



# 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 June 1, 2011  
1800 Willow Lake Road, Discovery Bay, California  
**REGULAR MEETING 7:00 P.M.**  
Website address: [www.todb.ca.gov](http://www.todb.ca.gov)

**A. ROLL CALL**

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

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

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

**C. PRESENTATION**

1. County Code Enforcement Report

**D. 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

**E. COMMITTEE/LIAISON REPORTS**

1. Trans-Plan Report
2. County Planning Commission Report
3. Code Enforcement Priority Report
4. Special Districts Report\*\*

*\*\*These meetings are held Quarterly*

**F. 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 May 18, 2011
2. District Invoices
3. District Financials
4. Approval and Adoption of Resolution No. 2011-12 accepting the Dedication of Ravenswood Park (Subdivision 8710) and open space parcels (APN's 011-600-060, 011-610-099, 011-610-100, 011-620-047, & 011-620-048) from Contra Costa County

**G. NEW BUSINESS AND ACTION ITEMS**

1. Presentation of proposed Water and Wastewater Rates for the Fiscal Year(s) 2011-12 and 2012-13
2. Award of contract for the Cornell Park Play Area Renovation (Ph. I) project to James Breneman
3. California Regional Water Quality Control Board Administrative Civil Liability Complaint R5-2011-0576 for Assessment of Mandatory Minimum Penalties (MMP's) – Town of Discovery Bay Community Services District (TODBCSD)
4. Approve Purchase of One (1) 30-hp Vaughan Chopper Pump for Wastewater Treatment Plant No. 1 Influent Station
5. Approve contract to outsource monthly services for water meter billing with Freedom Mailing

**H. CHAIR REPORT AND DIRECTORS' COMMENTS**

**I. MANAGER'S REPORT**

**J. GENERAL MANAGER'S REPORT**

1. DRAFT Water Quality Report

**K. DISTRICT LEGAL COUNSEL REPORT**

**L. COMMITTEE UPDATES**

**M. CORRESPONDENCE – Discussion and Possible Action**

1. R – Byron Municipal Advisory Council meeting minutes for April 21, 2011
2. R – Letter from Supervisor Piepho to Captain James Cahoon regarding the concerns from residents who live along Marsh Creek road regarding the speed during commute hours dated May 11, 2011.
3. R – Letter from Supervisor Piepho regarding a resolution for the National Safe Boating Week in Contra Costa County dated May 11, 2011.
4. R – Letter from Supervisor Piepho regarding the questions concerning landscaping zones in the Discovery Bay community dated May 12, 2011.
5. R – Letter from Supervisor Piepho to Sherriff – Coroner David O. Livingston regarding the funding for the School Resource Office for the Byron Union School District dated May 12, 2011.
6. R – Memo from Susan Cohen, Special Districts Manager to Karyn Cornell regarding response to email dated April 15, 2011 from Mr. Barber dated May 9, 2011.

**N. PUBLIC RECORD REQUESTS RECEIVED**

1. Requested by William Richardson – CSD Web Site Maintenance – Dated May 19, 2011

**O. FUTURE AGENDA ITEMS**

**P. ADJOURNMENT**

1. Adjourn to the next special meeting on June 8, 2011 at 1800 Willow Lake Rd – Located in back of Delta Community Presbyterian Church.

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

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



# TOWN OF DISCOVERY BAY CSD

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

## MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY CSD

Wednesday May 18, 2011

1800 Willow Lake Road, Discovery Bay, California

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

### 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.

**President Graves** – Announced that Legal Counsel Dan Schroeder's Father-in-Law passed unexpectedly, therefore filling in for Neumiller & Beardslee will be Mia Brown. Also, our Landscape Manager, Fairin Perez's Father passed unexpectedly last week.

#### 1. Report on Closed Session dated Tuesday, May 10, 2011

**Legal Counsel Mia Brown** – Stated that there was a Closed Session held on May 10, 2011. There is a disclosure regarding that Closed Session item pursuant to Government Code Section 54957.6 conference with labor negotiator. All Directors were present for the duration of the Closed Session. There is no reportable action.

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

**Resident Pat Richardson** – Complimented the Community Center Committee on the way they are handling the goal setting and believes that there might be a Community Center.

#### C. PRESENTATIONS

None

#### D. CHAIR REPORT AND DIRECTORS' COMMENTS

**Director Simon** – Provided his report and stated he and Director Tetreault attended the May 4, 2011 and the May 11, 2011 Budget Committee meetings and provided an update on the FY upcoming Operations and Capital Budget.

**Vice-President Dawson** – Provided his report and stated he attended the May 19, 2011 P6 meeting and gave an update on the idea of using P6 dollars to pay for the School Resource Officer at Excelsior. Provided his report and stated he attended the Thursday, May 5, 2011 School Board meeting and provided information in regards to the Union and the School Board negotiations.

**President Graves** – Provided his report and stated he attended the May 5, 2011 Aviation Advisory Committee meeting and gave details in regards to the construction for the four (4) new hangers at the Byron Airport. Also, there may be some rezoning.

#### 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 May 4, 2011
2. Minutes of previous Special Meeting dated May 10, 2011
3. District Invoices

**Motion made** – by Director Simon to approve the Consent Calendar and seconded by Vice-President Dawson. Motion carried by the following vote: AYES: 5, NOES: 0.

**F. NEW BUSINESS AND ACTION ITEMS**

**1. Consider extending to September 30, 2011 the date to complete final recommendations of the Communications Committee**

**General Manager Howard** – Provided details on the item and the information is that the Committee has not been able to meet be due to a number of factors, therefore the date needs to be extended to September 30, 2011.

**Motion made** – by Vice-President Dawson to Extend the Communications Committee date for final recommendations to the Board from June 30, 2011 to September 30, 2011 and seconded by Director Simon. Motion carried by the following vote: AYES: 5, NOES: 0.

**2. Authorize Water and Wastewater Rate Studies for the periods FY 2011/12, through FY 2012/13 with Hornberger Engineering in an amount not to exceed \$15,000.00.**

**General Manager Howard** – Provided details on the item which is the Contract for a two (2) year rate study in an amount not to exceed \$15,000.

**Motion made** – by Vice-President Dawson to approve Water and Wastewater Rate Studies for the periods FY 2011/12 through FY 2012/13 with Hornberger Engineering in an amount not to exceed \$15,000.00 and to authorize the General Manager to execute the contract documents and seconded by Director Tetreault.

There was discussion between the Board and the General Manager in regards to the details of the Water and Wastewater Rate Study.

Motion carried by the following vote: AYES: 5, NOES: 0.

**3. Purchase of Cornell Park Playground Equipment**

**General Manager Howard** – Provided details of the item for the Cornell Park Playground Equipment.

There was discussion between the Board and the General Manager in regards to the details of the different phases and amounts for the project.

**Motion made** – by Director Tetreault to approve the bid from Ross Recreation in the amount of \$24,637.11 and Creative Recreation Inc. in the amount of \$35,394.52 and seconded by Director Simon.

**General Manager Howard** – Stated the need to amend the recommendation to authorize the General Manager to execute all necessary contract documents.

**Motion amended** – by Director Tetreault to authorize the General Manager to execute all necessary contract documents and seconded by Director Simon. Motion carried by the following vote: AYES: 5, NOES: 0.

**G. VEOLIA REPORT**

**Doug Little** - Provided the slides which gave the details of the monthly report for April 2011.

**H. MANAGER'S REPORTS**

None

**I. GENERAL MANAGER'S REPORT**

**1. Water and Wastewater Master Plan Status Update**

**General Manager Howard** stated that we have received both reports for the Water and Wastewater Master Plan. Both reports have been sent back to the consultant and will be presented to the Board. General Manager Howard would like to schedule a series of workshops, one for the Water Master Plan and one for the Wastewater Master Plan, so the public can participate.

**2. TODB Internship**

**General Manager Howard** introduced Jordan Flint, who is part of the Town of Discovery Bay CSD Internship Program.

**3. Report on progress of DRAFT FY2011/12 Operating and Capital Improvement Program Budgets**

**General Manager Howard** stated that he would like to transmit the DRAFT FY2011/12 Operating and Capital Improvement Program Budget to the Board as well as to the Public. This is the first phase of the DRAFT Budget and there will be additional information as we move through the budget process. General Manager Howard discussed the details of the DRAFT Budget and would like to conduct a Budget Workshop.

There was a discussion on the DRAFT Budget between the Board and General Manager Howard in regards to scheduling a Special Meeting. The Special meeting was scheduled for Wednesday, June 8, 2011 at 6:30p.m. and then June 15, 2011 the FY2011/12 Operating and Capital Improvement Program Budget will be adopted.

**General Manager Howard** stated that the Town of Discovery Bay CSD office will be obtaining an Automated External Defibrillator (AED) and will be providing the required training, along with CPR training, on Thursday, June 2, 2011.

**J. DISTRICT LEGAL COUNSEL REPORT**

None



**K. CORRESPONDENCE-Discussion and Possible Action**

1. R – Contra Costa County Aviation Advisory Committee Meeting Minutes dated March 8, 2011
2. R – Transplan Committee Meeting Minutes dated April 14, 2011
3. R – Letter from Supervisor Piepho to Sheriff David O. Livingston for the attendance and presentation at the Discovery Bay P-6 Zone Citizen Advisory Committee Meeting dated April 28, 2011
4. S – Letter to Joan Buchanan, Assemblymember regarding support for the Delta Water Bays and the Ecosystem dated May 11, 2011
5. Town of Discovery Bay CSD Budget Review Committee Minutes dated May 4, 2011
6. Town of Discovery Bay CSD Budget Review Committee Minutes dated May 11, 2011

**L. PUBLIC RECORD REQUESTS RECEIVED**

1. Request from Don Flint – Discovery Bay CSD Practices and Procedures; re: audio files – Dated May 5, 2011
2. Request from Don Flint – Wastewater and Water Master Plans – Dated May 9, 2011

**M. FUTURE AGENDA ITEMS**

None

**N. ADJOURNMENT**

The meeting was adjourned at 8:10p.m. to the next regular meeting on June 1, 2011 at 1800 Willow Lake Road-Located in back of the Delta Community Presbyterian Church.

