



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 September 7, 2011
1800 Willow Lake Road, Discovery Bay, California
REGULAR MEETING 7:00 P.M.
Website address: www.todb.ca.gov

REGULAR MEETING at 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

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

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

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
2. CHP REPORT
3. FIRE DISTRICT REPORT
4. EAST CONTRA COSTA FIRE PROTECTION DISTRICT REPORT
5. SUPERVISOR MARY PIEPHO, DISTRICT III REPORT

D. COMMITTEE/LIAISON REPORTS

1. Trans-Plan Report
2. County Planning Commission Report
3. Code Enforcement Report
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 previous Special and Regular meeting dated August 17, 2011
2. District Invoices
3. District Financials

F. NEW BUSINESS AND ACTION ITEMS

1. First Amendment to the Site Lease with Option Period for the T-Mobile Cellular Tower at Slifer Park
2. Service Connections, Capacity Charges, and other related fees associated with the Town of Discovery Bay's Water and Wastewater systems
3. Proposed Changes to the Town of Discovery Bay's Bylaws and Board Policy
4. Deferred Annexation Agreement between Wayne & Anita Farnholz and the Town of Discovery Bay CSD to provide sanitary sewer services through an Out-of-Agency Services Agreement
5. Purchase of WesTech CleanFlo Spiral Screen

G. PRESIDENT REPORT AND DIRECTORS' COMMENTS

H. MANAGER'S REPORT

I. GENERAL MANAGER'S REPORT

1. Internship Update

J. DISTRICT LEGAL COUNSEL REPORT

K. COMMITTEE UPDATES

1. Minutes approved for the Town of Discovery Bay CSD Regular meeting of the Community Center meeting dated July 19, 2011

L. CORRESPONDENCE – Discussion and Possible Action

1. R – Byron Municipal Advisory Council Meeting Minutes for May 19, 2011
2. R – Contra Costa County, County Administrator regarding State Route 239 Pre-Project Briefing dated August 10, 2011
3. R – Letter to Members, Board of Supervisors and Members, Municipal Advisory Council from Contra Costa County Department of Conservation and Development, Catherine Kutsuris, Director regarding the Vacancy on the Citizen Advisory Committee of the Contra Costa Transportation Authority dated August 11, 2011
4. R – Letter from Supervisor Piepho regarding Board Order - July 19, 2011 approving the Road Improvement Agreement for Vasco Road, land use permit 08-02049 dated August 17, 2011
5. R – Letter from Supervisor Piepho regarding the Knightsen-Byron Area Transportation Study dated August 17, 2011
6. R – Letter and Brochure from the California Regional Water Quality Control Board dated August 19, 2011

M. PUBLIC RECORD REQUESTS RECEIVED

1. Request from Don Flint – Cell Phone Tower/AC Functions Funding – Request Date August 10, 2011
2. Request from William Richardson – Funds Used to Pay for Advisory Council Duties – Request Date August 16, 2011
3. Request from William Richardson – Questions Use of Closed Session for CSD Resolution No. 2011-14 – Request Date August 16, 2011
4. Request from Jeff Barber – Water/Sewer Infrastructure put in place for Discovery Bay West – EDU Accounting – Request Date August 18, 2011
5. Request from Don Flint – DB West Agreement – Carollo Engineers Report Wastewater and LSCE Report for Water – Request Date August 24, 2011
6. Request from David Lennón – Capacity Fee Charge Reports from 2003-Present – Request Date August 26, 2011

N. FUTURE AGENDA ITEMS

O. ADJOURNMENT

1. Adjourn to the next regular meeting on September 21, 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 SPECIAL MEETING
AND REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
TOWN OF DISCOVERY BAY CSD**
Wednesday August 17, 2011
1800 Willow Lake Road, Discovery Bay, California
Website address: www.todb.ca.gov

AMENDED SPECIAL MEETING AT 6:30p.m.

President Graves – Called the Special Closed Session Meeting to order. All Directors were present, with the exception of Vice-President Dawson, who was absent.

- A. PUBLIC COMMENT**
None
- B. OPEN SESSION REPORT OF CLOSED SESSION ITEM PURSUANT TO GOVERNMENT CODE SECTION 54957.7.**
Legal Counsel Brown – Brought the meeting into Closed Session pursuant to Government Code Section 54956.9(b) (1). Provided the Open Session disclosure regarding the circumstances to the Closed Session Topic, correspondence dated July 28, 2011, from Mr. William R. Richardson regarding an alleged violation of the Brown Act pursuant to Government Code Section 54956.9 (b).
- C. CLOSED SESSION:
CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
Significant Exposure to litigation, Government Code Section 54956.9(b)
- D. Return to open session; report on closed session**
President Graves – Asked Legal Counsel to report on the action taken during the Closed Session.
Legal Counsel Brown – The Board convened into Closed Session at 6:31 p.m. The Action Item for the session was a Demand to Cure for an alleged violation of Brown Act Section 54956.9 (b) submitted by Mr. William R. Richardson. The Board voted unanimously of all four (4) Board Members that were present, President Graves, Director Simon, Director Steele, and Director Tetreault to reject the Demand to Cure based on the fact that there is no violation. Vice-President Dawson was absent. The Board had a second action and that was to direct Legal Counsel to respond in writing to Mr. William R. Richardson explaining that the Demand to Cure has been rejected.
- E. Adjourn Special Meeting**
The Special meeting was adjourned at 6:42 p.m. to the next regular meeting at 7:00 p.m. on August 17, 2011 at 1800 Willow Lake Rd – Located in back of Delta Community Presbyterian Church.

REGULAR MEETING at 7:00p.m.

- A. ROLL CALL**
The meeting was called to order at 7:00p.m. President Graves led in the Pledge of Allegiance. Roll call was taken and all Directors were present.
- B. PUBLIC COMMENTS (Individual Public Comments will be limited to a 3-minute time limit)**
Resident Pat Richardson and Resident Don Flint commented positively on the Landscaping within Discovery Bay.
- C. PRESENTATIONS**
None

D. PRESIDENT REPORT AND DIRECTORS' COMMENTS

Director Tetreault – Provided his report and stated that he attended the P6 meeting held on Tuesday, August 9, 2011. He provided the details of the meeting.

Director Tetreault – Stated that he attended the Veolia Meeting held on Friday, August 12, 2011. He provided the details of the meeting.

Director Steele – Provided his report and stated that he attended the County Joint MAC/AC meeting held on Saturday, August 13, 2011. He provided the details of the meeting.

Director Steele – Provided his report and stated that he attended the LAFCo meeting held on Wednesday, August 10, 2011. He provided the details of the meeting.

President Graves – Provided other details of the Communication Meeting. There was a discussion on MAC and LAFCo meetings.

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 previous Regular meeting dated August 3, 2011

2. District Invoices

3. Approve and Accept the contract work performed by Green Valley Landscape for the construction and completion of the Discovery Bay Boulevard/ Sand Point Road Landscape Improvement project and direct Staff to record "Notice of Completion" with the Contra Costa County Recorder's Office

4. Approve and Accept the contract work performed by James Breneman for the construction and completion of the Ravenswood Park Splash Pad (Spray Park) project and direct Staff to record the "Notice of Completion" with the Contra Costa County Recorder's Office

Motion made – by Director Simon to approve the Consent Calendar and seconded by Director Tetreault.

General Manager Howard – Stated that the revised minutes are the minutes for Board approval.

President Graves – Announced that Item E-1 will be pulled from the Consent Calendar and be moved to Item F-3.

Motion retracted – by Director Simon

Motion made – by Director Simon to approve the Consent Calendar minus Item E-1 and move Item E-1 to Item F-3 and seconded by Director Tetreault. Motion carried by the following vote: AYES: 5, NOES: 0.

F. NEW BUSINESS AND ACTION ITEMS

1. Agency Comment Request – Development Plan Modification - Sandy Cove Shopping Center/Chase Bank

General Manager Howard – Provided details of Item F-1.

There was a discussion on Item F-1.

Motion made – by Director Simon to direct Staff to write a letter that the Board has no objection to a Development Plan Modification for signage at Chase Bank and seconded by Director Tetreault. Motion carried by the following vote: AYES: 5, NOES: 0.

2. Approve the purchase of one (1) Ford F-150 Pickup truck and authorize the General Manager to execute all purchase documents between the Town of Discovery Bay CSD and Big Valley Ford/Lincoln in an amount not to exceed \$21,344.63

General Manager Howard – Provided details of Item F-2.

Motion made – by Director Tetreault to accept Big Valley Ford at \$21,344.63 and seconded by Director Simon. Motion carried by the vote: AYES: 5, NOES: 0.

3. **President Graves** – Stated that we entertain a motion to accept the revised minutes.

Motion made – by Director Simon to approve the minutes and seconded by Director Tetreault. Motion carried by the following vote: AYES: 5, NOES: 0.

G. VEOLIA REPORT

General Manager Howard – Introduced Veolia's new Project Manager, Berney Sadler.

Doug Little - Provided the details of the July 2011 Monthly Operations report.

There was a discussion on Item G.

H. MANAGER'S REPORTS

1. **Parks and Landscape Manager Perez** - Parks and Landscape Update

Parks and Landscape Manager Perez – Provided slides on the progress at Cornell Park and other landscape projects throughout the Town of Discovery Bay.

There was a discussion on Item H.

I. GENERAL MANAGER'S REPORT

General Manager Howard – Stated that the Automated External Defibrillator (AED) had been installed and staff has been CPR trained.

There was a discussion on Item I.

J. DISTRICT LEGAL COUNSEL REPORT

Legal Counsel Brown – Stated that the Board convened to a Special Meeting at 6:30 p.m. and the Board voted unanimously to reject a Demand to Cure and directed Legal Counsel to correspond in writing to the Complainant.

K. COMMITTEE UPDATES

L. CORRESPONDENCE-Discussion and Possible Action

1. R – Letter from Diablo Water District regarding the 2010 final Urban Water Management Plan dated July 22, 2011
2. R – Letter from Supervisor Piepho regarding the Board Order - Response to Civil Grand Jury Report No. 1108 Entitled "Bridging the Gap at the Orin Allen Youth Rehabilitation Facility dated July 27, 2011
3. R – Discovery Bay P-6 Zone Citizen Advisory Committee meeting Minutes for May 10, 2011
4. R – Letter from John Greitzer, Delta Water Planner to Members, Municipal Advisory Councils in the Delta regarding the Delta Economic Sustainability Plan dated August 5, 2011
5. R – State Route 4 Bypass Authority meeting Minutes for July 14, 2011

M. PUBLIC RECORD REQUESTS RECEIVED

There was a discussion on Item M.

N. FUTURE AGENDA ITEMS

Vice-President Dawson – Procedures of Public Records Request

Vice-President Dawson – Internship Report

O. ADJOURNMENT

The meeting was adjourned at 7:43 p.m. to the next Regular meeting of September 7, 2011 starting at 7:00pm at 1800 Willow Lake Road-Located in back of the Delta Community Presbyterian Church.

For the Audio of this meeting please visit our Website at
<http://www.todb.ca.gov/content/2011-agendas-and-minutes/>

//cmc – 9.2.11



Town of Discovery Bay CSD

AGENDA REPORT

Meeting Date

September 7, 2011

Prepared By: Terri Degler, Accounts Assistant
Submitted By: Rick Howard, General Manager

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 \$ 292,293.58

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 2011/2012
Town of Discovery Bay CSD Operating & Capital Budgets 2011/2012
Request For Authorization to Pay Invoices for the Discovery Bay Lighting & Landscape District #8 2011/2012
Request For Bay Lighting & Landscape District #8 Operating and Capital Budgets 2011/2012
Request For Authorization to Pay Invoices for the Discovery Bay Lighting & Landscape District #9 2011/2012
Discovery Bay Lighting & Landscape District #9 Operating Budget 2011/2012

AGENDA ITEM: E-2

**Request for authorization to pay Invoices
For the Meeting on September 7, 2011
Town of Discovery Bay CSD
For Fiscal Year's 7/11 - 6/12**

Acct Code

7001	Express Employment Inv#99822069-3, dtd 8/20/11	Temp: Terri Degler	w/e 8/7/11	\$899.60
7001	Express Employment Inv#99853858-1, dtd 8/27/11	Temp: Terri Degler	w/e 8/14/11	\$854.62
7001	Express Employment Inv#99874951-9, dtd 9/3/11	Temp: Terri Degler	w/e 8/21/11	\$719.68
			Sub-Total	\$2,473.90
7490	Sue Helml	Expense report for 8/11 Mileage		\$17.76
7011	RellaStar Inv#JR52 457(b)	Benefits for 8/16-8/31/11		\$953.05
7024	RellaStar Inv#JR52 457(b)	Benefits for 8/16-8/31/12		\$288.49
			Sub-Total	\$1,241.54
7011	SDRMA Inv#0008480-IN, dtd	Employee Benefits	9/1/11	\$639.96
7024	SDRMA Inv#0008480-IN, dtd	Employee Benefits Landscaping	9/1/11	\$80.58
			Sub-Total	\$720.54
7101	Brian Dawson	Expense report August 2011		\$400.00
7210	Herwit Engineering Inv#11-07, dtd 7/31/11	Mileage		\$79.56
7210	Herwit Engineering Inv#11-08, dtd 8/31/11	District Engineering Support/Design		\$5,731.08
7210	Herwit Engineering Inv#11-08, dtd 8/31/11	District Engineering Reports/Design		\$4,660.00
1112-003	Herwit Engineering Inv#11-08, dtd 8/31/11	District Engineering Solar Dryer #3 Slab		\$900.00
			Sub-Total	\$11,360.64
7210	Luhdorff & Scalmanini Inv#27102, dtd 7/31/11	Master Plan for July 2011		\$18,298.36
7210	Luhdorff & Scalmanini Inv#27104, dtd 7/31/11	General services for July 2011		\$342.50
			Sub-Total	\$18,640.86
7210	Neumiller & Beardslee Inv#242301, dtd 8/11/11	General services for July 2011		\$7,057.46
7215	Veolia Water Inv#5626, dtd 8/1/11	Operation and Maintenance services for August 2011		\$94,744.16
7312	Veolia Water Inv#5723, dtd 8/2/11	Oreimbursements for services for August 2011		\$922.14
			Sub-Total	\$95,666.30
7301	American Retrofit Systems Inv#125, dtd 8/4/11	Labor & Transportation to get 35 MFD capacitors		\$244.00
7301	American Retrofit Systems Inv#127, dtd 8/31/11	Labor repair/locate transducer		\$400.00
7301	American Retrofit Systems Inv#128, dtd 8/31/11	L&M rework electrical for WWTP1		\$1,680.00
			Sub-Total	\$2,324.00
	<u>Brentwood Ace Hardware - statement ending 6/30/11</u>			
7301	General Repairs			\$59.36
7630	Site Maintenance			\$142.01
7685	Tools			\$28.50
7690	Equip/Maintenance			\$54.60
7952	Zone #57 reimbursable			\$17.96
7952	Zone #8 reimbursable			\$163.64
7952	Zone #9 reimbursable			\$15.64
			Sub-Total	\$481.71
	<u>Brentwood Ace Hardware - statement ending 7/31/11</u>			
7630	Facility Maintenance			\$5.46
7685	Tools			\$28.74
7950	Misc.			\$6.00
7952	Zone #8 reimbursable			\$577.84
7952	Zone #9 reimbursable			\$26.20
			Sub-Total	\$644.24
7301	J.W. Backhoe Inv#1562, dtd 8/10/11	Repair @ 1450 & 1460 Shell Ct.		\$665.84
7301	J.W. Backhoe Inv#1563, dtd 8/10/11	Repair @ 2204 Colonial Ct.		\$1,084.00
7301	J.W. Backhoe Inv#1564, dtd 8/10/11	Repair @ 4716 Cove Ln & 5420 Beaver Ln.		\$5,280.64
7301	J.W. Backhoe Inv#1566, dtd 8/15/11	Repair @ 5420 Beaver Lane		\$5,721.85
7301	J.W. Backhoe Inv#1581, dtd 8/25/11	Repair @ 1505 Willow Lake		\$3,326.72
			Sub-Total	\$16,079.05
			Sub-total pg 1	\$157,108.00

Request for authorization to pay Invoices
 For the Meeting on September 7, 2011
 Town of Discovery Bay CSD
 For Fiscal Year's 7/11 - 6/12

Acct Code			
7301	R&B Company	Inv#S1267825.002, dtd 8/22/11	Meter flange/gaskets \$944.55
7301	Sala Freight	Inv#77029460510, dtd 8/16/11	Liftgate delivery \$80.00
7301	Subtronic Corp.	Inv#16425, dtd 6/21/11	Consultation @ Winward Ct & Winword Pt. \$450.00
<u>U.S. Bank Visa - statement ending 7/25/11</u>			
7301	General Repairs		\$1,759.41
7430	Office Supplies		\$110.21
7460	Memberships		\$120.00
7510	Info Systems Maintenance		\$139.00
7520	Telephone Wireless		\$187.80
7550	Telephone		\$534.89
7680	Office furnishings		\$370.36
7685	Misc. small tools		\$587.83
7690	Main/Fuel		\$1,389.61
7950	Misc.		\$1,523.68
7952	Reimbursable *Zone #8*		\$844.77
7952	Reimbursable *Zone #9*		\$305.62
7952	Reimbursable *Zone #35		\$4.61
7952	Reimbursable *Zone #57*		\$105.08
7952	Reimbursable *Zone #61*		<u>\$59.94</u>
Sub-Total			\$8,042.81
7330	Univar	Inv#SI5910977, dtd 8/11/11	Chemicals \$949.79
7330	Univar	Inv#SI5910978, dtd 8/11/11	Chemicals \$1,060.40
7330	Univar	Inv#SI5914511, dtd 8/19/11	Chemicals \$1,259.48
7330	Univar	Inv#SI5914513, dtd 8/19/11	Chemicals <u>\$1,060.40</u>
Sub-Total			\$4,330.07
7410	Ricoh	Inv#413095365, dtd 8/8/11	Contract services for July 2011 \$396.98
7414	Upper Case Printing	Inv#5188, dtd 8/23/11	Outsourced monthly billing for 6 months \$373.35
7430	Upper Case Printing	Inv#5188, dtd 8/23/11	Envelopes for 6 months <u>\$707.40</u>
Sub-Total			\$1,080.75
<u>Capital One-Visa stmt ending August 14, 2011</u>			
7420	Postage		\$39.31
7950	Misc.		<u>\$3.44</u>
Sub-Total			\$42.75
7420	MallFinance	Inv#N2717645, dtd 8/18/11	Lease Payment 9/19-10/18/11 \$69.53
7430	Office Depot	Inv#574940088001, dtd 8/12/11	Office Supplies \$63.02
7430	Office Depot	Inv#575844110001, dtd 8/19/11	Office Supplies \$64.48
7430	Office Depot	Inv#575844026001, dtd 8/19/11	Office Supplies \$29.60
7430	Office Depot	Inv#576818532001, dtd 8/26/11	Office Supplies <u>\$78.39</u>
Sub-Total			\$235.49
7460	California Rural Water Assoc.		Membership Renewal 11/12 \$893.00
7460	Water Environment Federation	Inv#9000055524, dtd 9/30/11	Membership Renewal 11/12 \$220.00
7510	Spectral Wireless	Inv#3491, dtd 8/12/11	Installation of Repeater site and equipment \$1,202.81
WATER			
7535	PG&E / Acct# 2943721807-5	Newport WTP	7/14-8/11/11 \$17,801.14
7535	PG&E / Acct# 2990802800-9	Willow Lake WTP	7/13-8/10/11 \$5,473.55
7535	PG&E / Acct# 3349549227-5	Well #3 DB Blvd & Edgeview	7/13-8/10/11 \$23.92
7535	PG&E / Acct# 6760524303-8	Irrl. Controller (Newport @ Well 4A)	7/14-8/11/11 \$16.47
7535	PG&E / Acct# 8351173112-3	Well #2	7/13-8/10/11 \$371.25
7535	PG&E / Acct# 8609981202-5	Well #1 (Gas)	7/13-8/10/11 \$17.38
7535	PG&E / Acct# 8651647866-5	Well #1	7/13-8/10/11 <u>\$8,767.53</u>
Sub-Total			\$30,471.24
Sub-total pg 2			\$48,469.98

Request for authorization to pay Invoices
 For the Meeting on September 7, 2011
 Town of Discovery Bay CSD
 For Fiscal Year's 7/11 - 6/12

Acct Code

SEWER

7537	PG&E / Acct# 0631986334-3 Newport Lift Station	7/14-8/11/11	\$3,246.03
7537	PG&E / Acct# 1182741894-5 Pump Station D	7/13-8/10/11	\$134.53
7537	PG&E / Acct# 1318320217-8 Pump Station A	7/13-8/10/11	\$61.29
7537	PG&E / Acct# 2172798825-1 Pump Station R	7/14-8/11/11	\$73.53
7537	PG&E / Acct# 2527523613-8 Pump Station S	7/15-8/12/11	\$420.26
7537	PG&E / Acct# 3016215915-3 Pump Station F	7/12-8/9/11	\$639.31
7537	PG&E / Acct# 3101013157-6 Lakes 4 Lift Station	7/13-8/10/11	\$162.50
7537	PG&E / Acct# 3497478293-9 Lakeshore Lift Station	7/12-8/9/11	\$606.14
7537	PG&E / Acct# 3881134135-3 WWTP #1	7/14-8/11/11	\$8,968.05
7537	PG&E / Acct# 4193709211-6 Pump Station C	7/15-8/11/11	\$58.81
7537	PG&E / Acct# 4201000159-4 Golf Course Valve Station	7/15-8/12/11	\$71.95
7537	PG&E / Acct# 4225081240-3 Disc WWTP & Pump Station W	7/14-8/11/11	\$28.97
7537	PG&E / Acct# 4516230421-1 Pump Station H	7/13-8/10/11	\$17.46
7537	PG&E / Acct# 7234986505-4 Pump Station J	7/14-8/10/11	\$225.23
7537	PG&E / Acct# 7312115758-7 SS/HWY 4 E/Disco Bay Blvd W/O Bridge	7/14-8/11/11	\$20,882.27
7537	PG&E / Acct# 7630923070-4 Pump Station E	7/12-8/9/11	330.43
7537	PG&E / Acct# 8343916134-6 Fern Ridge Circle/Hofmann	7/9-8/8/11	\$740.22
7537	PG&E / Acct# 8440119997-5 Knightsen School Pump Station	7/13-8/10/11	\$28.72
	Sub-Total		\$36,495.70
7630	Brut Janitorial Inv#107 8/11A, dtd 7/29/11 Additional Invoiced per contract		\$135.00
7952	Brut Janitorial Inv#107 8/11A, dtd 7/29/11 Additional Invoiced per contract *****reimbursable Zone #8*****		\$75.00
7630	Brut Janitorial Inv#107Sept11, dtd 8/29/11 Monthly contract for September 2011		\$300.00
7952	Brut Janitorial Inv#107Sept11, dtd 8/29/11 Monthly contract for September 2011 *****reimbursable Zone #57*****		\$25.00
7952	Brut Janitorial Inv#107Sept11, dtd 8/29/11 Monthly contract for September 2011 *****reimbursable Zone #61*****		\$25.00
7952	Brut Janitorial Inv#107Sept11, dtd 8/29/11 Monthly contract for September 2011 *****reimbursable Zone #8*****		\$310.00
7952	Brut Janitorial Inv#107Sept11, dtd 8/29/11 Monthly contract for September 2011 *****reimbursable Zone #9*****		\$25.00
	Sub-Total		\$895.00
7690	Thornburg Inv#50290, dtd 8/16/11 Repaired door latch on skidsteer loader		\$52.50
7825	CCC Public Works Inv#916122, dtd 8/18/11 Permit Fees		\$1,004.23
7952	CCC Public Works Inv#916122, dtd 8/18/11 Permit Fees *****reimburseable Zone #8*****		\$806.31
7825	CCC Public Works Inv#916123, dtd 8/18/11 Permit Fees		\$2,763.94
	Sub-Total		\$4,574.48
7950	Shred-It Inv#7532390, dtd 8/25/11 On-site shredding		\$54.20
7950	TODB CSD Ck Req#7, dtd 8/17/11 Transfer to General Fund		\$2,000.00
7950	UPS Inv#12X417331, dtd 8/13/11 Misc.		\$2.05
7952	Odyssey Landscape Inv#36036115-35, dtd 8/22/11 Monthly contract *****reimbursable - Zone #35*****		\$215.00
7952	Odyssey Landscape Inv#36036115-57, dtd 8/22/11 Monthly contract *****reimbursable - Zone #57*****		\$2,635.00
7952	Odyssey Landscape Inv#36036115-61, dtd 8/22/11 Monthly contract *****reimbursable - Zone #61*****		\$4,280.00
	Sub-Total		\$7,130.00
7952	The Jumpy Company Inv#661, dtd 9/10/11 Cornell Park		\$335.00
0910-014	Antloch Plumbing Inv#5364, dtd 8/18/11 Install water meter @ Cutter Loop		\$608.27
0910-014	Antloch Plumbing Inv#5364, dtd 8/18/11 Install water meter @ Clipper Dr.		\$768.12
	Sub-Total		\$1,366.39
0910-014	Golden State Flow Measurement Inv#I-032543, dtd 8/10/11 2 SR MTR TR/PL Meter		\$2,618.35
	Sub-Total pg 3		\$55,523.67
	Sub-Total pg 2		\$48,459.98
	Sub-Total pg 1		\$167,108.00
	Total TODB		\$261,091.65

Request for authorization to pay Invoices
 For the Meeting on September 7, 2011
 Town of Discovery Bay CSD
 For Fiscal Year's 7/11 - 6/12

Acct Code

Cassell Utility Account

7951	Refund of overpayment on Acct#1-011-540-024-4.02	\$4.30
7951	Refund of overpayment on Acct#1-011-316-040-2.02	<u>\$9.84</u>

Cassell UtilityTotal \$14.14

TODB GRAND TOTAL \$261,105.79

Community Center Fund

7960	TODB Ck Req #8, dtd 8/30/11 Water payments deposited to wrong account	\$80.66
7960	TODB Ck Req #9, dtd 9/1/11 Reimburse R. Tetrault for meetings Apr/May/Jun	\$300.00
7960	TODB Ck Req #10, dtd 9/1/11 Reimburse C. Steele for meetings April thru July	<u>\$400.00</u>

