



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

SDLF Platinum-Level of Governance



PLATINUM LEVEL

President – Carolyn Graham • Vice-President – Bryon Gutow • Director – Kevin Graves • Director – Ashley Porter • Director – Lesley Belcher

**NOTICE OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
Wednesday August 6, 2025 7:00 P.M.**

TO ATTEND IN PERSON: The meeting will be held at the Community Center located at 1601 Discovery Bay Boulevard, Discovery Bay, CA 94505.

In addition to physical attendance at the address indicated above, the Town of Discovery Bay Community Services District is offering the following teleconferencing options as an alternative means for the public to participate in this meeting.

TO ATTEND BY ZOOM WEBINAR: <https://us06web.zoom.us/j/85454370841>

TO ATTEND BY PHONE: +1 (669) 444 9171 or +1 (719) 359 4580 **WEBINAR ID:** 854 5437 0841

Download Agenda Packet and Materials at <http://www.todb.ca.gov/>

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

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

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

During Public Comments, the public may address the Board on any issue within the District's jurisdiction which is not on the Agenda. The public may comment on any item on the Agenda at the time the item is before the Board for consideration. Any person wishing to speak will have 3 minutes to make their comment. There will be no dialog between the Board and the commenter as the law strictly limits the ability of Board members to discuss matters not on the agenda. We ask that you refrain from personal attacks during comment, and that you address all comments to the Board only. Any clarifying questions from the Board must go through the President. Comments from the public do not necessarily reflect the viewpoint of the Directors.

C. CONSENT CALENDAR

All matters listed under the CONSENT CALENDAR are considered by the District to be routine and will be enacted by one motion.

1. Approve Regular Board of Directors DRAFT Meeting Minutes from July 16, 2025.

D. AREA AGENCIES AND LIAISON REPORTS / PRESENTATIONS

1. Supervisor Diane Burgis, District III Report.
2. Sheriff's Office Report.
3. Contra Costa County Fire Protection District Report.
4. Contra Costa County Code Enforcement.

E. MUNICIPAL ADVISORY COUNCIL

1. Letter of Concern Regarding Contra Costa County's Noise Issues Study and Possible Ordinance.

F. PRESENTATIONS/UPDATES

1. Administrative Building Project Update.

G. DISCUSSION AND POSSIBLE ACTION

1. Discussion and Possible Action to Approve the Capacity and Connection Accounting Report for Fiscal Year 2024-2025.
2. Discussion and Possible Action to Approve Resolution 2025-10 to Opt into the Uniform Public Construction Cost Accounting Act (UPCCAA).
3. Introduce Ordinance 28 and Waive First Reading of Uniform Public Construction Cost Accounting Act (UPCCAA) Informal Bidding Ordinance.
4. Discussion and Possible Action to Authorize the General Manager to Enter into a Contract with Herwit Engineering for Developer Project Engineering Review Services.

H. MANAGER'S REPORT

I. GENERAL MANAGER'S REPORT

J. DIRECTOR REPORTS

1. Standing Committee Reports.
 - a. SPECIAL Parks & Recreation Committee Meeting (Committee Members Bryon Gutow and Carolyn Graham) August 6, 2025.
 - b. Finance Committee Meeting (Committee Members Ashley Porter and Kevin Graves) August 6, 2025.
 - c. Water and Wastewater Committee Meeting (Committee Members Kevin Graves and Carolyn Graham) August 6, 2025.

K. DIRECTORS REGIONAL MEETING AND TRAINING REPORTS

L. CORRESPONDENCE

M. LEGAL REPORT

N. FUTURE AGENDA ITEMS

O. ADJOURNMENT

1. Adjourn to the next Regular Meeting of the Board of Directors on August 20, 2025 beginning at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard, Discovery Bay, CA 94505.

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

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



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PLATINUM LEVEL

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MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY Wednesday, July 16, 2025 7:00 P.M.

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Call business meeting to order 7:00 p.m.
2. Director Graves led the Pledge of Allegiance.
3. Roll Call was taken, and all members were present.

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

None.

C. CONSENT CALENDAR

All matters listed under the CONSENT CALENDAR are considered by the District to be routine and will be enacted by one motion.