//cmc – 5.24.11

DRAFT



# Town of Discovery Bay CSD

## AGENDA REPORT

Meeting Date

June 1, 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** \$255,381.52

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

**Prog/Fund #** See listing of invoices. **Category:** Operating Expenses and Capital Improvements

### Previous Relevant Board Actions for This Item

### Attachments

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

AGENDA ITEM: F-2

Request for authorization to pay invoices  
 For the Meeting on June 1, 2011  
 Town of Discovery Bay CSD  
 For Fiscal Year's 7/10 - 6/11

Acct Code			
1	7002	Express Employment Inv#9954040-4, dtd 5/11/11 temp: Terri Degler w/e 5/8/11	\$899.60
2	7002	ReliaStar Life #JR52 457B, 5/16-5/31/11	\$350.00
3	7003	ReliaStar Life #JR52 457B, 5/16-5/31/11	<u>\$641.54</u>
			<b>Sub-Total</b>
			<b>\$991.54</b>
4	7003	SDRMA Inv#0007943-IN, dtd 6/1/11 Ancillary benefits June 2011	<b>\$720.54</b>
5	7005	Neumiller & Beardslee Inv#240497, dtd 5/12/11 General services 4/1-4/30/11	\$4,480.20
6	7005	Neumiller & Beardslee Inv#240498, dtd 5/12/11 Richardson Demand to Cure 4/1-4/30/11	\$327.50
6	7005	Neumiller & Beardslee Inv#240499, dtd 5/12/11 Public Records Requests 4/1-4/30/11	\$743.50
8	7005	Neumiller & Beardslee Inv#240629, dtd 5/16/11 CEQA 4/1-4/30/11	<u>\$817.00</u>
			<b>Sub-Total</b>
			<b>\$6,368.20</b>
<u>WATER</u>			
9	7135	PG&E / Acct# 2990602600-9 Willow Lake WWTP	4/12-5/11/11 \$3,988.53
10	7135	PG&E / Acct# 3349549227-5 Well #3 DB Blvd & Edgeview	3/12-5/11/11 \$36.61
11	7135	PG&E / Acct# 6760524303-8 Irr. Controller (Newport @ Well 4A)	4/13-5/11/11 \$15.57
12	7135	PG&E / Acct# 7068319849-6 Well #5	3/11-4/11/11 \$4,017.51
13	7135	PG&E / Acct# 8351173112-3 Well #2	4/12-5/11/11 \$1,690.53
14	7135	PG&E / Acct# 8609981202-5 Well #1 (Gas)	4/12-5/11/11 \$18.42
15	7135	PG&E / Acct# 8651647866-5 Well #1	4/12-5/11/11 <u>\$3,658.23</u>
			<b>Sub-Total</b>
			<b>\$13,425.40</b>
<u>SEWER</u>			
16	7137	PG&E / Acct# 0631986334-3 Newport Lift Station	4/15-5/13/11 \$2,460.20
17	7137	PG&E / Acct# 1182741894-5 Pump Station D	4/12-5/11/11 \$129.53
18	7137	PG&E / Acct# 1318320217-8 Pump Station A	4/12-5/11/11 \$52.36
19	7137	PG&E / Acct# 2068717691-5 Pump Station G	4/13-5/12/11 \$39.46
20	7137	PG&E / Acct# 2172798825-1 Pump Station R	4/13-5/12/11 \$16.75
21	7137	PG&E / Acct# 2527523613-8 Pump Station S	4/15-5/13/11 \$312.77
22	7137	PG&E / Acct# 3016215915-3 Pump Station F	4/11-5/10/11 \$564.83
23	7137	PG&E / Acct# 3101013157-6 Lakes 4 Lift Station	4/12-5/11/11 \$92.31
24	7137	PG&E / Acct# 3497478293-9 Lakeshore Lift Station	3/11-5/10/11 \$957.96
25	7137	PG&E / Acct# 3881134135-3 WWTP #1	3/15-4/14/11 \$6,823.30
26	7137	PG&E / Acct# 3881134135-3 WWTP #2	4/15-5/12/11 \$9,349.69
27	7137	PG&E / Acct# 4193709211-6 Pump Station C	4/15-5/13/11 \$51.41
28	7137	PG&E / Acct# 4201000159-4 Golf Course Valve Station	4/15-5/13/11 \$54.65
29	7137	PG&E / Acct# 4225081240-3 Disc WWTP & Pump Station W	3/15-5/12/11 \$52.34
30	7137	PG&E / Acct# 4516230421-1 Pump Station H	4/12-5/11/11 \$16.17
31	7137	PG&E / Acct# 7234986505-4 Pump Station J	4/12-5/11/11 \$214.50
32	7137	PG&E / Acct# 7312115758-7 SS/HWY 4 E/Disco Bay Blvd W/O Bridge	4/14-5/12/11 \$17,227.85
33	7137	PG&E / Acct# 7630923070-4 Pump Station E	4/11-5/10/11 \$271.78
34	7137	PG&E / Acct# 8343916134-6 Fern Ridge Circle/Hofmann	4/8-5/9/11 \$648.15
35	7137	PG&E / Acct# 8440119997-5 Knightsen School Pump Station	4/12-5/11/11 <u>\$27.95</u>
			<b>Sub-Total</b>
			<b>\$39,363.96</b>
36	7285	Calif. Regional Water Board R5-2011-0576, dtd 5/6/11 Civil Liability Complaint	<b>\$15,000.00</b>
37	7300	AeroMod Inv#SO19466-1, dtd 5/19/11 Pneumatic Actuator w/plates	<b>\$691.95</b>
38	7300-P	American Retrofit Inv#95, dtd 5/16/11 Install elec for circ pump at WWTP-2	\$990.00
39	7690	American Retrofit Inv#96, dtd 5/16/11 Repair elec on Front Loader	\$150.00
40	7300-P	American Retrofit Inv#97, dtd 5/16/11 Re-install VFD for lift pump @ Lakes LS/2	\$150.00
41	7300	American Retrofit Inv#98, dtd 5/22/11 Labor to check Newport water controls, reboot PLC system	\$200.00
42	7300-P	American Retrofit Inv#99, dtd 5/22/11 Labor to check circ pump WWTP-2	<u>\$100.00</u>
			<b>Sub-Total</b>
			<b>\$1,590.00</b>
43	7300	Double J Enterprises Inv#435, dtd 4/11/11 Labor Westech headworks, motel	<b>\$1,933.08</b>
44	7300	GSE Construction Inv#S120.01, dtd 5/13/11 Magna Rotor Bearing Replacement	<b>\$11,984.73</b>
			<b>Sub-Total Page 1</b>
			<b>\$92,969.00</b>

Request for authorization to pay invoices  
 For the Meeting on June 1, 2011  
 Town of Discovery Bay CSD  
 For Fiscal Year's 7/10 - 6/11

Acct Code			
45	7300	Parkson Corp. Inv#AR1/9100260 May, dtd 5/1/11 Electric Mole	\$1,625.00
46	7300	Radwell Int'l Inv#1369830, dtd 5/19/11 Group schneider module	\$202.98
47	7300	Siemens Inv#5565102325, dtd 5/17/11 Flow meter Plant 1 headworks	\$1,315.16
48	7300	United Parcel Service Inv#000012X417211, dtd 5/21/11 Radwell Int'l 5/9/11	\$17.63
49	7300	Watersavers Inv#11056759, dtd 5/17/11 For Plant #2 Headworks and sump pump	\$56.14
50	7300	W.J. Kirk Welding Inv#43051, dtd 5/19/11 Headworks for Plant #2	\$109.25
51	7320	EnviroTech Inv#68060, dtd 5/3/11 "Go Bags" Emergency kits	\$516.96
52	7330	BCS #SI5870888, dtd 5/10/11 Chemicals	\$1,773.67
53	7330	BCS #SI5870889, dtd 5/10/11 Chemicals	\$1,382.97
54	7330	BCS #SI5874356, dtd 5/18/11 Chemicals	\$1,963.43
55	7330	BCS #SI5874357, dtd 5/18/11 Chemicals	\$902.98
<b>Sub-Total</b>			<b>\$6,023.05</b>
56	7420	MailFinance Inv#N2511270, dtd 5/19/11 Lease 6/19/11-7/18/11	\$70.09
57	7420	Neopost Inv#7900 0449 0838 4658, dtd 5/8/11 Postage machine contract	\$800.00
58	7430	Office Depot Inv#563708416001, dtd 5/9/11 Office Supplies	\$94.45
59	7430	Office Depot Inv#563708451001, dtd 5/9/11 Office Supplies	\$16.81
60	7430	Office Depot Inv#564401372001, dtd 5/13/11 Office Supplies	\$138.36
61	7430	Office Depot Inv#564401399001, dtd 5/13/11 Office Supplies	\$5.45
62	7430	Office Depot Inv#565246776001, dtd 5/20/11 Office Supplies	\$28.55
<b>Sub-Total</b>			<b>\$283.62</b>
63	7510	AT&T 925 634-1733 675 3, dtd 5/5/11 Internet	\$74.99
64	7550	AT&T 925 634-1733 675 3, dtd 5/5/11 District Office	\$124.74
<b>Sub-Total</b>			<b>\$199.73</b>
65	7630	Discovery Pest Control Inv#0431399, dtd 5/13/11 1800 Willow Lake Rd.	\$68.00
66	7690	Thornberg Inv#50252, dtd 5/17/11 Ck'd trailer, reset light, replaced unloader valve	\$192.50
67	7825	CCC Public Works Dept Inv# 915938, dtd 5/13/11 Encroachment permit #24716 & #26310	\$632.92
68	7950	Contra Costa County Treasurer Inv#11-021200, dtd 4/28/11 #CF4876XC Achilles/Boat	\$15.98
69	7952	AT&T Acct#925 513-8290 595 9 #35, dtd 4/26/11 Phone charges ***Zone #35 - reimburseable***	\$1.80
70	7952	AT&T Acct#925 513-8290 595 9 #57, dtd 4/26/11 Phone charges ***Zone #57 - reimburseable***	\$5.42
71	7952	AT&T Acct#925 513-8290 595 9 #61, dtd 4/26/11 Phone charges ***Zone #61 - reimburseable***	\$23.47
<b>Sub-Total</b>			<b>\$30.69</b>
72	7952	Big Dog Computer Inv#20090930-15, dtd 5/11/11 Virus removal ***Zone #35 - reimburseable***	\$8.50
73	7952	Big Dog Computer Inv#20090930-15, dtd 5/11/11 Virus removal ***Zone #57 - reimburseable***	\$25.50
74	7952	Big Dog Computer Inv#20090930-15, dtd 5/11/11 Virus removal ***Zone #61 - reimburseable***	\$110.50
<b>Sub-Total</b>			<b>\$144.50</b>
<b>Sub-Total Page 2</b>			<b>\$12,304.20</b>



Request for authorization to pay Invoices  
 For the Meeting on June 1, 2011  
 Town of Discovery Bay CSD  
 For Fiscal Year's 7/10 - 6/11

Acct Code			
75	7952	Gates + Assoc. Inv#31972, dtd 5/11/11 Regatta Park Basketball Proj#P4098 ***Zone #57 - reimburseable***	\$422.50
76	7952	Odyssey Landscape Inv#36035628 #35, dtd 4/20/11 Monthly contract *** Zone #35 - reimburseable***	\$215.00
77	7952	Odyssey Landscape Inv#36035628 #57, dtd 4/20/11 Monthly contract ***Zone #57 - reimburseable***	\$2,635.00
78	7952	Odyssey Landscape Inv#36035628 #61, dtd 4/20/11 Monthly contract ***Zone #61 - reimburseable***	<u>\$4,280.00</u>
<b>Sub-Total</b>			<b>\$7,130.00</b>
79	7952	Ross Recreation Equip. Inv#89809 dtd 5/5/11 Spare parts ***Zone #61 - reimbursable***	\$103.77
80	7952	Waraner Tree Experts Inv#2670, dtd 4/1/11 Regatta Park #57 ***Zone #57 - reimburseable***	\$450.00
81	7952	Waraner Tree Experts Inv#2670, dtd 4/1/11 Regatta Park #61 ***Zone #61 - reimburseable***	<u>\$350.00</u>
<b>Sub-Total</b>			<b>\$800.00</b>
82	0809-002	Luhdorff & Scalmanini Inv#26842, dtd 4/30/11 Well & Pump Sta 6 Design and Construction	\$4,632.40
83	7010	Luhdorff & Scalmanini Inv#26851, dtd 4/30/11 TODB CSD Water Master Plan	\$36,650.32
84	1011-013	Luhdorff & Scalmanini Inv#26852, dtd 4/30/11 Well 5A Modifications	<u>\$3,059.30</u>
<b>Sub-Total</b>			<b>\$44,342.02</b>
			Page 3 Sub-Total \$52,798.29
			Page 2 Sub-Total \$12,304.20
			Page 1 Sub-Total <u>\$92,969.00</u>
<b>TODB TOTAL...</b>			<b>\$158,071.49</b>