Community Center Grand Total \$780.66

Obj #	TOWN OF DISCOVERY BAY CSD O&M BUDGET - FISCAL YEAR 2011-12 APPROVED 6/16/11 Account Description	2011/2012 Approved Budget	Pending Approval 09/07/11	2011/2012 YTD REIMB.	2011/2012 YTD Actuals	2011/2012 Remainder of Budget YTD
	Salary & Wages					
7001	Salary & Wages	\$531,551	\$2,474		\$2,474	\$529,077
7005	Overtime	\$5,000			\$0	\$5,000
7007	Auto Allowance	\$4,200			\$9	\$4,191
7010	Payroll Taxes	\$53,655			\$0	\$53,655
7011	Group Insurance (Partial EE Reimb)	\$44,400	\$1,593		\$5,296	\$39,104
7021	Landscape Related Salary & Wages (Reimb)	\$157,737			\$0	\$157,737
7022	Landscape Related Overtime (Reimb)	\$3,000			\$0	\$3,000
7023	Landscape Related Payroll Taxes (Reimb)	\$16,073			\$0	\$16,073
7024	Landscape Related Group Ins (Partial EE Reimb)	\$23,600	\$369		\$1,263	\$22,337
7030	Worker's Comp	\$8,000			\$3,574	\$4,426
	Sub-Total	\$847,216	\$4,436	\$0	\$12,616	\$834,600
	Board of Directors					
7101	Compensation	\$36,000	\$400		\$2,200	\$33,800
7102	Travel & Training	\$2,500			\$65	\$2,435
	Sub-Total	\$38,500	\$400	\$0	\$2,265	\$36,235
	Contractual Services					
7205	Legal Services	\$80,000			\$1,328	\$78,672
7210	Consulting Services *	\$210,000	\$36,159		\$31,387	\$178,613
7215	Water & Wastewater Services Contract	\$1,148,000	\$94,744		\$0	\$1,148,000
7220	Liability Insurance	\$50,000			\$53,911	(\$3,911)
7225	Accounting Financial Services	\$30,000			\$0	\$30,000
	Sub-Total	\$1,518,000	\$130,903	\$0	\$86,626	\$1,431,374
	Operations & Maintenance					
7301	General Repairs - Water/Sewer	\$550,000	\$21,696		\$81,097	\$468,903
7305	General Repairs - Pumps	\$100,000			\$0	\$100,000
7310	NTR/SIP Testing - RWQCB	\$5,000			\$0	\$5,000
7312	Preventive & Corrective Fund	\$107,000	\$922		\$922	\$106,078
7330	Chemicals/Odor Supplies	\$100,000	\$4,330		\$16,384	\$83,616
7385	NPDES NOV Fines (s)	\$25,000			\$0	\$25,000
7410	Copier Maintenance	\$4,500	\$397		\$397	\$4,103
7414	Outsource of Water Billing	\$15,000	\$373		\$1,288	\$13,713
7420	Postage	\$2,500	\$109		\$278	\$2,222
7430	Office Supplies	\$8,000	\$1,053		\$1,517	\$6,483
7440	Public Communications & Noticing	\$5,000			\$242	\$4,758
7450	Election Expenses	\$0			\$0	\$0
7460	Memberships	\$17,500	\$1,233		\$2,085	\$15,415
7470	Rent - Public Meetings	\$500			\$0	\$500
7480	Permits	\$40,000			\$0	\$40,000
7490	Travel & Training	\$3,000	\$18		\$0	\$3,000
7510	Info Systems Maintenance	\$2,500	\$1,342		\$354	\$2,146
7520	Cellular Communications/Data	\$8,500	\$188		\$3,438	\$3,062
7535	Electrical Cost (water)	\$335,000	\$30,471		\$35,068	\$299,932
7537	Electrical Cost (sewer)	\$370,000	\$36,496		\$39,432	\$330,568
7550	Telephone	\$4,800	\$535		\$825	\$3,975
7620	Special Equipment	\$3,000			\$113	\$2,887
7630	Facility Maintenance/Landscape	\$15,000	\$582		\$3,400	\$11,600
7665	Office Buildings/Improvements	\$10,000			\$1,590	\$8,410
7670	Office Equipment/Software	\$30,000			\$10,681	\$19,319
7680	Office Furnishings	\$1,000	\$370		\$0	\$1,000
7685	Miscellaneous Small Tools	\$3,500	\$645		\$756	\$2,744
7690	Equipment Maintenance/Fuel	\$20,000	\$1,497		\$2,128	\$17,872
7925	Miscellaneous Bank Charges	\$500			\$0	\$500
7950	Miscellaneous Services & Supplies	\$2,500	\$3,589		\$2,111	\$389
7951	Miscellaneous Reimbursable	\$1,000	\$14		\$145	\$855
7952	Landscape Related Reimbursables	\$200,000	\$10,853		\$11,482	\$188,518
7970	Unrecoverable Charges	\$5,000			\$0	\$5,000
7990	G.F. Expenditures	\$0			\$0	\$0
	Sub-Total	\$1,993,300	\$116,714	\$0	\$215,734	\$1,777,566
	Inter-Governmental Charges					
7805	Revenue Collection	\$6,000			\$0	\$6,000
7810-0810	Investment Fee	\$200			\$0	\$200
7815-2315	Data Processing/Payroll Wire Transfer Fees	\$480			\$0	\$480
7820	Accounting (A/P, A/R, GL)	\$2,000			\$0	\$2,000
7825	Public Works - Permits	\$10,000	\$3,768		\$0	\$10,000
7850	Property Taxes	\$10,000			\$0	\$10,000
	Sub-Total	\$28,680	\$3,768	\$0	\$0	\$28,680
	TOTAL O&M Budget	\$4,425,696	\$256,221	\$0	\$317,240	\$4,108,456

TOWN OF DISCOVERY BAY CSD CAPITAL Improvement Program - FY 11/12 APPROVED 6/15/11		2011/2012 Approved BUDGET	Plan to Approve 09/07/11	2011/2012 YTD REIMB.	2011/2012 ACTUALS	2011/2012 Remainder of Budget YTD
Acct. #	Account Description					
SEWER						
0910-004	Manhole Rehabilitation Project	\$15,000			\$0	\$15,000
0910-005	Landscape @ Plant #1	\$7,000			\$0	\$7,000
0910-007	UV System Upgrade	\$23,665			\$0	\$23,665
0910-008	Salinity Study Project	\$70,000			\$0	\$70,000
0910-009	Pumps/Motors Replacement				\$0	\$0
0910-010	Wetlands				\$0	\$0
1011-001	By-Pass Pipeline				\$0	\$0
1011-002	Upgrade/Replace SCADA PLC's (Multi Year)	\$25,000			\$0	\$25,000
1011-003	Bio-Solids Pumps (2) Wet Well	\$20,000			\$0	\$20,000
1011-004	Rehab Lift Station W	\$20,000			\$0	\$20,000
1011-005	Bypass Valve Lift Station S	\$10,000			\$0	\$10,000
1011-006	Metal Cover for UV Area *	\$25,000			\$0	\$25,000
1011-008	Paving for Bio-Solids Containment Area	\$15,000			\$0	\$15,000
1011-009	New Moles (2)				\$1,625	-\$1,625
1011-010	Road Crossing Ramps	\$15,000			\$0	\$15,000
1112-001	Trailer Trash-Pump	\$20,000			\$0	\$20,000
1112-002	Raise Manholes	\$20,000			\$0	\$20,000
1112-003	Bellpress - Bio-solids Area (Multi-year)	\$800,000	\$900		\$0	\$800,000
1112-009	Collection System Pump Station Improvements	\$40,000			\$0	\$40,000
	Sewer Sub Total	\$1,125,665	\$900	\$0	\$1,625	\$1,124,040

WATER						
0105-003	Develop Water Meter Plan					
0708-016	Portable Shoring Trailer					
0809-002	Well #6 Design & Drill Test Hole				\$2,811	-\$2,811
0809-003	Changeout of Chemical Pumps				\$0	\$0
0910-011	Security Door Locks (12)	\$8,000			\$0	\$8,000
0910-014	Water Meter Program (Multi-Year)	\$500,000	\$3,985		\$0	\$500,000
0910-000	Water Meter Program: Reimbursements	(\$500,000)			\$0	-\$500,000
1011-013	Rehabilitate Well(s)	\$30,000			\$0	\$30,000
1112-006	New Well #7 (Multi-Year)	\$40,000			\$0	\$40,000
1112-008	Install Water Well Transducers & Wellhead Survey	\$36,000			\$0	\$36,000
	Water Sub Total	\$124,000	\$3,985	\$0	\$2,811	\$121,189

MISC.						
					\$0	\$0
	Misc. Sub Total	\$0	\$0	\$0	\$0	\$0
					\$0	\$0

	Total Capital Budget	\$1,249,665	\$4,885	\$0	\$4,436	\$1,245,229
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Infrastructure Replacement Fund						
1112-008	Sewer Infrastructure Replacement Program	\$150,000			\$0	\$150,000
1112-009	Pumps/Motors Replacement Program	\$40,000			\$19,834	\$20,166
1011-010	Water Infrastructure Replacement Program	\$100,000			\$0	\$100,000
1112-011	Facilities and Vehicles Replacement Fund	\$30,000			\$0	\$30,000
	Total Replacement Fund	\$320,000	\$0	\$0	\$19,834	\$300,166
	Total Replacement Fund & Capital Budget	\$1,569,665	\$4,885	\$0	\$24,270	\$1,545,395

**Request for authorization to pay invoices
For the Meeting on September 7, 2011
Town of Discovery Bay, D.Bay L&L Park #8
For Fiscal Year's 7/11 - 6/12**

Warrants Pd

Acct Code

2120	Contra Costa Public Works-Z35 Inv#3053, dtd 8/18/11 Water usage Apr/May/Jun		\$6.87
2120	PG&E / Acct# 0869258994-1 (Sprink Contr) DB Blvd. & Willow Lake	7/13-8/10/11	\$16.47
2120	PG&E / Acct# 2068897992-9 DB Blvd across from 510	7/14-8/11/11	\$96.43
2120	PG&E / Acct# 2249446019-3 (Sprinkler) Disco Point, Tr #4077, Lot 71	7/13-8/10/11	\$17.26
2120	PG&E / Acct# 2800977208-9 (Irri Contr) 9295Beacon Pl @ Str Lite	7/14-8/11/11	\$17.46
2120	PG&E / Acct# 3736907925-8 (Sprink Contr) E/S Edgview Dr W/O DB Blvd	7/13-8/10/11	\$16.47
2120	PG&E / Acct# 4111412785-9 (Sprink Contr) DB Blvd & Seal Way	7/13-8/10/11	\$16.47
2120	PG&E / Acct# 4455555569-5 (Sprinkler) Disco Point, Tr #3653, Lot 17	7/13-8/10/11	\$17.26
2120	PG&E / Acct# 5465914049-2 (Sprinkler) DB Blvd. & Spinnaker	7/1-8/10/11	\$16.47
2120	PG&E / Acct# 5939734421-5 PG&E Owned Street & Highway Lighting	7/20-8/17/11	\$6,421.98
2120	PG&E / Acct# 7135420365-6 (Sprinkler) Disco Point, Tr# 4077, Lot 65	7/13-8/10/11	\$17.26
2120	PG&E / Acct# 7452568975-3 (Sprink Contr) S/E cnr DB Blvd & Willow Lk	7/13-8/10/11	\$16.47
2120	PG&E / Acct# 7696548482-7 (Sprinkler) DB Blvd, Tr# 4178, Lot 5	7/13-8/10/11	\$17.26
2120	PG&E / Acct# 8009270258-0 @ Clipper Dr w/o Cove Ct 7723 Marina Dr	7/13-8/10/11	\$32.94
2120	PG&E / Acct# 8101346815-2 (Irri Contr) Newport Dr. w/o Pier Ct	7/13-8/10/11	\$16.47
2120	PG&E / Acct# 8163719795-5 (Irri Contr) 9271 Newport Dr @ Str. Lite	7/14-8/11/11	\$17.46
2120	PG&E / Acct# 8167536097-8 (Irri Contr) @ Clipper Dr	7/13-8/10/11	\$16.47
2120	PG&E / Acct# 8399010651-6 (Sprink Contr) Willow Lake Ct, Lot 31	7/14-8/11/11	\$17.26
2120	PG&E / Acct# 8400813429-2 (Sprinkler) Laguna Ct, Tr# 4076, Lot 18	7/13-8/10/11	\$17.26
2120	PG&E / Acct# 8545920147-2 (Lites & Sprinklers) 2489 'A' DB Blvd.	7/13-8/10/11	<u>\$63.79</u>
	Sub-Total		\$6,868.91
2281	Brut Force Inv#107-Sept2011, dtd 8/29/11 Monthly contract for Sept. 2011		\$310.00
2281	JaniKing Inv#OAK08110229, dtd 8/1/11 Monthly contract service	Aug-11	\$350.00
2282	Boething Treeland Farms Inv#TV217595, dtd 8/12/11 Cornell Park		\$971.74
4829	Boething Treeland Farms Inv#TV217595, dtd 8/12/11 DB Blvd/Hwy 4		\$1,820.84
2282	Boething Treeland Farms Inv#TV218022, dtd 8/23/11 Salix Babylonica		<u>\$665.36</u>
	Sub-Total		\$3,457.94
2282	HydroPoint Data Systems, Inc. Inv#HR104439, dtd 8/15/11 Membership renewal 2011/2012		\$225.00
2282	ValleyCrest Landscaping Inv#3816825, dtd 8/10/11 Monthly contract service	Aug-11	\$8,457.00
2282	ValleyCrest Landscaping Inv#3818669, dtd 8/4/11 Completed repairs @ Sand Point Rd.		\$349.00
2282	ValleyCrest Landscaping Inv#3826713, dtd 8/25/11 Completed planting		<u>\$320.00</u>
	Sub-Total		\$9,126.00
2282	Watersavers Irrigation Inv#11087072, dtd 8/8/11 Red Bushing		\$28.42
4829	Watersavers Irrigation Inv#11087607, dtd 8/9/11 Sprinkler riser/PVC adapter/coupling		\$153.74
2130	Watersavers Irrigation Inv#11087735, dtd 8/9/11 Channel lock/PVC couplings		\$159.45
4829	Watersavers Irrigation Inv#11087735, dtd 8/9/11 Teflon tape/glue		\$35.02
2282	Watersavers Irrigation Inv#11087750, dtd 8/9/11 Rainbird electric valve/PVC adapter		\$102.10
2282	Watersavers Irrigation Inv#11087846, dtd 8/9/11 Sprinkler risers		\$7.50
2282	Watersavers Irrigation Inv#11088173, dtd 8/10/11 PVC coupling/Sprinkler risers Cornell Park		\$42.22
2282	Watersavers Irrigation Inv#11088993, dtd 8/12/11 Weathermatic valve/bushing Cornell Park		\$50.65
2282	Watersavers Irrigation Inv#11091531, dtd 8/19/11 Kwik repair coupling/bushing Cornell Park		\$119.17
2130	Watersavers Irrigation Inv#11092223, dtd 8/22/11 Lodgepole pine stakes		\$28.61
4829	Watersavers Irrigation Inv#11092223, dtd 8/22/11 Lodgepole pine stakes		\$137.48
4829	Watersavers Irrigation Inv#11093488, dtd 8/24/11 Fertilizer		\$62.87
2282	Watersavers Irrigation Inv#11093842, dtd 8/25/11 PVC elbow/tee fitting/swing joint		\$938.92
2282	Watersavers Irrigation Inv#11094032, dtd 8/26/11 PVC adapter/fittings/PVC elbow-		\$118.92
2282	Watersavers Irrigation Inv#11094355, dtd 8/26/11 PVC adapter/fittings		<u>\$26.72</u>
	Sub-Total		\$2,011.79
4789	Brentwood Reprographics Inv#2011-2241, dtd 6/15/11 Cornell Park		\$80.23
4829	County of Contra Costa-Public works Inv#916122, dtd 8/18/11 Permits		\$806.31
4829	Express Employment Inv#99822069-3, dtd 8/10/11 Temp: Darren Tanti	w/e 8/7/11	\$485.72
4829	Express Employment Inv#99853858-1, dtd 8/17/11 Temp: Darren Tanti	w/e 8/14/11	\$575.68
4829	Express Employment Inv#99874951-9, dtd 8/24/11 Temp: Darren Tanti	w/e 8/21/11	<u>\$877.64</u>
	Sub-Total		\$1,939.04

Request for authorization to pay invoices
For the Meeting on September 7, 2011
Town of Discovery Bay, D.Bay L&L Park #8
For Fiscal Year's 7/11 - 6/12

Warrants Pd

4829	Village Nurseries Inv#195658, dtd 7/20/11 DB Blvd East	\$1,279.52
	TOTAL	\$26,461.61

Obj #	Discovery Bay Landscape & Lighting District #8 O & M BUDGET 2011/2012 Approved 6/16/11 Account Description	2011/2012 Approved Budget	25.00% Sep 11 Month to Date Expenses	Plan to Approve 9/7/2011	2011/2012 Actuals	2011/2012 Remainder of Budget YTD
	Salary & Wages					
2310	Staff Payroll	\$93,760			\$0	\$93,760
	Sub-Total	\$93,760			\$0	\$93,760
	Contractural Services					
2310	Professional/Specialized Services	\$8,000			\$0	\$8,000
2360	Insurance	\$5,000			\$0	\$5,000
	Sub-Total	\$13,000			\$0	\$13,000
	Operations & Maintenance					
2100	Office Expenses, Supplies	\$1,250			\$252	\$998
2102	Books, Periodicals & Subscriptions	\$200			\$0	\$200
2103	Postage	\$50			\$0	\$50
2110	Communications	\$1,765			\$0	\$1,765
2120	Utilities (Street Lights, Water, Garbage)	\$108,500		\$6,876	\$10,775	\$97,725
2130	Small Tools & Instruments	\$2,000		\$188	\$232	\$1,768
2131	Minor Equipment, Furniture less than \$1,000	\$500			\$0	\$500
2170	Household Items	\$1,750			\$538	\$1,212
2190	Public Notices	\$300			\$0	\$300
2200	Memberships	\$250			\$0	\$250
2250	Rent & Lease of Equipment	\$500			\$0	\$500
2251	Computer Software	\$0			\$0	\$0
2270	Maintenance of Equipment	\$1,000			\$222	\$778
2271	Automotive Supplies & Repairs	\$2,000			\$0	\$2,000
2272	Gasoline	\$3,500			\$0	\$3,500
2281	Maintenance of Buildings	\$5,400		\$660	\$425	\$4,975
2282	Grounds Maintenance	\$212,000		\$12,423	\$12,688	\$199,312
2284	Requested Maintenance from County	\$0			\$0	\$0
2301	Employee Auto Mileage - Reimbursement	\$100			\$0	\$100
2303	Other Travel Employee Expenses	\$1,500			\$0	\$1,500
2470	Road/Construction Materials (Street Signs)	\$500			\$0	\$500
2479	Other Special Expenses	\$12,000			\$0	\$12,000
	Sub-Total	\$355,065			\$25,134	\$329,931
7800	Inter-Governmental Charges					
3530/3550	Taxes & Assessments	\$1,000			\$0	\$1,000
3611	Interfund Exp. (Investment & Property Tax)	\$500			\$0	\$500
5011	Reimbursement for County Admin. Costs	\$500			\$0	\$500
	Sub-Total	\$2,000			\$0	\$2,000
	TOTAL O&M Budget	\$463,825	\$0	\$20,147	\$25,134	\$438,692

Obj#	Account Description	2011/2012 Approved Budget	25.00% Sep 11 Month to Date Expenses	Approve 9/7/2011	2011/2012 Actuals	2011/2012 Remainder of Buget YTD
Discovery Bay Landscape & Lighting District #8 CAPITAL BUDGET 2011/2012 Approved 6/15/11						
PARKS						
4789	Cornell Park - Playground Replacement	\$ 126,000.00		\$80	\$74,300	51,700
4834	Cornell Park (Restroom Partitions)				\$16,130	(16,130)
	Cornell Park (ADA Upgrades)	\$35,000			\$0	35,000
	Cornell Park (Tennis Court Surfacing)	\$20,000			\$0	20,000
	Cornell Park (Dog Park Fencing)	\$85,000			\$0	85,000
	Cornell Park (Tot Lot Removal)	\$12,500			\$0	12,500
	Cornell Park (Horse Shoe & Bocce Court)	\$15,000			\$0	15,000
	Parks Sub Total	\$293,500	\$0	\$80	\$90,430	203,070
STREETSCAPE						
4265	Various Improvements	\$7,500			\$0	7,500
4546	Structure & Walkway Repairs	\$2,000			\$0	2,000
4829	Landscape Master Plan Areas			\$6,235	\$13,879	(13,879)
	Willow Lake Road Streetscape				\$0	0
	Discovery Bay Blvd. (West) / Sand Point Rd.	\$12,000			\$0	12,000
	Highway 4 (East)	\$30,000			\$2,357	27,643
	Discovery Bay Blvd (East)	\$50,000			\$7,531	42,469
	Streetscape Sub Total	\$101,500	\$0	\$6,235	\$23,767	77,733
MISC.						
4853	Vehicle Purchase	\$25,000			\$0	25,000
4959	Tools & Sundry Equipment	\$3,000			\$0	3,000
	Misc. Sub Total	\$28,000	\$0	\$0	\$0	28,000
	Total Capital Budget	\$423,000	\$0	\$6,315	\$114,196	308,804

Request for authorization to pay invoices
For the Meeting on September 7, 2011
Town of Discovery Bay, D.Bay L&L Park #9 (Ravenswood)
For Fiscal Year's 7/11 - 6/12

Acct Code			
2120	PG&E / Acct#0403377952-3 1445 Cullen Dr (Irrig Ctrlr)	7/13-8/10/11	\$104.32
2120	PG&E / Acct#1066166716-1 829 Poe Dr. (Irrig Ctrlr)	7/13-8/10/11	\$10.75
2120	PG&E / Acct#7705163630-4 1738 Wilde Dr. (Irrig Ctrlr)	7/13-8/10/11	<u>\$10.95</u>
		Sub-total	\$126.02
2282	Odyssey Landscape Inv#36036115, dtd 8/22/11 Monthly contract		\$2,725.00
2310	Zentner and Zentner Inv#0022694-IN, dtd 7/31/11 Proj: TOD 960-Ravenswood		\$1,094.50
		Total	\$3,945.52

Obj #	Discovery Bay Landscape & Lighting District #9 O & M BUDGET 2011/2012 Approved 6/15/11 Account Description	2011/2012 Approved Budget	Planned to Pay 9/7/2011	2011/2012 YTD REIMB.	2011/2012 YTD ACTUALS	2011/2012 Remainder of Budget YTD
	Salary & Wages					
2310	Staff Payroll	\$37,952	\$1,095		\$0.00	\$37,952
	Sub-Total	\$37,952	\$1,095	\$0	\$0.00	\$37,952
	Contractual Services					
2310	Professional/Specialized Services	\$8,200			\$160.00	\$8,040
2360	Insurance	\$1,500			\$0.00	\$1,500
	Sub-Total	\$9,700	\$0	\$0	\$160.00	\$9,540
	Operations & Maintenance					
2100	Office Expenses, Supplies	\$500			\$0.00	\$500
2102	Books, Periodicals & Subscriptions	\$50			\$0.00	\$50
2103	Postage	\$150			\$0.00	\$150
2110	Communications	\$350			\$0.00	\$350
2120	Utilities (Street Lights, Water, Garbage)	\$26,325	\$126		\$3,631.25	\$22,694
2130	Small Tools & Instruments	\$750			\$0.00	\$750
2131	Minor Equipment, Furniture less than \$1,000	\$250			\$0.00	\$250
2170	Household Items	\$750			\$118.00	\$632
2190	Public Notices	\$500			\$0.00	\$500
2200	Memberships	\$50			\$0.00	\$50
2250	Rent & Lease of Equipment	\$0			\$0.00	\$0
2251	Computer Software	\$0			\$0.00	\$0
2270	Maintenance of Equipment	\$200			\$0.00	\$200
2271	Automotive Supplies & Repairs	\$300			\$0.00	\$300
2272	Gasoline	\$500			\$0.00	\$500
2281	Maintenance of Buildings	\$0			\$0.00	\$0
2282	Grounds Maintenance	\$44,500	\$2,725		\$5,033.00	\$39,467
2284	Requested Maintenance from County	\$0			\$0.00	\$0
2301	Employee Auto Mileage - Reimbursement	\$50			\$0.00	\$50
2303	Other Travel Employee Expenses	\$0			\$0.00	\$0
2470	Road/Construction Materials (Street Signs)	\$0			\$0.00	\$0
2479	Other Special Expenses	\$1,350			\$0.00	\$1,350
	Sub-Total	\$76,575	\$2,851	\$0	\$8,782.25	\$67,793
7800	Inter-Governmental Charges					
3530/3550	Taxes & Assessments	\$425			\$0.00	\$425
3611	Interfund Exp. (Investment & Property Tax)	\$0			\$0.00	\$0
5011	Reimbursement for County Admn. Costs	\$0			\$0.00	\$0
	Sub-Total	\$425	\$0	\$0	\$0.00	\$425
	TOTAL O&M Budget	\$124,652	\$3,946	\$0	\$8,942.25	\$115,710



Town of Discovery Bay CSD AGENDA REPORT

Meeting Date

September 7, 2011

Prepared By: Calista Anderson, Executive Assistant & Liz Hardy, Sr. Account Clerk
Submitted By: Rick Howard, General Manager

Agenda Title

District Financials

Recommended Action

Receive and File

Executive Summary

DB Lighting & Landscaping Zone #8

The account total fund balance before reserves for DB #8 is \$1,443,929

Less the reserves of \$300,000, we have a fund balance available of \$1,143,929

DB Lighting & Landscaping Zone #9

The account total fund balance before reserves for DB #9 is \$109,284

Less the reserves of \$56,195, we have a fund balance available of \$53,089

Town of Discovery Bay, CSD Water & Sewer

The account total fund balance before reserves for Water & Sewer is \$4,971,336.23

Less the reserves of \$3,000,000, we have a fund balance available of \$1,971,336.23

Fiscal Impact:

Amount Requested: N/A

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

Prog/Fund # Category:

Previous Relevant Board Actions for This Item

Attachments

D.Bay L&L Zone #8 Budget vs. Actuals for 2010-2011 through December 31, 2011 (CLOSING)

D.Bay L&L Zone #9 Budget vs. Actuals for 2010-2011 through December 31, 2011 (CLOSING)

Town of Discovery Bay CSD Transaction Detail Report for 2010-2011 through December 31, 2011 (CLOSING)

AGENDA ITEM: E-3

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D.Bay L&L Park #8 District
Revenue & Expenditure Budget vs. Actuals Worksheet 2010-11
July 14, 2011 thru December 31, 2011 (CLOSING)

Revenue:	Acct. Code	2010/11 Budget	2010/11 Actuals
Current Funds in Contra Costa County	740/750	\$1,732,129	\$1,713,602
Accounts Payable - Yr End	500		
Retainage Account	510		
Due to Other Funds - Yr End	540		
Disbursements	830	(\$5,885)	(\$5,017)
Current Property Taxes	9010	\$381,210	\$438,015
Property Tax Supplemental/Unitary/Secured	9011/13/30/31		\$6,714
SRAF State Rev Transfer	9018		
Property Taxes-Current Unsecured	9020	\$18,029	\$15,291
Property Taxes-Prior-Unsecured	9035		\$248
Earnings on Investment	9181	\$1,000	\$404
H/O Prop Tax Relief/State Aid/In Lieu Taxes	9385/9435/9580		\$4,991
Misc Revenue & Services	9799&9975		\$1,842
Total Revenue		\$2,126,484	\$2,176,090

Expenditure: Operating Expenses	Acct. Code	2010/11 Budget	2010/11 Actuals
Office Expenses, Books, Postage	2100	(\$1,250)	(\$1,629)
Books, Periodicals & Subscriptions	2102	(\$200)	(\$60)
Postage	2103	(\$50)	(\$11)
Communications	2110	(\$600)	(\$60)
Utilities (Street Lights, Water & Garbage)	2120	(\$100,000)	(\$93,959)
Small Tools & Instruments	2130	(\$1,850)	(\$1,977)
Minor Equipment, Furniture less than \$1000	2131	(\$350)	(\$178)
Household Items	2170	(\$1,400)	(\$1,356)
Public Notices	2190	(\$150)	
Memberships	2200	(\$300)	(\$165)
Rent & Lease of Equipment	2250	(\$500)	(\$220)
Computer Software	2251		
Maintenance of Equipment	2270	(\$950)	(\$404)
Automotive Supplies & Repairs	2271	(\$2,000)	(\$1,870)
Gasoline	2272	(\$4,000)	(\$273)
Maintenance of Buildings	2281	(\$5,300)	(\$5,913)
Grounds Maintenance	2282	(\$205,000)	(\$191,436)
Requested Maintenance from County	2284/3620		
Auto Mileage/Employee Reimbursement	2301	(\$100)	(\$241)
Other Travel Employee Expenses	2303	(\$750)	(\$433)
Professional Services/Specialized Services	2310	(\$8,100)	(\$8,934)
Staff Payroll	2310	(\$72,000)	(\$59,330)
Insurance	2360	(\$5,200)	(\$2,075)
Road/Construction Materials (Street Signs)	2470	(\$500)	
Other Special Expenses	2479	(\$3,500)	(\$2,717)
Miscellaneous Services & Supplies	2490	(\$300)	(\$307)
Taxes & Assessments	3530/3550		(\$2,719)
Interfund Exp. (Investment & Property Tax Adm.)	3611	(\$500)	
Reimbursement for County Adm. Costs	5011	(\$500)	
Total Operating Expenses		(\$415,350)	(\$376,267)