1. Approve Regular Board of Directors DRAFT Meeting minutes from June 18, 2025.
2. Monthly Disbursement Report – June 2025.

Director Porter made a motion to approve the Consent Calendar.

Director Graves seconded.

Vote: Motion carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0.

D. PRESENTATIONS

1. Introduction of New Assistant General Manager - Stephen Griswold III.

General Manager Dina Breitstein introduced new Assistant General Manager Stephen Griswold who then gave a brief overview of his prior professional experience.

2. Introduction of New District Representative from the Office of Diane Burgis - Claire Alaura.

Assistant General Manager Stephen Griswold introduced Claire Alaura, the new District Representative from the Office of Diane Burgis. Claire Alaura gave a synopsis of her professional experience and explained how her current role relates to the Town of Discovery Bay.

E. DISCUSSION AND POSSIBLE ACTION

1. Discussion and Possible Action to Award Construction of the Cathodic Protection Repair Project to the Lowest Responsive Bidder.

Presented by District Project Manager Mike Yeraka.

- The Town needs to repair approximately 50 pipeline corrosion test stations and install corrosion anodes.
- The Town recently went out to bid for construction of the Cathodic Protection Repair Project and received two (2) bids on May 29, 2025, in the amounts of \$92,545.00 and \$173,945.80.
- The lowest responsive bid came from Corrosion Integrity, LLC in the amount of \$92,545.00.

The Board asked clarifying questions of both Mike Yeraka and Water & Wastewater Manager Aaron Goldsworthy.

The Water & Wastewater committee previously reviewed this item and recommends Board approval.

Director Graves made a motion to approve staff recommendation to award the construction of the Cathodic Protection Repair Project to Corrosion Integrity, LLC to perform the necessary construction services per the project bidding documents and the issued addendum, authorize the General Manager to execute the Town's Construction Contract Agreement with Corrosion Integrity, LLC. to perform the work contained in the bidding documents and any addendum in the amount not to exceed \$92,545.00 and authorize the General Manager to execute change orders in an amount up to 30% of the contract value for the repair of additional test stations and contingencies.

Director Porter seconded.

Vote: Motion carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0.

2 Discussion and Possible Action Regarding the Approval of Agreement with Luhdorff & Scalmanini Consulting Engineers (LSCE) for District Water Engineering General Services for Fiscal Year 2025–2026.

Presented by General Manager Dina Breitstein.

- The Town of Discovery Bay Community Services District operates and maintains a municipal water system serving over 6,000 homes and businesses, with an annual demand of approximately 900 million gallons.
- Maintaining regulatory compliance, supporting capital projects, and ensuring reliable water service require ongoing technical and engineering support.

General Manager Breitstein introduced Jason Coleman with Luhdorff and & Scalmanini.

- The proposed contract amount is higher for 2025/2026 than 2024/2025 due to bi-annual well testing.

Director Graves stated the Water & Wastewater Committee discussed this item and recommend Board approval.

Director Graves made a motion to approve staff recommendation to approve the agreement with Luhdorff & Scalmanini, Consulting Engineers, for general water engineering services for FY 2025/2026 in an amount not to exceed \$154,743 and authorize the General Manager to approve minor amendments to the scope or budget, with a contingency up to 10% of the approved contract amount, as needed to address District priorities.

Director Belcher seconded.

Vote: Motion carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0.

3. Discussion and Possible Action Regarding the Approval of Agreement with Shobe Engineering for District Water Engineering General Services for Fiscal Year 2025–2026.

Presented by General Manager Dina Breitstein.

- The Town of Discovery Bay Community Services District (District) is required to maintain compliance with state and federal water system regulations, support ongoing planning, and implement infrastructure improvements.
- Justin Shobe of Shobe Engineering LLP has provided engineering services to the Town in prior years, working for another firm, and has submitted a proposal to continue these services for FY 2025–2026.
- The scope of work includes preparation of the 2025 Urban Water Management Plan (UWMP), an updated Risk and Resilience Assessment (RRA) in accordance with the America's Water Infrastructure Act (AWIA), participation in District meetings, development of the Capital Improvement Plan (CIP) projects, and provision of as-needed design services.