Payroll for 4/1-4/15/11			
1	7001	General Manager Payroll	\$11,002.58
2	7002	District Staff Payroll and Payroll Processing Fees	<u>\$41,389.59</u>
<b>Payroll Total...</b>			<b>\$52,392.17</b>

Caselle Utility Account			
1	7951	Refund of Overpayment Acct# 1-011-331-023-9.02	\$12.05
2	7951	Refund of Overpayment Acct# 1-011-550-015-9.01	\$4.02
3	7951	Refund of Overpayment Acct# 1-011-331-014-8.01	\$13.54
4	7951	Refund of Overpayment Acct# 1-011-421-044-6.01	<u>\$37.75</u>
<b>Caselle Utility Total</b>			<b>\$67.36</b>

<b>TODB GRAND TOTAL</b>			<b>\$210,531.02</b>
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Community Center Fund			
1	7960	Point of Sale Credit Card Payments deposited wrong account	<u>\$62.67</u>
<b>Community Center Fund Total</b>			<b>\$862.67</b>

Acct. #	TOWN OF DISCOVERY BAY CSD OPERATING BUDGET 2010/2011 Approved at 06/16/10 Meeting	2009/2010 YTD ACTUALS	2009/2010 % of Budget YTD	2010/2011 Budget	Feb 11 Month to Date Expenses	75.00%	Mar 11 Month to Date Expenses	83.33%	91.67%	Jun 11 Month to Date Expenses	Pending Approval 06/01/11	2010/2011 YTD REIMB.	2010/2011 YTD ACTUALS	2010/2011 % of Budget YTD
7000	Contract Services													
7001	General Manager	\$103,719	102%	\$130,000	\$55,364		\$33,116	\$33,116			\$11,003		\$99,215	76%
7002	District Staff	\$388,678	176%	\$270,000	\$223,591	\$863	\$122,637	\$1,748			\$42,639		\$412,451	153%
W	Staff Water Related			\$126,000										
L	Landscape Related (Reimb)			\$121,000										
7003	District Benefits	\$0	0%	\$52,500	\$3,690		\$4,393	\$4,413			\$1,362		\$24,471	0%
7005	Legal	\$87,417	146%	\$80,000	\$7,321		\$18,192	\$43			\$6,368		\$62,054	78%
7010	Consulting Services	\$104,787	44%	\$210,000	\$24,611		\$36,432	\$47,482			\$36,650		\$243,628	116%
7011	Veolia Operations	\$1,079,476	161%	\$1,173,000	\$250,086		\$88,434	\$83,382					\$634,395	80%
7012	Veolia Prev & Corrective Fund	\$101,819	212%	\$80,000	\$15,754		\$3,560						\$98,102	70%
7013	NPDES Permit	\$0												
W	Staff Water Related													
7014	Outsource of Water Billing		0%	\$24,000										
7015	General Operating Expenses													
7120	Audit	\$21,025	111%	\$35,000									\$23,350	67%
7135	Electrical Cost (water)	\$328,208	109%	\$300,000	\$13,890		\$15,931	\$14,538			\$13,425		\$290,379	97%
7137	Electrical Cost (sewer)	\$371,784	124%	\$325,000	\$26,828		\$22,447	\$25,755			\$39,364		\$303,487	93%
7210	Public Comm & Noticing	\$13,367	134%	\$5,000			\$1,820	\$190					\$2,398	48%
7220	Election Expenses	\$0	0%	\$12,000			\$5,281						\$5,281	44%
7230	Rent - Public Meetings	\$0	0%	\$500	\$237								\$0	0%
7250	Memberships	\$28,073	463%	\$16,000									\$6,023	38%
7280	Permits	\$23,233	97%	\$50,000									\$36,439	73%
7290	NPDES NOV Fines (\$)	\$1,716	49%	\$2,500			\$3,112	\$4,216			\$15,000		\$0	0%
7300	Staff Training	\$564,147	185%	\$350,000	\$27,444		\$33,099	\$31,505			\$18,136		\$540,634	154%
P	General Repairs Water / Sewer			\$150,000	\$7,029		\$19,296	\$6,715			\$1,240		\$91,511	61%
7310	Pump Repairs	\$0	0%	\$15,000									\$0	0%
7320	NTR / SIP Testing	\$4,699	157%	\$3,000				\$63					\$751	25%
7330	Special Equipment/Signage	\$97,797	196%	\$65,000	\$2,394		\$4,289	\$6,910			\$6,023		\$76,408	118%
7400	Office Expenses	\$4,697	94%	\$4,500	\$284		\$271	\$730					\$2,850	63%
7410	Copier Maint	\$17,497	250%	\$8,000	\$785		\$897	\$3,307			\$870		\$10,840	494%
7420	Postage	\$29,109	970%	\$1,000	\$107		\$106	\$490			\$284		\$6,611	83%
7430	Office Supplies	\$4,849	162%	\$4,500	\$852		\$411	\$396			\$75		\$4,325	433%
7500	Communications	\$6,371	255%	\$4,000	\$107		\$355	\$634			\$125		\$5,705	127%
7510	Web Site/Internet	\$23,632	236%	\$15,000	\$823		\$956	\$807			\$68		\$4,465	112%
7520	Wireless	\$21,877	438%	\$10,000	\$312		\$224	\$313			\$68		\$20,051	134%
7550	Telephone	\$1,456	146%	\$8,000	\$69		\$192	\$2725			\$3,315		\$3,315	33%
7600	District Wide	\$6,193	206%	\$3,500	\$594		\$248	\$219			\$397		\$5,787	72%
7630	Site Maintenance /Landscape	\$25,323	141%	\$19,000	\$1,068		\$6	\$1,481			\$343		\$6,147	176%
7665	Office Bids / Improvements	\$25,038	70%	\$36,000	\$2,445		\$1,894	\$2,331					\$24,012	126%
7670	Office Equipment / Software	\$312	31%	\$600	\$90		\$50	\$86					\$21,011	58%
7680	Office Furnishings	\$161,203	16120%	\$10,000	\$385		\$140	\$60			\$16		\$164	27%
7685	Tools	\$0	0%	\$100,000	\$19,022		\$16,958	\$4,926			\$67		\$10,605	88%
7690	Maint / Fuel	\$0	0%								\$8,631		\$434	4%
7700	Directors Expense	\$0	0%										\$108,856	109%
7720	Compensation												\$0	
7730	Training												\$0	
7950	Miscellaneous	\$102,503	171%	\$48,000			\$2,558						\$0	0%
7951	Misc. - Reimbursable			\$6,000									\$4,458	74%
7952	Misc. - Zones Reimbursable	\$5,153	172%	\$6,500									\$4,640	84%
7955	Reimbursement (Hotmann)	\$0	0%	\$700									\$0	0%
7100	Insurance			\$2,500									\$0	0%
7115	General Liability													
7120	Worker's Comp													
7800	County Services													
7805	Revenue Collection													
7810-0810	Investment Fee													
7815-2315	Data Processing													
7820	Accounting (A/P, A/R, GL)													

TOWN OF DISCOVERY BAY CSD OPERATING BUDGET 2010/2011 Approved at 06/16/10 Meeting													
Acc. #	Account Description	2009/2010 YTD ACTUALS	2009/2010 Budget YTD % of	2010/2011 Budget	Feb 11 Month to Date Expenses	Mar 11 Month to Date Expenses	Apr 11 Month to Date Expenses	May 11 Month to Date Expenses	Jun 11 Month to Date Expenses	Pending Approval 06/01/11	2010/2011 YTD REIMB.	2010/2011 YTD ACTUALS	2010/2011 % of Budget YTD
7825	Public Works - permits	\$21,180	424%	\$6,000	\$789	\$3,787	\$3,368			\$633	\$0	\$14,989	250%
CREDITS Reimbursements to Town of DB		(\$91,100)		(\$231,000)							\$0	\$0	0%
<b>TOTAL</b>		<b>\$3,711,273</b>	<b>127%</b>	<b>\$3,697,800</b>	<b>\$679,217</b>	<b>\$263,256</b>	<b>\$426,421</b>	<b>\$286,672</b>	<b>\$0</b>	<b>\$202,839</b>	<b>\$0</b>	<b>\$3,470,930</b>	<b>94%</b>

Reimbursements:

Date	No	Company	Amount
11/19/10	2487	DB L&L #9	\$317.50
11/19/10	2491	DB L&L #8	\$496.65
03/14/11	2623	DB L&L #9	\$1,963.94
03/14/11	2622	DB L&L #8	\$4,402.10
03/14/11	2629	DB L&L #9	\$2,170.62
03/14/11	2628	DB L&L #8	\$6,265.52
03/14/11	2634	DB L&L #8	\$5,258.79
03/14/11	2635	DB L&L #9	\$2,002.93
03/14/11	2640	DB L&L #8	\$4,595.25
03/14/11	2646	DB L&L #8	\$4,573.38
03/14/11	2647	DB L&L #9	\$2,204.98
03/14/11	2652	DB L&L #8	\$3,492.52
03/14/11	2653	DB L&L #9	\$141.74
<b>Total Reimbursements for 10/11</b>			<b>\$37,885.92</b>

Miscellaneous Adjustments:

Date	Acct. #	Amount	Description
7/21/2010	7950	\$5,545.00	S/B in #7952
8/4/2010	7950	\$168.44	S/B in #7952
7/21/2010	7300	\$4,408.00	S/B in #1011-017
8/4/2010	7010	\$11,331.42	S/B in #7300
8/4/2010	7300	\$23,805.08	S/B in #7300P
8/25/2010	7300	\$650.00	S/B in #0809-002
8/25/2010	7300	\$225.00	S/B in #7630
8/25/2010	7300	\$96.00	remove - pd 7/27/10
8/25/2010	7300	\$177.99	S/B in #7300
8/25/2010	7520	\$4,010.67	S/B in #7300P
8/25/2010	7520	\$731.00	S/B \$716.00
8/25/2010	7550	\$731.00	S/B \$150.00
8/25/2010	7952	\$8,944.00	S/B \$8,452.00
10/6/2010	7300	\$1,444.52	S/B in #7300P
11/3/2010	7300	\$550.00	S/B in #7300P
11/17/2010	7300	\$4,040.70	S/B in #7300P
12/1/2010	7300	\$1,000.00	S/B in #7300P
12/15/2010	7300	\$3,028.68	S/B in #7300P
12/1/2010	7300	\$3,080.55	S/B in #7300P
1/5/2011	7951	\$6,821.83	S/B in #7952
1/5/2011	7951	\$9,183.00	S/B in #7952
1/5/2011	7950	\$126.80	S/B in #7951