Expenditure: Capital/Asset	Acct. Code	2010/11 Budget	2010/11 Actuals
Various Improvements	4265	(\$7,500)	(\$4,062)
Structure & Walkway Repairs	4546	(\$2,000)	(\$1,225)
Playground Equipment	4789	(\$226,000)	(\$56,362)
Landscape Master Plan	4829		
Misc. Projects - Willow Lake Road		(\$102,500)	(\$143,089)
Misc. Projects - South Point			
Misc. Projects - Laguna Court			
Misc. Projects - Discovery Point (Small Island)			
Misc. Projects - Discovery Bay Blvd (East)		(\$175,000)	(\$134,217)
Cornell Park	4834	(\$7,500)	(\$2,686)
Vehicle Purchase	4953	(\$14,000)	(\$14,254)
Tools & Sundry Equipment	4956	(\$2,750)	
Total Capital/Asset		(\$537,250)	(\$355,894)
TOTAL EXPENSES & CAPITAL		(\$952,600)	(\$732,161)
TOTAL FUND BALANCE BEFORE RESERVES		\$1,173,884	\$1,443,929
RESERVES			(\$300,000)
GRAND TOTAL OF EXPENSES/CAPITAL/RESERVES			(\$1,032,161)
FUND BALANCE AVAILABLE			\$1,143,929

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D.Bay L&L Park #9 District
Revenue & Expenditure Budget vs. Actuals Worksheet 2010-11
July 14, 2011 thru December 31, 2011 CLOSING

Revenue:	Acct. Code	2010/11 Budget	2010/11 Actuals
Current Funds in Contra Costa County	740/750	\$234,262	\$251,015
Accounts Payable - Yr End	500		
Retainage Account	510		
Disbursements	830		
Current Property Taxes/Street Light Assessment	9754	\$82,500	\$83,405
Property Tax Supplemental/Unitary/Secured	9011/13/30/31		
SRAF State Rev Transfer	9018		
Property Taxes-Current Unsecured	9020		
Property Taxes-Prior-Unsecured	9035		
Earnings on Investment	9181		
H/O Prop Tax Relief/State Aid/In Lieu Taxes	9385/9435/9580		
Misc Revenue & Services	9799&9975		\$1,605
Total Revenue		\$316,762	\$336,025

Expenditure: Operating Expenses	Acct. Code	2010/11 Budget	2010/11 Actuals
Office Expenses, Books, Postage	2100	(\$500)	(\$459)
Books, Periodicals & Subscriptions	2102	(\$50)	
Postage	2103	(\$150)	(\$80)
Communications	2110	(\$250)	(\$120)
Utilities (Street Lights, Water & Garbage)	2120	(\$15,000)	(\$13,196)
Small Tools & Instruments	2130	(\$750)	(\$797)
Minor Equipment, Furniture less than \$1000	2131	(\$250)	(\$103)
Household Items	2170	(\$700)	(\$332)
Public Notices	2190	(\$254)	(\$254)
Memberships	2200	(\$40)	(\$40)
Rent & Lease of Equipment	2250	\$0	
Computer Software	2251	\$0	
Maintenance of Equipment	2270	(\$200)	(\$80)
Automotive Supplies & Repairs	2271	(\$300)	(\$337)
Gasoline	2272	(\$400)	\$2,102
Maintenance of Buildings	2281		
Grounds Maintenance	2282	(\$48,540)	(\$44,504)
Requested Maintenance from County	2284/3620		
Auto Mileage/Employee Reimbursement	2301	(\$150)	(\$23)
Other Travel Employee Expenses	2303	\$0	
Professional Services/Specialized Services	2310	(\$4,000)	(\$4,601)
Staff Payroll	2310	(\$25,500)	(\$24,222)
Insurance	2360	(\$1,000)	(\$490)
Road/Construction Materials (Street Signs)	2470		
Other Special Expenses	2479	(\$2,800)	(\$2,337)
Miscellaneous Services & Supplies	2490	(\$300)	(\$34)
Taxes & Assessments	3530/3550	(\$423)	(\$423)
Interfund Exp.(Investment & Property Tax Adm.)	3611		
Reimbursement for County Adm. Costs	5011		
Total Operating Expenses		(\$101,557)	(\$90,331)

Expenditure: Capital/Asset	Acct. Code	2010/11 Budget	2010/11 Actuals
Various Parking Lot Improvements	4226		
Various Improvements (Splash Pad)	4265	(\$120,000)	(104,625)
Structure & Walkway Repairs (Solar)	4546	(\$32,000)	(31,786)
Playground Equipment	4789		
Tools & Sundry Equipment	4956		
Total Capital/Asset		(\$152,000)	(\$136,410)
TOTAL EXPENSES & CAPITAL		(\$253,557)	(\$226,741)
TOTAL FUND BALANCE BEFORE RESERVES		\$63,205	\$109,284

RESERVES (\$56,195)

GRAND TOTAL OF EXPENSES/CAPITAL/RESERVES (\$282,936)

FUND BALANCE AVAILABLE \$53,089

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TOWN OF DISCOVERY BAY CSD
Transaction Detail Report for July 14, 2011 through December 31, 2011
CLOSING for 2010/11

DATE	FOR	SAMOUNT
Receivables for Town of Discovery Bay CSD BAC Account		
	Balance of Account as of the end of day June 14, 2011	\$106,593.20
6/14/11-07/13/11	Deposits Made	\$84,147.47
	Balance of Account & Deposits Made Total	\$190,740.67
Payables Made from Town of Discovery Bay CSD BAC Account		
6/14/11-07/13/11	Checks/Payroll made out from checking account	\$79,849.12
Balance of Checking Account as of July13, 2011		\$110,891.55
Total Year-to Date Payables Paid from Town of Discovery Bay CDECC Acct		\$730,723.15
BEGINNING FUND BALANCE FOR TOWN OF DB CSD IN COUNTY FUND		\$5,561,514.98
7/14/11-12/31/11	Accounts Payable Year End	\$0.00
	Sub-Total	\$5,561,514.98
REVENUE		
For Fiscal Year Starting 7/1/10		
	Year-to-date Sewer & Water Service Charge for Tax Roll 10/11	\$4,120,049.92
	Year-to-date Investments	\$5,533.22
7/14/11-12/31/11	Earnings on Investments	\$0.00
	Sub-Total	\$5,533.22
	Year-to-Date Miscellaneous Income	\$4,125,583.14
7/14/11-12/31/11	Misc.	\$0.00
	SUB-TOTAL REVENUE	\$4,125,583.14
	GRAND TOTAL Fund Balance & Revenue	\$9,687,098.12
EXPENDITURES		
	Year-to-date Warrants Paid by CCC for Town of D.Bay CSD	\$4,368,781.16
7/14/11-12/31/11	Warrants and Journals Paid	\$68,359.00
	TOTAL EXPENDITURES	\$4,437,140.16
TOTAL BALANCE AT COUNTY OF CONTRA COSTA		\$5,249,957.96
TOTAL YEAR TO DATE PAYABLES FROM BAC & CCC		\$5,167,863.31
TOTAL BALANCE AT COUNTY OF CONTRA COSTA		\$5,249,957.96
TOTAL BALANCE IN TOWN OF DISCOVERY BAY CSD BAC		\$110,891.55
TOTAL HELD FOR RESERVES		(\$3,000,000.00)
SUBTOTAL		\$2,360,849.51
TOTAL BALANCE OF ENCUMBRANCES		(\$389,513.28)
GRAND TOTAL FUNDS LESS RESERVES & ENCUMBRANCES		\$1,971,336.23

Detail List of Encumbrances

WWTP#1	Wetlands Trial Project	(\$169,486.00)
Parkson	Thermo System Moles for Bio-Solids	(\$12,642.50)
Stantec	Wastewater Master Plan (Ecologic)	(\$70,552.38)
LSCB	Water Master Plan	(\$31,642.40)
Vaughn	Pump for WWTP #1 Influent	(\$30,125.00)
Caselle	Programs to replace Quickbooks	(\$10,165.00)
Herwit Eng.	Bio-solids Dewatering	(\$64,900.00)
	Total	(\$389,513.28)



Town of Discovery Bay CSD

AGENDA REPORT

Meeting Date

September 7, 2011

Prepared By: Rick Howard, General Manager
Submitted By: Rick Howard, General Manager

Agenda Title

First Amendment to the Site Lease with Option Period for the T-Mobile Cellular Tower at Slifer Park

Recommended Action

Authorize the Board President to execute the First Amendment to the Site Lease with Option between the District and T-Mobile West Corporation for a Cellular Tower at Slifer Park.

Executive Summary

On November 3, 2010, the Board authorized a Site Lease with Options agreement between the District and T-Mobile West Corporation for the establishment of a cellular tower on District owned property at Slifer Park. The site lease was fully executed by all parties on December 9, 2010. Pursuant to the terms of the Site Lease With Option, T-Mobile had nine (9) months from the date of execution of the agreement to pull building permits for the project. On June 2, 2011 staff was notified by email that the project has been placed on hold pending the outcome of the proposed corporate merger between AT&T and T-Mobile.

Staff has been in contact with T-Mobile who would like to extend the initial Option Period of nine (9) months by additional twelve (12) months, plus an option, at the Districts discretion, for an additional twelve (12) months thereafter. The reason for the request for the extension is to allow T-Mobile flexibility while progressing through the proposed merger with AT&T.

As consideration for the District in approving the First Amendment to the Site Lease with Option Period T-Mobile will pay the District \$2,500 for each option period in order to protect their lease rights pursuant to the terms of the original agreement.

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

November 3, 2010 Board Action

Attachments

First Amendment to the Site Lease with Option
November 3, 2010 Board Agenda Report

AGENDA ITEM: F-1

FIRST AMENDMENT TO SITE LEASE WITH OPTION AGREEMENT

This First Amendment to the Site Lease with Option Agreement ("First Amendment") between Discovery Bay Community Services District, also known as Town of Discovery Bay, a Community Services District ("Landlord"), and T-Mobile West Corporation, a Delaware corporation ("Tenant") is dated as of the 9TH day of September, 2011.

RECITALS

A. Landlord and Tenant entered into that certain Site Lease with Option Agreement, fully executed December 9, 2010 (the "Agreement") whereby Tenant leases a portion of the real property owned by Landlord and commonly referred to as being located at the corner of Newport Drive and Slifer Drive in Discovery Bay, CA 94505 as more particularly set forth in the Agreement.

B. Landlord and Tenant desire to enter into this First Amendment in order to add additional Option Periods.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Section 1(a) of the Agreement entitled "Option to Lease" is hereby amended to include the following language at the end of that provision which is incorporated therein by this reference as follows:

In consideration of the payment of two thousand five hundred and no/100 dollars (\$2,500.00) (the "Extended Option Fee") by Tenant to Landlord, Landlord hereby grants to Tenant an extension of the Option Period on the same terms and conditions set forth in the Agreement for an additional term of twelve (12) months, commencing on September 9, 2011. The Option Period may also be further extended by mutual agreement of the parties for an additional twelve (12) months upon written acknowledgement between Landlord and Tenant and payment of the sum of two thousand five hundred and no/100 dollars (\$2,500.00) ("Final Option Fee") at any time prior to the end of the Option Period.

2. The parties agree that, except as set forth in this First Amendment, there are no other modifications or amendments to the Agreement, and that the Agreement remains in full force and effect in accordance with the terms as conditions set forth herein.

3. Capitalized terms contained herein, unless otherwise defined, are intended to have the same meaning and effect as that set forth in the Agreement.

4. Landlord represents and warrants to Tenant that the consent or approval of no third party, including, without limitation, a lender, is required with respect to the execution of this First Amendment, or if any such third party consent or approval is required, Landlord has obtained any and all such consents or approvals.

5. The persons who have executed this First Amendment represent and warrant that they are duly authorized to execute this First Amendment in their individual or representative capacity as indicated.

6. This First Amendment may be executed in any number of counterpart copies, each of which shall be deemed an original, but all of which together shall constitute a single instrument.

IN WITNESS WHEREOF, the parties have caused this First Amendment to be executed as of the date first above written.

**LANDLORD: Town of Discovery Bay Community
Services District**

**TENANT: T-Mobile West Corporation,
a Delaware corporation**

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

By: _____

Name: _____

Title: _____

Date: _____

EXHIBIT A

Legal Description

The Property is legally described as follows:

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF CONTRA COSTA, UNINCORPORATED AREA, AND IS DESCRIBED AS FOLLOWS:

BEING A PORTION OF PARCEL "D", AS SAID PARCEL IS SHOWN AND SO DESIGNATED ON THE OFFICIAL MAP OF SUBDIVISION 7686, RECORDED MARCH, 23, 2000, IN BOOK 418 OF MAPS AT PAGE 26, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERN CORNER OF SAID PARCEL;

THENCE FROM SAID POINT OF BEGINNING, ALONG THE WESTERN LINE OF SAID PARCEL, THE FOLLOWING TWO COURSES:

1) NORTH 44 DEGREES 28'44" WEST 12.010 METERS, AND

2) ALONG THE ARC OF A TANGENT 169.600 METER RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 01 DEGREES 07'40", AN ARC DISTANCE OF 3.339 METERS;

THENCE LEAVING SAID WESTERN LINE, NORTH 44 DEGREES 41'00" EAST, 9.681 METERS;

THENCE, NORTH 45 DEGREES 19'00" WEST, 3.100 METERS;

THENCE, NORTH 44 DEGREES 41'00" EAST, 12.121 METERS;

THENCE, SOUTH 45 DEGREES 19'00" EAST, 14.179 METERS;

THENCE, SOUTH 44 DEGREES 41'00" WEST, 5.486 METERS;

THENCE, SOUTH 45 DEGREES 19'00" EAST 10.323 METERS TO A POINT ON THE EASTERN LINE OF SAID PARCEL.

A.P.N. 011-350-012



Town of Discovery Bay CSD

AGENDA REPORT

Meeting Date

November 3, 2010

Prepared By: Rick Howard, General Manager
Submitted By: Rick Howard, General Manager

Agenda Title

Lease agreement between T-Mobile West Corporation and the Town of Discovery Bay, a Community Services District, for the placement of a cellular antenna to be located at the Newport Lift Station, adjacent to Slifer Park.

Recommended Action

Approve lease agreement between T-Mobile West Corporation and the Town of Discovery Bay, a Community Services District, for the placement of a cellular antenna to be located at the Newport Lift Station, adjacent to Slifer Park and authorize the President of the Board to execute all associated lease documents.

Executive Summary

Staff has been working with T-Mobile West Corporation for the placement of a cellular antenna to be located on District owned property at the Newport Lift Station adjacent to Slifer Park.

The antenna will be a mono-palm antenna, disguised to resemble a palm tree. The antenna height will be approximately 70'. All associated transmission, electrical, and equipment cabinets will be enclosed within the confines of the Newport Lift Station. The initial term of the lease is five (5) years. There are five (5) renewal terms, with each renewal term set at five (5) years, for a maximum total lease term of thirty (30) years. T-Mobile will pay the District \$2,000 per month during the initial lease period. The rent will increase by 4% each year of the term. The total amount the District will receive if the lease continues to the thirty year termination period will be approximately \$1,400,000.

As a part of this agreement, the District will be permitted the opportunity to place an antenna on the tower at no cost to the District for District use. Additionally, if T-Mobile obtains a co-locatable mobile carrier to lease the facility from them, the District can also lease ground space to accommodate the associated electrical and mechanical boxes necessary.

All associated documents relating to site plans and specifications are attached as a part of this report. Staff is in the process of working with T-Mobile West to finalize the terms of the agreement. Once the agreement has been finalized, it will be distributed to the Board and made a part of the public record.

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

This item has been before the Board on the following occasions:

July 1, 2009, February 3, 2010, March 17, 2010, April 21, 2010, May 5, 2010 and October 6, 2010

Attachments

1. Lease agreement between T-Mobile West Corporation and the Town of Discovery Bay, a Community Services District, for the placement of a cellular antenna to be located at the Newport Lift Station, adjacent to Slifer Park.
2. Associated Site Plans
3. County Authorization and Conditions of Approval

COPY

AGENDA ITEM: E-1



Town of Discovery Bay CSD

AGENDA REPORT

Meeting Date

September 7, 2011

Prepared By: Rick Howard, General Manager
Submitted By: Rick Howard, General Manager

Agenda Title

Service Connections, Capacity Charges, and other related fees associated with the Town of Discovery Bay's Water and Wastewater systems.

Recommended Action

Discussion and possible recommendations affecting Service Connections, Capacity Charges, and other related fees associated with the Town of Discovery Bay's Water and Wastewater systems.

Executive Summary

As the Board is aware, the District is in the process of finalizing the Water and Wastewater Master Plans that include a ten (10) year outlook for capital facilities necessary to meet existing demand and projected planned growth.

On February 18, 2004, the Board adopted Resolution 2004-03 establishing capacity charges for water and wastewater services. In anticipation of the master plans nearing completion, it is recommended that the previously approved charges be reviewed and possibly adjusted based upon the capital improvements included as a part of the ten (10) year forecast included in the water and wastewater master plans. At this time, the water master plan is essentially complete, while the wastewater master plan is going through its final review prior to its completion.

Staff is seeking Board input and would like to discuss possible methods of updating the service connections, capacity charges, and other related fees as necessary.

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

February 18, 2004 – Resolution No. 2004-03

Attachments

Resolution 2004-03; Most recent updated fee schedules.

AGENDA ITEM: F-2

File Copy



**TOWN OF DISCOVERY BAY
RESOLUTION NO. 2004-03**

COPY

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
ESTABLISHING CAPACITY CHARGES FOR WATER AND
WASTEWATER SERVICE**

WHEREAS, the Town of Discovery Bay ("Town") has identified new facilities to be constructed in the future to provide continued water and wastewater service within the existing Town service area as identified in the attached Exhibit "A" entitled "Explanation of Projects for Capacity Charges" incorporated herein by reference (identified herein after as "New Facilities");

WHEREAS, the total estimated reasonable cost of constructing the New Facilities to provide the continued water and wastewater service is six million six hundred thousand dollars (\$6,600,000);

WHEREAS, the Town prepared a report entitled "Basis of Capacity Fee" attached hereto as Exhibit "B" and incorporated herein by reference proposing a capacity charge for wastewater and water service for facilities in existence at the time the charge is proposed and for the New Facilities to be constructed in the future;

WHEREAS, the Town prepared the necessary reports and notices to adopt a capacity charge in compliance Government Code section 66016, including notice to any interested party who filed a written request for notice of meetings of new or increased fees or service charges;

WHEREAS, a properly noticed public hearing was held by the Town on February 18, 2004, in which oral and written presentations could be made to the Town regarding the proposed capacity charge;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Board finds and declares that the above recitals are true and correct and incorporated herein.
2. The Board hereby adopts pursuant to Government Code section 66013 a capacity charge to apply to (1) all new water permits requesting service from the Town in the amount of two hundred ninety-seven dollars (\$297.00) and (2) all new wastewater permits requesting service from the

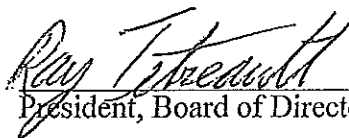
Town in the amount of two thousand seven hundred eighty-nine dollars (\$2,789.00). Said capacity charge shall be due and payable to the Town upon submitting a permit application to the Town for water and wastewater service.

3. The Board finds and declares the adoption of the capacity charge is exempt from the California Environmental Quality Act (CEQA) pursuant to section 15273(a)(4) of Title 14 of the Code of California Regulations and directs the General Manager to file a Notice of Exemption.
4. The General Manager and Attorney of the Town are hereby authorized and directed to make such filings and reports as may be required to carry out the intent of this Resolution.
5. This Resolution shall be effective immediately.

PASSED AND ADOPTED by the Board of Directors of the Town of Discovery Bay, at their regular meeting thereof, held on February 18, 2004, by the following vote:

AYES: 5
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

RAY TETREAULT



President, Board of Directors

ATTEST:



Secretary, Board of Directors

**TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT
FEE SCHEDULE 2009**

ITEM	FEE					
1 Plan Check Fee						
A. Initial	\$250.00					
B. Each Additional	\$50.00					
2 Inspection Fee						
A. Permit Fee	\$50.00					
B. Sanitary Sewer Systems						
1. Lateral Sewer (Main to property line)	\$160.00					
2. House Sewer (Property line to house)	\$160.00					
3. Trunk & Main Sewer						
a. Installation						
i. Minimum (For up to 300 feet)	\$450.00					
ii. Per foot (Over 300 feet)	\$0.50					
b. T.V. Inspection						
i. Minimum (For up to 300 feet)	\$350.00					
ii. Per foot (Over 300 feet)	\$0.65					
c. Facilities not included above	T&M					
C. Water Systems						
1. Service Connections (Main to meter box)	\$160.00					
2. House Connection (Meter box to house)	\$160.00					
3. Mainline						
a. Installation						
i. Minimum (For up to 300 feet)	\$450.00					
ii. Per foot (Over 300 feet)	\$0.50					
4. Facilities not included above	T&M					
3 Connection Fees						
A. Wastewater Connection	\$100.00					
B. Water	\$100.00					
4 Capacity Fees						
A. Wastewater	\$2,789.00					
B. Water	\$297.00					
5 Usage Fee / Charges (Water) for						
	2003/04	2004/05/06	2006/07	2007/08	2008/09	2009/10
A. Under 5,000 sq. ft. / parcel	\$161.52	\$183.48	\$187.14	\$192.75	\$198.54	\$204.72
B. 5,000-10,000 sq. ft.	\$204.72	\$232.20	\$236.84	\$243.96	\$251.28	\$259.08
C. 10,001-15,000 sq. ft.	\$248.04	\$280.92	\$286.54	\$295.14	\$304.00	\$313.44
D. Over 15,000 sq. ft. per 1,000 sq. ft.	\$14.40	\$16.20	\$16.52	\$17.01	\$17.52	\$18.12
6 Usage Fee / Charges (Sewer) for						
	2003/04	2004/05/06	2006/07	2007/08	2008/09	2009/10
A. Multiple Family / Condos	\$266.04	\$328.92	\$335.50	\$345.57	\$355.94	\$366.96
B. Single Family	\$354.84	\$438.60	\$447.38	\$460.80	\$474.62	\$489.36
7 Meter Usage Charge (Water) for						
	2003/04	2004/05/06	2006/07	2007/08	2008/09	2009/10
A. Rate per CCF	\$0.655	\$0.738	\$0.752	\$0.774	\$0.797	\$0.822
B. Plus per month fire protection	\$2.64	\$3.12	\$3.18	\$3.27	\$3.37	\$3.47
8 Basic Wastewater Rate for						
	2003/04	2004/05/06	2006/07	2007/08	2008/09	2009/10
A. Bus/Gov/Club-per CCF of water	\$2.158	\$2.668	\$2.721	\$2.802	\$2.886	\$2.975
B. Restaurant/Bar/Dining Fac.	\$6.116	\$7.563	\$7.714	\$7.945	\$8.183	\$8.437
C. Schools	\$1.943	\$2.402	\$2.450	\$2.523	\$2.599	\$2.680
D. Other Domestic Strength Users	\$2.158	\$2.668	\$2.721	\$2.802	\$2.886	\$2.975
9 Reimbursement Fee (Hofmann) **						
	2003/04	2004/05/06	2006/07	2007/08	2008/09	2009/10
A. For Wastewater	\$7,315.00	\$7,315.00	\$7,886.68	\$7,886.68	\$7,886.68	\$7,886.68
B. For Sewage Force Mains & Lift Stations	\$1,269.00	\$1,269.00	\$3,011.43	\$3,011.43	\$3,011.43	\$3,011.43
C. For Water	\$1,771.00	\$1,771.00	\$1,862.41	\$1,862.41	\$1,862.41	\$1,862.41

****This does not apply to all parcels within Discovery Bay**



Town of Discovery Bay CSD

AGENDA REPORT

Meeting Date

September 7, 2011

Prepared By: Rick Howard, General Manager
Submitted By: Rick Howard, General Manager *RH*

Agenda Title

Proposed Changes to the Town of Discovery Bay's Bylaws and Board Policy

Recommended Action

Provide input and comments, as necessary

Executive Summary

The Board has adopted a number of Resolutions over that past year that has also triggered changes to the Bylaws and Board Policy of the Town of Discovery Bay. The proposed changes to the Bylaws and Board Policy (attached) bring those documents into conformity with previous actions taken by the Board.

Additionally, staff and the District's legal counsel have reviewed both documents and recommend a variety of proposed changes within the documents in order to maintain consistency between the documents.

At this time, staff is seeking Board input and direction. Once that input is obtained, staff will return with the final documents for final approval and adoption of appropriate Resolution(s) to implement the recommended changes.

Both documents identify the recommended changes using strikeout/underline for ease in identifying the recommended changes.

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

Attachments

Proposed Board Policy of the Town of Discovery Bay; Proposed Bylaws of the Town of Discovery Bay

AGENDA ITEM: F-3

REVISED AMENDED

BYLAWS

OF THE

TOWN OF DISCOVERY BAY

DRAFT

Revised Amended April 20, 2011 September 7, 2011

REVISED-AMENDED 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 ~~Government Code~~ Community Services District Law section § 61400 et seq. ~~(Community Services District Law) 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 staggered terms. ~~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~~ During elections every two (2) years, either two (2) or three (3) Directors are elected to serve to the District for the next four (4) years.

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 to exceed Six Hundred Dollars (\$600) per month as provided in Community Services District Law Government Code section §61047. 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 consistent with the Reimbursement and Travel Policy.

Section 3. Vacancies.

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

Section 4. Resignation.

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

ARTICLE IV

OFFICERS

Section 1. Elected Officers.

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

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, and have authority to call for short recesses during meetings unless a majority of the Directors by vote oppose a recess.
- ~~2.~~ Cooperatively work with the General Manager/Board Secretary on the preparation of CSD Meeting Agendas and its contents.
- ~~3.2.~~ Shall serve as official spokesperson for the Board.
- ~~4.3.~~ Shall appoint such committees and other working groups as prescribed by the Board.
- ~~5.4.~~ Shall designate Directors or others to represent the Board at various meetings, hearings, and conferences.
- ~~6.5.~~ Shall ~~May~~ co-sign all checks for warrants drawn by the Treasurer and approved by the Board.
- ~~7.6.~~ Shall perform such other duties as necessary to carry out the work of the Board.
- ~~8.7.~~ Shall perform such duties as prescribed by law.

B. Vice-President.

1. Shall serve in the absence of the President.

C. Board Treasurer/President Pro-Tempore.

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 serve in the absence of the President and the Vice President.

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 Board 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 Board Treasurer, another Director shall be designated by the Board as a temporary Board Treasurer, and he or she shall perform the duties of Board Treasurer in the Board 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. Pursuant to ~~Government Code~~ Government Code Community Services District Law section §61050(b), the treasurer of the County of Contra Costa shall serve as the District Treasurer, and shall be the depository and have the custody of all of the district's money except those pre-existing accounts that were authorized under the Community Services District laws in effect prior to January 1, 2006.

C. 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~~ Perform 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. E.~~ 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. F.~~ Establish regular office hours and ensure that there is at least one (1) person in the office during those hours.
- ~~H. G.~~ 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.
- D. All motions made at Board meetings shall require a second to the motion prior to the Directors voting.

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~~ Government Code-Community Services District Law section §61045, the affirmative votes of three (3) members of the Board are required for action to be taken.

Section 3. Voting.

- A. Voting shall only be conducted at proper noticed meeting where a quorum has been established and members are physically present.
- B. Voting shall be by voice, show of hands, or roll call vote.

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~~ Vice President, or by the President Pro-Tempore ~~Treasurer~~, and one other Director, or, in the absence of the ~~Treasurer~~ relected officers, any two (2) Directors.

Section 2. Contracts.

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

Section 3. Reports.

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

ARTICLE VIII

PARLIAMENTARY AUTHORITY

Rosenberg's ~~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 resolution and the affirmative vote of the majority at least three (3) members 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 be in compliance with the Ralph M. Brown Act, as amended.