Public Comment:

- The speaker questioned how the two engineering companies differed.

Water & Wastewater Manager Aaron Goldsworthy explained that LSCE is the Town's long-term engineering firm that handles general operational services, and Shobe Engineering would be utilized to prepare the 2025 Urban Water Management Plan and update the Risk and Resilience Assessment.

The Water & Wastewater Committee discussed this item and recommended Board approval. Director Porter made a motion to approve staff recommendation to authorize the General Manager to execute a professional services agreement with Shobe Engineering LLP for District Water Engineering General Services for FY 2025–2026 in an amount not to exceed \$147,480 and authorize the General Manager to approve minor amendments to the scope or budget, with a contingency up to 10% of the approved contract amount, as needed to address District priorities. Director Graves seconded.

Vote: Motion carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0.

F. MANAGER'S REPORT

None.

G. GENERAL MANAGER'S REPORT

CSDA reached out to Special Districts regarding SB707. SB707 proposes significant amendments to the Brown Act. The bill introduces a series of mandates that may reduce operational efficiency, increase exposure to litigation and create changes for local staff and Board members. The Town sent letters to both Assemblymember Lori Wilson and Senator Christopher Cabaldon opposing the amended SB707.

H. DIRECTOR REPORTS

President Graham spoke on the proposed County noise ordinance. District Representative from the Office of Diane Burgis, Claire Alaura, made clarifying comments on the item and answered questions posed by the Board. Comments and concerns can be sent to Grant Farrington, Project Planner with the Contra Costa County Department of Conservation and Development.

I. DIRECTORS REGIONAL MEETING AND TRAINING REPORTS

1. Byron Union School District – June 12, 2025 (Director Kevin Graves).
2. Contra Costa LAFCO – June 11, 2025 (Director Kevin Graves).

J. CORRESPONDENCE

None.

K. LEGAL REPORT

None.

L. FUTURE AGENDA ITEMS

None.

M. ADJOURNMENT

1. Adjourned at 7:41p.m. to the next Regular Meeting of the Board of Directors on August 6, 2025 beginning at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard.



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Grant Farrington
Project Planner
Contra Costa County Department of Conservation & Development
30 Muir Road
Martinez, CA 94553

RE: Letter of Concern - Contra Costa County's Noise Issue Study & Potential Ordinance

Dear Mr. Farrington,

I am writing on behalf of the Town of Discovery Bay Board of Directors in their formal capacity as a Municipal Advisory Council to express concern regarding the ongoing Noise Issues Study and a potential ordinance it may produce. While the Town appreciates the county taking proactive action to try and combat excessive noise, which is a problem experienced by many in our community, we remain concerned that a potentially broad or overly restrictive ordinance may have unintended consequences.

As outlined in the preliminary presentation during the Work Group Task Force Meeting on July 8, 2025, the County is considering prohibiting “amplified sound” after 10:00 PM on Fridays and Saturdays, and after 8:00 PM on all other nights. This would extend to amplified noise originating indoors that can be heard outdoors when windows or doors are open.

While such regulations may be a valuable tool in curbing abuses—especially those tied to short-term rental properties used for large unpermitted parties—we are concerned that without clearly defined exemptions or nuanced enforcement criteria, the ordinance could inadvertently penalize routine and otherwise permissible residential or community activities. For example, residents hosting a quiet birthday party, small social gatherings, or enjoying music indoors with open windows may be subjected to complaints or enforcement despite making a reasonable effort to be respectful of their neighbors.

Additionally, as the water & wastewater utility provider, the Town of Discovery Bay must also often conduct emergency repairs to critical infrastructure at all hours, including at night and on weekends. These urgent, essential repairs are vital and could be considered by some to be outside the scope of “routine construction” which we

understand the county aims to address separately and should be considered accordingly.

These concerns are compounded by the ambiguity surrounding how the County intends to define or measure "amplified sound." Without clear guidelines, there is a significant risk of inconsistent enforcement, confusion among residents, and unintended conflict.