TOWN OF DISCOVERY BAY CSD CAPITAL IMPROVEMENT PROGRAM 2010/2011 Approved at 6/16/10 Meeting		83.33%	91.67%	100.00%	Plan to Approve 06/01/11	2010/2011 YTD REIMB.	2010/2011 ACTUALS	2010/2011 % of Budget YTD
Acct. #	Account Description	2009/2010 ACTUALS	2009/2010 % of Budget YTD	2010/2011 BUDGET	Apr 11 M-T-D Exp.	May 11 M-T-D Exp.	Jun 11 M-T-D Exp.	
SEWER								
0910-004	Rehab Manholes	\$0	0%	\$15,000				160%
0910-005	Landscape Plant #1	\$2,636	53%	\$5,000				0%
0910-006	Replace Sewer Main	\$0	0%		\$31,910			#DIV/0!
0910-007	UV System	\$457,297	114%	\$200,000	\$5,440			#DIV/0!
0910-008	Salinity Project	\$0	0%					0%
0910-009	Pumps / Motors Replacement	\$35,470	71%	\$85,000				#DIV/0!
0910-010	Wetlands	\$8,304	1%	\$80,000				0%
1011-001	By-Pass Pipeline	\$0		\$20,000				13%
1011-002	Replace PLC's	\$0		\$22,000				0%
1011-003	Bio-Solids Pumps (2) Wet Well			\$60,000			\$500	1%
1011-004	Rehab Lift Station W			\$12,000				0%
1011-005	Bypass Valve Lift Station S			\$125,000				0%
1011-006	Metal Cover for UV Area			\$25,000				0%
1011-007	Clarifier Cleaning Devices			\$15,000				0%
1011-008	Paving for Bio-Solids Area			\$80,000		\$1,625		0%
1011-009	New Moles (2)			\$25,000				74%
1011-010	Road Crossing Ramps							0%
	<b>Sewer Sub Total</b>	\$581,375	36%	\$769,000	\$37,350	\$1,625	\$0	#DIV/0!
WATER								
0809-002	Well #6 Design & Drill Test Hole	\$475,615						
0910-011	Security Door Locks (12)	\$12,980	216%	\$6,000		\$5,522	\$4,632	
0910-012	Ladder Vandal Guard	\$0	0%	\$2,000				0%
0910-013	Pumps / Motors Replacement	\$2,972	20%					0%
0910-014	Water Meter Program	\$63,079	13%	\$500,000		\$300		#DIV/0!
	Water Meter Program: Reimbursements			(\$500,000)				4%
1011-011	Filter Media Replacement			\$40,000				0%
1011-012	Stabilize Around Willow Lake							
1011-013	Rehab Well(s)			\$30,000		\$3,059		#DIV/0!
1011-014	Replace Water Mains			\$50,000			\$10,335	34%
1011-015	Water Meter Trailer			\$20,000				0%
	<b>Water Sub Total</b>	\$555,237	106%	\$148,000	\$0	\$5,822	\$0	#DIV/0!
OTHER								
1011-016	Pickup Truck (1)			\$20,000				
1011-017	K-Rail for Bulk Material			\$15,000				0%
1011-018	Portable Message Units			\$30,000			\$4,408	29%
1011-019	GPS Tracking Device			\$12,000				0%
1011-020	Replace Fence Near Marina			\$15,000				0%
1011-021	New Chairs for Board Room			\$6,000				0%
	<b>Other Sub Total</b>	\$7,251	19%	\$98,000	\$0	\$0	\$0	#DIV/0!
0102-00	Pipeline Replace Reserve	\$0						
CREDITS	Reimbursement to Town of DB	\$0						
	<b>Total CIP Budget</b>	\$1,143,864	71%	\$1,015,000	\$37,350	\$7,447	\$0	#DIV/0!
					\$7,592		\$0	#DIV/0!
							\$119,485	81%



**Request for authorization to pay invoices  
For the Meeting on June 1, 2011  
Town of Discovery Bay, D.Bay L&L Park #8  
For Fiscal Year's 7/10 - 6/11**

Acct Code				
1	2120	PG&E / Acct# 0869258994-1 (Sprink Contr) DB Blvd. & Willow Lake	04/12/11-05/11/11	\$15.51
2	2120	PG&E / Acct# 2068897992-9 DB Blvd across from 510	04/13/11-05/12/11	\$75.34
3	2120	PG&E / Acct# 2249446019-3 (Sprinkler) Disco Point, Tr #4077, Lot 71	04/12/11-05/11/11	\$16.17
4	2120	PG&E / Acct# 2800977208-9 (Irrig Contr) 9295Beacon Pl @ Str Lite	04/13/11-05/12/11	\$16.21
5	2120	PG&E / Acct# 3736907925-8 (Sprink Contr) E/S Edgview Dr N/O DB Blvd	04/12/11-05/11/11	\$15.51
6	2120	PG&E / Acct# 4111412785-9 (Sprink Contr) DB Blvd & Seal Way	04/12/11-05/11/11	\$15.51
7	2120	PG&E / Acct# 4455555569-5 (Sprinkler) Disco Point, Tr #3653, Lot 17	04/12/11-05/11/11	\$16.17
8	2120	PG&E / Acct# 5465914049-2 (Sprinkler) DB Blvd. & Spinnaker	04/12/11-05/11/11	\$15.51
9	2120	PG&E / Acct# 5939734421-5 PG&E Owned Street & Highway Lighting	04/20/11-05/18/11	\$6,421.96
10	2120	PG&E / Acct# 7135420365-6 (Sprinkler) Disco Point, Tr# 4077, Lot 65	04/12/11-05/11/11	\$16.17
11	2120	PG&E / Acct# 7452568975-3 (Sprink Contr) S/E cnr DB Blvd & Willow Lk	04/12/11-05/11/11	\$15.51
12	2120	PG&E / Acct# 7696548482-7 (Sprinkler) DB Blvd, Tr# 4178, Lot 5	04/12/11-05/11/11	\$16.17
13	2120	PG&E / Acct# 8009270258-0 @ Clipper Dr w/o Cove Ct 7723 Marina Dr	04/12/11-05/11/11	\$31.02
14	2120	PG&E / Acct# 8101346815-2 (Irrig Contr) Newport Dr. w/o Pier Ct	04/12/11-05/11/11	\$15.51
15	2120	PG&E / Acct# 8163719795-5 (Irrig Contr) 9271 Newport Dr @ Str. Lite	04/13/11-05/12/11	\$16.21
16	2120	PG&E / Acct# 8167536097-8 (Irrig Contr) @ Clipper Dr	04/12/11-05/11/11	\$15.51
17	2120	PG&E / Acct# 8399010651-6 (Sprink Contr) Willow Lake Ct, Lot 31	04/13/11-05/12/11	\$16.04
18	2120	PG&E / Acct# 8400813429-2 (Sprinkler) Laguna Ct, Tr# 4076, Lot 18	04/12/11-05/11/11	\$16.17
19	2120	PG&E / Acct# 8545920147-2 (Lites & Sprinklers) 2489 'A' DB Blvd.	04/12/11-05/11/11	<u>\$40.14</u>
<b>Sub-Total</b>				<b>\$6,806.34</b>
20	2120	Town of Discovery Bay Inv#2794, dtd 5/10/11 Meter @ Lift Station "R" 1st QTR		\$8.56
21	2120	Town of Discovery Bay Inv#2795, dtd 5/10/11 Meter #66369164 1st QTR		\$8.91
22	2120	Town of Discovery Bay Inv#2796, dtd 5/10/11 Meter #66369167 1st QTR		\$25.77
23	2120	Town of Discovery Bay Inv#2797, dtd 5/10/11 Meter #64739727 1st QTR		\$26.95
24	2120	Town of Discovery Bay Inv#2798, dtd 5/10/11 Meter #66369166 1st QTR		\$518.82
25	2120	Town of Discovery Bay Inv#2799, dtd 5/10/11 Meter #66369169 1st QTR		\$49.86
26	2120	Town of Discovery Bay Inv#2800, dtd 5/10/11 Meter #64139739 1st QTR		\$121.33
27	2120	Town of Discovery Bay Inv#2801, dtd 5/10/11 Meter #56844608 1st QTR		\$83.59
28	2120	Town of Discovery Bay Inv#2802, dtd 5/10/11 Meter #62240129 1st QTR		\$34.17
29	2120	Town of Discovery Bay Inv#2803, dtd 5/10/11 Meter #56844612 1st QTR		<u>\$153.02</u>
<b>Sub-Total</b>				<b>\$1,030.98</b>
30	2281	Janiking Inv#OAK05110241, dtd 5/1/11 Contract for May		<b>\$350.00</b>
31	2282	Valley Crest Landscaping Inv#3752019, dtd 5/10/11 Maintenance for May		\$8,457.00
32	2282	Valley Crest Landscaping Inv#3759577, dtd 5/6/11 Turf repairs Hwy 4/DB Blvd.		\$570.00
33	2282	Valley Crest Landscaping Inv#3759580, dtd 5/6/11 Annual color install @ west/east flower beds		\$946.20
34	2282	Valley Crest Landscaping Inv#3759591, dtd 5/6/11 Annual color install @ color bowls		<u>\$540.00</u>
<b>Sub-Total</b>				<b>\$10,513.20</b>
35	2282	Waraner Tree Experts Inv# 2670, dtd 4/01/11 Remove stumps		<b>\$650.00</b>
36	2282	Watersavers Inv# I1053203, dtd 5/9/11 Toro 6" sprinkler w/o nozzle & 1/2" cutoff riser		\$198.46
37	2282	Watersavers Inv# I1053738, dtd 5/10/11 1/2" SCH40 coupling TXT		<u>\$8.39</u>
<b>SUBTOTAL</b>				<b>\$206.85</b>
38	4789	Brentwood Reprographics Inv#2011-1635, dtd 5/5/11 Cornell Park-bid copies		<b>\$142.95</b>
39	4789	Gates & Assoc. Inv#31964, dtd 5/11/11 Cornell Park Proj#4157		\$2,360.70
40	4789	Gates & Assoc. Inv#31965, dtd 5/11/11 Cornell Park Proj#4157.01		<u>\$2,004.16</u>
<b>Sub-Total</b>				<b>\$4,364.86</b>
41	4829	GreenValley Landscape Inv#863, dtd 4/29/11 Sandpoint Road Project		<b>\$16,450.87</b>
<b>TOTAL</b>				<b>\$40,516.05</b>