DRAFT

BOARD POLICY
OF THE
TOWN OF DISCOVERY BAY

Approved September 7, 2011



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 staggered terms. During the elections every two (2) years, either two (2) or three (3) Directors are elected to serve the District for the next four (4) years.

Yearly the Board of Directors elects a President, Vice-President and Treasurer. President Pro-Tempore. 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 of the President's absence, the Vice-President performs said duties. In the event of the President and Vice-President's absence, the President Pro-Tempore 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 ~~shall~~ will be noticed ~~and in accordance with~~ the Ralph M Brown Act of 19593, as amended.

The parliamentary procedure for conducting all meetings will be ~~"The New Robert's Rules of Rosenberg's Rules 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 or Designee may serve as staff support to a member of these committees.

~~In the discharge of their duties, Board members act as a Board and not as individuals. An individual director has no legal or moral right to speak for the Board, unless specifically authorized to do so by action of the Board. the Board of Directors must comply with all legal and moral laws and are required to receive Ethics training pursuant to AB1234.~~

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 property delegate to him or her the authority and responsibility to execute its' policies, enforce its rules and regulations, and administer the facilities, programs, and services of the District. Provide the General Manager with the necessary personnel and resources to carry out his or her responsibilities.
2. To adopt a District budget that provides the best possible facilities, programs, and services, within the limits of fiscal responsibility, to the people of the District.
3. To adopt a comprehensive set of Board policies and administrative procedures to govern the operation of the District. These policies and procedures shall be amended and revised as appropriate and shall be compiled and published in a Board Policies Manualies 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 District 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 District and the Board.
7. Attend meetings with promptness and regularity.
8. Elect officers and confirm standing and ad hoc committee members and District representatives to external agencies.
9. Initiate, review and approve plans that will satisfy future requirements, including a long-range plan (five (5) to ten (10) years).
10. Review and act upon plans and recommendations submitted by the Board committees and the General Manager. This action includes adoption, rejection, amendment or return to committee.
- ~~11. 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.~~
11. the California Ralph M. Brown Act of 1953, as amended.
12. Single Board members will not represent the whole of the Board in other open or closed meetings without prior sanction by a the 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 Officers of the District shall:
 - a. Represent his or her position as that of the Board unless the Board has acted upon that position.
 - b. Make unsolicited statements to anyone other than the Board during Board deliberations.
 - c. Issue any writings or statements to the press or public without clearly distinguishing which statements are his or her own and which are established Board positions. (Any writing not previously approved by the Board shall be on personal stationary 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 Closed or Executive Executive Session agenda items.
- g. Contact the General Manager all prior to meeting for more information, if needed.

C. ADDITIONAL RESPONSIBILITIES OF THE BOARD MEMBERS

1. Orientation of Board Members

- a. The Board of Directors recognizes its responsibility in helping and assisting a newly elected or appointed Board member to understand the operation of the District as well as the roles and responsibilities of a member of the Board. The Board and General Manager shall assist each new member-elect to understand the Board functions, policies, procedures, roles, duties and responsibilities of members of the Board. The following methods shall be employed:

b. The new member shall be given selected material on the duties and responsibilities associated with Board membership. These materials shall include, but are not limited to: The Government Code dealing with Community Services Districts, the Ralph M. Brown Act, the California Public Records Act, the Board Policies and Administrative Regulations Manual, and 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.

~~e. 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.c.~~ As soon as practical after the new Board member assumes office, an orientation meeting with General Manager will be held prior to the first Board meeting to acquaint the new member with details of District operations.

~~e.d.~~ The incoming member ~~may~~ 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. Shall preside at all meetings of the board and such other meetings approved by the Board, and have authority to call for short recesses during meetings unless a majority of the Directors by vote oppose a recess.

2. Cooperatively work with the General Manager/Board Secretary and Staff on the preparation of CSD Meeting Agendas and its contents.

3. Shall serve as official spokesperson for the Board.

4. Shall appoint such committees and other working groups as prescribed by the Board.

5. Shall designate Directors or others to represent the Board at various meetings, hearings, and conferences.

6. May co-sign all checks for warrants approved by the Board.

7. Shall perform such other duties as necessary to carry out the work of the Board.

8. Shall perform such duties as prescribed by law.—

~~1. Preside at all meetings of the Board whenever present.~~

- ~~2. Maintain order and decorum.~~
- ~~3. Appoint standing and ad hoc committee members as 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. Shall serve in the absence of the 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 ~~President Pro Tempore~~ Treasurer

1. Shall serve in the absence of the President and the Vice-President.

- ~~1. Serve as Chairperson of the Finance/Budget Committee.~~
- ~~2. Enforce all 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.



Town of Discovery Bay CSD

AGENDA REPORT

Meeting Date

September 07, 2011

Prepared By: Virgil Koehne, Water & Wastewater Manager
Submitted By: Rick Howard, General Manager

Agenda Title

Deferred Annexation Agreement between Wayne & Anita Farnholz and the Town of Discovery Bay CSD to provide sanitary sewer services through an Out-of-Agency Services Agreement.

Recommended Action

Approve Deferred Annexation Agreement between Wayne & Anita Farnholz (APN 011-200-038) and the Town of Discovery Bay CSD to provide sanitary sewer services through an Out-of-Agency Services Agreement.

Executive Summary

Mr. & Mrs. Farnholz own a home at 14021 Highway 4, Byron, California, across from the Centex Development. On February 16, 2011 the Board adopted Resolution No. 2011-03, an application of the Town of Discovery Bay Community Services District to the Contra Costa Local Agency Formation Commission for the provision of an Out-of-Agency Services Agreement to the Farnholz property.

The onsite septic system is failing and in best interest of the public's Health, Safety and Welfare, it is necessary to connect to a sewage treatment system. Since the property is located just outside of the District's service boundary, the applicants have requested that the District provide them with wastewater services only, which can only be accomplished through LAFCo approval with an Out-of-Agency Service Agreement. As part of this Out-of-Agency Service Agreement, LAFCo would like to see a fully executed Deferred Annexation Agreement signed by both parties, before they (LAFCo) approve the Out-of-Agency Services Agreement. Discovery Bay is the closest sanitary system.

There is precedence in this area, as District has entered into Out-Of-Agency Services Agreements in the past.

All associated costs will be borne by the property owner.

Fiscal Impact:

Amount Requested \$ None at this time
Sufficient Budgeted Funds Available?: N/A (If no, see attached fiscal analysis)
Prog/Fund# Category: Pers. Optg. Cap. -or- CIP# Fund#

Previous Relevant Board Actions for This Item

February 16, 2011: Adoption of Resolution 2011-03

Attachments

Deferred Annexation Agreement
February 16, 2011 Agenda Report w/Attachments

AGENDA ITEM: F-4

RECORDED AT THE REQUEST OF:

Town of Discovery Bay Community Services District

WHEN RECORDED MAIL TO:

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

DEFERRED ANNEXATION AGREEMENT

This Agreement is made and entered into on September 07, 2011 by and between **Wayne & Anita Farnholz ("Owner")**, and the **Town of Discovery Bay Community Services District ("District")**, affecting the following described real property:

All that real property situated in the County of Contra Costa, State of California, commonly referred to as **APN 011-200-038** and more particularly described in Exhibit "A", attached hereto and incorporated herein (hereinafter "subject property"),

In consideration of the District agreeing to extend wastewater service to said real property prior to said property being annexed to District, owner covenants and agrees as follows:

1. Owner covenants and consents to annex said real property to the District when the District's Board, at its sole discretion, determines that such annexation shall be made. Owner waives all right of protest to said annexation, and further assigns to the District all protest rights and the right to vote on said annexation. Owner further authorizes the District to commence annexation proceedings in owner's name.
2. Following approval by LAFCo of such petition, and upon the District instituting the necessary public hearing pursuant to Government Code Section 57000, et. seq., owner and its successors in interest will support such annexation and refrain from protesting such annexation.
3. This covenant and agreement shall bind the present and future owners of the described real property, and shall run with the land in favor of District.
4. In the event of any default of any covenant or agreement contained herein, District may pursue any action in law or equity to enforce owner's covenants, including having the described real property sold to satisfy the covenants and agreements hereby secured.
5. This agreement shall be subordinate to, and shall not defeat or render invalid, any deed of trust or mortgage, made in good faith and for value.
6. That Owner hereby agrees to indemnify, defend, release and save harmless the Town of Discovery Bay CSD against any and all past and future claims, demands, causes of actions, damages, losses and liabilities ("liabilities"), including court costs

and attorney's fees, arising out of, or in any way connected with, the failure of District to previously supply wastewater service to the subject property, as may be incurred or may occur as a result of any claim made by any person, including the owner, its heirs, successors or predecessors in interest or assignees, including but not limited to liabilities based upon inverse condemnation and/or interference with prospective economic advantage, and irrespective of District's active or passive negligence. The parties expressly agree that no public interest or public policy is implicated or involved in the matters for which this indemnification agreement is entered into and that this agreement is not void or voidable under California Code of Civil Procedure Section 1668, and the parties waive all rights or protections provided under said Civil Code Section 1668.

Dated:

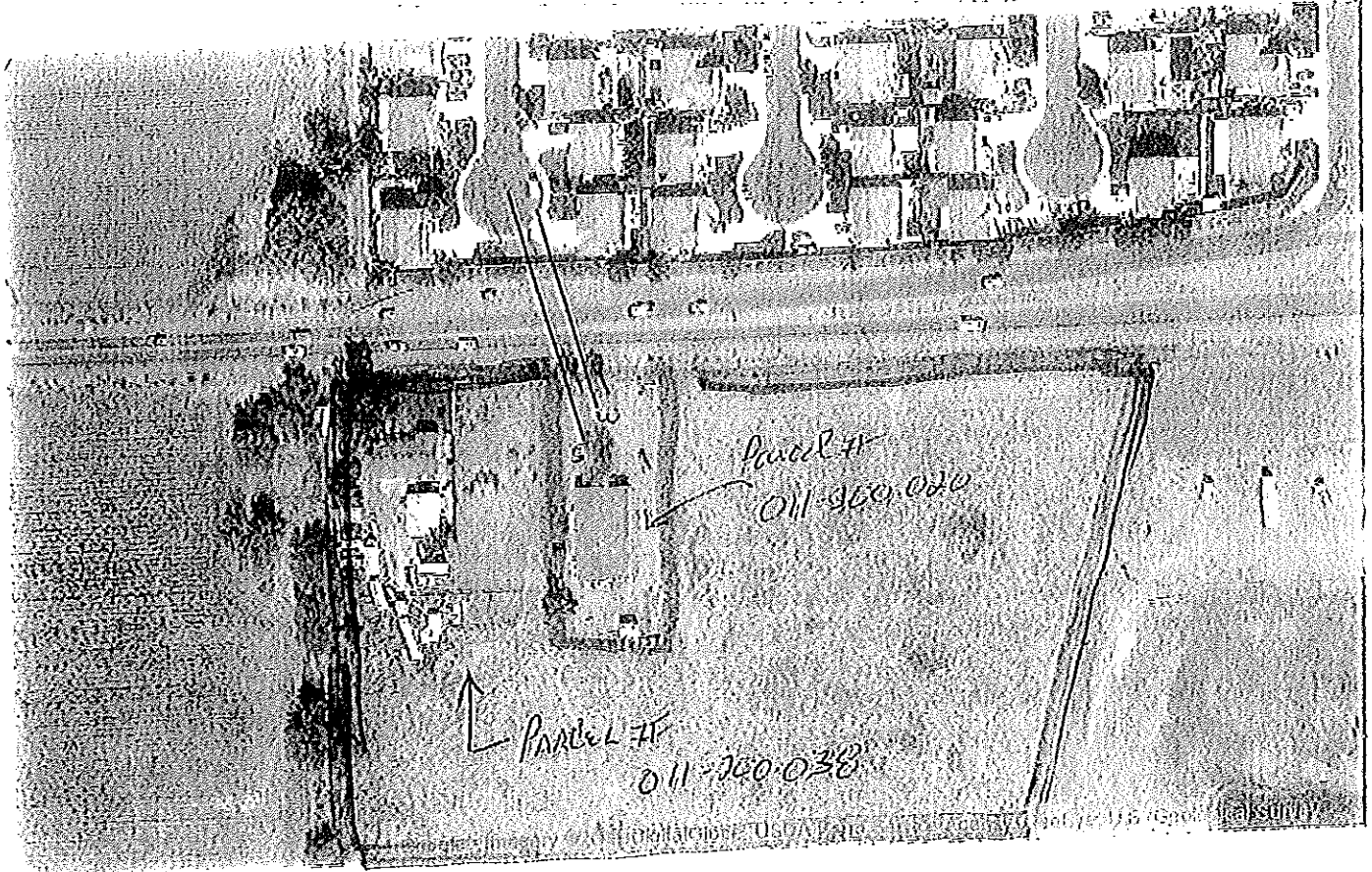
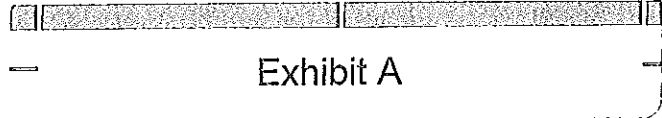
TOWN OF DISCOVERY BAY CSD

PROPERTY OWNER

By _____

To see all the details that are visible on the screen, use the "Print" link next to the map.

Google maps



Parcel 011-700-030 received LAFCO approval in 2004 for T.O.D.B. to provide water & wastewater services.

Parcel 011-700-038 is seeking LAFCO approval for wastewater services from T.O.D.B.



Town of Discovery Bay CSD

AGENDA REPORT

Meeting Date

February 16, 2011

Prepared By: Virgil Koehne, Water and Wastewater Manager
Submitted By: Rick Howard, General Manager

Agenda Title

Application and Adoption of Resolution 2011-03 for an Out-of-Agency Service Agreement - Farnholz

Recommended Action

Adopt Resolution 2011-03 to the Contra Costa Local Agency Formation Commission for the Provision of Out-of-Agency Service to the Farnholz property located at 14021 Highway 4, Byron California

Executive Summary

This application is a request by the owner of real property located at 14021 Highway 4, Byron, California (APN 011-200-038) for an Out-of-Agency Agreement to obtain water and wastewater services from the Town of Discovery Bay CSD to service their property. The parcel in question is located on the south side of Highway 4, approximately 1/2 mile west of Bixler Road.

The parcel owner contacted the District through an application process with the Contra Costa Local Agency Formation Commission. The onsite septic system is failing and it is necessary to connect to a sewage treatment system. Discovery Bay is the closest system.

There is precedence in this area, as the District has entered into an Out-of-Agency Service Agreement in the past.

All associated costs will be borne by the property owner.

Fiscal Impact:

Amount Requested \$N/A

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

Resolution 2011-03
Out-of-Agency Service Agreement
Site Map

COPY

AGENDA ITEM: E-3



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2011-03.**

**RESOLUTION OF APPLICATION OF THE TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT TO THE CONTRA COSTA
LOCAL AGENCY FORMATION COMMISSION FOR THE PROVISION OF
OUT OF AGENCY SERVICES TO THE FARNHOLZ PROPERTY**

WHEREAS, the Town of Discovery Bay Community Services District desires to provide out of agency services to the Farnholz property because of a failing septic system;

NOW, THEREFORE, the Town of Discovery Bay Community Services District does hereby resolve and order as follows:

1. This proposal is made, and it is requested that proceedings be taken, pursuant to the out of agency services provisions of the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, found in Section 56133 of the California Government Code.
2. This proposal is to provide out of agency services consisting of water and wastewater services to property owned by Wayne & Anita Farnholz located at 14021 Highway 4, Byron, California 94514, identified as Assessor's Parcel Number 011-200-038.
3. A map of the affected territory is set forth in Exhibit A, attached hereto and by reference incorporated herein.
4. It is desired that the proposal be subject to the following terms and conditions:
 - 4.1. The landowner shall enter into a contract with the District.
 - 4.2. The landowner shall be subject to all the rules, regulations and ordinances of the District.

5. The reason for the proposal is that the septic system on the subject property is failing.

6. The proposal is not consistent with the Sphere of Influence of the District. The District is requesting permission to provide out of agency services beyond its Sphere because of a threat to the public health of the residents of the affected property due to a failing septic system.

7. The proposal is exempt from the California Environmental Quality Act as a Class 1 Exemption because the proposal is to provide water and wastewater services to existing structures without an expansion in use.

PASSED, APPROVED AND ADOPTED THIS 16TH DAY OF FEBRUARY, 2011.

J. Kevin Graves
Board President

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Town of Discovery Bay Community Services District at a regularly scheduled meeting, held on February 16, 2011 by the following vote of the Board:

AYES:
NOES:
ABSENT:
ABSTAIN:

Richard J. Howard
Board Secretary

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

Application for Out-of-Agency Service Agreement (Attach additional sheets as necessary)

1. City or District Town of Discovery Bay Community Services District
2. Affected Property - Location/size/parcel number:
14021 Highway 4, Byron, CA 94514/APN# 011-200-038
3. Provide a vicinity map showing the property, city or district boundary and sphere line and existing and proposed relevant infrastructure.

See Exhibit "A" Attached-Vicinity Map(s)
4. Property Owners – Name, address and telephone:
Wayne & Anita Farnholz, 954 Country Lane, Walnut Creek, CA 94596

Complete all relevant questions

5. What is the existing use of the site? Be specific.
Single family home
6. If a change in use is proposed, provide a description of the change.
No change in use
7. Is the property within the service agency's sphere of influence? NO
8. What types of services are to be provided under contract?
Water & wastewater services
9. Discuss the justification for the service agreement. Septic system is failing Is this an emergency health and safety situation? Why is annexation not possible at this time? Cost issue
10. Is annexation of the territory anticipated at some future time? No
If yes, when? If no, why not? Cost factor

Application for Out-of-Agency Service Agreement - Page two

11. Describe in detail how services will be extended to the property:

A. Describe needed improvements and distance for connections.

For Water:

a) The customer can either connect their new water service directly to an existing 1-1/2 service main under an existing approved "Out-of-Agency Service Agreement" (14051 Highway 4, Byron, Ca) which is right next door to this parcel.

b) Or they can have their own separate water service, which they would have to bore under Highway 4 and one sound wall to tap into an existing 8-inch water main, which belongs to the District.

The District would recommend option "a". Note a 5-foot wide by xx-feet long water service easement would need to be obtained from the existing neighbor's parcel and dedicated to the District to make this option viable.

For Wastewater:

a) The customer can connect their sewer lateral into an existing rather small pump station located on their next door neighbor's front yard, again approved by an "Out-of-Agency Service Agreement" (Bowman) which was installed under Highway 4.

b) Or they (parcel owner) can upgrade the existing pump station to a larger one.

c) Or this (parcel owner) could install a new small packaged pump station in their front yard and obtain a 5-foot wide by xx-feet long easement and install a "wye" connection to an existing 2-inch wide sewer discharge line located in their neighbor's yard, which is going under Highway 4.

d) Or the (parcel owner) could have a new separate 2-inch sewer discharge line installed under Highway 4 and one sound wall and tie-in to an existing sewer manhole.

The District would recommend option "c" and that both parcel owners (existing and new) share any future maintenance cost associated with maintaining the existing 2-inch PVC sewer discharge line, running under Highway 4.

B. What are the improvement costs and other start up costs?

All cost associated with what has been out-lined above would have to be borne by the new parcel owner.

- C. How will services be financed – Identify both capital and ongoing operations costs? To be financed by parcel owner
12. What environmental review has been conducted? None have been done at this time. It would depend on which option the new parcel owner would select to work with or chose. If exempt, please provide a copy of the agency's Notice of Exemption.
13. Attach a copy of the proposed services and pre-annexation agreement(s), and any staff reports or supporting documentation related to this application.
See Exhibit "B" Attached – Letter from Contra Costa Health Services

Who should be contacted if there are questions about this application?

<u>Name</u>	<u>Address</u>	<u>Phone</u>
Virgil Koehne	1800 Willow Lake Rd	925-634-1131

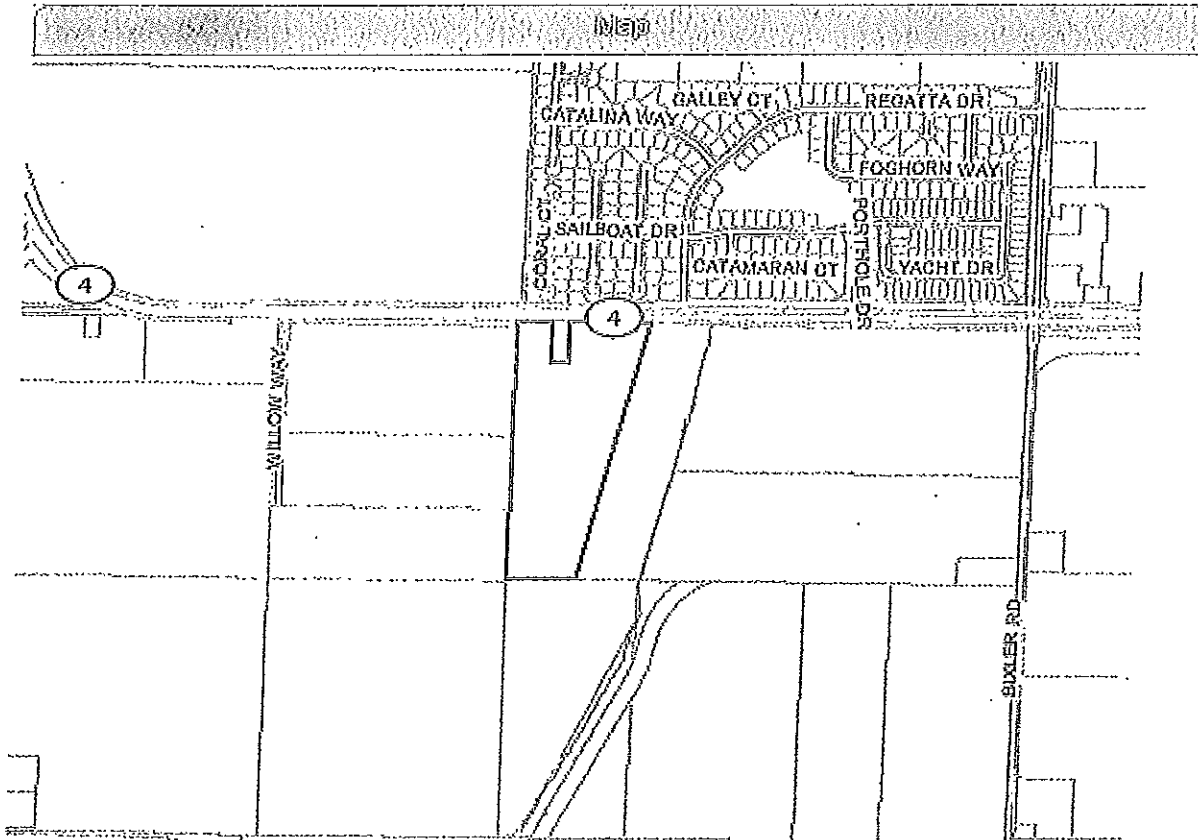
Signature _____

Date _____



Contra Costa County

California Mapping Information Center



WILLIAM B. WALKER, M.D.
HEALTH SERVICES DIRECTOR

SHERMAN L. QUINIAN, REHS, MPH
ENVIRONMENTAL HEALTH DIRECTOR



CONTRA COSTA
ENVIRONMENTAL HEALTH

2120 Diamond Blvd., Suite 200
Concord, California 94520
Ph (925) 692-2500
Fax (925) 692-2502
www.cceeh.org

CERTIFIED MAIL

July 23, 2010

Wayne C. and Anita Farnholtz
954 Country Ln
Walnut Creek, CA 94596-6143

RE: Improperly functioning sewage disposal system at 14021 State Highway 4, Byron
Assessor's Parcel Number: 011-200-038

Dear Mr. & Mrs. Farnholtz:

Inspection of the above-referenced property on July 22, 2010, revealed an improperly functioning sewage disposal system, (standing wastewater in excavation next to septic tank). This is a violation of Contra Costa County Ordinance Code, Section 420-6.303, the California Health and Safety Code Section 5411 and the Uniform Plumbing Code Sections 301 and 319. In accordance with the provisions of Contra Costa County Ordinance Code, Section 420-6.311 you, as owner of the property, are required to abate the condition immediately.

Due to the immediate health hazard and public nuisance created by this condition, you must attend to this matter in an expeditious manner. Contra Costa County Ordinance Code, Section 420-6.1002 requires that any person or firm engaged in the cleaning of septic tanks shall have a valid Public Health License to Operate issued by the Health Officer. In the event that septic system repairs or replacement is necessary to abate the above-described violation, obtain a septic system repair permit from Contra Costa Environmental Health prior to the commencement of any work.

Your prompt attention to the matter is required to avoid further enforcement action.

If you have any question, please contact me at 925- 692-2562, weekdays between 7:30 a.m. and 9:00 a.m.

Sincerely,

Salvador M. Ruiz, REHS
Environmental Health Specialist II

cc: Byron Sanitary District, 7995 Bruns Rd, Byron, CA 94514
Contra Costa County Building Department
Paul Chahin, Stephens Property Management, 1330 N. Broadway, Suite C, Walnut Creek, CA 94595

SR:ac





Town of Discovery Bay CSD

AGENDA REPORT

Meeting Date

September 7, 2011

Prepared By: Rick Howard, General Manager
Submitted By: Rick Howard, General Manager *RH*

Agenda Title

Purchase of WesTech CleanFlo Spiral Screen

Recommended Action

Authorize purchase of WesTech CleanFlo Spiral Screen in the amount of \$44,487.50 and authorize the General Manager to issue a purchase order and execute all contract documents.

Executive Summary

Influent pump screens are designed to filter out fibrous material and rags, as well as larger solid material ranging from hard organics to small rocks. Fibrous materials can plug pumps and bind rotating mechanical equipment, resulting in excessive maintenance to de-rag pumps and premature wear on the equipment. In addition, the Cleanflo Spiral Screen also washes organics out of the screenings and compacts the screenings to minimize odors and storage until the screenings are removed from the treatment plant, typically to a landfill.

The present screen is damaged and in need of repair. It is not feasible to remove the damaged screen and have it repaired and out of service for an extended period of time. The existing screen has been modified to allow it to remain in service for the foreseeable future, however, it is only a temporary fix and the screen requires replacement.

Once the new screen is installed, the existing screen will be repaired and utilized as a back up in the event one (1) of our two (2) screens needs to be repaired or replaced in the future.

Fiscal Impact:

Amount Requested \$44,487.50 (Tax Included)
Sufficient Budgeted Funds Available?: (If no, see attached fiscal analysis)
Prog/Fund # 7301 Category: Pers. Optg. X Cap. -or- CIP# Fund#

Previous Relevant Board Actions for This Item

N/A

Attachments

Proposal for Purchase of WesTech CleanFlo Spiral Screen.

AGENDA ITEM: F-5

WESTECH
an employee-owned company

Proposal For:
Discovery Bay WWTP

Equipment:
CleanFlo™ Spiral Screen In Channel

Represented By:
JBI Water & Wastewater Eqt., Inc.
Contact: Simon Morris
Phone: (916) 897-9033
Cell: (916) 642-5500
Fax: (916) 933-5573
simonmorris@jbiwater.com

Furnished By:
WesTech Engineering, Inc.
Salt Lake City, UT 84115
Contact: Mike Gltzendanner
Phone: (801) 265-1000
Fax: (801) 265-1080

WesTech Proposal: 1160062
August 31, 2011

WESTECH

ITEM: "A" - One (1) CleanFlo™ Spiral Screen In Channel Model No. FSI5

EACH UNIT FURNISHED COMPLETE BY WESTECH WITH THE FOLLOWING COMPONENTS:

BASIS OF DESIGN

Application:	Domestic Sewage Screening
Peak Design Flow:	6.2 MGD
Downstream Water Level:	16" @ peak flow
Clean Screen Headloss:	15"
Channel Width:	36"
Channel Depth:	64.69"
Screen Opening:	1/4"
Opening Type:	Perforated
Angle of Inclination:	35°

FINE SCREEN

- Semi-cylindrical screenings basket from type 304 stainless steel
- Conveyor tube with wear bars from type 304 stainless steel.
- Neoprene side seals fastened to basket to prevent bypass around the screen.
- Shaftless spiral screw from high strength alloy steel with protective primer coating and brushes attached in the basket area. Brushes are supplied in sections each covering 180° of the spiral and shall have nylon bristles molded into a plastic core and attached to the screw with stainless steel fasteners.
- Dual chambered dewatering and discharge zone from type 304 stainless steel with hinged access door.
- Plastic hose for drain connection to direct pressate back into the channel.
- Drive unit with 1.5 Hp motor suitable for 460/3/60 electrical supply.
- Dewatering zone drain flush spray system from type 304 stainless steel with ball valve.
- Basket mounted spray bar from type 304 stainless steel with ball valve.
- Transport tube spray manifolds from type 304 stainless steel with ball valves (x2).
- Continuous bagger assembly to collect dewatered screenings at discharge with refillable bag cassette.
- Side seal baffle plate extensions from type 304 stainless steel.