For these reasons, we respectfully urge the County to engage further with unincorporated communities and to consider exemptions or allowances for community events, parks and recreation programs, and other municipally managed activities that contribute positively to local culture and civic life. While we recognize the County's efforts to combat excessive noise in residential neighborhoods, noise remains a concern for many residents. We therefore recommend a balanced, clearly defined ordinance that protects residents from excessive noise while still allowing for reasonable enjoyment of private property and community spaces.

Sincerely,

Dina Breitsteien, *on behalf of the Town of Discovery Bay Board of Directors*
General Manager
Town of Discovery Bay

CC: Contra Costa County Supervisor Diane Burgis
Chair, Byron MAC
Chair, Bethel Island MAC
Chair, Knightsen TAC



Town of Discovery Bay

“A Community Services District”

STAFF REPORT

Agenda Title: Discussion and Possible Action to Approve the Capacity and Connection Accounting Report for Fiscal Year 2024-2025.

Meeting Date: August 6, 2025

Prepared By: Margaret Moggia, Finance Manager

Submitted By: Dina Breitstein, General Manager

RECOMMENDED ACTION:

Approve the Capacity and Connection Accounting Report for Fiscal Year 2024-2025.

EXECUTIVE SUMMARY:

Each year, the District is required to prepare a Capacity and Connection Accounting Report that shows fees collected during the fiscal year. The report is due within 180 days of the end of the fiscal year. The report identifies those charges deposited into the District's Capacity and Connection Account, the total balance in the Account, how and when the charges were expended, and a description of all improvements completed or to be completed with the Capacity and Connection Account funds. As of June 30, 2025, the balance of the Capacity and Connection Account as follows:

	Water	Wastewater	Total
Balance as of June 30, 2024	\$2,087,941.07	\$489,952.00	\$2,577,893.07
Capacity Fees	267,544.00	653,004.00	920,548.00
Connection Fees	5,300.00	5,100.00	10,400.00
Balance as of June 30, 2025	\$2,360,785.07	\$1,148,056.00	\$3,508,841.07
FY 2024-2025 Utilized Fund	0	0	0
Balance as of June 30, 2025	\$2,360,785.07	\$1,148,056.00	\$3,508,841.07

For FY 2024-2025, water capacity and connection fees in the amount of \$272,844.00 and wastewater capacity and connection fees in the amount of \$658,104.00 were collected. In addition, the District received \$21,940.00 in Administration and Inspection Fees.

Capacity and Connection Fees Received FY 2024-25

Customer	Admin/Inspection Fees	Water		Wastewater	
		Connection Fee - Water (20-31-6030)	Capacity Fee- Water (20-31-6045)	Connection Fee - Wastewater (21-31-6030)	Capacity Fee- Wastewater (21-31-6045)
Century Comm 1/7/25	2,520	600	30,288	600	76,824
Century Comm 1/28/25	1,680	400	20,192	400	51,216
Century Comm 3/12/25	3,360	800	40,384	800	102,432
Century Comm 4/7/25	3,360	800	40,384	800	102,432
Century Comm 4/30/25	3,360	800	40,384	800	102,432
Century Comm 6/25/25	2,940	700	35,336	700	89,628
Pulte 7/18/24	1,680	400	20,192	400	51,216
Pulte 7/25/24	840	200	10,096	200	25,608
Pulte 8/22/24	420	100	5,048	100	12,804
Pulte 11/14/24	420	200	10,096		
Pulte 4/29/25	840	200	10,096	200	25,608
Pulte 5/1/25	260	100	5,048		
Edward Allen 5/13/25	260			100	12,804
Total	\$ 21,940	\$ 5,300	\$ 267,544	\$ 5,100	\$ 653,004
Subtotal by Fund Connection & Capacity Fees		\$ 272,844		\$ 658,104	
Grand Total Connection & Capacity Fees					\$ 930,948

During FY 2024-2025, no funds were spent on capital expenditures. There are projects in the Town's Five-Year Capital Improvement Program which will require the expenditure of these funds.

FISCAL IMPACT:

Funds have been designated within the Water and Wastewater funds in the amount of \$2,360,785.07 and \$1,148,056.00, respectively.