County Acct#	Account Description	2009/2010 Budget	2009/2010 Actuals	2009/2010 % of Budget YTD	2010/2011 Budget	58.33% Jan 11 Month to Date Expenses	66.67% Feb 11 Month to Date Expenses	75.00% Mar 11 Month to Date Expenses	83.33% Apr 11 Month to Date Expenses	91.67% May 11 Month to Date Expenses	100.00% Jun 11 Month to Date Expenses	Plan to Approve 6/1/2011	2010/2011 Actuals	% of Budget YTD
Town of Discovery Bay/D.Bay L&L Park #8														
Operating Expense Budget 10/11														
Approved at 6/16/10 Meeting														
2100	Office Expenses	\$500	\$1,076	215%	\$850	\$25	\$286	\$57	\$22	\$101			\$1,076	127%
2102	Books, Periodicals & Subscriptions	\$50	\$25	49%	\$150			\$60					\$220	147%
2103	Postage	\$50	\$0	0%	\$50	\$11							\$11	22%
2110	Communications (Messenger, Radio, etc.)	\$1,500	\$1,140	76%	\$1,785								\$60	3%
2120	Utilities (Street Lights, Water, & Garbage)	\$105,000	\$89,858	86%	\$117,000	\$7,424	\$7,082	\$8,306	\$7,106	\$7,837		\$7,837	\$78,632	67%
2130	Small Tools & Instruments	\$1,000	\$875	87%	\$750		\$120	\$58	\$58				\$1,828	244%
2131	Minor Equipment, Furniture Less than \$1000.	\$500	\$1,208	242%	\$975		\$24						\$99	10%
2170	Household Items	\$800	\$1,209	151%	\$900		\$210						\$1,283	143%
2190	Public Notices	\$100	\$633	633%	\$150								\$0	0%
2200	Memberships	\$200	\$0	0%	\$450		\$40	\$5					\$165	37%
2250	Rent & Lease of Equipment	\$100	\$95	95%	\$500								\$220	44%
2251	Computer Software	\$500	\$0	0%									\$0	#DIV/0!
2270	Maintenance of Equipment	\$700	\$1,858	265%	\$950			\$6					\$266	28%
2271	Automotive Supplies & Repairs	\$1,300	\$9	1%	\$2,000		\$241		\$431				\$1,870	93%
2272	Gasoline/Fuel for Equipment	\$4,100	\$2,246	55%	\$4,000		\$300	\$295					\$1,735	43%
2281	Maintenance of Buildings	\$5,000	\$5,402	108%	\$5,300	\$350	\$350	\$300	\$700			\$350	\$3,524	66%
2282	Grounds Maintenance	\$250,000	\$189,315	76%	\$166,484	\$12,969	\$13,701	\$18,149	\$21,311	\$13,215		\$11,370	\$159,855	96%
2284	Requested Maintenance from County (3620)	\$500	\$0	0%									\$0	#DIV/0!
2301	Auto Mileage/Employee Reimbursement	\$300	\$790	263%	\$100				\$221	\$10			\$231	231%
2303	Other Travel Employee Reimbursement	\$200	\$102	51%	\$1,500			\$389	\$44				\$433	29%
2310	Professional Services	\$10,000	\$11,116	111%	\$8,100		\$4,402		\$805				\$6,143	76%
2310	Staff Payroll	\$65,000	\$39,064	62%	\$72,000			\$20,693					\$33,587	47%
2360	Insurance	\$8,000	\$10,389	130%	\$5,200	\$315							\$1,630	31%
2470	Road/Construction Materials (Street Signs)	\$1,000	\$5,810	116%	\$3,500					\$1,128			\$0	0%
2479	Other Special Expenses	\$200	\$21	10%	\$300	\$108							\$2,612	75%
2490	Miscellaneous Services & Supplies	\$4,500	\$0	0%	\$500								\$307	102%
3530	Taxes & Assessments	\$500	\$0	0%	\$500								\$0	#DIV/0!
3611	Interfund Exp - Gov/Gov. (Investment Svcs&Property Tax Adm. Costs)	\$500	\$0	0%	\$500								\$0	0%
5011	Reimbursement-Gov/Gov. County Administration Chrgs	\$500	\$0	0%	\$500								\$0	0%
Misc.	Reserves	\$500	\$0	0%	\$500								\$0	0%
Total Expenses		\$465,100	\$362,238	78%	\$394,494	\$21,202	\$26,856	\$47,904	\$30,688	\$15,380	\$0	\$19,557	\$295,789	75%

Miscellaneous Adjustments:

3/1/11 \$60.00 was in acct 2100. S/B in 2102 (11/23/10).

County Acct#	Town of Discovery Bay/D.Bay L&L Zone #8 Capital / Asset Budget 10/11 Approved at 6/16/10 Meeting Account Description	2009/2010 Budget	2009/2010 Actuals	2009/2010 % of Budget YTD	2010/2011 Budget	58.33% Jan 11 Month to Date Expenses	66.67% Feb 11 Month to Date Expenses	75.00% Mar 11 Month to Date Expenses	83.33% Apr 11 Month to Date Expenses	91.67% 5/1/2011 Month to Date Expenses	100.00% Jun 11 Month to Date Expenses	Approve 6/1/2011	2010/2011 Actuals	2010/2011 % of Budget YTD
4265	Various Improvements	\$7,500	\$4,842	65%	\$7,500	\$3,294		\$103					\$4,062	54%
4546	Structure & Walkway Repairs	\$3,500	\$0	0%	\$3,500		\$830						\$830	24%
4789	DB L&L Zone #8 Playground Equipment	\$3,000	\$0	0%	\$115,000		\$616	\$11,129	\$4,508				\$22,494	20%
4829	DB L&L Zone #8 Landscape Master Plan Entrar	\$0	\$0		\$0	\$924	\$14,773	\$82,021	\$50,931				\$199,048	#DIV/0!
4834	DB L&L Zone #8 Landscape Clipper Drive Phas	\$0	\$0		\$0								\$0	#DIV/0!
4834	Cornell Park - Misc. Projects (1)	\$233,100	\$9,314	4%	\$350,000					\$21,822		\$16,451	\$61,262	18%
4953	Vehicle Purchase - Discovery Bay	\$3,000	\$0	0%	\$7,500		\$815	\$2,686					\$3,501	47%
4956	Tools & Sundry Equipment	\$1,000	\$26	3%	\$0		\$2,600						\$17,493	#DIV/0!
	Total	\$251,100	\$14,182	6%	\$484,500	\$4,217	\$18,804	\$85,639	\$62,060	\$21,864	\$0	\$20,959	\$311,290	64%

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

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

Request for authorization to pay invoices  
 For the Meeting on June 1, 2011  
 Town of Discovery Bay, D.Bay L&L Park #9 (Ravenswood)  
 For Fiscal Year's 7/10 - 6/11

Acct Code				
1	2120	AT&T Acct# 625 513-8290 595 9 Billing Dated 4/26/11	Park n Ride	\$5.42
2	2120	PG&E / Acct#0403377952-31445 Cullen Dr (Irrig Ctrlr)	04/12-05/11/11	\$11.21
3	2120	PG&E / Acct#0422260312-0 Ravenswood-Tract 8710	04/20-05/18/11	\$559.68
4	2120	PG&E / Acct#1066166716-1 829 Poe Dr. (Irrig Ctrlr)	04/12-05/11/11	\$10.70
5	2120	PG&E / Acct#7705163630-4 1738 Wilde Dr. (Irrig Ctrlr)	04/12-05/11/11	<u>\$10.86</u>
			<b>Sub-Total</b>	<b>\$592.45</b>
6	2120	Town of Discovery Bay Inv#2804, dtd 5/10/11 Meter #65712638	1st Qtr	\$14.10
7	2120	Town of Discovery Bay Inv#2805, dtd 5/10/11 Meter #65401019	1st Qtr	\$568.60
8	2120	Town of Discovery Bay Inv#2806, dtd 5/10/11 Meter #64317397	1st Qtr	<u>\$53.08</u>
			<b>Sub-Total</b>	<b>\$635.78</b>
9	2282	Kirk Welding Inv#42865, dtd 4/7/11 Hinge @ Ravenswood Park		\$85.00
10	2282	Odyssey Landscape Inv# 36035628, dtd 4/20/11	Monthly Contract Amount	\$2,725.00
11	2310	Big Dog Cumuter Inv# 20090930-15, dtd 05/11/11	Virus removal and work on Oasis	\$25.50
12	2310	Zentner and Zentner Inv#0022673-IN, dtd 4/30/11	Proj #TOD 960 Ravenswood	\$265.30
<b>TOTAL</b>				<b>\$4,334.45</b>



2010/2011

Town of Discovery Bay/L&L #9 Ravenswood  
Operating Expense Budget  
Approved at 6/16/10 Meeting

County Acct#	Account Description	2009/2010 Budget	2010/2011 Budget	58.33% Jan 10 Month to Date Expenses	66.67% Feb 10 Month to Date Expenses	75.00% Mar 10 Month to Date Expenses	83.33% Apr 10 Month to Date Expenses	91.67% May 10 Month to Date Expenses	91.67% Jun 11 Month to Date Expenses	Planned to Pay 6/1/2011	2010/2011 YTD REIMB.	2010/2011 YTD ACTUALS	2010/2011 % of Budget YTD
2100	Office Expenses	\$150	\$150	\$60	\$25		\$38	\$94				\$511	341%
2102	Books, Periodicals & Subscriptions	\$50	\$50									\$24	49%
2103	Postage	\$50	\$50	\$21								\$80	161%
2110	Communications (Messenger, Radio, etc.)	\$100	\$650									\$120	18%
2120	Utilities (Street Lights, Water, & Garbage)	\$5,000	\$12,500	\$600	\$666	\$1,369	\$577	\$9		\$1,294		\$12,388	99%
2130	Small Tools & Instruments	\$100	\$100	\$26	\$26	\$48	\$414	\$92				\$735	735%
2131	Minor Equipment, Furniture Less than \$1000.	\$100	\$500									\$103	21%
2170	Household Items	\$0	\$700		\$46	\$35		\$43				\$317	45%
2190	Public Notices	\$50	\$150									\$253	169%
2200	Memberships	\$50	\$165									\$40	24%
2250	Rent & Lease of Equipment	\$500										\$0	0%
2251	Computer Software	\$500	\$500									\$0	0%
2270	Maintenance of Equipment	\$200	\$200									\$80	40%
2271	Automotive Supplies & Repairs	\$300	\$300				\$250					\$337	112%
2272	Gasoline/Fuel for Equipment	\$300	\$500		\$287	\$75						\$658	172%
2282	Grounds Maintenance	\$54,000	\$48,540	\$2,920	\$2,912	\$3,765	\$5,294	\$1,920		\$2,810		\$34,552	71%
2301	Auto Mileage/Employee Reimbursement	\$100	\$100									\$0	0%
2303	Other Travel/Employee Expenses		\$250									\$0	0%
2310	Professional Services	\$5,000	\$2,000			\$6,379				\$291		\$10,170	509%
2310	Staff Payroll	\$13,000	\$25,500		\$1,964	\$3,073						\$6,227	24%
2360	Insurance	\$5,000	\$1,850	\$315								\$490	27%
2470	Road/Construction Materials (Street Signs)											\$0	0%
2479	Other Special Expenses		\$500		\$10		\$25					\$0	0%
2490	Miscellaneous Services & Supplies		\$300									\$34	11%
3530	Taxes & Assessments	\$1,000	\$500					\$34				\$0	0%
5011	Reimbursement-Gov/Gov County Admin. Chrgs	\$100										\$0	0%
Misc.	Reserves											\$0	0%
	Total Expenses	\$85,150	\$95,955	\$3,917	\$5,846	\$14,743	\$6,599	\$2,152	\$0	\$4,334		\$67,688	71%

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

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

For 2007/08 there is no planned Capital Improvement  
Plans

Miscellaneous Adjustments:  
3/1/11 \$34.79 was in 2282. S/B in acct 2170

NO BACK UP  
DOCUMENTATION  
FOR THIS AGENDA  
ITEM # F-3



# Town of Discovery Bay CSD

## AGENDA REPORT

Meeting Date

June 1, 2011

Prepared By: Fairin Perez, Landscape Manager  
Submitted By: Rick Howard, General Manager

### Agenda Title

Approval and Adoption of Resolution No. 2011-12 accepting the Dedication of Ravenswood Park (Subdivision 8710) and open space parcels (APN's 011-600-060, 011-610-099, 011-610-100, 011-620-047, & 011-620-048) from Contra Costa County

### Recommended Action

Approval and Adoption of Resolution No. 2011-12 accepting the Dedication of Ravenswood Park (Subdivision 8710) and open space parcels (APN's 011-600-060, 011-610-099, 011-610-100, 011-620-047, & 011-620-048) from Contra Costa County and authorize the General Manager to execute all necessary corresponding Dedication documentation including the acceptance of the terms of Army Corps of Engineers Permit No.199400928.