FINE SCREEN SUPPORTS

- A stand from type 304 stainless steel is supplied to support the fine screen unit. Support shall allow unit to be rotated out of the channel.
- Support will be customized to fit existing anchor points.

HARDWARE

- Assembly fasteners and anchor rods from type 18-8 stainless steel.

CONTROLS AND ELECTRICAL DEVICES

- Existing controls, solenoid valves, and level sensors to be reused.

WESTECH

SPARE PARTS

- None.

FIELD SERVICE

- One (1) trip(s) and one (1) day(s) for installation inspection, start up, and instruction of plant personnel.

CLARIFICATIONS/COMMENTS

- Unit anchorage designed around RedHead A7 adhesive system. Adhesive and applicator by others.
- The standard 1.5x length screen basket is 4" longer than the existing unit. Please confirm if the standard basket is acceptable, or if a duplicate customized 55" long basket is required,

OPTIONAL ITEMS

- None.

NOTE: ANY ITEM NOT LISTED ABOVE TO BE FURNISHED BY OTHERS:

ITEMS NOT BY WESTECH: Electrical wiring, conduit or electrical equipment, piping, valves, or fittings, shimming material, lubricating oil or grease, shop or field painting, field welding, erection, detail shop fabrication drawings, performance testing, unloading, storage, concrete work, hoist or lifting apparatus, grating, platforms, stairs, handrailing, or field service (except as specifically noted).

This proposal section has been reviewed for accuracy and is approved for issue:

By: Michael Gitzendanner Date: September 1, 2011



PRICING

ITEM EQUIPMENT	PRICE (U.S.)
"A" (1) CleanFlo™ Spiral Screen In Channel FSI5	\$41,097

We appreciate the opportunity to offer our equipment. Upon award of an order, we assure you of our continued interest and service. At WesTech we realize that only the best possible equipment will be accepted, and we trust we will exceed your expectations.

This proposal, including all terms and conditions contained herein, shall become part of any resulting contract or purchase order. Changes to any terms and conditions, including but not limited to submittal and shipment days, payment terms, and escalation clause shall be negotiated at order placement, otherwise the proposal terms and conditions contained herein shall apply.

The above mentioned equipment was designed according to the information which we received. The dimensions may vary slightly depending upon the plant's actual design parameters. Assumed values may have been used, therefore, all information shall be verified by the engineer.

Unless otherwise indicated, prices listed are for equipment only. All optional items will be offered with the purchase of the scoped equipment only. No optional items will be sold separately.

Prices are for a period not to exceed 30 days from date of proposal.

Terms: Terms are net 30 days from shipment with no retentions allowed.

Sales Tax: No sales taxes, use taxes, or duties have been included in our pricing.

Freight: Prices quoted are **F.O.B. shipping point** with freight allowed to a readily accessible location nearest to jobsite. All claims for damage or loss in shipment shall be initiated by purchaser.

Submittals: Shop drawing submittals will be made approximately **2 to 3 weeks** after purchase order is received in our office.

Shipment: Estimated shipment time is **14 to 18 weeks** after approved shop drawings are received in our office.

Field Service: Prices do not include field service unless noted in equipment description. Additional field service is available at \$960.00 per day plus expenses.

Paint: If your equipment has paint included in the price, please take note of the following. Primer paints are designed to provide only a minimal protection from the time of application (usually for a period not to exceed 30 days). Therefore, it is imperative that the finish coat be applied within 30 days of shipment on all shop primed surfaces. Without the protection of the final coatings, primer degradation may occur after this period, which in turn may require renewed surface preparation and coating. If it is impractical or impossible to coat primed surfaces within the suggested time frame, WesTech strongly recommends the supply of bare metal, with surface preparation and coating performed in the field. All field surface preparation, field paint, touch-up, and repair to shop painted surfaces are not by WesTech.

WESTECH

ONE YEAR WARRANTY

WesTech equipment is backed by WesTech's reputation as a quality manufacturer, and by many years of experience in the design of reliable equipment.

Equipment manufactured or sold by WesTech Engineering, Inc., once paid for in full, is backed by the following warranty:

For the benefit of the original user, WesTech warrants all new equipment manufactured by WesTech Engineering, Inc. to be free from defects in material and workmanship, and will replace or repair, F.O.B. its factories or other location designated by it, any part or parts returned to it which WesTech's examination shall show to have failed under normal use and service by the original user within one (1) year following initial start-up, or eighteen (18) months from shipment to the purchaser, whichever occurs first. Such repair or replacement shall be free of charge for all items except for those items such as resin, filter media and the like that are consumable and normally replaced during maintenance, with respect to which, repair or replacement shall be subject to a pro-rata charge based upon WesTech's estimate of the percentage of normal service life realized from the part. WesTech's obligation under this warranty is conditioned upon its receiving prompt notice of claimed defects, which shall in no event be later than thirty (30) days following expiration of the warranty period, and is limited to repair or replacement as aforesaid.

THIS WARRANTY IS EXPRESSLY MADE BY WESTECH AND ACCEPTED BY PURCHASER IN LIEU OF ALL OTHER WARRANTIES, INCLUDING WARRANTIES OF MERCHANTABILITY AND FITNESS FOR PARTICULAR PURPOSE, WHETHER WRITTEN, ORAL, EXPRESS, IMPLIED, OR STATUTORY. WESTECH NEITHER ASSUMES NOR AUTHORIZES ANY OTHER PERSON TO ASSUME FOR IT ANY OTHER LIABILITY WITH RESPECT TO ITS EQUIPMENT. WESTECH SHALL NOT BE LIABLE FOR NORMAL WEAR AND TEAR, CORROSION, OR ANY CONTINGENT, INCIDENTAL, OR CONSEQUENTIAL DAMAGE OR EXPENSE DUE TO PARTIAL OR COMPLETE INOPERABILITY OF ITS EQUIPMENT FOR ANY REASON WHATSOEVER.

This warranty shall not apply to equipment or parts thereof which have been altered or repaired outside of a WesTech factory, or damaged by improper installation, application, or maintenance, or subjected to misuse, abuse, neglect, accident, or incomplete adherence to all manufacturer's requirements, including, but not limited to, Operations & Maintenance Manual guidelines & procedures.

This warranty applies only to equipment made or sold by WesTech Engineering, Inc.

WesTech Engineering, Inc. makes no warranty with respect to parts, accessories, or components purchased by the customer from others. The warranties which apply to such items are those offered by their respective manufacturers.

Terms and Conditions appearing in any order based on this proposal which are inconsistent herewith shall not be binding on WesTech Engineering Inc. The sale and purchase of equipment described herein shall be governed exclusively by the foregoing proposal and the following provisions:

1. SPECIFICATIONS: WesTech Engineering Inc. is furnishing its standard equipment as outlined in the proposal and as will be covered by final approved drawings. The equipment may not be in strict compliance with the Engineer's/Owner's plans, specifications, or addenda as there may be deviations. The equipment will, however, meet the general intention of the mechanical specifications of these documents.

2. ITEMS INCLUDED: This proposal includes only the equipment specified herein and does not include erection, installation, accessory or associated materials such as controls, piping, etc., unless specifically listed.

3. PARTIES TO CONTRACT: WesTech Engineering Inc. is not a party to or bound by the terms of any contract between WesTech Engineering Inc.'s customer and any other party. WesTech Engineering Inc.'s undertakings are limited to those defined in the contract between WesTech Engineering Inc. and its direct customers.

4. PRICE AND DELIVERY: All selling prices quoted are subject to change without notice after 30 days from the date of this proposal unless specified otherwise. Unless otherwise stated, all prices are F.O.B. WesTech Engineering Inc. or its supplier's shipping points. All claims for damage, delay or shortage arising from such equipment shall be made by Purchaser directly against the carrier. When shipments are quoted F.O.B. job site or other designation, Purchaser shall inspect the equipment shipped, notifying WesTech Engineering Inc. of any damage or shortage within forty-eight hours of receipt, and failure to so notify WesTech Engineering Inc. shall constitute acceptance by Purchaser, relieving WesTech Engineering Inc. of any liability for shipping damages or shortages.

5. PAYMENTS: All invoices are net 30 days. Delinquencies are subject to a 1.5 percent service charge per month or the maximum permitted by law, whichever is less on all past due accounts. Pro rata payments are due as shipments are made. If shipments are delayed by the Purchaser, invoices shall be sent on the date when WesTech Engineering Inc. is prepared to make shipment and payment shall become due under standard invoicing terms. If the work to be performed hereunder is delayed by the Purchaser, payments shall be based on the purchase price and percentage of completion. Products held for the Purchaser shall be at the risk and expense of the Purchaser. Unless specifically stated otherwise, prices quoted are for equipment only. These terms are independent of and not contingent upon the time and manner in which the Purchaser receives payment from the owner.

6. PAYMENT TERMS: Credit is subject to acceptance by WesTech Engineering Inc.'s Credit Department. If the financial condition of the Purchaser at any time is such as to give WesTech Engineering Inc., in its judgment, doubt concerning the Purchaser's ability to pay, WesTech Engineering Inc. may require full or partial payment in advance or may suspend any further deliveries or continuance of the work to be performed by the WesTech Engineering Inc. until such payment has been received.

7. ESCALATION: If shipment is, for any reason, deferred by the Purchaser beyond the normal shipment date, or if material price increases (or decreases) are greater than 5% from proposal date to material procurement date, stated prices set forth herein are subject to a shared risk escalation adjustment. Any escalation less than plus or minus 5% shall be absorbed by WesTech Engineering Inc. All escalation (increase or credit) that exceeds 5% shall be passed onto the Purchaser at cost and shall be based upon increases (or decreases) in material costs to WesTech Engineering Inc. that occur in the time period between quotation and material procurement by WesTech Engineering Inc. Purchaser agrees to this potential escalation (or credit) regardless of contradicting terms in the contract, except when an agreed upon escalation adder is included in the price.

(a) The total quoted revised price is based upon changes in the indices as published by third party sources, such as, the United States Department of Labor, Bureau of Labor Statistics. Labor will be related to the Average Hourly Earnings indices found in the Employment and Earnings publication. Material will be related to the Metal and Metal Products indices published in Wholesale Prices and Prices Indices.

(b) Price revision for items furnished to, and not manufactured by WesTech Engineering Inc., which exceed the above escalation calculation, will be passed along by WesTech Engineering Inc. to Purchaser based upon the actual increase in price to WesTech Engineering Inc. for the period from the date of quotation to the date of material procurement WesTech Engineering Inc. Any item that is so revised will be excluded from the index escalation calculations set forth in subparagraph (a) above.

8. APPROVAL: If approval of equipment submittals by Purchaser or others is required, a condition precedent to WesTech Engineering Inc. supplying any equipment shall be such complete approval.

9. INSTALLATION SUPERVISION: Prices quoted for equipment do not include installation supervision. WesTech Engineering Inc. recommends and will, upon request, make available, at WesTech Engineering Inc.'s then current rate, an experienced installation supervisor to act as the Purchaser's employee and agent to supervise installation of the equipment. Purchaser shall at its sole expense furnish all necessary labor equipment, and materials needed for installation.

Responsibility for proper operation of equipment, if not installed by WesTech Engineering Inc. or installed in accordance with WesTech Engineering Inc.'s instructions, and inspected and accepted in writing by WesTech Engineering Inc., rests entirely with Purchaser; and any work performed by WesTech Engineering Inc. personnel in making adjustment or changes must be paid for at WesTech Engineering Inc.'s then current per diem rates plus living and traveling expenses.

WesTech Engineering Inc. will supply the safety devices described in this proposal or shown in WesTech Engineering Inc.'s drawings furnished as part of this order but excepting these, WesTech Engineering Inc. shall not be required to supply or install any safety devices whether required by law or otherwise. The Purchaser hereby agrees to indemnify and hold harmless WesTech Engineering Inc. from any claims or losses arising due to alleged or actual insufficiency or inadequacy of the safety devices offered or supplied hereunder, whether specified by WesTech Engineering Inc. or Purchaser, and from any damage resulting from the use of the equipment supplied hereunder.

10. ACCEPTANCE OF PRODUCTS: Products will be deemed accepted without any claim by Purchaser unless written notice of non-acceptance is received by WesTech Engineering Inc. within 30 days of delivery if shipped F.O.B. point of shipment, or 48 hours of delivery if shipped F.O.B. point of destination. Such written notice shall not be considered received by WesTech Engineering Inc. unless it is accompanied by all freight bills for said shipment, with Purchaser's notations as to damages, shortages and conditions of equipment, containers, and seals. Non-accepted products are subject to the return policy stated below.

11. TAXES: Any federal, state, or local sales, use or other taxes applicable to this transaction, unless specifically included in the price, shall be for Purchaser's account.

12. TITLE: The equipment specified herein, and any replacements or substitutes therefore shall, regardless of the manner in which affixed to or used in connection with realty, remain the sole and personal property of WesTech Engineering Inc. until the full purchase price has been paid. Purchaser agrees to do all things necessary to protect and maintain WesTech Engineering Inc.'s title and interest in and to such equipment; and upon Purchaser's default, WesTech Engineering Inc. may retain as liquidated damages any and all partial payments made and shall be free to enter the premises where such equipment is located and remove the same as its property without prejudice to any further claims on account of damages or loss which WesTech Engineering Inc. may suffer from any cause.

13. INSURANCE: From date of shipment until the invoice is paid in full, Purchaser agrees to provide and maintain at its expense, but for WesTech Engineering Inc.'s benefit, adequate insurance including, but not limited to, builders risk insurance on the equipment against any loss of any nature whatsoever.

14. SHIPMENTS: Any shipment of delivery dates recited represent WesTech Engineering Inc.'s best estimate but no liability, direct or indirect, is assumed by WesTech Engineering Inc. for failure to ship or deliver on such dates.

WesTech Engineering Inc. shall have the right to make partial shipments; and invoices covering the same shall be due and payable by Purchaser in accordance with the payment terms thereof. If Purchaser defaults in any payment when due hereunder, WesTech Engineering Inc. may, without incurring any liability therefore to Purchaser or

Purchaser's customers, declare all payments immediately due and payable with maximum legal interest thereon from due date of said payment, and at its option, stop all further work and shipments until all past due payments have been made, and/or require that any further deliveries be paid for prior to shipment.

If Purchaser requests postponements of shipments, the purchase price shall be due and payable upon notice from WesTech Engineering Inc. that the equipment is ready for shipment; and thereafter any storage or other charge WesTech Engineering Inc. incurs on account of the equipment shall be for the Purchaser's account.

If delivery is specified at a point other than WesTech Engineering Inc. or its supplier's shipping points, and delivery is postponed or prevented by strike, accident, embargo, or other cause beyond WesTech Engineering Inc.'s reasonable control and occurring at a location other than WesTech Engineering Inc. or its supplier's shipping points, WesTech Engineering Inc. assumes no liability in delivery delay. If Purchaser refuses such delivery, WesTech Engineering Inc. may store the equipment at Purchaser's expense. For all purposes of this agreement such tender of delivery or storage shall constitute delivery.

15. WARRANTY: WESTECH ENGINEERING INC. WARRANTS EQUIPMENT IT SUPPLIES ONLY IN ACCORDANCE WITH THE WARRANTY EXPRESSED IN THE ATTACHED COPY OF "WESTECH WARRANTY" AGAINST DEFECTS IN WORKMANSHIP AND MATERIALS WHICH IS MADE A PART HEREOF. SUCH WARRANTY IN LIEU OF ALL OTHER WARRANTIES, INCLUDING WARRANTIES OF MERCHANTABILITY AND FITNESS FOR PARTICULAR PURPOSE, WHETHER WRITTEN, ORAL, EXPRESSED, IMPLIED OR STATUTORY, WESTECH ENGINEERING INC. SHALL NOT BE LIABLE ANY CONTINGENT, INCIDENTAL, OR CONSEQUENTIAL DAMAGES FOR ANY REASON WHATSOEVER.

16. PATENTS: WesTech Engineering Inc. agrees that it will, at its own expense, defend all suits or proceedings instituted against Purchaser and pay any award of damages assessed against it in such suits or proceedings, so far as the same are based on any claim that the said equipment or any part thereof constitutes an infringement of any apparatus patent of the United States issued at the date of this Agreement, provided WesTech Engineering Inc. is given prompt notice in writing of the institution or threatened institution of any suit or proceeding and is given full control of the defense, settlement, or compromise of any such action; and Purchaser agrees to give WesTech Engineering Inc. needed information, assistance, and authority to enable WesTech Engineering Inc. so to do. In the event said equipment is held or conceded to infringe such a patent, WesTech Engineering Inc. shall have the right at its sole option and expense to a) modify the equipment to be non-infringing, b) obtain for Purchaser the license to continue using said equipment, or c) accept return of the equipment and refund to the Purchaser the purchase price thereof less a reasonable charge for the use thereof. WesTech Engineering Inc. will reimburse Purchaser for actual out-of-pocket expenses, exclusive of legal fees, incurred in preparing such information and rendering such assistance at WesTech Engineering Inc.'s request. The foregoing states the entire liability of WesTech Engineering Inc., with respect to patent infringement; and except as otherwise agreed to in writing, WesTech Engineering Inc. assumes no responsibility for process patent infringement.

17. SURFACE PREPARATION AND PAINTING: If furnished, shop primer paint is intended to serve only as minimal protective finish. WesTech Engineering Inc. will not be responsible for the condition of primed or finish painted surfaces after equipment leaves its shops. Purchasers are invited to inspect paint in shops for proper preparation and application prior to shipment. WesTech Engineering Inc. assumes no responsibility for field surface preparation or touch-up of shipping damage to paint. Painting of fasteners and other touch-up to painted surfaces will be by Purchaser's painting contractor after mechanism installation.

Motors, gear motors, and other components not manufactured by WesTech Engineering Inc. will be painted with that manufacturer's standard paint system. It is WesTech Engineering Inc.'s intention to ship major steel components as soon as fabricated, often before drive, motors, and other manufactured components. Unless Purchaser can ensure that shop primed steel shall be field painted within thirty (30) days after arrival at the job site, WesTech Engineering Inc. encourages the Purchaser to order these components without primer.

WesTech Engineering Inc.'s prices are based on paints and surface preparations as outlined in the main body of this proposal. In the event that an alternate paint system is selected, WesTech Engineering Inc. requests that Purchaser's order advise of the paint selection. WesTech Engineering Inc. will then either adjust the price as may be necessary to comply or ship the material unpainted if compliance is not possible due to application problems or environmental controls.

18. CANCELLATION, SUSPENSION, OR DELAY: After acceptance by WesTech Engineering Inc., this proposal, or Purchaser's order based on this proposal, shall be a firm agreement and is not subject to cancellation, suspension, or delay except upon payment by Purchaser of appropriate charges which shall include all costs incurred by WesTech Engineering Inc. to date of cancellation, suspension, or delay plus a reasonable profit. Additionally, all charges related to storage and/or resumption of work, at WesTech Engineering Inc.'s plant or elsewhere, shall be for Purchaser's sole account; and all risks incidental to storage shall be assumed by Purchaser.

19. RETURN OF PRODUCTS: No products may be returned to WesTech Engineering Inc. without WesTech Engineering Inc.'s prior written permission. Said permission may be withheld by WesTech Engineering Inc. at its sole discretion.

20. BACKCHARGES: WesTech Engineering Inc. will not approve or accept backcharges for labor, materials, or other costs incurred by Purchaser or others in modification, adjustment, service, or repair of WesTech Engineering Inc.-furnished materials unless such back charge has been authorized in advance in writing by a WesTech Engineering Inc. employee, by a WesTech Engineering Inc. purchase order, or work requisition signed by WesTech Engineering Inc.

21. INDEMNIFICATION: Purchaser agrees to indemnify WesTech Engineering Inc. from all costs incurred, including but not limited to court costs and reasonable attorney fees, from enforcing any provisions of this contract, including but not limited to breach of contract or costs incurred in collecting monies owed on this contract.

22. ENTIRE AGREEMENT: This proposal expresses the entire agreement between the parties hereto superseding any prior understandings, and is not subject to modification except by a writing signed by an authorized officer of each party.

23. MOTORS AND MOTOR DRIVES: In order to avoid shipment delays of WesTech Engineering Inc. equipment, the motor drives may be sent directly to the job site for installation by the equipment installer. Minor fit-up may be required.

24. EXTENDED STORAGE: Extended storage instructions will be part of information provided to shipment. If equipment installation and start-up is delayed more than 30 days, the provisions of the storage instructions must be followed to keep WARRANTY in force.

25. LIABILITY: Professional liability insurance, including but not limited to, errors and omissions insurance, is not included. In any event, liability for errors and omissions shall be limited to the lesser of \$100,000USD or the value of the particular piece of equipment (not the value of the entire order) supplied by WesTech Engineering Inc. against which a claim is sought.

26. ARBITRATION NEGOTIATION: Any controversy or claim arising out of or relating to the performance of any contract resulting from this proposal or contract issued, or the breach thereof, shall be settled by arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator(s) may be entered to any court having jurisdiction.

ACCEPTED BY PURCHASER

BY _____

TITLE _____

DATE _____ / _____ / _____

NO BACK UP
DOCUMENTATION
FOR THIS AGENDA
ITEM # G

NO BACK UP
DOCUMENTATION
FOR THIS AGENDA
ITEM # H

NO BACK UP
DOCUMENTATION
FOR THIS AGENDA
ITEM # I

NO BACK UP
DOCUMENTATION
FOR THIS AGENDA
ITEM # J



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 COMMUNITY CENTER COMMITTEE
OF THE TOWN OF DISCOVERY BAY CSD**
Tuesday July 19, 2011
1800 Willow Lake Road, Discovery Bay, California
REGULAR MEETING 3:00 P.M.
Website address: www.todb.ca.gov

Community Center Committee Members

Ray Tetreault, Chair, Chris Steele, Vice Chair, Bob Abbadie, Sean O'Toole, Jim Mattison

A. ROLL CALL

The meeting was called to order at 3:03 P.M. by CSD Director Tetreault. All Committee members were present.

B. APPROVE MINUTES OF May 17, 2011 COMMUNITY CENTER COMMITTEE MEETING

The minutes of the June 7, 2011 meeting were approved on motion by Bob Abbadie, second by Jim Mattison. Motion Passed 5-0.

There were no Public Comments.

C. UPDATE OF COMMUNITY NEEDS SURVEY

Committee Member O'Toole provided the committee with an update of the survey results to date. There were sixty one (61). It was noted that the majority of the advertising is set to start on Friday July 22, 2011 and run again in the Discovery Bay Press on July 29th, 2011. Director Steele indicated that he would discuss the survey with the Delta Sun Times and get it posted there as well.

D. REVIEW COMMUNITY CENTER SITE VISITS

General Manager Howard presented a number of slides that were taken from the tour taken by himself, Director Steele, and Member Mattison. The group toured community centers in Antioch, Concord, Walnut Creek, two (2) in Danville, and Livermore.

There was an ongoing discussion regarding the features, centers visited and what might be of interest in a future Town of Discovery Bay CSD Community Center.

After further discussion, it was determined to add Elk Grove and the Brentwood Senior Center to those facilities visited.

E. REVIEW DRAFT PROJECT PLAN WITH MILESTONES TO REACH A RECOMMENDATION TO THE CSD BOARD BY DECEMBER 31, 2011

Committee Member O'Toole presented a milestone project plan to the committee. There were a number of changes to the schedule and no formal action was taken other than updating the milestone schedule.

H. **SET COMMITTEE CALENDAR**

The next Community Center Committee meeting was scheduled for Tuesday, August 23 at 3:00 p.m.

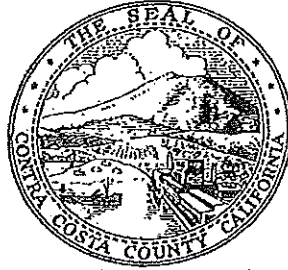
I. **FUTURE DISCUSSION/AGENDA ITEMS**

The committee would like additional information regarding the formation of a Community Center Foundation that might help raise construction funding and long term financial operational assistance.

J. **ADJOURNMENT**

The meeting was adjourned at 4:40 pm

Byron
Municipal
Advisory
Council



Town Of Discovery Bay CSI
Received
AUG 12, 2011
Office of Supervisor Mary N. Piepho
Contact: Karyn Cornell
181 Sand Creek Road, Suite L
Brentwood, CA 94513
925-240-7260

Respectfully submitted by: _____

DRAFT

The Byron Municipal Advisory Council serves as an advisory body to the Contra Costa County Board of Supervisors and the County Planning Agency.

Record of Actions
Meeting start time: 7:01 p.m.
Thursday, May 19, 2011

1.) Meeting called to order by Vice Chair Schmit at 7:01 p.m. Council members Della Nina, Beltran and Lopez present. Absent: Chair Juarez.

2.) **Public Comment:** Annette Holdiman discussed her personal support and the support of ECHO (East County Horseman's Association) for the Brentwood Feed store to remain open. Michelle Bautista, owner of Brentwood Feed, also spoke about her concerns and desire for the Brentwood Feed store to remain open in its current location. Mike Nisen discussed his concerns with the possible closure of the Brentwood Feed store.

3.) **Review of Record of Actions of 1-20-11 meeting:** Council member Lopez made a motion to accept the Record of Actions as prepared. Second by Council member Della Nina. Motion carried 4-0.

4.) Agency Reports

a.) **East Contra Costa Fire Protection District:** Field Representative Cornell distributed the monthly report from April 2011.

b.) **Contra Costa County Sheriff's Department:** No representative present.

c.) **California Highway Patrol:** No representative present.

d.) **Office of Supervisor Mary N. Piepho:** Field Representative Cornell reported on the following items: Re-districting is taking place based on the 2010 Census and workshops are being held throughout the County. There will be a workshop taking place on Wednesday, May 25th in Brentwood. Flyers were distributed listing all the re-districting workshops; distributed flyers regarding the upcoming Household Hazardous Waste events hosted by Delta Diablo Sanitation District for East County residents; distributed flyers regarding the upcoming work at the Vasco Road and Camino Diablo intersection; distributed copies of the 2011 Harvest Time maps; updated the group that the CHP anticipates doubling patrol staff in the area beginning in July 2011; the 2010 Annual Crop report has been completed by the Agricultural Department and is available for review; County staff is looking into applying for a Airport Improvement Program grant to perform an infrastructure analysis at the Byron Airport; distributed copies of the Public Works 2011 spring newsletter; reminded the Byron MAC that their 2011 Keller Canyon Mitigation funds will expire at the end of June 2011 and lastly provided the group with an update on the Brentwood Feed situation regarding the General Plan designation.

5.) **Items for Discussion and/or Action**

a.) **Discuss 2011 Byron Community Clean-up Day-June 25, 2011:** Supervisor Piepho's office will be sending 200 flyers to the community in the months of May and June. Discussion of using Keller Canyon monies to purchase water and lunch for the volunteers.