PREVIOUS RELEVANT BOARD ACTIONS FOR THIS ITEM:

None.

ATTACHMENTS:

None.



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

AGENDA ITEM:
G2

Agenda Title: Discussion and Possible Action to Approve Resolution 2025-10 to Opt into the Uniform Public Construction Cost Accounting Act (UPCCAA)

Meeting Date: August 6, 2025

Prepared By: Dina Breitstein, General Manager

Submitted By: Dina Breitstein, General Manager

RECOMMENDED ACTION:

It is recommended that the Board take the following Action:

Approve Resolution 2025-10 to opt into the Uniform Public Construction Cost Accounting Act (UPCCAA) and direct staff to complete all necessary steps for implementation, including adoption of an informal bidding ordinance and notification to the State Controller's Office.

EXECUTIVE SUMMARY:

As a public agency, the Town of Discovery Bay (the "Town") is required to follow specific procedures for contracting construction and certain maintenance projects. Currently, the Town must publicly bid all such projects exceeding \$25,000.

Alternative Procedure: UPCCAA

The Uniform Public Construction Cost Accounting Act (UPCCAA), contained in the California Public Contract Code sections 22000–22045, provides a streamlined alternative for public agencies. By formally opting into UPCCAA, the Town would be able to utilize less burdensome contracting procedures for certain projects, resulting in potential time and cost savings.

Key Features of UPCCAA

- **Force Account and Purchase Order Limit:** Public projects up to \$75,000 may be completed by Town employees (force account), negotiated contract, or purchase order, without the need for public bidding or preparation of plans and specifications.
- **Informal Bidding:** Projects up to \$220,000 may be awarded through an informal bidding process, which requires obtaining at least three quotes but does not require formal plans or specifications.
- **Formal Bidding:** Only projects exceeding \$220,000 require the standard formal public bidding process.
- **Expanded Oversight:** Recent legislative changes (AB 2192, effective January 1, 2025) increase the Commission's authority to investigate compliance, including improper project splitting or misclassification.

Definitions under UPCCAA

- **Public Projects:** Includes construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work for any publicly owned, leased, or operated facility, as well as painting or repainting such facilities.
- **Maintenance Work:** Refers to routine, recurring work to preserve or protect a facility, minor repainting, resurfacing streets/highways at less than one inch, and landscape maintenance (e.g., mowing, watering, trimming, plant replacement, and irrigation system servicing).
- **Distinction:** The \$75,000 force account limit applies only to “public projects,” not to maintenance work. Maintenance work may generally continue to be performed by Town employees without regard to this threshold.

Requirements for Participation

To utilize UPCCAA, the Town must:

- Adopt a resolution opting into UPCCAA and notify the State Controller’s Office.
- Enact an informal bidding ordinance that aligns with Public Contract Code section 22034.
- Comply with UPCCAA’s detailed cost accounting and reporting requirements, including tracking employee time and costs for covered projects.

Description of Required Accounting Practices under UPCCAA

The Uniform Public Construction Cost Accounting Act (UPCCAA) requires the Town to maintain detailed and transparent accounting records for all public works projects, whether performed by Town employees (force account) or by outside contractors through informal bidding.

For Force Account (Town-Performed) Work:

- The Town must track all direct costs, including labor, materials, and equipment, using standardized accounting codes and supporting documentation such as timecards, invoices, and equipment logs.
- A standard overhead rate (typically 20% for special districts with populations less than 75,000) must be added to the direct costs to ensure the full cost of in-house work is accurately captured.
- The accounting system must ensure uniformity and transparency, facilitating audits and public review, in accordance with the California Uniform Construction Cost Accounting Commission’s manual.
- All supporting documentation must be retained and organized for potential review by the State Controller’s Office or the Commission.

For Informal Bid Work Performed by Contractors:

- The Town must ensure that all contractors and subcontractors are properly licensed and registered with the Department of Industrial Relations (DIR) as required by California Labor Code Section 1725.5.
- Contractors must pay prevailing wages as determined by the State of California Director of Industrial Relations, and provide necessary documentation to verify compliance.
- Contractors must meet all applicable insurance and bonding requirements, including performance and payment bonds, and may be required to provide a bid bond.