### Executive Summary

The Ravenswood development park and open space parcels (Subdivision 8710) was granted final acceptance by the Contra Costa County Board of Supervisors on February 2, 2010. The lien guarantee period expired on August 2, 2010. As part of the approval of the Final Map, Parcels A, B, C, D & E were to be dedicated to the Town of Discovery Bay Community Services District (District).

The District has already accepted responsibility for the maintenance and service of these areas. Maintenance and improvements to these open space and park areas are funded through Discovery Bay Lighting and Landscape Zone #9, which is also already managed by the District. Staff recommends approving and adoption of Resolution No. 2011-12 which will provide for the dedication and acceptance of Parcel "A" (011-600-060), Parcel "B" (011-620-047), Parcel "C" (011-620-048), Parcel "D" (011-610-099), and Parcel "E" (011-610-100) from Western Pacific Housing, Inc.

Please note that by accepting dedication of Parcel "B", which is the conservation easement area in Ravenswood, the District will also have to sign and accept the terms and conditions of the Army Corps of Engineers permit number 199400928 (attached for your review).

### Fiscal Impact:

There is no fiscal impact associated with this action other than existing obligations pursuant to L&L Zone #9.

### Previous Relevant Board Actions for This Item

N/A.

### Attachments

Subdivision 8710 Final Map, Cover Sheet and Index Map (Page 1 & 3 of 16)  
Grant Deed, Parcels A, B, C, D & E in Subdivision 8710  
Department of the Army Permit No. 199400928  
Resolution 2011-12  
Certificate of Acceptance

AGENDA ITEM: F-4

**BASIS OF BEARING:**

THE BASIS OF BEARING FOR THIS MAP IS DETERMINED BY FOUND MONUMENTS SHOWN HEREON. THE BEARINGS BEING INDICATED BETWEEN MONUMENTS FOUND ALONG ANESSARY STREET, AS SHOWN ON SUBDIVISION 8167 (205 N 34). DISTANCES SHOWN ARE GROUND DISTANCES TO CONVERT TO GRID. MULTIPLY GROUND DISTANCES BY 0.999322.

**LEGEND**

- SUBDIVISION BOUNDARY
- LOT LINE
- EASEMENT LINE
- MONUMENT LINE
- CENTERLINE
- TOTAL

- ( ) ( )
- (M-10) RADIAL
- (M-10) MONUMENT TO MONUMENT
- (M-10) MONUMENT TO PROPERTY LINE
- (M-10) SET STANDARD STREET MONUMENT, LS 7776
- (M-10) SET 5/8" REBAR AND CAP, LS 7176
- (M-10) FOUND STANDARD STREET MONUMENT AS NOTED
- (M-10) FOUND RIGID PIPE, RAILROAD SPIKE OR REBAR AS NOTED
- ( ) RECORD DATA AS NOTED
- ( ) PUBLIC UTILITY EASEMENT
- SF SQUARE FEET
- AC ACRES

REINFORCEMENT OF ADJUTER'S RIGHTS

**REFERENCES**

- (1) RECORD OF SURVEY (80 L&M 17)
- (2) SUBDIVISION LS 71-88 (1974 47)
- (3) SUBDIVISION 7058 (48 N 20)
- (4) TRACT 7140 (285 N 43)
- (5) PLAT MAP (24 PH 18)
- (6) SUBDIVISION 8167 (205 N 34)
- (7) SUBDIVISION 8122 (433 N 32)

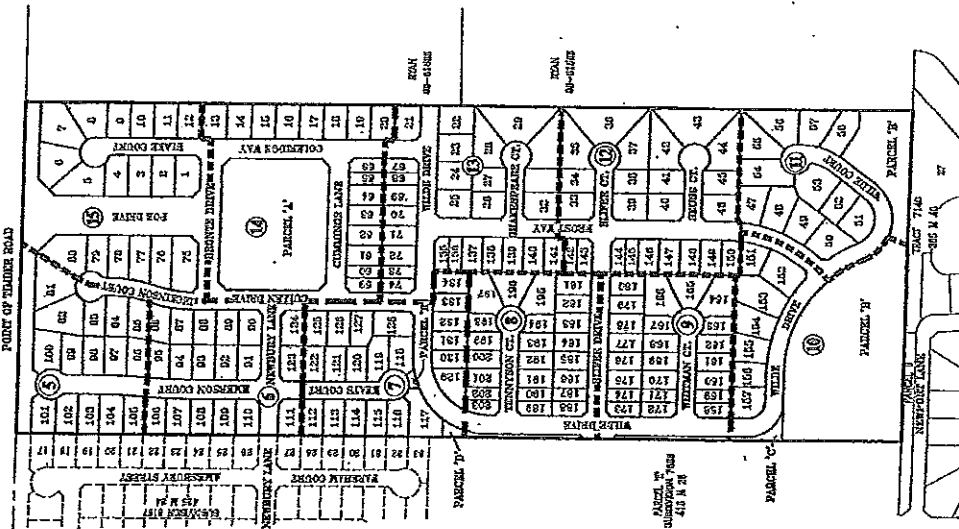
**NOTE:**

THE FOLLOWING IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED TO AFFECT RECORDED TITLE INTERESTS. THERE MAY BE A POTENTIAL FOR FUTURE SEA LEVEL RISE.

**SUBDIVISION 8710  
RAVENSWOOD**

BEING A SUBDIVISION OF A PORTION OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 3 EAST, COUNTY OF CONTRA COSTA, CALIFORNIA

CONTRA COSTA COUNTY, CALIFORNIA  
**CARLSON, BARBER & GIBSON, INC.**  
 CIVIL ENGINEERS • SURVEYORS • PLANNERS  
 SAN RAMON, CALIFORNIA  
 NOVEMBER, 2024  
 SCALE: 1" = 40'



**SHEET INDEX MAP**

APR 01 10:52 AM '24 APR 01 10:52 AM '24



**SUBDIVISION 8710**

**RAVENSWOOD**  
BEING A SUBDIVISION OF A PORTION OF  
THE IMPROVED QUARTER OF SECTION 24,  
TOWNSHIP 1 NORTH, RANGE 3 EAST,  
MOUNT DIABLO MERIDIAN  
CONTRA COSTA COUNTY, CALIFORNIA  
**CARLSON, BARBEE & GIBSON, INC.**  
CIVIL ENGINEERS • SURVEYORS • PLANNERS  
SAN RAFAEL, CALIFORNIA  
NOTARY PUBLIC

**OWNER'S STATEMENT**

THE UNDERSIGNED, BEING THE PARTY HAVING A RECORD TITLE INTEREST IN THE  
LANDS DELINEATED AND EMBRASED WITHIN THE HEAVY BLACK LINES UPON THIS  
MAP, DOES HEREBY CONSENT TO THE MAKING AND RECORDATION OF THE SAME,  
AND DOES HEREBY DEDICATE TO THE PUBLIC THE FOLLOWING DESIGNATED  
AREAS FOR HIGHWAY AND UTILITY PURPOSES:  
DUNSMON COURT, POE DRIVE, BLAKE COURT, BEANTE DRIVE, ELLERSON COURT,  
COLLEN DRIVE, MEMBURY LAKE, COLLEGE WAY, CLUMMINS LANE, ACQUIS  
COURT, TENNYSON COURT, SHAWNEE COURT, FIRST WAY, SLUFF DRIVE,  
SLEEPY COURT, WILDE DRIVE, WHIDMAN COURT, SELSS COURT, WADE COURT AND  
POINT OF TIMBER ROAD WIDENING.

THE UNDERSIGNED DEDICATES THE FOLLOWING DESIGNATED AREAS TO THE TOWN  
OF DISCOVERY AND COMMUNITY SERVICES DISTRICT PARCEL "A" FOR PARK  
OPERATION AND MAINTENANCE PURPOSES, PARCELS "B" FOR OPEN SPACE  
PURPOSES, AND ACCESS, CONSTRUCTION, AND MAINTENANCE OF JOUANAGE  
FACILITIES PARCELS "C", "D", AND "E" FOR LANDSCAPE PURPOSES.

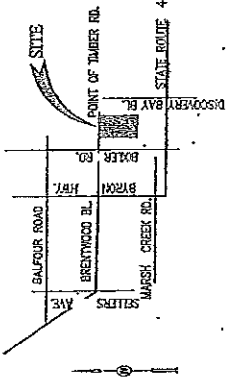
THE UNDERSIGNED DEDICATES EASEMENTS TO THE TOWN OF DISCOVERY BAY  
COMMUNITY SERVICES DISTRICT OVER THE AREAS DESIGNATED AS "WALL"  
EASEMENT FOR ACCESS, CONSTRUCTION, REPAIR, AND  
MAINTENANCE OF WALLS.

THE AREAS DESIGNATED AS "PILE" OR PUBLIC UTILITY EASEMENT ARE HEREBY  
DEDICATED TO CONTRA COSTA COUNTY OR ITS DESIGNEE FOR FIBER OPTIC,  
UNDERGROUND ELECTRIC GAS, CABLE TELEVISION, TELEPHONE USE, STREET  
LIGHT, SANITARY SEWER, STORM DRAIN, AND WATER USE AND ANY AND ALL  
CONSTRUCTION AND USES AND UTILITIES INSTALLED INCLUDING THE  
IMPROVEMENTS AND APPURTENANCES.

THE UNDERSIGNED RELINQUISHES ALL ABUTTERS' RIGHTS OF ACCESS ALONG  
POINT OF TIMBER ROAD TO CONTRA COSTA COUNTY WITH EXCEPT TO THOSE  
AREAS SPECIFICALLY INDICATED ON THIS MAP. THE UNDERSIGNED  
RELINQUISHES ALL ABUTTERS' RIGHTS OF VEHICULAR ACCESS AT ALL  
DEVISIONARY TRAPPS, AND AT ALL OTHER LOCATIONS AS INDICATED BY THE  
FOLLOWING SCHEDULE: None

THIS MAP SHOWS ALL THE EASEMENTS ON THE PREMISES, OR OF RECORD,  
WESTERN PACIFIC HOUSING, INC., A DELAWARE CORPORATION

BY: Robert Wilson DATE: 11-15-04  
PRINT: Robert Wilson TITLE: Notary Public  
BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
PRINT: \_\_\_\_\_ TITLE: \_\_\_\_\_



**VICINITY MAP**  
NOT TO SCALE

**SURVEYOR'S STATEMENT**

THIS MAP WAS PREPARED BY ME OR UNDER MY SUPERVISION AND IS BASED UPON A FIELD SURVEY IN  
CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSION AND THE REQUIREMENTS OF THE  
LOCAL ORDINANCE AT THE REQUEST OF WESTERN PACIFIC HOUSING, INC. AND DELAWARE CORPORATION  
ON MARCH 2, 2004, AND IS TRUE AND COMPLETE AS SHOWN. I HEREBY STATE THAT THIS FINAL MAP  
SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP, I HEREBY STATE  
THAT THE MONUMENTS WILL BE SET IN THE POSITIONS INDICATED BEFORE DECEMBER  
5, 2004. THE MONUMENTS WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

DATE: 11-15-04  
Christopher S. Harrison  
CHRISTOPHER S. HARRISON, P.L.S.  
L.S. NO. 7176  
EXPIRES: DECEMBER 31, 2005



**PLANNING COMMISSION'S STATEMENT**

I HEREBY STATE THAT THE PLANNING COMMISSION OF THE COUNTY OF CONTRA  
COSTA, STATE OF CALIFORNIA HAS APPROVED THE TENTATIVE MAP OF THIS  
SUBDIVISION UPON WHICH THIS FINAL MAP IS BASED.

