative depository provisions applicable to community services districts to permit the finance director of the district board to be the general manager. The bill would permit warrants to be drawn by the president and the general manager of the district board.

The people of the State of California do enact as follows:

SECTION 1. Section 61737.04 of the Government Code is amended to read:

61737.04. The board shall appoint a person who shall be known as the finance officer, who shall serve at its pleasure. It shall fix the amount of his or her compensation. It shall fix the amount of and approve his or her bond. The finance director may be a member of the board, the general manager, or his or her office may be consolidated with that of the secretary.

SEC. 2. Section 61737.06 of the Government Code is amended to read:

61737.06. Warrants shall be drawn by the finance officer and signed by the president and secretary, or one of them and one member of the board, or by the president and the general manager.

SEC. 3. Section 5782.5.1 of the Public Resources Code is repealed.

SEC. 4. Section 5784.40 is added to the Public Resources Code, to read:

**REVISED
BYLAWS
OF THE
TOWN OF DISCOVERY BAY**

REVISED BYLAWS
OF THE
TOWN OF DISCOVERY BAY

ARTICLE I
NAME

This unit of local government shall be known as the Town of Discovery Bay, 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 provide for those exercise of those powers set forth in Government Code § 61600 approved by the electors of the Town;
- B. To continue the advisory responsibilities of the Discovery Bay Municipal Advisory Council;
- C. To serve the residents of the Town of Discovery Bay, in the manner provided by law.

ARTICLE III
BOARD OF DIRECTORS

Section 1. Number.

The governing body of the District shall consist of five (5) elected Directors, each of whom shall serve for a term of four (4) years. Such terms of office to be established on a staggered basis. Initially two (2) Directors will serve a two year term and three (3) members will serve a four year term. Thereafter, all terms shall be four years.

The initial Directors, their terms and term expirations, are:

William Slifer	4 years	Expires December 1, 2001
Mike Dohren	4 years	Expires December 1, 2001
David Piepho	4 years	Expires December 1, 2001
Virgil Koehne	2 years	Expires December 1, 1999
Chet Loveland	2 years	Expires December 1, 1999

Section 2. Compensation.

The Board may authorize each Director to receive compensation of One Hundred Dollars (\$100.00) for each meeting of the Board attended by him/her, and One Hundred Dollars (\$100.00) for each day's service performing duties for the District other than attending meetings, subject to the following limitation: Total compensation shall not exceed Six Hundred Dollars (\$600) per month. Traveling and such other necessary expenses actually incurred by him/her in performing District Duties shall be reimbursed, and such reimbursement shall be in addition to the compensation specified herein.

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"), a Vice-President (who may be called "Vice-Chair"), and a Treasurer.

Section 2. Terms of Elected Officers.

Elected Officers of the Board, as provided in Article IV, Sec. 1, shall be elected by the Board at the January meeting 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.

Section 3. Duties of Elected Officers.

A. President.

1. Shall preside at all meetings of the board and such other meetings approved by the Board.
2. Shall serve as official spokesperson for the Board.
3. Shall appoint such committees and other working groups as prescribed by the Board.
4. Shall designate Directors or others to represent the Board at various meetings, hearings, and conferences.
5. Shall co-sign all checks for warrants drawn by the Treasurer and approved by the Board.
6. Shall perform such other duties as necessary to carry out the work of the Board.
7. Shall perform such duties as prescribed by law.

B. Vice-President.

1. Shall serve in the absence of the President.

C. Treasurer.

1. Shall keep and maintain, or cause to be kept and maintained, adequate and correct accounts of all financial transactions of the District, including accounts of its assets, liabilities, receipts, disbursements, gains, losses, and capital surplus, and assure that Town funds are properly secured. The books of the account shall at all reasonable times be open to inspection by any Director.
2. Shall prepare, or cause to be prepared, and supervise the preparation of an annual budget, together with reliable estimates of income and a publicly announced semi-annual report of expenditures.