- The Town must maintain records of the informal bidding process, including notices to contractors, bid submissions, bid evaluations, and contract awards, to ensure transparency and compliance with UPCCAA procedures.
- All documentation related to contractor selection, contract execution, and project completion must be retained for audit and public inspection purposes.

These requirements ensure that both in-house and contracted public works projects are managed with accountability, transparency, and in full compliance with state law and UPCCAA standards⁹.

Conclusion

Opting into the UPCCAA will streamline the Town's contracting processes, provide greater flexibility for delivering public works projects, and ensure compliance with state accounting and transparency standards. By adopting these procedures, the Town can achieve cost and time savings while maintaining accountability and public trust.

FISCAL IMPACT: Opting into UPCCAA is expected to result in minor cost savings by reducing the need for formal plans, specifications, and bidding procedures for many projects, thereby streamlining project delivery and reducing administrative overhead.

PREVIOUS RELEVANT BOARD ACTIONS FOR THIS ITEM:

N/A

ATTACHMENTS:

1. Resolution No. 2025-10.



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT**

RESOLUTION 2025-10

**A RESOLUTION OF BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY
ELECTING TO BECOME SUBJECT TO THE STATE OF CALIFORNIA'S
UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES SET
FORTH IN THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT
(PUBLIC CONTRACT CODE SECTION 22000, ET SEQ.)**

WHEREAS, the Town of Discovery Bay Community Services District (the "Town") is a community services district formed pursuant to Government Code sections 61000 et seq.; and

WHEREAS, the Town is required to follow the public bidding procedures of the Public Contract Code (commencing with section 20680) which requires all contracts for the construction or completion of any building, structure, or improvement, or for materials or supplies for the construction or completion of any building, structure, or improvement, in excess of twenty-five thousand dollars (\$25,000) to be let to the lowest responsible bidder; and

WHEREAS, the Uniform Public Construction Cost Accounting Act, Public Contract code section 22000 et seq. ("UPCCAA") establishes a uniform cost accounting standard for construction work performed or contracted by local public agencies and authorizes local public agencies that elect to be subject to the UPCCAA to use informal bidding procedures for public works and maintenance projects valued at \$220,000 or less, or as the UPCCAA may be amended from time to time; and

WHEREAS, the California Uniform Construction Cost Accounting Commission ("Commission") has developed uniform cost accounting procedures for the performance of or in the contracting for construction of public projects; and

WHEREAS, a local public agency must elect by resolution to become subject to the UPCCAA; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Town of Discovery Bay as follows:

1. The Board of Directors finds that the facts set forth in this Resolution are true and correct.
2. The Town hereby elects under Public Contract Code section 22030 to become subject to the uniform public construction cost account and bidding procedures set forth in the UPCCAA

and to the Commission's policies and procedures manual and cost accounting review procedures, as they may each be amended from time to time.

3. The Board Secretary shall certify as to the adoption of this Resolution and shall promptly transmit notice of the Town's election and a copy of this Resolution to the State Controller.
4. No Invalidation of Prior Lawful Actions. Adoption of this Resolution shall not be construed as invalidating any prior lawful action taken by any previously existing committee of the Town, nor any subsequent lawful action taken by the Board thereupon.
5. Effective Date. The provisions of this Resolution shall take effect immediately upon adoption.

Carolyn Graham
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 August 6, 2025, by the following vote of the Board:

AYES:
NOES:
ABSENT:
ABSTAIN:

Dina Breitstein
Board Secretary



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

AGENDA ITEM:
G3

Agenda Title: Introduce Ordinance 28 and Waive First Reading of Uniform Public Construction Cost Accounting Act (UPCCAA) Informal Bidding Ordinance

Meeting Date: August 6, 2025

Prepared By: Dina Breitstein, General Manager

Submitted By: Dina Breitstein, General Manager

RECOMMENDED ACTION:

It is recommended that the Board take the following Action:

That the Board introduce Ordinance 28 and waive the first reading of the proposed UPCCAA Informal Bidding Ordinance.