This meeting record is provided pursuant to Better Government Ordinance 95-6, Article 25-2.205(d) of the Contra Costa County Ordinance Code.

b.) **Agency Comment Request for a land-use permit renewal of land-use permit LP99-2070 to operate a wireless telecommunications facility (50' monopole) at 575 Camino Diablo Road, Byron CA APN 003-020-032:** Motion to approve the application without comment made by Council member Lopez. Second made by Council member Beltran.

c.) **Agency Comment Request for a land-use permit to establish a new telecommunications facility to include 45' monopole with a total of 9 antennas, one equipment cabinet and back-up generator of Longwell Ave, southeast of Vasco Road:** Motion to approve the application without comment made by Council member Lopez. Second made by Council member Beltran.

d.) **Invoice for Byron MAC P.O. Box -\$70.00:** Motion to approve made by Council member Lopez. Second made by Council member Della Nina. Motion carried 4-0.

6.) **Correspondence Key: R= Received S= Sent**

a.) R-4/25/11 Contra Costa County Zoning Administrator Special Meeting Agenda for Monday, April 25, 2011

b.) R-5/2/11 Contra Costa County Zoning Administrator Agenda for Monday, May 2, 2011

c.) R-5/10/11 Contra Costa County Planning Commission notice of meeting cancellation for Tuesday, May 10, 2011

d.) R-5/11/11 Supervisor Piepho regarding request for CHP presence on Marsh Creek Road

e.) R-5/11/11 Supervisor Piepho regarding National Safe Boating Week in Contra Costa County

f.) R-5/12/11 Supervisor Piepho regarding funding recommendation for a School Resource Officer at the Byron Union School District

g.) R-5/16/11 Contra Costa County Zoning Administrator Agenda for Monday, May 16, 2011

h.) R-5/16/11 Contra Costa County Zoning Administrator Notice of Public Hearing

7.) **Future Agenda Items:**

a.) 2011 Byron Community Clean-up-June 25

b.) Discuss Brentwood Feed

c.) Keller Canyon Fund Expenditures

d.) Park Dedication Fund Update

8.) Adjourned to next meeting scheduled for June 16, 2011.

TownOfDiscoveryBay CSI
Received

AUG 12 2011

*Emailed to Brentwood
GMA*

Board of Supervisors

John M. Giola
1st District

Gayle B. Ullkema
2nd District

Mary N. Plepho
3rd District

Karen Mitchoff
4th District

Federal D. Glover
5th District

County Administrator

County Administration Building
651 Pine Street, 10th Floor
Martinez, California 94553-1229
(925) 335-1080
(925) 335-1098 FAX

David J. Twa
County Administrator

Contra Costa County



August 10, 2011

Re: State Route 239 Pre-Project Briefing

Dear Mr. Graves:

Contra Costa County and the Contra Costa Transportation Authority have begun the very early phases studying a possible roadway connection between the Brentwood and Tracy areas. We would like to invite you to attend a Pre-Project Briefing regarding this project which has historically been referred to as State Route 239 or the Brentwood-Tracy Expressway.

Contra Costa County has received federal funding to study the route of this potential roadway between State Route 4 in the Brentwood area and I-205 in the Tracy area. Sufficient local, State, or federal funds to construct the potential roadway have not yet been identified, so before launching a full-scale planning effort, the County is undertaking an initial review of possible funding sources for the roadway.

The briefing will provide an overview of the current financial screening study, describe the full planning project expected to begin following the study, and describe how you and other key stakeholders will be asked to participate when the full planning project gets under way.

Your briefing, with the group of key elected officials and staff representatives, will be held at the offices of the Contra Costa Transportation Authority (2999 Oak Road, Suite 100, in Walnut Creek) at 10:00 a.m. on September 7th, 2011. We hope that you can join us.

In addition to your briefing, we will hold a briefing with eastern Contra Costa County's TRANSPAN, as well as one for representatives of non-governmental organizations. A list of the individuals invited to each of these briefings is attached to this letter. If you believe that additional individuals should be included in the briefings, please contact John Cunningham at the Department of Conservation and Development, 925-335-1243 or john.cunningham@dcd.cccounty.us.

Sincerely,

David Twa
County Administrator

INDIVIDUALS INVITED TO STATE ROUTE 239 PRE-PROJECT BRIEFINGS

Name	Title	Organization
Non-Governmental Organizations		
Linda Best	President & CEO	Contra Costa Council
Matt Vander Sluis	Senior Field Representative	Greenbelt Alliance East Bay Office
Tim Donahue	Chair, Conservation Chair, Political Chair	Sierra Club, San Francisco Bay Chapter, Delta Group
Doug Scheer	President	Oakley Chamber of Commerce
Harry York	CEO	Brentwood Chamber of Commerce
Jeff Hobson	Deputy Director	Transform
Kate Looby	Senior Chapter Director	Sierra Club, San Francisco Bay Chapter
Larry Benson	Board Chair	Tracy Chamber of Commerce
Meredith B. Ladich	Executive VP/CEO	Pittsburg Chamber of Commerce
Mike Ammann	President & CEO	San Joaquin Partnership
Ron Brown	Executive Director	Save Mount Diablo
Toby Brink	CEO	Tri-Valley Business Council
Kathryn Lyddan	Consultant	Brentwood Agricultural Land Trust
John Kopchik	Executive Director	East Contra Costa County Habitat Conservancy
Dr. Sean K. Wright	Chairman	Antioch Chamber of Commerce
	Chair	Byron Chamber of Commerce
John Veitch	President	Contra Costa County Farm Bureau
Key Elected Officials/Staff Representatives		
Representative John Garamendi	California District 10	US Representative
Representative Jerry McNerney	California District 11	US Representative
Cheri Sheets	City Engineer	City of Livermore
Marshall Kamena	Mayor	City of Livermore
Brent H. Ives	Mayor	City of Tracy
Andrew Malik	Director of Development & Engineering Services	City of Tracy
Alix Bockelman	Programming & Allocations	Metropolitan Transportation Commission
James C. Ghielmetti	Vice Chair	California Transportation Commission
Bob Alvarado	Member	California Transportation Commission
Bob Doyle	General Manager	East Bay Regional Park District
Jim Lamb	MHCSD Board Director	Mountain House Community Services District
Nader Shareghi	Public Works Director, MHCSD	Mountain House Community Services District
Beth Lee	Asst. Director of Airports	Contra Costa County
Kevin Graves	President, CSD Board	Town of Discovery Bay, CSD
Rick Howard	General Manager	Town of Discovery Bay, CSD
Robert Taylor	Mayor	City of Brentwood


Name	Title	Organization
Key Elected Officials/Staff Representatives		
Bailey S. Grewal	Director of Public Works/City Engineer	City of Brentwood
Steve Escobar	Deputy Director	Port of Stockton
Leroy Ornellas	Board of Supervisors, District 5	San Joaquin County
Manuel Lopez	County Administrator	San Joaquin County
Andrew T. Chesley	Executive Director	San Joaquin Council of Governments
Scott Haggerty	Board of Supervisors, District 1	Alameda County
Susan Muranishi	County Administrator	Alameda County
Mark Green	Chair (Mayor of Union City)	Alameda County Transportation Commission (ACTC)
Arthur Dao	Executive Director	Alameda County Transportation Commission (ACTC)
Assembly Member Joan Buchanan	District 15 Representative	CA State Assembly
Assembly Member Susan Bonilla	District 11 Representative	CA State Assembly
Senator Mark DeSaulnier	7th District	State Senate
Senator Loni Hancock	9th District	State Senate
TRANSPLAN		
John Cunningham	TRANSPLAN Staff	Contra Costa County
Brian Kalinowski	Chair	City of Antioch
Robert Taylor	Member	City of Brentwood
Steve Barr	Alternate	City of Brentwood
Federal Glover	Member	Contra Costa County
Mary N. Piepho	Alternate	Contra Costa County
Jim Frazier	Vice-Chair	City of Oakley
Carlos Rios	Alternate	City of Oakley
Ben Johnson	Member	City of Pittsburg
Nancy Parent	Alternate	City of Pittsburg
Gil Azevedo	Member	Antioch Planning Commission
Joseph Weber	Member	Brentwood Planning Commission
Carmen Gaddis	Member	Contra Costa County Planning Commission
Duane Steele	Member	Contra Costa County Planning Commission
Kevin Romick	Member	Oakley Planning Commission
Pat Anderson	Alternate	Oakley Planning Commission
Bruce Ohlson	Member	Pittsburg Planning Commission

AUG 15 2011



CONTRA COSTA COUNTY
DEPARTMENT OF CONSERVATION & DEVELOPMENT
651 Pine Street, N. Wing - 4th Floor
Martinez, CA 94553
Telephone: 335-1220 Fax: 335-1300

TO: Members, Board of Supervisors
Members, Municipal Advisory Council

FROM: Catherine Kutsuris, Director
By: Jamar Stamps, Planner 

DATE: August 11, 2011

SUBJECT: Vacancy on the Citizen Advisory Committee of the Contra Costa
Transportation Authority

This is to inform you that there is currently a vacancy for County representation on the Citizen Advisory Committee (CAC) of the Contra Costa Transportation Authority (CCTA). The CCTA CAC is comprised of 23 members, 20 of whom are individually appointed by the 20 local governments within Contra Costa (The County, cities and towns); and, three "at-large" members nominated by community-based stakeholder organizations within Contra Costa, and subsequently appointed to the CAC by CCTA. All CAC members serve a four-year term in volunteer capacity.

The Department of Conservation and Development (DCD) is seeking candidates who reside in unincorporated areas to represent the County on the CCTA CAC. Relevant information on the function of the CAC and a copy of the ordinance and by-laws governing the Committee is enclosed for your reference. This information can also be found on the DCD website at www.co.contra-costa.ca.us.

In addition, Contra Costa Television (CCTV) will forward a news release to various daily and weekly newspapers and publications for countywide public advertisement.

DCD is accepting applications until September 2, 2011. Interested candidates can either apply on line, or download the application and fax the completed form to DCD. Should you have any questions, please contact Jamar Stamps at (925) 335-1220, or via email at jamar.stamps@dcd.cccounty.us.

Enclosures

cc: Clerk of the Board
CAO
GTC Staff
Better Government Ordinance file
S. Goetz, DCD
A. Bhat, DCD

reopened to Board + GM 8/24/11

TownOfDiscoveryBay CSD

Received

~~AUG 24 2011~~



County Supervisor Mary Nejedly Piepho, District III

CONTRA COSTA COUNTY BOARD OF SUPERVISORS, VICE CHAIR

August 17, 2011

COMMITTEES

Internal Operations Committee, Chair

Transportation, Water and Infrastructure Committee, Chair

Contra Costa Regional Medical Center, Joint Conference Committee and Professional Affairs Committee, Chair

Sacramento-San Joaquin Delta Conservancy, Chair

Airport Committee, Vice Chair

Delta Counties Coalition

Delta Protection Commission

Central Contra Costa Solid Waste Authority

East Bay Economic Development Alliance

Tri-Valley Transportation Committee

Dougherty Valley Oversight Committee

Doctors Medical Center Management Authority Governing Board, Joint Powers Authority

City-County Relations Committee

SERVING AS ALTERNATE

Local Agency Formation Commission

Contra Costa Transportation Authority

Association of Bay Area Governments

East Contra Costa Regional Fee and Finance Authority

East County Water Management Association

eBART Partnership Policy Advisory Committee

East Contra Costa County Habitat Conservation Plan, Executive Governing Board

Mental Health Commission

San Joaquin Valley Rail Committee

State Route 4 Bypass Authority

South West Area Transportation

TRANSPAC, Central County Transportation Partnership and Cooperation

TRANSPAN, East County Transportation Planning

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

Dear  President Graves and Members,

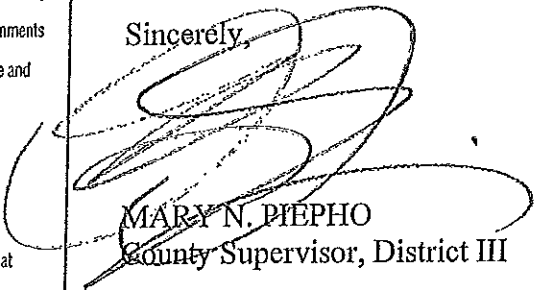
Please find enclosed a Board Orders from the August 2, 2011 Board of Supervisors' meeting that I believe will be of interest to the Town of Discovery Bay Community Services District

- 1.) July 19, 2011 Approving the Road Improvement Agreement for Vasco Road, land use permit 08-02049.

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 N. PIEPHO
County Supervisor, District III

MNP: kc

PDF Return Previous Next

C. 9

To: Board of Supervisors

From: Julia R. Bueren, Public Works Director/Chief Engineer

Date: July 19, 2011



Contra Costa County

Subject: Approving the Road Improvement Agreement for Vasco Road, land use permit 08 -02049

RECOMMENDATION(S):

ADOPT Resolution No. 2011/311 approving the Road Improvement Agreement for Vasco Road, land use permit LP 08-02049, for project being developed by Vasco Winds, LLC, Byron area. (District III)

FISCAL IMPACT:

No Fiscal Impact.

BACKGROUND:

A Road Improvement Agreement will ensure the construction of the road and drainage improvements required by the conditions of approval for land use permit LP 08-02049.

CONSEQUENCE OF NEGATIVE ACTION:

The agreement will not be recorded and the road and drainage improvements may not be constructed.

CHILDREN'S IMPACT STATEMENT:

Not Applicable.

APPROVE
 RECOMMENDATION OF CNTY ADMINISTRATOR

OTHER
 RECOMMENDATION OF BOARD COMMITTEE

Resolution of Board On: 08/02/2011

APPROVED AS RECOMMENDED

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: August 2, 2011

David J. Twa,

BY: , Deputy

Contact: M. Sen, (925) 313-2187

cc: T. Rhys, Construction J. Capozzo, Eng. Services M. Sinz, Eng. Services

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THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 08/02/2011 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:



Resolution No. 2011/311

IN THE MATTER OF approving the Road Improvement Agreement for Vasco Road, land use permit LP 08-02049, for project being developed by Vasco Winds, LLC, Byron area. (District III)

WHEREAS, the following document was presented for Board approval for Vasco Road, land use permit LP 08-02049, property located in the Byron area, Supervisorial District III.

WHEREAS, a Road Improvement Agreement with Vasco Winds, LLC, principal, whereby said principal agrees to complete all improvements, as required in said road improvement agreement, within 2 years from the date of said agreement. Improvements generally consist of road and drainage improvements.

WHEREAS, said document was accompanied by security to guarantee the completion of road improvements, as required by Title 9 of the County Ordinance Code, as follows:

I. Cash Bond Performance Amount: \$5,600.00
Auditor's Deposit Permit No. DP 580096 Date: June 27, 2011
Submitted by: Blattner Energy

II. Surety Bond Bond Company: Fidelity and Deposit Company of Maryland
Bond Number and Date: 09036128 June 21, 2011
Performance Amount: \$559,400.00
Labor & Materials Amount: \$282,500.00
Principal: Vasco Winds, LLC

NOW THEREFORE BE IT RESOLVED that said road improvement agreement is APPROVED.

All deposit permits are on file with the Public Works Department

Thereby 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.

Contact: M. Sen, (925) 313-2187

ATTESTED: August 2, 2011

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: T. Rhys, Construction, J. Capozzo, Eng. Services, M. Sinz, Eng. Services

AUG 24 2011



County Supervisor Mary Nejedly Piepho, District III

CONTRA COSTA COUNTY BOARD OF SUPERVISORS, VICE CHAIR

COMMITTEES

Internal Operations Committee, Chair

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Contra Costa Regional Medical Center, Joint Conference Committee and Professional Affairs Committee, Chair

Sacramento-San Joaquin Delta Conservancy, Chair

Airport Committee, Vice Chair

Delta Counties Coalition

Delta Protection Commission

Central Contra Costa Solid Waste Authority

East Bay Economic Development Alliance

Tri-Valley Transportation Committee

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Association of Bay Area Governments

East Contra Costa Regional Fee and Finance Authority

East County Water Management Association

eBART Partnership Policy Advisory Committee

East Contra Costa County Habitat Conservation Plan, Executive Governing Board

Mental Health Commission

San Joaquin Valley Rail Committee

State Route 4 Bypass Authority

South West Area Transportation

TRANSPAC, Central County Transportation Partnership and Cooperation

TRANSPAN, East County Transportation Planning

August 17, 2011

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

Dear President Graves and Members,

Please find enclosed a staff report presented at the recent Contra Costa County Board of Supervisors' Transportation, Water and Infrastructure Committee meeting regarding the Knightsen-Byron Area Transportation Study.

As noted in the report the Contra Costa County Department of Conservation and Development has recently applied for grant funds for the Knightsen-Byron Transportation Study from the Federal Highway Administration (FHWA).

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 N. PIEPHO
County Supervisor, District III

MNP: kc



CONTRA COSTA COUNTY
DEPARTMENT OF CONSERVATION & DEVELOPMENT
651 Pine Street, N. Wing - 4th Floor
Martinez, CA 94553
Telephone: 335-1220 Fax: 335-1300

TO: Transportation, Water, and Infrastructure Committee

FROM: Jamar Stamps, Planner

DATE: July 18, 2011

SUBJECT: **Transportation Community and System Preservation Program -
Knightsen-Byron Area Transportation Study**

The Department of Conservation and Development (DCD) recently applied for grant funds for the above captioned project through a Federal Highway Administration (FHWA) solicitation. The funds are under the Transportation, Community, and System Preservation (TCSP) program which awards funding for planning grants, implementation grants, and research to investigate and address the relationships among transportation, community, and system preservation plans and practices and identify private sector-based initiatives to improve their relationships. The TCSP program has approximately \$61 million available for grants. DCD is requesting funds in the amount of \$199,200. A 20% match is required.

As previously mentioned in the July 26, 2011 report to the Board of Supervisors, County staff was made aware of the FHWA Grant Program on May 10, 2011. The deadline for submitting applications was May 20, 2011. The tight deadline made it difficult for staff to prepare and submit the application, and get proper authorization from the Board to pursue this funding. After submitting the application staff subsequently sought Board authorization, which was granted via the aforementioned July 26, 2011 report to the Board (see attachment).

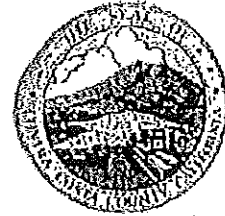
Currently the application is under review by the FHWA after passing an initial screening completed by Caltrans on June 3, 2011.

att: July 26, 2011 Board Order + Resolution

To: Board of Supervisors

From: Catherine Kutsuris, Conservation & Development Director

Date: July 6, 2011



Contra Costa County

Subject: Knightsen-Byron Area Transportation Study

RECOMMENDATION(S):

ADOPT Resolution No. 2011/292 approving and authorizing the Conservation and Development Director, or designee, to submit a Federal Highway Administration (FHWA), Transportation, Community, and System Preservation Program Grant application to FHWA for up to \$199,200 for FY 2011/12 for the purpose of developing the Knightsen-Byron Area Transportation Study.

FISCAL IMPACT:

None to the General Fund. If awarded, the FY 2011/12 TCSP Grant would be the funding source for the Knightsen-Byron Area Transportation Study. Total authorized funding for the Federal TCSP Program is \$61.25 million for FY 2011/12, and the program requires 20% matching funds. The matching funds will be comprised of in-kind services (staff hours) and gas tax or Measure J revenue.

- APPROVE OTHER
- RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 07/26/2011 APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYES	5	NOES	
ABSENT		ABSTAIN	
RECUSE			

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: July 26, 2011

, County Administrator and Clerk of the Board of Supervisors

Contact:

By: June McHuen, Deputy

cc: Patrick Roche, DCD, Jerry Fahy, PWD, Lara DeLaney, CAO

BACKGROUND:

The TCSP Program provides funding for a comprehensive initiative including planning grants, implementation grants, and research to investigate and address the relationships between transportation, community, and system preservation and to identify private sector-based initiatives. The program also seeks to fund projects that plan and implement strategies which improve the efficiency of the transportation system, reduce environmental impacts of transportation, reduce the need for costly future public infrastructure investments, ensure efficient access to jobs, services and centers of trade, and examine development patterns and identify strategies to encourage private sector development patterns which achieve these goals. States, metropolitan planning organizations, local governments and tribal governments are eligible for TCSP Program grant funds. The TCSP Program \$61.25 million per year since FY 2006/07.

Last year the County submitted an application for the Knightsen-Byron Area Transportation Study under the Caltrans Community-Based Transportation Planning Grant Program, but the project was not awarded funding. This study proposes to re-evaluate the Circulation Element of the General Plan to improve its consistency with the Urban Limit Line and related policies that support preservation of non-urban, agricultural, open space and other areas identified outside this line. The study area includes portions of land designated as Agricultural Core in the County General Plan. A map of the proposed study area is attached. This area is also a Priority Conservation Area, which is a designation developed by the Association of Bay Area Governments to describe areas that encompass regionally significant conservation values and demonstrate community support and an urgent need for protection within five years. This study would be conducted in cooperation with the Knightsen Municipal Advisory Council, Byron Municipal Advisory Council, Discovery Bay Community Services District and the cities of Oakley and Brentwood. Other stakeholders in the study area will be involved as well. Potential outcomes of the study include:

- Revisions to the Circulation Element and related General Plan policies for the study area;
- Revisions to the off-site fee program that funds transportation upgrades in the area; and
- Development code revisions for ultimate road cross sections and frontage improvements.

County staff was made aware of the FHWA Grant Program on May 10, 2011. The deadline for submitting applications was May 20, 2011. County staff quickly prepared an application in order to make the tight deadline. County staff has been seeking funding for this project for a while, and this opportunity was available but only briefly. However, unfortunately due to the time constraint staff was not able to execute a request for the Board of Supervisors' authorization to pursue this grant opportunity and submit an application. Therefore at this time staff is seeking retroactive approval and the Board's authorization to continue to proceed with the grant application. All applications had to pass an initial screening facilitated by Caltrans, and from there applications were forwarded to FHWA on June 3, 2011 for further consideration.

CONSEQUENCE OF NEGATIVE ACTION:

The County would need to identify other funding in order to re-evaluate the Circulation Element policies for the study area.

CHILDREN'S IMPACT STATEMENT:

The proposed study would evaluate policies to improve safe access to school facilities in the study area.

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 07/26/2011 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:



Resolution No. 2011/292

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, ON CONSIDERATION OF APPROVING AND AUTHORIZING THE CONSERVATION AND DEVELOPMENT DIRECTOR, OR DESIGNEE, TO SUBMIT A FEDERAL HIGHWAY ADMINISTRATION (FHWA) TRANSPORTATION, COMMUNITY, AND SYSTEM PRESERVATION (TCSP) GRANT FOR FUNDS UP TO \$199,200 FOR FY 2011/12 FOR THE KNIGHTSEN-BYRON AREA TRANSPORTATION STUDY.

WHEREAS, the County approved a transition agreement with the City of Oakley to collect \$27 million from new development on the East Cypress Corridor for County road improvements in the Knightsen-Byron Area consistent with the County General Plan;

WHEREAS, the County has approved an Area of Benefit Program to collect fees from development in the unincorporated area to fund County road improvements in the Knightsen-Byron Area consistent with the County General Plan;

WHEREAS, the County recognizes concerns expressed by the Knightsen Town Advisory Council regarding future road improvements that the County General Plan proposes in the Knightsen-Byron area;

WHEREAS, the County desires to work with interested community stakeholders to prepare the Knightsen-Byron Transportation Area Study for the purpose of reviewing the County General Plan Circulation Element policies for the area to ensure future road improvements are cost-effective and consistent with, among other things, the existing rural and agricultural characteristics of the area; and

WHEREAS, FHWA has requested applications for grant funds for Transportation, Community, and System Preservation projects,

NOW, THEREFORE, BE IT RESOLVED, that the Contra Costa County Board of Supervisors hereby authorizes and directs the Conservation and Development Department Director, or designee, to complete and deliver a Transportation, Community, and System Preservation Program Grant application to FHWA for funds up to \$199,200 for FY 2011/12 for the purpose of developing the Knightsen-Byron Area Transportation Study.

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

ATTESTED: July 26, 2011

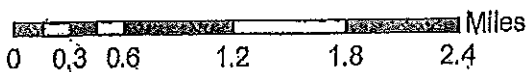
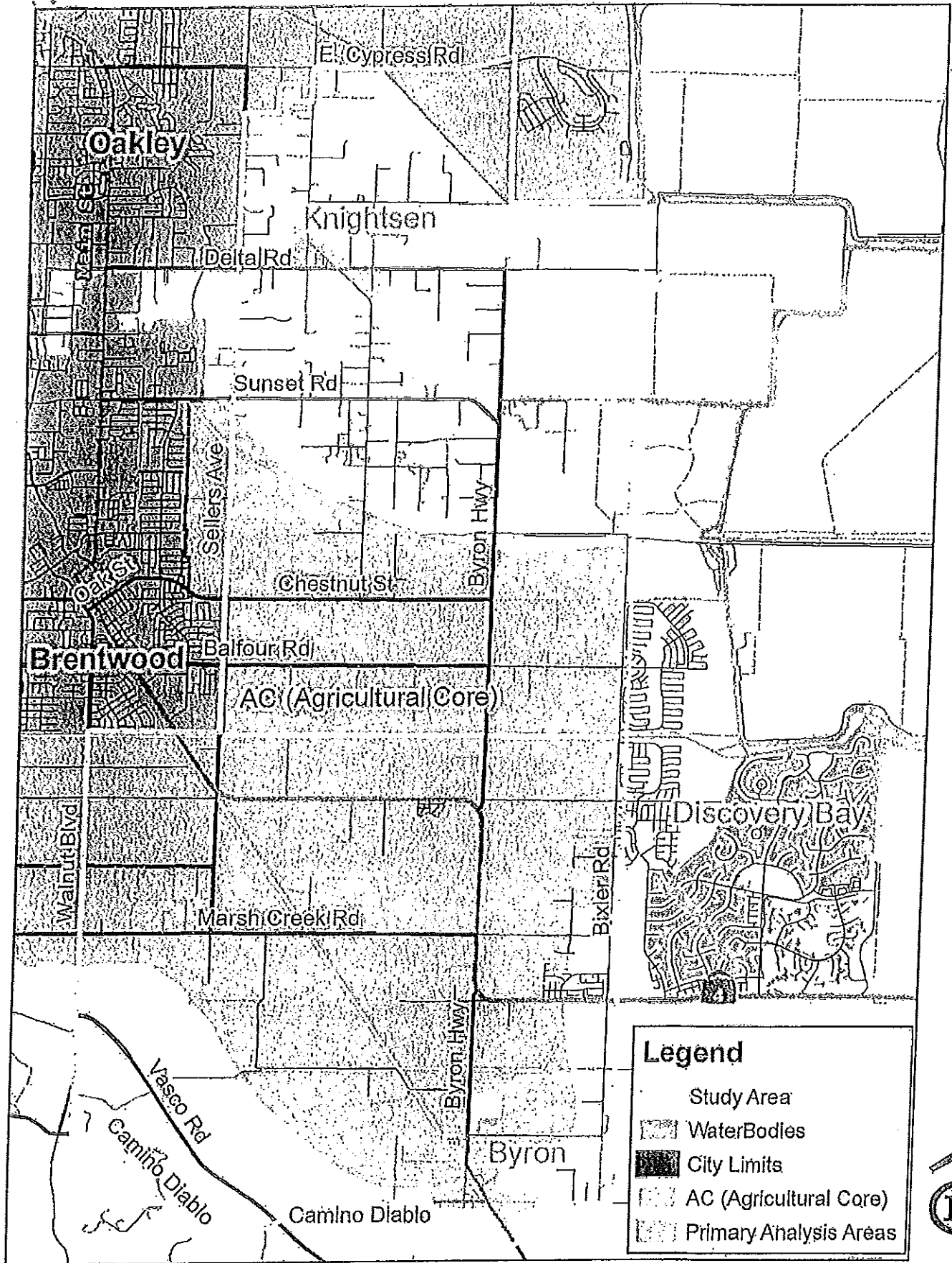
Contact:

County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Patrick Roche, DCD, Jerry Fahy, PWD, Lara DeLaney, CAO

Knightsen-Byron Area Transportation Study Proposal



Map created 3/10/2010
 by Contra Costa Conservation and Development Department
 Community Development Division - GIS Group
 651 Pine Street, 4th Floor North Wing, Martinez, CA 94553-0795
 97-59-48.435N 122-08-35.384W

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emailed to Board + GM



California Regional Water Quality Control Board
Central Valley Region
Katherine Hart, Chair

Town of Discovery Bay
Received



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

AUG 22 2011

Edmund G. Brown Jr.
Governor

Matthew Rodriguez
Secretary for
Environmental Protection

August 19, 2011

Honorable Rick Howard
Manager
Town of Discovery Bay
1800 Willow Lake Road
Discovery Bay, CA 94505

Dear Manager Howard,

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) is a state regulatory agency charged with protecting water quality for surface and ground waters of the State. It is the largest of the nine regional boards encompassing nearly 40 percent of the land area of California and implements and enforces its water quality programs in all or part of 38 of the 58 counties within the State. Public agency facilities, special districts, businesses, industries and private residents in your communities may be regulated by the Central Valley Water Board.