3. Shall deposit all moneys and other valuables in the name of and to the credit of the District with such depositories and in such accounts as may be designated by the Board.
4. Shall provide all records and documents necessary for, and shall supervise, an annual, independent audit of expenditures.
5. Shall disburse the funds of the District as may be ordered by the Board and co-sign all warrants authorized by the Board; shall ensure that all bills, invoices and vouchers are paid in a timely manner; render to the Board, whenever they request it, an account of all his/her transactions as Treasurer and of the financial condition of the District; and shall have such other powers and perform such other duties as may be prescribed by the Board or the Bylaws.
6. In the absence of the Treasurer, another Director shall be designated by the Board as a temporary Treasurer, and he or she shall perform the duties of Treasurer in the Treasurer's absence, except as provided in Article VII, Section 1.

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

Section 2. General Manager Duties.

The general manager is employed by the board to run the day-to-day business of the Town of Discovery Bay.

Duties of the general manager (GM) include, but are not limited to:

- A. Prepare a detailed job description of the general manager.
- B. Prepare detailed job descriptions for all employees of the District. These must be updated and reviewed by the Board as any new functions are added.
- C. In preparation for Board review, do an annual evaluation of employees.

- D. Spend the major portion of his/her time on the items in the detailed job description of the GM.
- E. Dispatch the contractor hired for operations on all water and wastewater problems in Town of Discovery Bay that require fieldwork. The GM will respond only if the situation is too complicated for the contractor hired for operations to handle.
- F. Prepare and maintain a current timeline for all major projects, such as, but not limited to, potable water treatment, wastewater plants, land acquisitions, modular meeting building, pipe replacements, repairs or additions in the parks, Sandy Cove Shopping Center, Lake View Business Park, community center, water reclamation and conservation.
- G. Establish regular office hours and ensure that there is at least one person in the office during those hours.
- H. Such other duties as may from time to time be assigned by the Board.

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 Drive, 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.
- C. All meetings shall be conducted in accordance with the Ralph M. 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 § 61225, the affirmative votes of three 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.

Section 4. Notice of Regular and Special Meetings.

- A. Notices of regular meetings shall be sent in writing to each Director at his/her home address at least four calendar (4) days prior to such meetings. 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. 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 both the President and Treasurer, or by the Treasurer, and one other Director, or, in the absence of the Treasurer, any two 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 quality report to the residents of the District.

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ARTICLE VIII

PARLIAMENTARY AUTHORITY

Robert'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.

ARTICLE IX

AMENDMENTS

The Bylaws may be repealed or amended, or new Bylaws may be proposed, by the affirmative vote of the majority of the Board at any regular meeting of the Board, provided notice of such proposal shall have been mailed to each Director at least four (4) days prior to the meeting at which the matter is to be acted upon.

Received 2/14/11



CONTRA COSTA COUNTY
OFFICE OF THE SHERIFF
DAVID O. LIVINGSTON
SHERIFF-CORONER

February 8, 2011

VIA FACSIMILE, E-MAIL AND U.S. MAIL

The Honorable Mary N. Piepho
Supervisor District III
181 Sand Creek Road, Suite L
Brentwood, CA 94513

Dear Supervisor Piepho:

I received your letter, dated February 1, 2011, in my Office on February 7, 2011, regarding the request for information pertaining to the current fund balance for the Discovery Bay P-6 Zones.

I realize the importance and time sensitive nature of this matter; therefore, I have asked my staff to research this issue and provide me with background information so I may provide a comprehensive response to your inquiry.

I look forward to working with you on this important matter.

Sincerely,

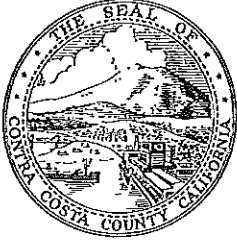
A handwritten signature in black ink, appearing to read "D. Livingston", with a long horizontal flourish extending to the right.