EXECUTIVE SUMMARY:

Background

The Uniform Public Construction Cost Accounting Act (UPCCAA) provides public agencies, including community services districts, with streamlined procedures for bidding and awarding public works projects. By opting into UPCCAA, the Town can utilize informal bidding for public projects valued at \$220,000 or less, reducing administrative burdens and expediting project delivery.

A key requirement of UPCCAA participation is the adoption of an informal bidding ordinance, as set forth in Public Contract Code section 22034. This ordinance establishes the process for soliciting and awarding contracts under the informal bidding procedures, ensuring compliance with state law and promoting transparency and competition among qualified contractors.

Summary of Proposed Ordinance

The proposed ordinance:

- Authorizes the Town to use informal bidding procedures for eligible public works projects as defined by UPCCAA.
- Establishes guidelines for maintaining a list of qualified contractors, soliciting bids, and awarding contracts in accordance with Public Contract Code section 22034.
- Ensures that all informal bidding activities are conducted fairly, openly, and in compliance with state requirements.

Conclusion

Adopting the UPCCAA Informal Bidding Ordinance will allow the Town to take full advantage of streamlined bidding procedures, saving time and resources on eligible public works projects.

FISCAL IMPACT: Adoption of the informal bidding ordinance is expected to result in minor administrative cost savings by reducing the need for formal bidding processes on smaller public works projects.

PREVIOUS RELEVANT BOARD ACTIONS FOR THIS ITEM:

N/A

ATTACHMENTS:

1. Ordinance No. 28.



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES
DISTRICT ORDINANCE NO. 28**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE
TOWN OF DISCOVERY BAY, A CALIFORNIA
COMMUNITY SERVICES DISTRICT,**

**TO PROVIDE INFORMAL BIDDING PROCEDURES UNDER THE UNIFORM PUBLIC
CONSTRUCTION COST ACCOUNTING ACT (Section 22000, et seq., of the Public Contract
Code)**

WHEREAS, the Town of Discovery Bay Community Services District (the "Town") is a community services district formed pursuant to Government Code sections 61000 et seq.; and

WHEREAS, the Town is required to follow the public bidding procedures of the Public Contract Code (commencing with section 20680) which requires all contracts for construction or completion of any building, structure, or improvement, or for materials or supplies for the construction or completion of any building, structure, or improvement, in excess of twenty-five thousand dollars (\$25,000) to be let to the lowest responsible bidder; and

WHEREAS, under Uniform Public Construction Cost Accounting Act (Public Contract Code sections 22000 et seq.) community services districts may adopt an alternative bidding process for public projects that do not exceed \$220,000; and

WHEREAS, pursuant to sections 22010 and 22030 of the Public Contract Code public agencies that wish to adopt the alternative bidding procedures of the Uniform Public Construction Cost Accounting Act must also adopt the uniform construction cost accounting standards of the Act; and

WHEREAS, Public Contract Code section 22034 provides that local agencies that have adopted the uniform cost accounting procedures shall also adopt an informal bidding ordinance governing the selection of contractors to perform projects let by contract by informal procedures as set forth in Public Contract section 22032.

NOW THEREFORE, The Board of Directors of the Town of Discovery Bay do ordain as follows:

SECTION 1. Informal Bidding Procedures. Public projects, as defined by the Act and in accordance with the limits listed in Section 22032 of the Public Contract Code, may be let to contract by informal procedures as set forth in Section 22032, et seq., of the Public Contract Code.

SECTION 2. Contractors List. The Town shall comply with the requirements of the Public Contract Code Section 22034.

SECTION 3. Notice Inviting Informal Bids. Where a public project is to be performed which is subject to the provision of this Ordinance, a notice inviting informal bids shall be circulated using one or both of the following alternatives:

1. Notices inviting informal bids may be mailed, faxed, or emailed to all contractors for the category of work to be bid, as shown on the list developed in Section 2;
2. Notices inviting informal bids may be mailed to all construction trade journals as specified by the California Uniform Construction Cost Accounting Commission in accordance with

Section 22036 of the Public Contract Code. Additional contractors and/or construction trade journals may be notified at the discretion of the District soliciting bids, provided however:

- a. If the product or service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice inviting informal bids may be sent exclusively to such contractor or contractors.