The Central Valley Water Board has developed the attached brochure in order to help elected officials and other stakeholders better understand the role of the Board and the Board's programs. This brochure, developed in 2010, provides a brief history of the regional board system, the programs implemented by the Central Valley Regional Water Board and a link to our website to allow the reader to obtain more information.

I invite you to read the brochure and if you have any questions, or would like to know more about our Board, please contact me at (916) 464-4638 or by email at pcreedon@waterboards.ca.gov.

Sincerely,

Pamela C. Creedon
Executive Officer

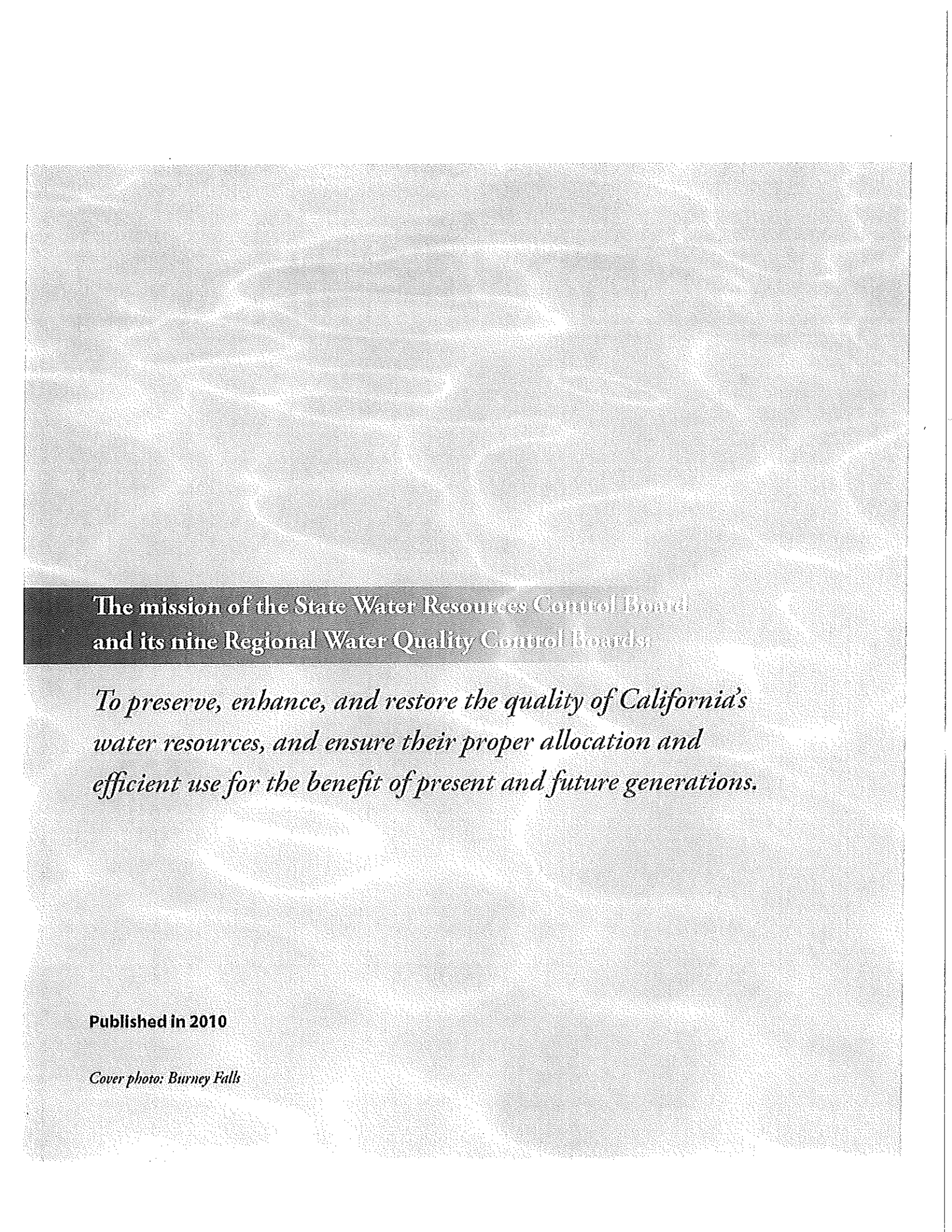
Enclosures: Central Valley Water Board, Brochure

Central Valley Regional Water Quality Control Board

Region 5



Protecting California's Water



**The mission of the State Water Resources Control Board
and its nine Regional Water Quality Control Boards:**

*To preserve, enhance, and restore the quality of California's
water resources, and ensure their proper allocation and
efficient use for the benefit of present and future generations.*

Published in 2010

Cover photo: Burney Falls

Water is a precious resource in California, and maintaining its quality is of utmost importance to safeguard the health of the public and the environment.

The mission of the Central Valley Regional Water Quality Control Board (Regional Board) is to protect water quality by regulating potentially water polluting practices and enforcing state and federal laws and policies.

This is important, because the Central Valley – Region 5 – is the largest and most diverse region in California, stretching from the Oregon border to the northern tip of Los Angeles County – about 60,000 square miles or nearly 40 percent of the state. It includes all or part of 38 of California's 58 counties and nearly 80 percent of the state's irrigated agricultural land.

As the fastest growing region in California, the Central Valley is home to about 6.5 million people. By 2020 the population is anticipated to increase by 39 percent, putting increased demands on water resources.

The Sacramento River and the San Joaquin River, two of the state's major rivers, drain the region. Their watersheds, along with the Tulare Lake Basin, are the three major watersheds in the Region. The most important aspect of California's complicated water picture is the Delta, where the Sacramento and San Joaquin rivers meet. The Delta is within the Regional Board's jurisdiction.

In total, water from the Central Valley provides more than 50 percent of the state's total water supply, provides drinking water for 25 million Californians and irrigation for millions of acres of farms in and out of the valley. Yet,

according to state reports, many of the waterways within the valley are impaired by an assortment of pesticides, metals, salts, pathogens, fertilizers and industrial chemicals.

Key water quality program areas in the Central Valley include:

- Agriculture and ag-related industry
- Animal feeding operations including dairies
- Municipal and industrial waste disposal in water and on land
- Storm water runoff
- Timber harvest operations
- Abandoned mines
- Pollution cleanup

Structure and Organization

In 1949 the California Legislature enacted the Dickey Water Pollution Act that made sweeping changes in California's approach to water pollution control and water quality. It established the nine Regional Water Boards that represent the major drainage basins throughout the State.

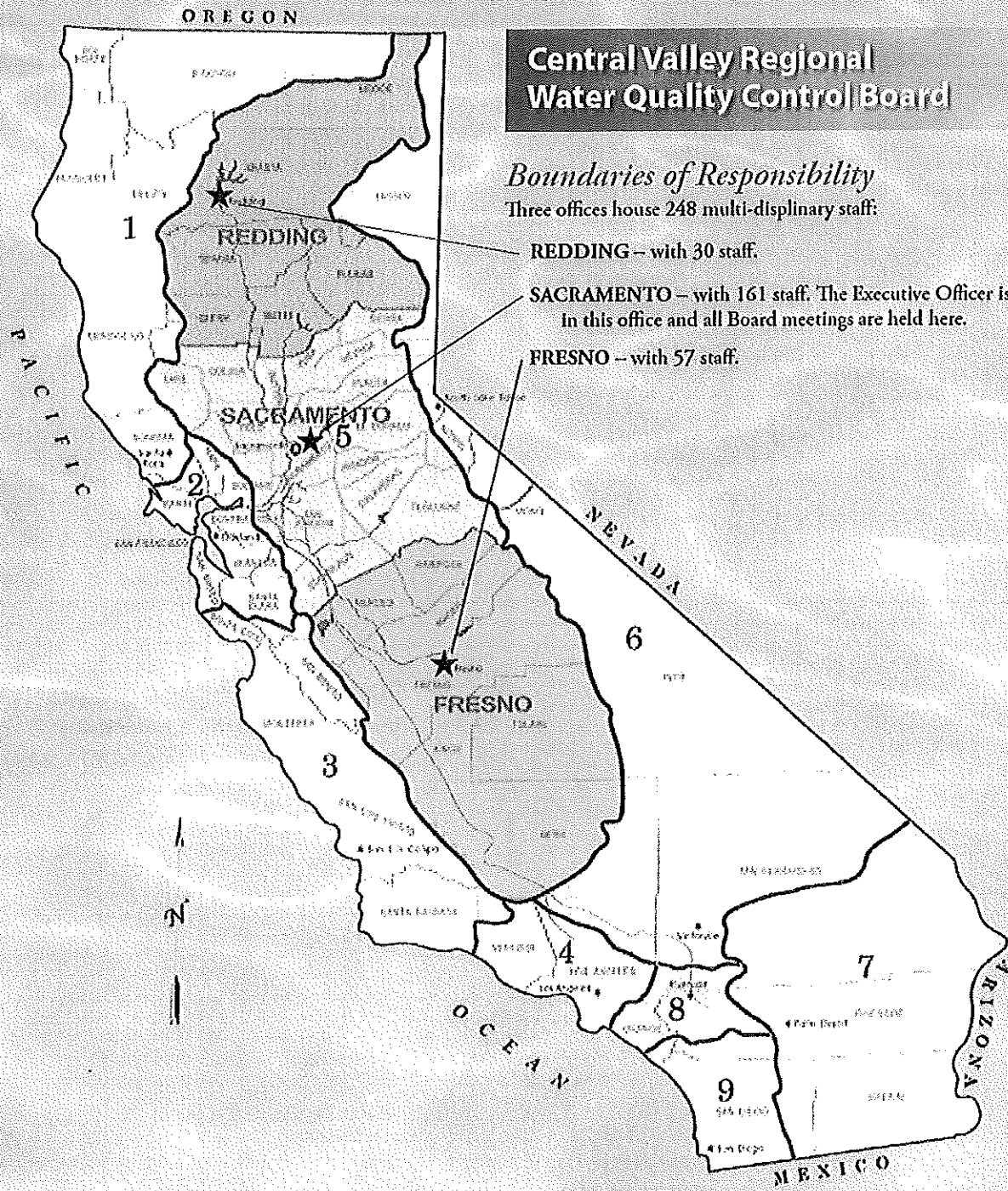
It was not until 1967 that the current structure of the State Water Resources Control Board and the nine Regional Boards was formed. In 1969, the State Legislature enacted the *Porter-Cologne Water Quality Control Act*, the cornerstone of today's water protection efforts in California. The Legislature realized that California's water pollution problems varied from region to region depending on precipitation, topography, and population, as well as recreational, agricultural, and industrial development and therefore independent regional boards were created to address these differences.

The Regional Boards have responsibility for overseeing and enforcing the state's water quality regulatory and planning programs. Nine gubernatorial appointees with expertise in water supply, irrigated agriculture, industry, and municipal and county government in that region, serve on each Regional Water Board.

The State Water Resources Control Board is responsible for setting statewide policies, or adopting permits, regulations or policies that extend beyond the jurisdictional boundaries of two or more regional boards and for water rights. They control the budgetary and administrative/personnel functions for all the Water Boards, provide critical support such as legal counsel, public affairs and other functions. The State Water Resources Control Board also serves as the appellate board that parties may petition if they believe they have been aggrieved due to any action or inaction by a Regional Board.

The Water Boards' structure is unique in that each regional board is semi-autonomous from the State Water Resources Control Board. It is not a traditional headquarter/district office type organizational structure, such as Caltrans. Each Regional Board appoints its own Executive Officer that serves at the will of the Regional Board. The Executive Officer is responsible for hiring and managing staff that implement and enforce the Regional Board regulatory programs.





Central Valley Regional Water Quality Control Board

Boundaries of Responsibility

Three offices house 248 multi-disciplinary staff:

REDDING – with 30 staff.

SACRAMENTO – with 161 staff. The Executive Officer is in this office and all Board meetings are held here.

FRESNO – with 57 staff.

map not to scale

Water Quality Issues

The Regional Board is in charge of protecting water quality. Pollutants and contaminants pose a constant threat to California's water, so the Board regulates waste that can enter and degrade the water, including treated wastewater, toxic and non-toxic byproducts from business operations, pollutants from runoff, and waste from livestock.

California has two primary water sources:

- Surface water in natural waterways (lakes, creeks, streams and rivers) and man-made water collection and delivery systems (storm drains, canals, and larger systems such as the state and federal water projects) deliver water to farms and cities.

Groundwater in underground aquifers, many of which are in the Central Valley, is estimated at 850 million acre-feet of water in the state (one acre-foot equals about 326,000 gallons, or enough water to cover an acre of land – about the size of a football field – one foot deep. One acre-foot can meet the annual indoor and outdoor needs of one to two urban households).

The Regional Board has programs to specifically address the water quality of both surface water and groundwater.

For more information about the Regional Board, go to its website: <http://www.waterboards.ca.gov/centralvalley>

Surface Water Quality Protection Programs

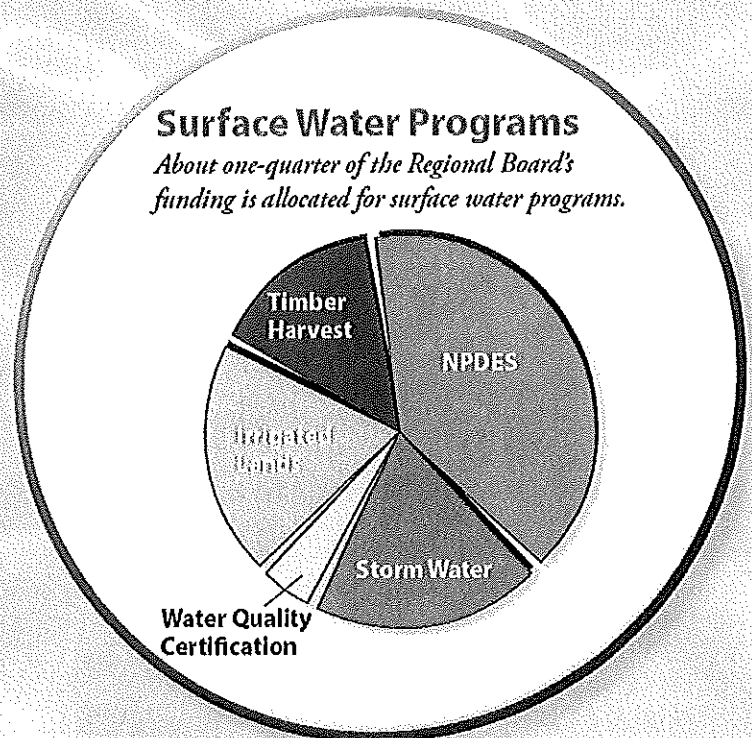
In a typical year, California receives about 70 million acre-feet of rain and snow, which percolates into the ground or flows into streams, rivers, lakes, wetlands and the ocean. About half of the state's available surface water is collected in more than 1,300 local, state and federal reservoirs and then released and transferred according to flow schedules and need.

Contaminants can be conveyed into surface waters in a variety of ways. When storm water and runoff from irrigation water collects on land and hard surfaces and runs off, it flushes polluted water into waterways. Contaminants can also be discharged from other diffuse sources and from illegal direct discharges. Water quality also is degraded when contaminants directly spill or leak into the waterways.

The Regional Board has established and oversees a number of programs to ensure water quality meets state and federal standards. To that end, the Board issues permits and takes enforcement action when regulations and policies are violated.

Surface Water Programs

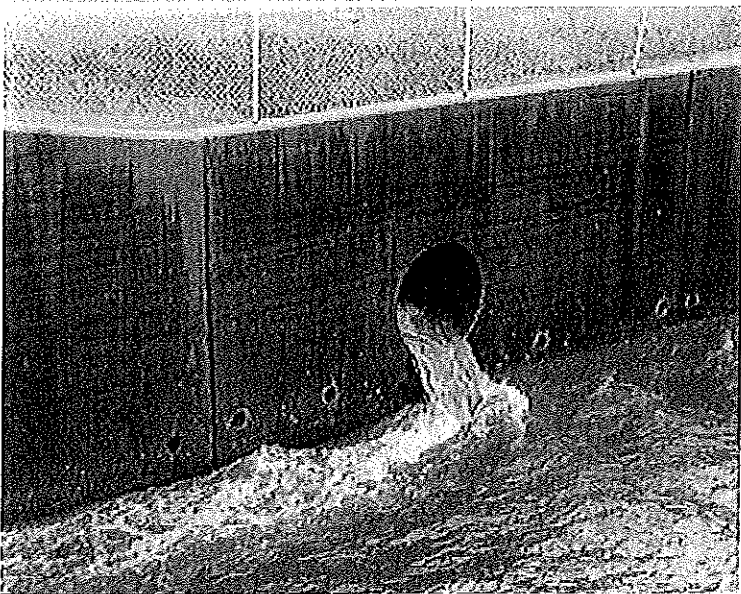
About one-quarter of the Regional Board's funding is allocated for surface water programs.



National Pollutant Discharge Elimination System (NPDES) Wastewater Program

The NPDES Wastewater Program – a federal program overseen by the state – has responsibility for regulating wastewater discharges to surface waters that are defined as waters of the United States. Primary program activities include issuing NPDES permits that prescribe the volume, type and concentration of wastes that can be discharged; monitoring dischargers to ensure compliance with permit requirements; taking enforcement action as appropriate; investigating spills and illegal discharges and handling petitions and litigation. More than 200 permits (30 percent of the total number of individual permits statewide) have been granted in the Central Valley and more than 77 dischargers are subject to General NPDES Permits.

For more information: http://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water



NPDES Storm Water Program

The federal NPDES Stormwater Program that is administered and enforced by the state includes three focus areas:

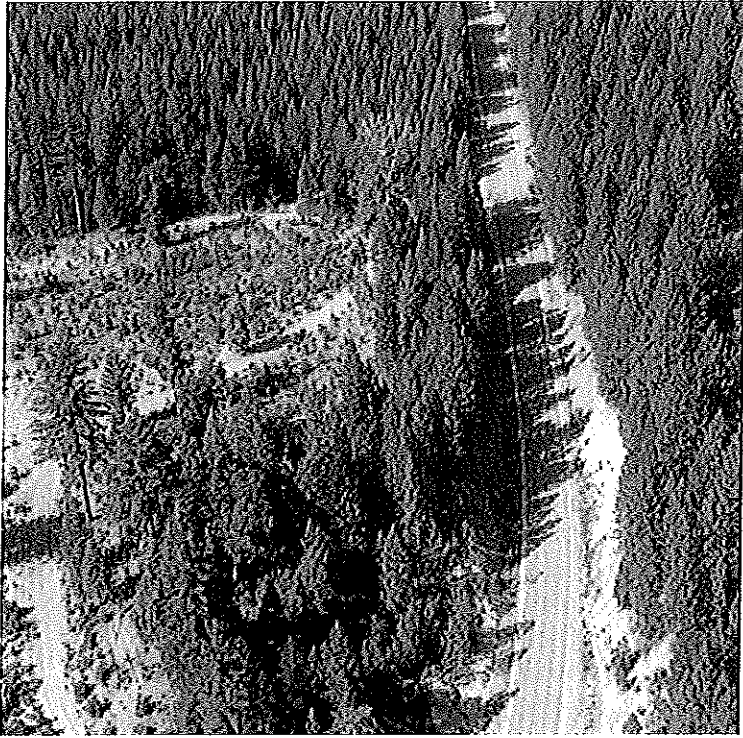
- Municipal
- Construction
- Industrial

Storm water pollution is a serious problem presenting a real threat to the state's waterways, communities and public health and safety. Reducing storm water pollution is a top priority. The construction and industrial storm water programs differ from other regional programs in that these discharges are regulated under General Permits adopted by the State Water Board with Regional Board staff providing oversight and enforcement. Currently, there are nearly 2,000 industrial storm water sites and more than 4,200 construction sites regulated through this program in the Central Valley. Construction sites vary over time depending on the construction activities throughout the region.

The municipal storm water program has two phases: Phase I and Phase II. Phase I municipalities are regulated by individual orders issued by the Regional Board. Phase II municipalities are regulated by a General Order adopted by the State Water Board but is enforced by the Regional Board. Currently there are 93 Phase I and Phase II municipalities in the Central Valley.

The Board continues to designate additional municipalities to be regulated under the municipal storm water permit program.

For more information: http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water



Timber Harvest Program

With 45 percent of the state's harvested timber in the Central Valley, harvesting operations have the potential to impact water quality in higher elevation watersheds, which is the source of much of California's surface water supply. Threats to water quality include erosion/siltation from tree harvesting, road construction and abandonment, water-body crossings and herbicide applications.

In 2003, the Regional Board adopted a Conditional Waiver for Discharges Related to Timber Harvest Activities. The waiver specifies criteria and conditions that must be met by those engaged in timber harvest activities on private and U.S. Forest Service lands. Regional Board staff is responsible for ensuring waiver compliance by evaluating the application and certification forms and by conducting field inspections.

For more information: http://www.waterboards.ca.gov/centralvalley/water_issues/timber_harvest

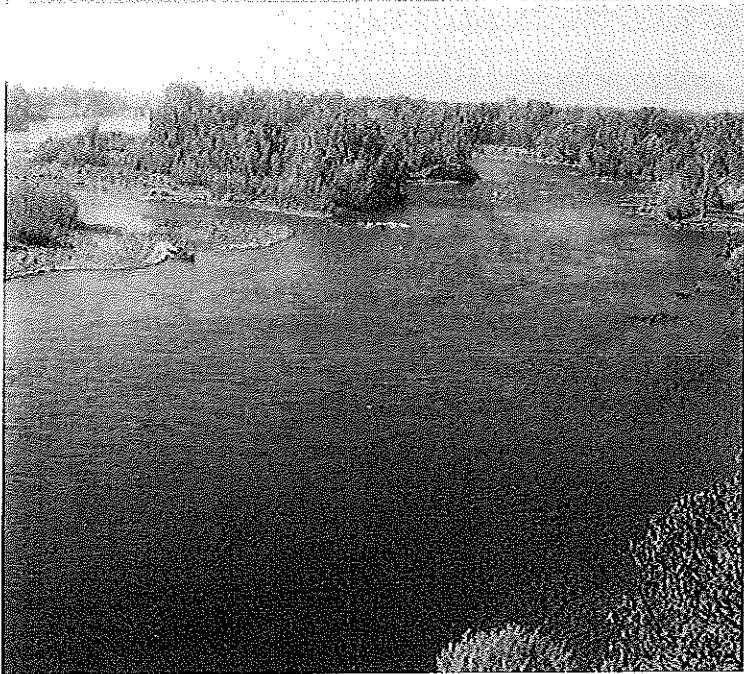
Abandoned Mines

California has a rich history of mining. Unfortunately, mines that now lie abandoned pose a risk for severe water quality degradation. Of chief concern are releases of highly acidic water from mine waste and release of toxic metals, such as copper or mercury, that are either toxic to aquatic life, accumulate to threaten the aquatic food chain or may be in high concentrations that pose a threat to human health via skin contact or inhalation. Other abandoned mines present problems simply because of erosion from untended waste rock piles.

Regional Board staff is presently working on approximately 60 mine sites with 37 of the mines being legacy mines and 22 being more recent mining operations. Twenty-one (21) of the legacy mine sites have some type of order on them, including Cleanup and Abatement Orders, NPDES permits, Cease and Desist Orders and Superfund Sites. Twenty-two (22) active mine sites are regulated by WDRs or storm water permits. Remediation costs for abandoned mines are high, ranging from \$100,000 to \$100 million per mine.

For more information: http://www.waterboards.ca.gov/centralvalley/water_issues/mining/index.shtml





Sacramento-San Joaquin River Delta

Staff from the State Water Board and the Central Valley and San Francisco Bay Regional Boards formed the Bay-Delta Team to improve coordination of the Water Boards' activities in the San Francisco Bay and Delta. The team is developing a short and long-term program to address impacts to beneficial uses of water in the Delta. To that end, the Bay-Delta Team identified short and long-term actions in a joint resolution. A long-term strategic workplan includes objectives and priorities and describes how those will be coordinated with and informed by other regulatory and planning activities in the Delta. It also includes a time schedule for achieving strategy goals and objectives and references detailed project-specific workplans.

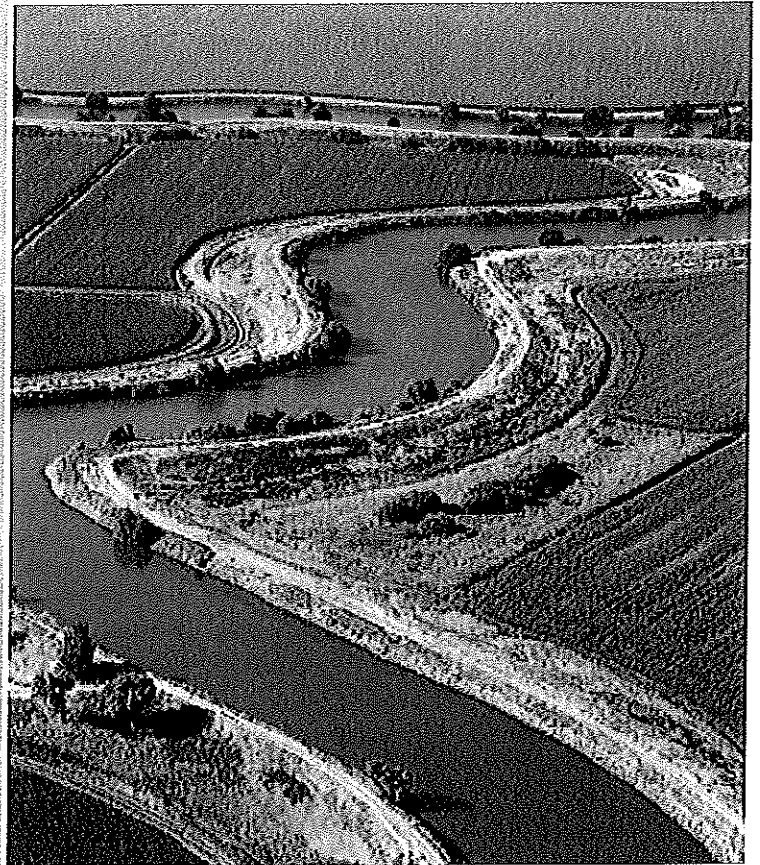
Total Maximum Daily Loads (TMDLS)

The federal Clean Water Act requires states to identify a list of impaired water bodies and a priority ranking for addressing impairments. The focus of a Total Maximum Daily Load (TMDL) is to determine how much of a contaminant can enter a water body without causing an impairment (carrying capacity) or what can be done to restore the impaired water body, and then establish load reduction requirements to ensure that the carrying capacity is not exceeded.

The list of impaired water bodies is scheduled to be updated every two years and submitted to the U.S. Environmental Protection Agency (USEPA) for approval. The Regional Board is responsible for developing and implementing TMDLs or other approaches for addressing impaired waters.

As of 2006 there were 342 listed impairments on 122 water bodies, including virtually all of the mainstream rivers and the Delta and its tributaries in the Central Valley.