DATE: 9-12-05  
Denise H. Barry  
DENISE H. BARRY  
DIRECTOR OF COMMUNITY DEVELOPMENT  
COUNTY OF CONTRA COSTA,  
STATE OF CALIFORNIA  
BY: Denise H. Barry (SO)

**BUILDING INSPECTION STATEMENT**

A GEOTECHNICAL SERVICES REPORT PREPARED BY KLEINFELDER, INC. FILE NO.  
2710400, DATED APRIL 22, 2003, HAS BEEN RECEIVED AND APPROVED. THIS  
REPORT IS ON FILE IN THE BUILDING INSPECTION DEPARTMENT, CONTRA COSTA  
COUNTY.

DATE: October 17, 2005  
Carlos Baltorano  
CARLOS BALTORANO  
DIRECTOR OF BUILDING INSPECTION  
BY: Chuang Benitez  
DEPUTY

10:27:05 8:07 AM

**RECORDING REQUESTED BY**

First American Title Company

**AND WHEN RECORDED MAIL DOCUMENT  
AND TAX STATEMENT TO:**

Town of Discovery Bay CSD  
1800 Willow Lake Road  
Discovery Bay, CA 94505-9376

Space Above This Line for Recorder's Use Only

A.P.N.: 011-600-060, 011-610-099  
011-610-100, 011-620-047, 011-620-048

File No: Accommodation

**GRANT DEED**

The Undersigned Grantor(s) Declare(s): DOCUMENTARY TRANSFER TAX \$0.00; CITY TRANSFER TAX \$0.00; R&T 11922  
SURVEY MONUMENT FEE \$

- computed on the consideration or full value of property conveyed, OR
- computed on the consideration or full value less value of liens and/or encumbrances remaining at time of sale,
- unincorporated area;

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

**Western Pacific Housing, Inc., a Delaware corporation**

hereby GRANTS to

**Town of Discovery Bay Community Services District**

the following described property in the unincorporated County of **Contra Costa**, State of **California**:

**Parcels A, B, C, D, and E, as shown on the map of subdivision 8710, filed October 27, 2005,  
Book 485, Page 1, Contra Costa County Records.**

Dated: \_\_\_\_\_

**Western Pacific Housing, Inc.,  
a Delaware Corporation**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

STATE OF \_\_\_\_\_ )SS  
COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_, before me, \_\_\_\_\_, Notary Public, personally appeared \_\_\_\_\_,

\_\_\_\_\_ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

\_\_\_\_\_  
Richard J. Howard

My Commission Expires: \_\_\_\_\_

*This area for official notarial seal*

Notary Name: \_\_\_\_\_ Notary Phone: \_\_\_\_\_

Notary Registration Number: \_\_\_\_\_ County of Principal Place of Business: \_\_\_\_\_



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO  
CORPS OF ENGINEERS  
1325 J STREET  
SACRAMENTO, CALIFORNIA 95814-2922

December 3, 2004

Regulatory Branch (199400928)

Reed Onate  
Western Pacific Housing  
1210 Central Boulevard  
Brentwood, California 94513

Dear Mr. Onate:

We are enclosing your copy of Department of the Army Permit 199400928. Please note you are only authorized to complete the work described in the permit.

If you sell the property associated with this permit, the terms and conditions of this permit will continue to be binding on the new owner. To validate the transfer of this permit, have the succeeding party sign the permit transfer section at the end of the permit and forward a copy to this office, along with their printed name, address, telephone number, and other contact information.

The time limit for completing the work is specified in General Condition 1. If the work will not be completed prior to that date, you may request a time extension. Your request for an extension must be received by this office for consideration at least 30 days before the time limit date.

Please refer to identification number 199400928 in any correspondence concerning this project. If you have any questions, please contact William Guthrie at our Delta Office, 1325 J Street, Room 1480, Sacramento, California 95814-2922, email [William.H.Guthrie@usace.army.mil](mailto:William.H.Guthrie@usace.army.mil), or telephone 916-557-5269. You may also use our website: [www.spk.usace.army.mil/regulatory.html](http://www.spk.usace.army.mil/regulatory.html).

Sincerely,

Michael S. Jewell  
Chief, Central California/Nevada  
Section

Enclosure(s)

Copy furnished without enclosure(s):

Sean Micallef, Zentner & Zentner, 95 Linden Street, Suite 6, Oakland, California 94607



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO  
CORPS OF ENGINEERS  
1325 J STREET  
SACRAMENTO, CALIFORNIA 95814-2922

November 24, 2004

Regulatory Branch (199400928)

Reed Onate  
Western Pacific Housing  
1210 Central Boulevard  
Brentwood, California 94513

Dear Mr. Onate:

This letter concerns your request for modification of the special conditions of your September 30, 2004, Department of the Army permit number 199400928 for the Ravenswood residential subdivision.

We are hereby modifying the special conditions as follows:

Special Condition 3 is replaced with: You must implement all of the measures in the document entitled *Ravenswood, Brentwood Contra Costa County, Wetland Mitigation Program*, Dated April 28, 2003, including the comprehensive mitigation and monitoring plan. You must follow mitigation design drawings and vegetation plans including target species to be planted and final success criteria. The purpose of this requirement is to insure replacement of the function and values of the aquatic environment that would be lost due to project construction.

Special Condition 6 is replaced with: To minimize external disturbance to preserved waters of the United States, you shall establish a buffer consisting of native upland vegetation of at least 50 feet in width from all preserved waters of the United States with the exception of wetland D and wetland K, as shown in the attached drawings, which would each be provided with a 10-foot buffer of native upland vegetation.

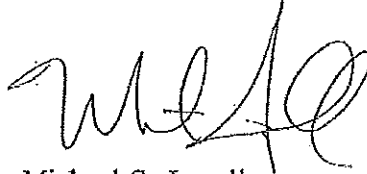
Special Condition 8 is replaced with: Prior to initiating any home construction, you shall, to insure long-term viability of mitigation, preservation, and avoidance areas:

Special Condition 8d is replaced with: Provide copies of the recorded documents to the Corps of Engineers no later than 30 days prior to the initiating any home construction.

All other terms and conditions of DA permit 199400928 remain in full force and effect.

Please attach this letter to your permit. If you have any questions, please contact William Guthrie at our Delta Office, 1325 J Street, Room 1480, Sacramento, California 95814-2922, email [William.H.Guthrie@usace.army.mil](mailto:William.H.Guthrie@usace.army.mil), or telephone 916-557-5269. You may also use our website: [www.spk.usace.army.mil/regulatory.html](http://www.spk.usace.army.mil/regulatory.html).

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Jewell', written in a cursive style.

Michael S. Jewell  
Chief, Central California/Nevada  
Section

Copies Furnished:

Sean Micallef, Zentner & Zentner, 95 Linden Street, Suite 6, Oakland, California 94607

DEPARTMENT OF THE ARMY PERMIT

Permittee: Western Pacific Housing  
1210 Central Boulevard  
Brentwood, California 94513  
Attention: Reed Onate

Permit Number: 199400928

Issuing Office: U.S. Army Engineer District, Sacramento  
Corps of Engineers  
1325 "J" Street  
Sacramento, California 95814-2922

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below. A notice of appeal options is enclosed.

Project Description: Construction of the Ravenswood residential subdivision project including 220 homes, and associated infrastructure and onsite wetland mitigation. This project involves constructing one outfall and filling no more than 0.55 acres of seasonal wetlands adjacent to Kellogg Creek. All work is to be completed in accordance with the attached plan(s).

Project Location: The 60-acre project site is located in Section 26, Township 1 North, Range 3 East, MDB&M, near Discovery Bay, in Contra Costa County, California.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on September 30, 2009. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. To insure your project complies with the Federal Endangered Species Act and the Magnuson-Stevens Fishery and Conservation Act, you must implement all of the mitigating measures and Essential Fish Habitat Conservation Recommendations identified in the attached National Marine Fisheries Service letter of concurrence (SWR-03-SA-9017:SRB, dated March 3, 2004), including those ascribed to the Corps therein. If you are unable to implement any of these measures, you must immediately notify this office and the National Marine Fisheries Service so we may consult as appropriate, prior to initiating the work, in accordance with Federal law.

2. This Corps permit does not authorize you to take an endangered species, in particular the vernal pool fairy shrimp (*Branchinecta lynchi*), or designated critical habitat. In order to legally take a listed species, you must have separate authorization under the Endangered Species Act (e.g., an Endangered Species Act Section 10 permit, or a Biological Opinion under Endangered Species Act Section 7, with "incidental take" provisions with which you must comply). The attached Fish and Wildlife Service Biological Opinion and letter of appendage (Number 1-1-96-F-1, dated February 28, 1996, and Number 1-1-03-F-0332 respectively), contain mandatory terms and conditions to implement the reasonable and prudent measures that are associated with "incidental take" that is also specified in the Biological Opinion. Your authorization under this Corps permit is conditional upon your compliance with all of the mandatory terms and conditions associated with incidental take of the attached Biological Opinion and letter of appendage, which terms and conditions are incorporated by reference in this permit. Failure to comply with the terms and conditions associated with incidental take of the Biological Opinion, where a take of the listed species occurs, would constitute an unauthorized take, and it would also constitute non-compliance with your Corps permit. The Fish and Wildlife Service is the appropriate authority to determine compliance with the terms and conditions of its Biological Opinion, and with the Endangered Species Act. The permittee must comply with all conditions of this Biological Opinion and letter of appendage, including those ascribed to the Corps.

3. You must implement all of the measures in the document entitled *Ravenswood, Brentwood Contra Costa County, Wetland Mitigation Program*, dated April 28, 2003, except as modified by the following special conditions: You shall develop a final comprehensive mitigation and monitoring plan, which must be approved by the Army Corps of Engineers prior to initiation of construction activities. The plan shall include mitigation location and design drawings, vegetation plans, including target species to be planted, and final success criteria, presented in the format of the Sacramento District's Habitat Mitigation and Monitoring Proposal Guidelines, dated October 25, 1996. The purpose of this requirement is to insure replacement of functions and values of the aquatic environment that would be lost through project implementation.

4. You shall purchase 0.72 seasonal wetland credits at a Corps approved wetland mitigation



bank and create at least 1.28 acres of alkali seasonal wetlands on the project site. The selected mitigation bank shall include the area of the permitted project within its service area. Evidence of this purchase shall be provided to this office prior to proceeding with any activity otherwise authorized by this permit.