DAVID O. LIVINGSTON
Sheriff – Coroner

DOL:mw


Cc: Kevin Graves, President, Town of Discovery Bay CSD
Diane Stevens, Chair, Discovery Bay P-6 CAC
Ron Jarrell, Undersheriff, Contra Costa County Office of the Sheriff
Mike Burton, Lieutenant, Delta Station

AGENDA ITEM – K-1

Received 2/14/11

CONTRA COSTA COUNTY
Department of Conservation & Development
Community Development Division
651 Pine Street, North Wing – 4th Floor
Martinez, CA 94553-1229
Telephone: 335-1210 Fax: 335-1222

TO: Mary Nejedly Piepho, Supervisor District III

FROM: Catherine Kutsuris, Director
By: Ryan Hernandez, Senior Planner 

DATE: February 9, 2011

SUBJECT: Revised Agency Comment Request Form

This is in response to your memo received on January 27, 2011, referring to a letter from the Town of Discovery Bay Community Services District. The District was concerned about the potential for community confusion with regard to the Department's "Agency Comment Request Form" as the Town of Discovery Bay Community Services District is not a Municipal Advisory Council, but an Advisory Council.

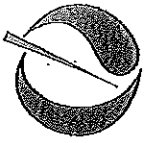
Attached is a modified "Agency Comment Request Form" that includes an area for distribution to the Community Services Districts that also function as an advisory council. Furthermore, since Knightsen refers to itself as a "Town" advisory council we've also added TAC to the modified form.

Thank you for bringing this to our attention; and we trust that this change will eliminate any further confusion.

Should you have any questions, please contact me at 335-1206.

Att: Revised Agency Comment Request Form

Cc: Town of Discovery Bay CSD
All Community Development Division Staff



California Regional Water Quality Control Board

Central Valley Region

Katherine Hart, Chair

Town of Discovery Bay CSD
 Received 2/14/11
 Edmund G. Brown, Governor
 VKS
 Veral
 CA file

11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114
 (916) 464-3291 • FAX (916) 464-4645
<http://www.waterboards.ca.gov/centralvalley>

Linda S. Adams
 Acting Secretary for
 Environmental Protection

9 February 2011

William R. Richardson
 1774 Seal Way
 Discovery Bay, CA 94505

RESPONSE TO 20 DECEMBER 2010 LETTER CONCERNING THE TOWN OF DISCOVERY BAY'S SANITARY SEWER OVERFLOW RESPONSE

The Central Valley Water Board has received your 20 December 2010 letter regarding the Discovery Bay Community Services District (CSD) and the 22-23 June 2010 sanitary sewer overflow (SSO) that occurred in Discovery Bay. We appreciate your concern in protecting the environment and the safety of the citizens of Discovery Bay. Central Valley Water Board staff has reviewed your letter and recognize that many of your concerns are matters that are appropriately settled between you and the CSD. However, we are providing you with this response to provide background information and a status update for current enforcement actions related to both the 22-23 June 2010 SSO as well as the 2008 Lakeshore SSO referenced in your letter.

Central Valley Water Board staff has reviewed the CSD's response to the 22-23 June 2010 SSO for compliance with both the State Water Board-issued Order 2006-0003-DWQ, *Statewide General Waste Discharge Requirements for Sanitary Sewer Systems*, and the requirements contained in Waste Discharge Requirements Order R5-2008-0179, National Pollutant Discharge Elimination System (NPDES) permit issued by the Central Valley Water Board to regulate the CSD's wastewater collection and treatment systems. According to the SSO reports submitted by the CSD, the cause of the June 2010 SSO was a failure of an air relief valve. The SSO reports indicate that the CSD monitored the receiving waters for total coliform impacts and posted warning signs at Windward Bay. The CSD reported the SSO to the California Emergency Management Agency on 23 June 2010 and certified the final report on the State Water Board on-line SSO reporting system on 26 June 2010. According to our records, the CSD satisfied all reporting requirements and the CSD's response to the SSO was appropriate.