For more information: http://www.waterboards.ca.gov/centralvalley/water_issues/tmdl/index.shtml



Groundwater Quality Protection Programs

Water pumped from wells in a typical year meets about 30 percent of California's total water needs, while in drought years the state relies on groundwater for as much as 50 percent of the water demands of growing cities and farms.

The quality of groundwater is threatened by a host of contaminants. In urban areas, typical groundwater impairment and pollution comes from leaking underground fuel tanks, industrial waste discharges, commercial facilities (including dry cleaners), failed septic systems, municipal treatment ponds and landfills. Agricultural groundwater impairment and pollution comes from fertilizers, pesticides, animal waste and irrigation leaching. The Central Valley has the highest number of dairies and agricultural lands, as well as more than 50 percent of all the septic systems in California. The valley also has a high number of wastewater treatment plants. Recent studies have shown significant concentrations of nitrates in surface water and water wells, particularly in the San Joaquin Valley.

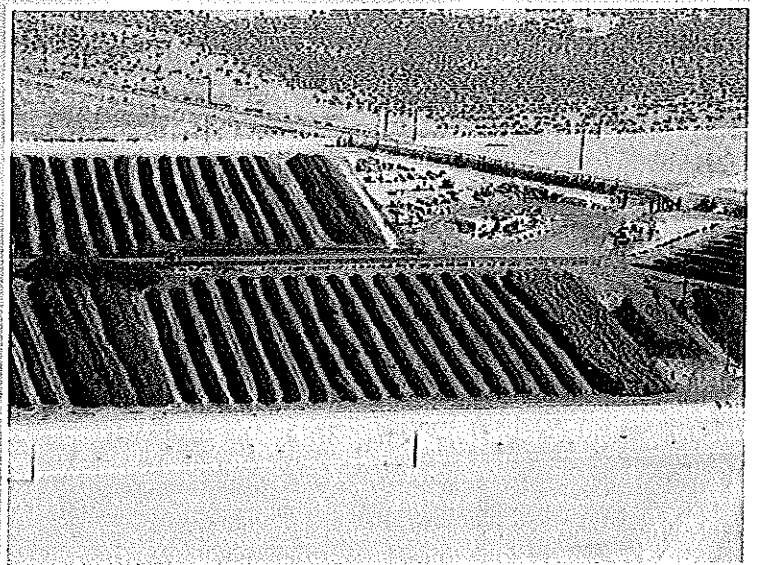
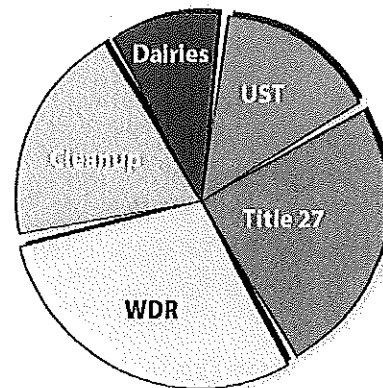
As part of its mission to protect water quality, the Regional Board oversees a number of programs to ensure that contaminants and toxics stay out of groundwater. These programs include both permitting and enforcement components.

Waste Discharge Requirements (WDRs)

The majority of all WDRs adopted by the Regional Board are to authorize and control the discharge of waste to land. Land discharges include municipal and industrial treatment and holding ponds, treated wastewater ponds, crop lands, spreading basins and irrigated vegetation. WDRs are issued by the Regional Board under the authority of the California Water Code. WDRs contain limits on the allowable concentrations of constituents in the discharge, prohibitions, provisions and monitoring and reporting requirements. There are more than 890 individual sites regulated by WDRs and an additional 150 sites regulated under General WDRs. There is a significant backlog of

Groundwater Programs

About half of the Regional Board's funding is allocated for groundwater programs.



This site features composting of biosolids from wastewater treatment plants on a constructed surface.

new facilities awaiting WDRs to be issued and many more discharges within the Central Valley that need to be regulated by the Regional Board. The Groundwater Quality Protection Strategy being developed by the Regional Board will identify how the Board will address these issues (see page 15).

Land Disposal (Title 27) Program

The Land Disposal Program is a groundwater protection program that is a regulatory program with stringent requirements defined in Title 23 (for hazardous waste) and Title 27 (for non-hazardous waste) of the California Code of Regulations (CCRs). It regulates liquid and certain solid wastes that are discharged to land for treatment, storage and disposal in landfills and ponds. Facilities that discharge wastes to land that are not required to be regulated under the Title 27 program are regulated under the WDR program.

In general, hazardous and certain nonhazardous wastes cannot be discharged directly to the ground without impacting water quality so they must be contained. Containment is implemented through the adoption of WDRs for disposal facilities that meet the prescribed requirements contained in Title 27. The CCRs specifically define the monitoring and non-compliance response actions that

must be conducted by those regulated under the Title 27 Program. The Regional Board regulates approximately 300 facilities under this program.

For more information: http://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_land



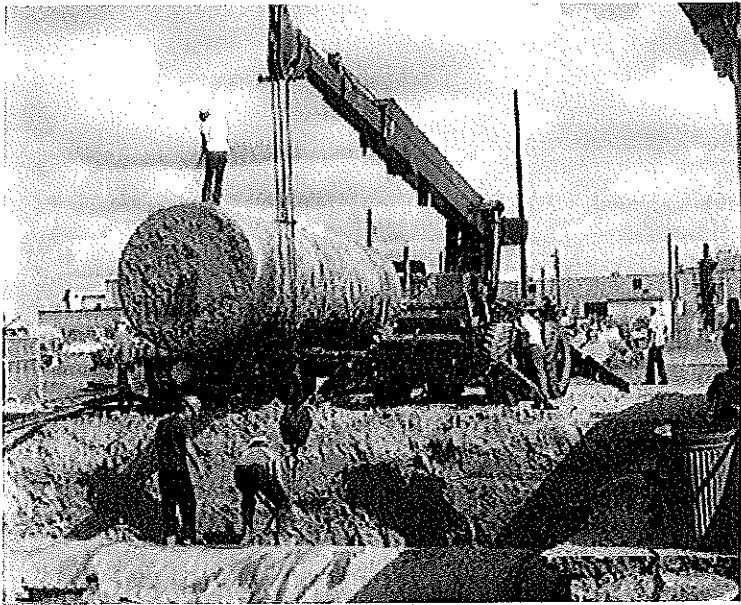
An active landfill situated adjacent to a canal in Clovis. The section on the left has been lined while the waste on the far right is being mined to rebuild the disposal unit with a liner.

Groundwater Cleanup Programs

The State Water Board has enforceable policies and procedures to address sites where wastes that are discharged through leaks or spills have impacted or caused groundwater pollution. When a discharge occurs, the parties responsible must clean up soil and groundwater to levels that meet state standards. The Regional Board oversees this process, including making specific findings based on information submitted by the discharger, determining the level of pollutant reduction that is reasonable to achieve and approving a management plan.

Underground Storage Tank (UST) Program

Cleanup of leaking tanks often involves a soil and groundwater investigation and remediation under the direction of a regulatory agency, which may include the Regional Board, County or City Health departments. The various agencies coordinate to ensure that requirements from each agency are met.



The UST Program focuses on preventing, detecting or responding to releases of petroleum and other hazardous substances from tanks, pipelines and connections below ground. There are four program elements: leak prevention, cleanup, enforcement and licensing for tank testers.

The primary role of the Regional Board staff is managing and directing the investigation and remediation of tanks that have leaked – more than 1,000 cases in 2008. In addition the Regional Board had a review role of more than 1,300 cases in 2008 that are under the oversight of local agencies. Altogether the Regional Board was involved in 26 percent of the statewide workload involving USTs.

For more information: http://www.waterboards.ca.gov/centralvalley/water_issues/underground_storage_tanks

Cleanup Program

Past waste disposal and handling practices, spills and leaks have contributed to polluted sites that could threaten municipal and private water supply wells. The Regional Board staff ensures that investigations proceed and regulations are met. Sites include industrial facilities, dry cleaners, pipeline leaks and spills, mines, above-ground tank farms and pesticide and fertilizer facilities, among others. Among these are 350 facilities, 20 mine sites and 40 other cleanup sites.

Federal Facilities Program

Decades of defense and energy research activities have contaminated soils and degraded water quality on and around federally owned facilities. Many of these facilities are federal Superfund sites and require large, complex investigation and cleanup work over many years, involving cooperation among state and federal agencies.

There are currently 474 Department of Defense (DoD) and Department of Energy (DoE) sites that are under remediation within the Regional Board. Many of the DoD sites are large facilities (McClellan, Mather, Castle, Beale military sites) that have hundreds of sub-sites or areas, including tanks. Regulatory control, oversight and clean up of military sites is occurring through the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) process.

In 2008 the former Davis Global Communications Site was an 'early transfer' from the Air Force to Yolo County. This was one of the first early transfers with the Regional Board taking the lead role in obtaining the Governor's concurrence. 'Early transfer' is important because it accelerates property transfer prior to cleanup of all contamination.

For more information: http://www.waterboards.ca.gov/centralvalley/water_issues/site_cleanup

Agricultural Programs

Dairy Program

The Regional Board regulates several types of confined animal facilities, including dairies, feedlots, poultry facilities and horse facilities. The Dairy Program is a comprehensive regulatory program that implements strict measures to protect water quality by setting prohibitions, requirements and monitoring of liquid and solid animal waste and byproducts that could affect the quality of both surface water and groundwater. California is the largest dairy state with 80 percent of the dairies situated in the Central Valley (about 1,500 milk cow dairies are regulated under WDRs in this program). An extensive outreach and education program has been implemented since the adoption of the WDRs in 2007 and is helping to ensure compliance by educating individual dairy operators on how to develop, implement and maintain documents and plans required by the permit.

Approximately 400 feedlots, poultry and other confined animal operations are also subject to regulation by the Regional Board. The Regional Board intends to regulate these facilities under General WDRs.

For more information: http://www.waterboards.ca.gov/centralvalley/water_issues/dairies/index.shtml



Irrigated Lands Regulatory Program

About 80 percent of California's irrigated land -- farms, nurseries and wetlands -- is in the Central Valley. Irrigated lands that have water run off their fields to surface waters, such as rivers and streams, are subject to regulations under the Irrigated Lands Regulatory Program.

A range of pollutants are found in runoff from irrigated lands:

- Pesticides
- Fertilizers/Nutrients
- Salts
- Pathogens
- Sediment

At high enough levels, these pollutants can harm aquatic life or make a stream unusable for drinking water or agricultural uses.

The Central Valley Irrigated Lands Regulatory Program (ILRP) is one of the first comprehensive water quality regulatory programs of a major agricultural area in the United States. It currently regulates discharges from irrigated lands to surface waters for over 5 million acres of irrigated agriculture representing approximately 70,000 parcels or more than 25,000 individual growers.

In its sixth year of implementation, the ILRP is a regulatory program that is being successfully implemented in accordance with conditions and requirements established in the Conditional Waiver. The Conditional Waiver was issued under the authority of the California Water Code and contains two key elements. It establishes conditions and requirements that must be implemented or reported by coalitions and it establishes a monitoring program. Implementing the conditions of the waiver will result in management practices being implemented to protect surface water quality. The current Conditional Waiver is set to expire in June 2011.

For more information: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/index.shtml

Long-Term Irrigated Lands Program



The Irrigated Lands Regulatory Program, initiated in 2003, was considered an interim program to be implemented and enforced while the Regional Board assessed, evaluated and developed a long-term regulatory program. The long-term program alternatives are being fully evaluated through a Programmatic EIR. The current interim regulatory program addresses discharges to surface water only from irrigated lands. The long-term regulatory program is evaluating regulating discharges to protect both surface water and groundwater. The Programmatic EIR and recommended long-term program is expected to be heard by the Regional Board in early 2011 and implemented by Regional Board staff upon expiration of the current waiver program in 2011. As part of this process, a stakeholder advisory workgroup was formed to assist Regional Board staff in developing the long-term strategy.

Stakeholder Policy Groups

Many new and emerging policies being developed by the Regional Board address very complex and controversial water quality issues that are of keen interest to many stakeholders.

To help the Regional Board develop these policies, and to ensure the best strategies and most efficient programs are developed to address water quality in the Central Valley, the Regional Board has formed a number of stakeholder groups. These groups are comprised of members from federal, state, regional and local agencies as well as experts on specific subjects, including citizens and representatives from industry, environmental justice organizations, environmental groups and other interested parties.

The stakeholder groups have a common purpose to help the Regional Board achieve its goals to protect and improve water quality in the Central Valley and also have an keen interest in future regulations:

- Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) will develop a comprehensive regionwide salinity and nitrate management plan to be incorporated in and implemented through the two Basin Plans within the Regional Board.
- Long-Term Irrigation Land Program will develop a long-term plan that will guide the Regional Board on how to regulate discharges from agricultural lands to surface and ground waters.
- Delta Mercury and Methylmercury TMDL Program to develop a control program to address the contamination of mercury and methylmercury, an aquatic toxic agent, in the Delta. The goal of the control program is to ultimately reduce the elevated levels of methylmercury in fish that pose a risk to humans if consumed in high quantities.
- Groundwater Quality Protection Strategy to establish a roadmap to describe how the Regional Board will move forward to protect and regulate groundwater throughout the valley.

Compliance and Enforcement Program

When state and federal laws, regulations, policies and orders are violated, the Regional Board is responsible for taking appropriate enforcement actions, including issuing penalties or mandating corrective actions.

Timely and consistent enforcement of environmental laws is critical to the success of the water quality program and to ensure that the people of the State have clean water. Compliance with regulations is critical to protecting public health and the environment. It is the preference of the Regional Board that the most effective and timely methods be used to assure that the regulated community stays in compliance. The Regional Boards' enforcement actions shall be suitable for each type of violation, providing consistent treatment for violations that are similar in nature and have similar water quality impacts. Where necessary, enforcement actions will ensure a timely return to compliance.

Enforcement actions by the Regional Board must be consistent with the statewide Water Quality Enforcement Policy, which established a progressive enforcement strategies that the Regional Board can implement at any level depending on the nature of non-compliance. These steps include:

- Official Letter, Notice of Violation or Notice to Comply
- Clean-up and Abatement Order
- Cease and Desist Order
- Formal Referral to Attorney General, District Attorney, USEPA or Task Force
- Monetary Penalty

The Enforcement Policy allows for a portion of certain penalties assessed by the Regional Board to be directed towards water quality improvement projects and educational programs within the watershed in which the violations occurred. These projects are referred to as Supplemental Environmental Projects (SEPs).

The California Water Code statutorily establishes a Minimum Mandatory Penalty (MMP) of \$3,000 per violation for certain types of non-compliances. Violations that meet the definition for an MMP must be assessed by the Regional Board, which has no discretion over the issuance of MMPs.

For more information: http://www.waterboards.ca.gov/centralvalley/water_issues/enforcement/index.shtml

Basin Planning

California's Porter-Cologne Water Quality Control Act requires each Regional Board to formulate and adopt water quality control plans, or basin plans, for all areas within the region, as well as to establish water quality objectives and develop an implementation program to achieve water quality objectives in the basin plans.

Every three years, a basin plan review is completed that assesses the appropriateness of existing standards and evaluates and prioritizes basin planning issues. Updates have been and will continue to be done through individual programs, such as through TMDLs and the Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS).

The Central Valley Regional Board maintains two Basin Plans: the Tulare Lake Basin and the Sacramento River and San Joaquin River Basins. The challenge is securing funding to update and maintain the Basin Plans to ensure they adequately address the water quality conditions, policies, laws and programs being implemented throughout the Central Valley by the Regional Board.

For more information: http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans

Other Regional Board Programs



Surface Water Ambient Monitoring Program (SWAMP)

SWAMP is a program implemented regionwide that includes collecting information about the physical, chemical and biological characteristics of the environment and provides an overall assessment of water quality throughout the region.

For more information: http://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_studies/surface_water_ambient_monitoring/index.shtml

Water Quality Certification Program (401 Certification)

This program regulates dredge and fill activity that results in any discharge to waters of the U.S. or the loss of wetlands.

For more information: http://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification

The Grant Program

This program funds projects to protect water quality from non-point discharges. The State Water Board is responsible for the administration of the Grant Program and distribution of funds for the State. Regional Board staff assist in project selection, provide oversight to the grantees and their projects and manage the grant contracts.

For more information: http://www.waterboards.ca.gov/centralvalley/water_issues/grants

Sanitary Sewer Overflows (SSOs)

A chronic and growing problem in municipalities is with their domestic sewage collection systems: sanitary sewer overflows (SSOs). These overflows can result in raw or diluted sewage overflowing onto streets and surrounding surface areas and possibly flowing into our surface water bodies. This can pose a great risk to the quality of the surface waters and to public health. SSOs are caused mainly by rainfall-induced infiltration and inflow, blockages and flow restrictions in the collection system.

Ensuring the capacity and structural integrity of a sanitary system so that no overflows occur is the problem being addressed by the SSO program. Identifi-

fication of the cause of SSOs, maintenance and repairs and replacements of sewer systems are expensive. About half the sewers in a typical municipality are located on private property and therefore collection line maintenance is the responsibility of private property owners. SSOs are regulated through Statewide WDRs for Sanitary Sewer Systems. Public agencies that own or operate sanitary sewer systems must develop and implement management plans, report all overflows to an online database, and take corrective action.

For more information: http://www.waterboards.ca.gov/water_issues/programs/sso

Emerging Priorities and New Programs

Salts and Nitrates

One of the most productive agricultural regions in the world, the Central Valley is also the fastest growing residential area in the state. Salts and nitrates in the water supply are a problem and left untreated, impair surface and groundwater used for drinking, farming, industry, the environment and recreation.

Water imported from the Sacramento-San Joaquin Delta brings 250 tons of salt a day into the valley via the state and federal water project canals. With limited or no outlet to the ocean, more salt is being imported into the San Joaquin Valley than is being exported; estimates are that approximately 2-million tons of salt accumulate in the San Joaquin Valley every year. Salts endanger the economic vitality of the Central Valley and limit business and residential growth. It also increases the costs of urban drinking water and wastewater treatment. And it significantly limits water resource management options, especially during droughts.

Excessive nitrates are a significant issue for public health and safety and can render a drinking water supply unusable. Many communities in the Central Valley have nitrate levels that exceed the maximum contamination level that defines when drinking water is safe.

The Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) Initiative is a comprehensive effort to develop a comprehensive salinity and nitrates

management plan to be implemented throughout the entire Central Valley. The plan will result in protection, restoration and enhancement of water quality impacted by salts and nitrates.

For more information: http://www.waterboards.ca.gov/centralvalley/water_issues/salinity/index.shtml

Groundwater Strategy

The Central Valley has the second largest contiguous groundwater basin in the United States and the largest groundwater basin in California. Future population growth expected in the Central Valley will place further demands on water supply and quality. Groundwater is the Central Valley's largest source and storage for water supply and its growing importance in meeting a community's water supply portfolio has placed an increased importance on groundwater quality protection and restoration.

Legacy and current practices by man have impacted and polluted groundwater throughout the Central Valley. Recent public reports indicate groundwater drinking water supplies for communities in the San Joaquin Valley have been degraded or polluted. This has elevated the need for a Groundwater Quality Protection Strategy that will provide a roadmap on where we are and where our current and emerging programs will move into the future to address groundwater within the Central Valley, including how the Regional Board will coordinate efforts with other agencies that have regulatory authority over groundwater. The Strategy will provide:

- Summary of the current condition and state of groundwater quality throughout the Valley,
- Summary of the current groundwater regulatory programs being implemented by the Regional Board and other agencies, and
- Roadmap for future regulatory and control activities that will be implemented by the Regional Board to assure a comprehensive, consistent, and coordinated groundwater protection program is being implemented throughout the Central Valley Region.



Sacramento-San Joaquin River Delta Strategy

The Sacramento-San Joaquin Delta is the focus of the most pressing water issues in the state and it is one of the highest priority water quality programs for the Regional Board.

About 80 percent of commercial fish pass through the Delta. Yet the ecosystem cannot support fish on the federal endangered species list, such as Delta smelt or Chinook salmon. Crumbling levees put farmland and growing urban areas at risk of floods. Drought and restricted water allocations have meant water supplies have dwindled for agriculture, the environment and drinking water.

While the State Water Board focuses on water rights in the Delta, the Regional Board's charge is to protect water quality. To improve coordination of the state's activities in the San Francisco Bay and Delta, the State Water Board and the Central Valley and San Francisco Bay Regional Boards formed the Bay-Delta Team. The team has developed and implemented a short- and long-term program to address impacts to beneficial uses of water in the Delta. This includes programs focusing on southern Delta salinity, Suisun Marsh management and restoration, as well as a review of the Bay-Delta Plan and water rights.

For more information: http://www.waterboards.ca.gov/centralvalley/water_issues/delta_water_quality/index.shtml



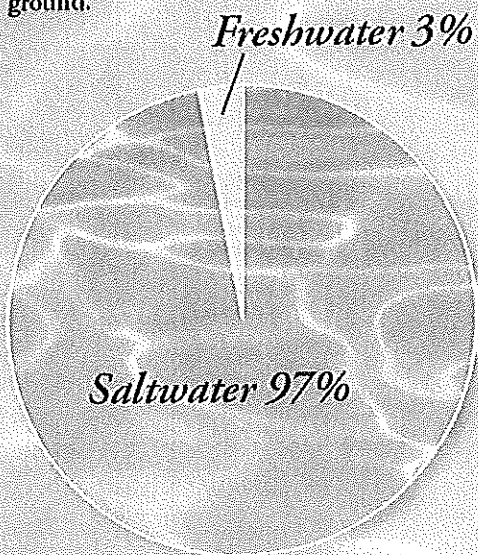
Why We Care – Freshwater is Precious

Where is the Water on Earth Located?

About 97 percent is salt water in seas and oceans. The remaining 3 percent is freshwater located in rivers, streams, lakes and in the ground.

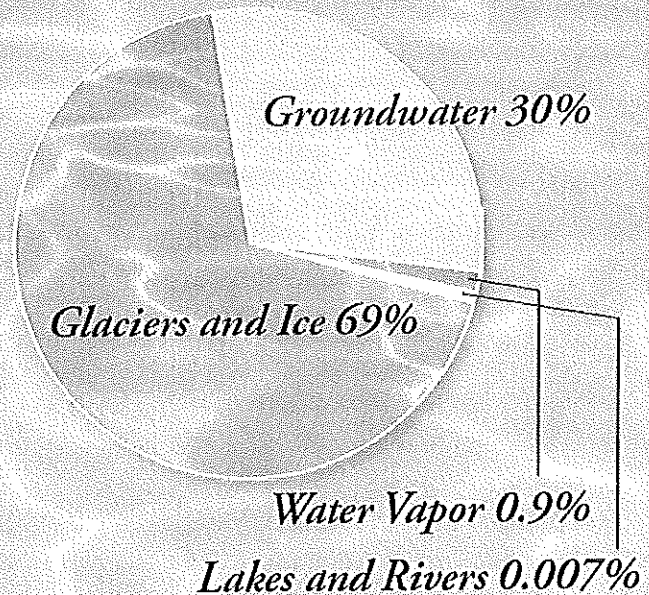
The Earth's Water

Most of the Earth's water- 99 percent - is unavailable for our use. It is in seas and oceans, in the atmosphere, out of reach in glaciers and ice or too deep to access within the ground.



Tapping Freshwater

Of the Earth's total freshwater, 68.7 percent is in ice and glaciers, another 30.1 percent is groundwater, 0.9% is water vapor in the atmosphere and 0.007 percent is surface water. Yet surface water is our daily primary source.



Freshwater

To capture the limited supply of freshwater for our use, we tap both groundwater and surface water.

► Groundwater:

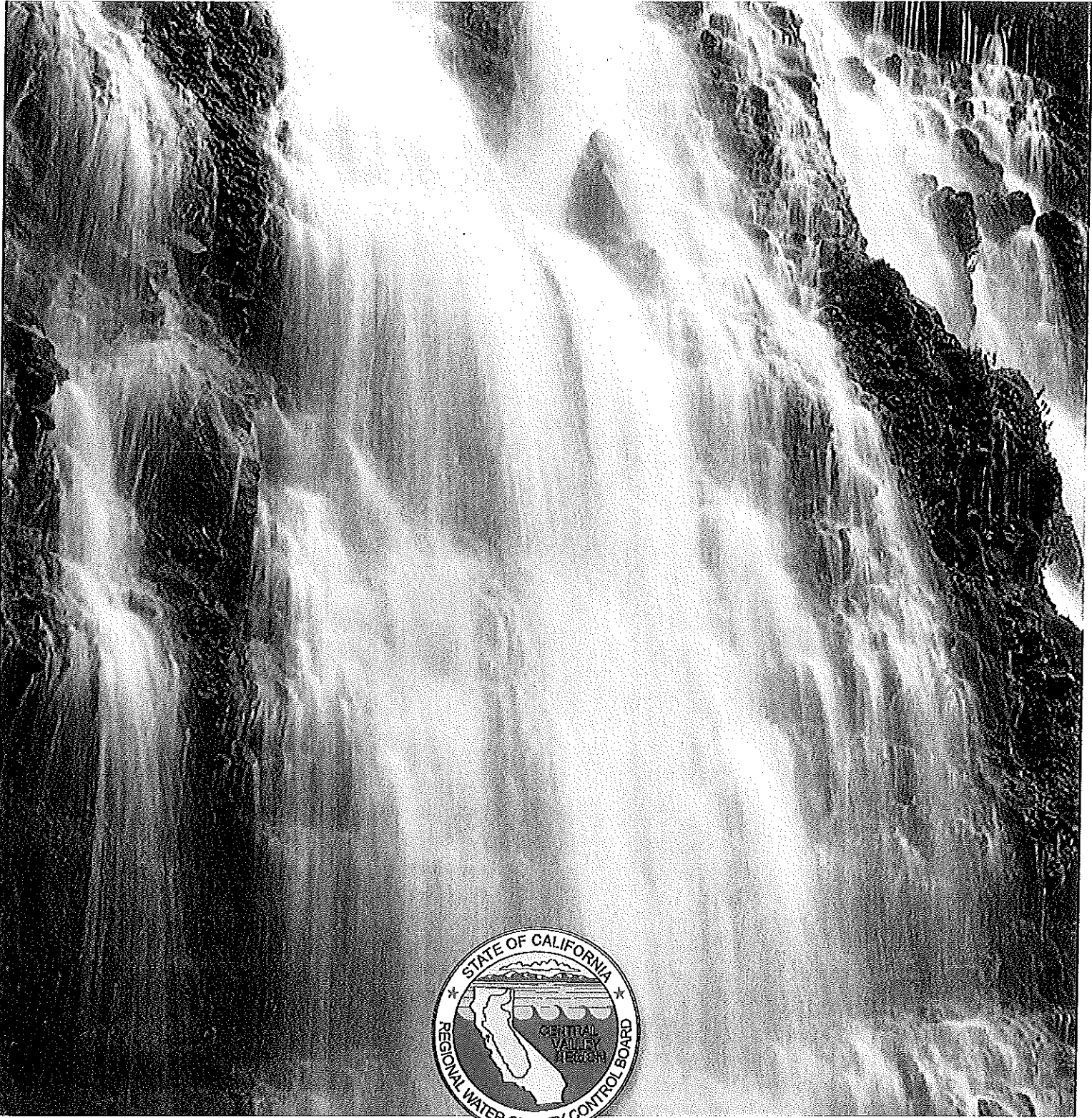
Much of the Earth's groundwater is too deep or of poor quality so we cannot use it. In California, we pump 14 million acre-feet of groundwater a year. Yet we use 1.5 million acre-feet a year more groundwater than goes back into the ground.

► Surface Water:

We've built dams and reservoirs to capture surface water and store it for later use. In California, about 71 million acre-feet of water runs off mountains in the form of rain and snowmelt. Reservoirs throughout the state store about 42 million acre-feet a year.

With such limited supplies of freshwater available for daily use, we need to do all we can to preserve, protect, enhance and restore its quality. Present and future generations depend on it.

— Data source: National Geographic and DWR



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