SECTION 4. Award of Contracts. The Board of Directors, or its designee, is authorized to award informal contracts pursuant to this Ordinance.

SECTION 5. This Ordinance shall take effect and be in force thirty (30) days after its adoption, and prior to the expiration of fifteen (15) days from the passage thereof, shall be published once (1) with the names of the Directors voting for and against the same in the [NEWSPAPER], a newspaper of general circulation published in the County of Contra Costa, State of California.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Board of Directors of the Town of Discovery Bay of the County of Contra Costa, State of California, on this [DATE] by the following vote of the Board of Directors, TO WIT:

Carolyn Graham
Board President

Attest

Dina Breitstein
Board Secretary

CERTIFICATION

I, Dina Breitstein, the Board Secretary of the Town of Discovery Bay, DO HEREBY CERTIFY that foregoing Ordinance 28 was duly introduced at a regular meeting of the Board of Directors of the Town of Discovery Bay Community Services District held on [DATE], and adopted at the regular meeting held [DATE], 2025 by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

Dina Breitstein
Board Secretary

I hereby certify that the foregoing is the original of Ordinance 26 duly passed and adopted by the Town of Discovery Bay Community Services District Board of Directors at their regular meeting held [DATE], and that Summaries of the Ordinance were published on [DATE], and [DATE AFTER ADOPTION], in the [NEWSPAPER].

Dina Breitstein
Board Secretary

DRAFT



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

AGENDA ITEM:
G4

Agenda Title: Discussion and Possible Action to Authorize the General Manager to Enter into a Contract with Herwit Engineering for Developer Project Engineering Review Services.

Meeting Date: August 6, 2025

Prepared By: Aaron Goldsworthy, Water & Wastewater Manager

Submitted By: Dina Breitstein, General Manager

RECOMMENDED ACTION:

Staff recommends that the Board of Directors authorize the General Manager to enter into a three-year contract with Herwit Engineering to provide wastewater engineering review and related services for developer-initiated projects. All associated costs will be billed directly to the applicable developer in accordance with District development agreements.

EXECUTIVE SUMMARY:

Herwit Engineering currently serves as the Town of Discovery Bay's designated wastewater engineering consultant providing essential technical support to the Wastewater Division, ensuring the safe, compliant, and efficient operation of the Town's wastewater infrastructure.

As development activity within the district continues to increase, so does the need for consistent and technically sound engineering review of developer-initiated projects. When a new development is proposed that has the potential to generate additional wastewater flows, a detailed capacity analysis is required, and Herwit Engineering plays an integral role in this process. These reviews are essential to determine whether new developments can be supported by the existing wastewater infrastructure, or if system upgrades are necessary to maintain reliable service. Timely and accurate engineering reviews help preserve service quality, prevent permit violations, and protect public health.

Historically, the cost of developer-related engineering services has been charged to Herwit's general services contract. This approach has frequently required staff to request Board of Directors action to amend the general services contract requesting additional funds due to developer-initiated projects.

If approved, this new contract with Herwit Engineering will segregate developer project-related services from general services and allows for direct billing to developers. The proposed three-year contract will provide a framework for comprehensive engineering review of developer-initiated projects, including plan checks, inspections, and consultation. Engaging Herwit under a separate, project-specific cost recovery structure will ensure the following:

- Consistent, high-quality review of new development proposals
- Timely engineering support for plan approval and construction oversight
- Compliance with District standards
- Minimal impact on internal staffing resources
- Full cost recovery from developers for related services

Staff recommends that the Board of Directors authorize the General Manager to enter into a three-year contract with Herwit Engineering for developer project review and support services. This approach ensures that the Town continues to meet regulatory and service standards while protecting District resources and ensuring all costs are recovered from developers.

FISCAL IMPACT:

No net fiscal impact to the district.

All engineering costs associated with developer projects will be fully reimbursed by the responsible developers. All fees charged by Herwit will depend on the developer's specific needs and will be based on Herwit's current rate schedule at the time of the developer's request.

PREVIOUS RELEVANT BOARD ACTIONS FOR THIS ITEM:

None.

ATTACHMENTS:

None.