As recounted in your letter, the CSD formed a "Blue Ribbon Committee" in response to the 2008 Lakeshore SSO and undertook the seven investigative actions you listed. While the actions taken by the CSD in response to the 2008 Lakeshore SSO on its own initiative are commendable, the seven investigative actions you listed are not specifically required by the State or Central Valley Water Boards as SSO response actions and the CSD was not required to conduct the same level of investigation for the 22-23 June 2010 SSO. Although Central Valley Water Board staff has determined that the CSD was in compliance with SSO reporting and response requirements, the direct discharge of untreated sewage to surface waters as a

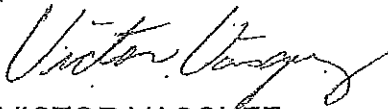
result of the 22-23 June 2010 SSO is still a violation of Orders 2006-0003-DWQ and R5-2008-0179.

As you may know, the Central Valley Water Board's Prosecution Team issued an Administrative Civil Liability (ACL) Complaint to the CSD on 3 December 2008 in the amount of \$231,000 to address the 2008 Lakeshore SSO referenced in your letter. The draft ACL Complaint is available to the public on the Central Valley Water Board's website at:

http://www.swrcb.ca.gov/centralvalley/board_decisions/tentative_orders/.

In response to the draft ACL Complaint, the CSD engaged the Prosecution Team in settlement discussions. The Central Valley Water Board is currently working on a settlement agreement with the Discovery Bay CSD. Once a settlement is reached, a tentative ACL Order incorporating the terms of the settlement will be made available for a 30-day public comment period before being finalized and issued.

If you have any questions, please contact me at (916) 464-4623 or vvasquez@waterboards.ca.gov.



VICTOR VASQUEZ
Senior Water Resources Control Engineer
NPDES Compliance and Enforcement Unit

Enclosure(s)

cc: Richard Howard, General Manager, Town of Discovery Bay CSD



RH / Town of Discovery Bay CSD
Ca File Received 2/10/11
7/22/11 Amended to B table 6M
cr

County Supervisor Mary Nejedly Piepho, District III

CONTRA COSTA COUNTY BOARD OF SUPERVISORS

COMMITTEES

- Internal Operations Committee
- Delta Protection Commission
- Transportation, Water & Infrastructure Committee
- Tri Valley Transportation Committee
- Local Agency Formation Commission
- Central Contra Costa Solid Waste Authority
- Airport Committee
- Association of Bay Area Governments
- Contra Costa Regional Medical Center Joint Services Committee
- Dougherty Valley Oversight Committee
- South West Area Transportation

February 9, 2011

Kevin Graves, President
Town of Discovery Bay CSD
1800 Willow Lake Road
Discovery Bay, CA 94505

Dear President *Kevin* Graves and Members,

Please find enclosed a Board Order from the February 9, 2011 Board of Supervisors' meeting that I believe will be of interest to the Town of Discovery Bay Community Services District.

- 1.) January 25, 2011 Byron Corners General Plan Amendment Study Authorization.

Please feel free to contact my office regarding this or any additional matter at (925) 240-7260.

As always, it is an honor to serve you on the Contra Costa County Board of Supervisor.

Sincerely,

MARY NEJEDLY PIEPHO
County Supervisor, District III

MNP: kc

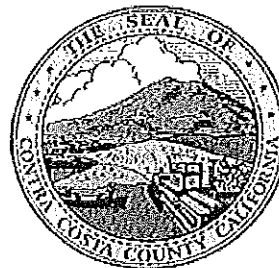
PDF Return Previous Next

C.73

To: Board of Supervisors

From: Catherine Kutsuris, Conservation & Development Director

Date: January 25, 2011



Contra
Costa
County

Subject: Byron Corners General Plan Amendment Study Authorization

RECOMMENDATION(S):

1. AUTHORIZE a General Plan Amendment study, as requested by Byron Corners, Inc. for property they own at 15031-15034 Byron Highway in Byron, Assessor Parcel Nos. 002-140-009/010, to consider changes in General Plan land use designation from Single Family Residential – High Density (SH) to Commercial (CO).
2. ACKNOWLEDGE that granting authorization for this request does not imply any support or endorsement for the application to amend the General Plan, but only that this matter is appropriate for study.

FISCAL IMPACT:

None. If authorization is granted, the applicant will be responsible to pay fees to cover the cost for a General Plan Amendment study.

<input type="checkbox"/> APPROVE	<input type="checkbox"/> OTHER
<input type="checkbox"/> RECOMMENDATION OF CNTY ADMINISTRATOR	<input type="checkbox"/> RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 02/08/2011

<input type="checkbox"/> APPROVED AS RECOMMENDED	<input type="checkbox"/> OTHER
--	--------------------------------

Clerks Notes:

VOTE OF SUPERVISORS

AYES <input type="checkbox"/>	NOES <input type="checkbox"/>
ABSENT <input type="checkbox"/>	ABSTAIN <input type="checkbox"/>
RECUSE <input type="checkbox"/>	

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: February 8, 2011

David J. Twa,

BY: Deputy

Contact: Patrick Roche (925) 335-1242

BACKGROUND:

The Department of Conservation and Development is in receipt of a request from Sukhjit Singh, Continental Development Consultants, on behalf of the owner of Assessor Parcel Nos. 002-140-009/010, Jasvir Shahi, doing business as Byron Corners, Inc., for a General Plan Amendment study involving the Byron Corners Market located at 15031-15034 Byron Highway in Byron. The General Plan Amendment study request involves Assessor Parcel Nos. 002-140-009 and 002-140-010, two parcels totaling approximately 34,000 (+/-) square feet site, which are located at the southeast corner of Byron Highway and Camino Diablo. The subject site is currently designated Single Family Residential – High Density (SH) under the Land Use Element Map to the Contra Costa County General Plan, 2005-2020, and it is located entirely within the Urban Limit Line. The zoning for the subject site is split between the R-B: Retail Business District (APN: 002-140-009) and the A-2: General Agricultural District (APN: 002-140-010). See Exhibit “A” for a copy of letter from Mr. Singh on behalf of Byron Corners, Inc., requesting the General Plan Amendment study authorization.

As explained in Mr. Singh’s letter, Byron Corners, Inc. operates an existing market and gas station (Byron Corners Market) at 15031 - 15034 Byron Highway located in the southeast corner of the intersection where Byron Highway and Camino Diablo meet. Byron Corners, Inc. desires to expand the market and improve overall site access, particularly the drive way access to the gas station area, by combining the market/gas station with the adjacent vacant parcel (APN: 002-140-009), and expanding into this currently vacant parcel.

The site location, comprised of Assessor Parcel Nos. 002-140-009/010, the subject of the General Plan Amendment study authorization request, are depicted in the maps and aerial photo, respectively, attached as Exhibits “B” and “C” to this report. Staff believes that the request for a General Plan Amendment study to consider the re-designation of the subject site to the Commercial (CO) designation is reasonable, and recommends that the General Plan Amendment study be authorized. The staff’s basis for this recommendation is that the proposed General Plan Amendment study, along with applications for a Land Use Permit/Development Plan for market/gas station and rezoning of the vacant agriculturally zoned parcel, would provide an opportunity to create an aesthetically pleasing and desirable use, improve site access and local circulation, and bring consistency between the General Plan and zoning at this location in Byron.

Authorization for this study, however, does not imply support or endorsement for the application to amend the General Plan, but only provides that this matter is appropriate for study.

CONSEQUENCE OF NEGATIVE ACTION:

Not applicable.

CHILDREN'S IMPACT STATEMENT:

Not applicable.