5. You shall establish and maintain a 5.20-acre on-site preserve containing 2.19 acres of created, avoided, and preserved waters of the United States, as depicted on the exhibit entitled Ravenswood, Brentwood, Contra Costa County, CA Wetland Mitigation Program, dated April 28, 2003, in perpetuity. The purpose of this preserve is to insure the functions and values of the aquatic environment are protected.

6. To minimize external disturbance to preserved waters of the United States, you shall establish a buffer, consisting of native upland vegetation of at least 50 feet in width from the outer limit of jurisdiction of the entire perimeter of all created, preserved, and avoided waters of the United States, including wetlands within the proposed preserve.

7. To insure that the preserve is properly managed, you shall develop a specific and detailed final preserve management plan for the on-site mitigation, preservation, and avoidance areas. This plan shall be submitted to and specifically approved, in writing, by the Corps of Engineers prior to engaging in any work authorized by this permit. This plan shall describe in detail any activities that are proposed within the preserve area(s) and the long term funding and maintenance of each of the preserve areas.

8. Prior to initiating any activity authorized by this permit, you shall, to insure long-term viability of mitigation, preservation, and avoidance areas:

a. Establish a Corps approved fully-funded endowment to provide for maintenance and monitoring of on-site mitigation, preservation, and avoidance areas.

b. Designate an appropriate Corps-approved conservation-oriented third party entity to function as preserve manager and to hold the required conservation easements.

c. Record permanent conservation easements and deed restrictions maintaining all mitigation, preservation, and avoidance areas as wetland preserve and wildlife habitat in perpetuity. Copies of the proposed deed restriction and conservation easement language shall be provided to the Corps of Engineers for approval prior to recordation.

d. Provide copies of the recorded documents to the Corps of Engineers no later than 30 days prior to the start of construction of any of the activities authorized by this permit.

9. To protect the integrity of the preserve and avoid unanticipated future impacts, no roads, utility lines, trails, benches, equipment or fuel storage, grading, firebreaks, mowing, grazing, planting, discing, pesticide use, burning, or other structures or activities shall be constructed or occur within the on-site and off-site mitigation, preservation, and avoidance areas without specific, advance written approval from the Corps of Engineers.

10. To prevent unauthorized access and disturbance, you shall install fencing and appropriate signage around the entire perimeter of the preserve. All fencing surrounding mitigation, preservation, avoidance, and buffer areas shall allow unrestricted visibility of these areas to discourage vandalism or disposing of trash or other debris in these areas. Examples of this type of fencing include chain link, split rail and wrought iron.

11. All terms and conditions of the attached May 17, 2004, Section 401 Water Quality Certification are expressly incorporated as conditions of this permit.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
  - (✓) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
  - (✓) Section 404 of the Clean Water Act (33 U.S.C. 1344).
  - ( ) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
2. Limits of this authorization.
  - a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
  - b. This permit does not grant any property rights or exclusive privileges.
  - c. This permit does not authorize any injury to the property or rights of others.
  - d. This permit does not authorize interference with any existing or proposed Federal projects.
3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
  - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
  - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
  - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
  - d. Design or construction deficiencies associated with the permitted work.
  - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
4. Reliance on Applicant's Data. The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant.

Circumstances that could require a reevaluation include, but are not limited to, the following:

  - a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit. Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

Robert Sellers NCE DIST DIST  
Permittee

2014/09  
Date

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

Michael S. Jewell  
Michael S. Jewell, Chief,  
Central California/Nevada Section  
(For the District Engineer)

10 DEC 04  
Date

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

\_\_\_\_\_  
Transferee

\_\_\_\_\_  
Date



**TOWN OF DISCOVERY BAY  
COMMUNITY SERVICES DISTRICT**

**RESOLUTION 2011-12**

**A RESOLUTION OF THE TOWN OF DISCOVERY BAY  
COMMUNITY SERVICES DISTRICT  
ACCEPTANCE OF GRANT DEED AND CERTIFICATE OF ACCEPTANCE  
(Ravenswood Subdivision Park and Open Space Parcels)**

WHEREAS, Western Pacific Housing, Inc., a Delaware corporation ("Grantor") has executed a Grant Deed ("Grant Deed") conveying those park and open space parcels (APN 011-600-060, 011-610-099, 011-610-100, 011-620-047, and 011-620-048) located within the Ravenswood Development to the Town of Discovery Bay Community Services District ("District"), a copy of which is attached hereto as "Exhibit A;"

WHEREAS, pursuant to Government Code Section 27281, all deeds conveying any interest in real property to a governmental agency shall not be accepted for recordation without the consent of the grantee as evidenced by its Certificate of Acceptance.

NOW, THEREFORE, IT IS RESOLVED by the Board of Directors of the District that the Grant Deed and Certificate of Acceptance are hereby accepted by and on behalf of the District, and that the District's General Manager is hereby authorized to execute the Certificate of Acceptance on behalf of the District;

IT IS FURTHER RESOLVED, that the Board Secretary for the District is hereby instructed to affix the District Stamp and record the above mentioned Grant Deed and Certificate of Acceptance together with a copy of this Resolution in the office of the County Recorder of Contra Costa County, California.

PASSED, APPROVED AND ADOPTED THIS 1st DAY OF JUNE 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 June 15, 2011, by the following vote of the Board:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

Richard J. Howard  
Board Secretary

**CERTIFICATE OF ACCEPTANCE**

This is to certify that the real property conveyed by the Grant Deed from WESTERN PACIFIC HOUSING, Inc., a Delaware corporation, to TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT, a community services district formed under the laws of California, is hereby accepted by authority granted in Resolution 2011-12 of the Board of the Town of Discovery Bay Community Services District adopted on June 1, 2011, and the grantee consents to recordation thereof by its duly authorized officer.

Dated: June 1, 2011

By: \_\_\_\_\_

Richard J. Howard  
General Manager  
Town of Discovery Bay Community Services District



# Town of Discovery Bay CSD

## AGENDA REPORT

Meeting Date

June 1, 2011

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

### Agenda Title

Presentation of Proposed Water and Wastewater Rates for the Fiscal Year(s) 2011-12 and 2012-13.

### Recommended Action

It is recommended that the Board of Directors: 1) Direct staff to set a Public Hearing on the adoption of the propose rate increase(s) for August 3, 2011; (2) Direct staff to mail the Notice of Public Hearing to all affected property owners at least 45 days prior to the Public Hearing; 3) Direct staff to advertise the notice of the Public Hearing once a week for two weeks prior to the date set for the Public Hearing in a newspaper of general circulation; and 4) Direct staff to prepare the necessary adoption resolution pursuant to the Public Hearing date of August 3, 2011.

### Executive Summary

Pursuant to Proposition 218 approved by voters in 1996, each year the District finds it necessary to increase utility rates that exceed the Consumer Price Index (CPI), a rate study and a public hearing must take place. The current CPI is 1.4%.

Hornberger Engineering was authorized at the May 18, 2011 Board meeting to conduct a rate study for the two (2) year period beginning on July 1, 2011 and ending June 30, 2013. The proposed service rates have been developed in accordance with that action and scope of work. The proposed rates are attached and will be presented by Gary Hornberger at tonight's meeting.

The proposed overall blended service rates reflect an increase of 22.0% for FY 2011-12 and 13.6% for FY 2012-13. As illustrated at the bottom of Table(s) 3A/B, *Proposed Water and Wastewater Charges*, an increase of 27.4% in FY 2011-12 and 27.8% in FY 2012-13 over current year rates is proposed for water service fees. Wastewater rates are proposed to increase 18.9% in FY 2011-12 and 5.1% in FY 2012-13 over current year rates. Rates were adjusted 3% and 9%, respectively over the prior two (2) year period.

The rate study was determined based upon projected annual expenditures at the District in the Operating, Capital and Capital Replacement budgets for the next two (2) fiscal years. It should be noted that this rate study and associated proposed rate increase(s) does not include any allowances for potential future development. The rates only provide for current Operations and Maintenance, necessary existing facility capital improvements, and the emergence of an infrastructure and vehicle replacement fund.

The consultant will also provide for the Board's consideration an option to establish a separate water rate structure for condominium associations whose residential water consumption is solely contained within the unit itself, and that there be no associated landscape watering related with those particular residential condominiums.

### 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

June 18, 2011 -- Contract with Hornberger Engineering

### Attachments

Proposed Rates-- Hornberger Engineering

AGENDA ITEM: G-1

**Table 1A  
Town of Discovery Bay CSD  
Proposed 2011/12 - 2012/13 Water Rates  
Option I - Existing Rate Structure**

Residential Unmetered	Existing FY 2010/11		Proposed FY 2011/12		Proposed FY 2012/13	
	Monthly (\$/month/DU)	Yearly (\$/year/DU)	Monthly (\$/month/DU)	Yearly (\$/year/DU)	Monthly (\$/month/DU)	Yearly (\$/year/DU)
Parcel Size (Square Feet/DU)						
Under 5,000	\$18.75	\$225.00	\$23.62	\$283.44	\$30.68	\$368.16
5,000 - 10,000	\$23.77	\$285.24	\$29.90	\$358.80	\$38.72	\$464.64
10,001 - 15,000	\$28.79	\$345.48	\$36.19	\$434.28	\$46.77	\$561.24
Over 15,000, Plus Each Additional 1,000	\$28.79 \$1.67	\$345.48 \$20.04	\$36.19 \$2.10	\$434.28 \$25.20	\$46.77 \$2.69	\$561.24 \$32.28
All Metered	Monthly (\$/month)	Use (\$/ccf)	Monthly (\$/month)	Use (\$/ccf)	Monthly (\$/month)	Use (\$/ccf)
Nonirrigation Account Charge:						
5/8" Inch Meter	\$5.49		\$7.07		\$8.95	
1 Inch Meter	\$5.74		\$7.37		\$9.25	
1 1/2 Inch Meter	\$5.98		\$7.66		\$9.56	
2 Inch Meter	\$6.66		\$8.48		\$10.41	
3 Inch Meter	\$11.61		\$14.46		\$16.63	
4 Inch Meter	\$13.45		\$16.68		\$18.93	
6 Inch Meter	\$17.73		\$21.86		\$24.30	
Irrigation Account Charge:						
5/8" Inch Meter	\$1.80		\$2.32		\$2.41	
1 Inch Meter	\$2.05		\$2.61		\$2.72	
1 1/2 Inch Meter	\$2.29		\$2.91		\$3.02	
2 Inch Meter	\$2.97		\$3.72		\$3.87	
3 Inch Meter	\$7.92		\$9.71		\$10.09	
4 Inch Meter	\$9.76		\$11.93		\$12.39	
6 Inch Meter	\$14.04		\$17.10		\$17.76	
Metered Usage Charge:						
All Usage		\$0.803		\$1.093		\$1.399

DU = Dwelling Unit  
ccf = 100 cubic feet = 748 gallons

5/27/2011

**Table 1B**  
**Town of Discovery Bay CSD**  
**Proposed 2011/12 - 2012/13 Water Rates**  
**Option 2 - Existing Rate Structure with Multiple Family Rate Adjustment**

Residential Unmetered	Existing FY 2010/11		Proposed FY 2011/12		Proposed FY 2012/13	
	Monthly (\$/month/DU)	Yearly (\$/year/DU)	Monthly (\$/month/DU)	Yearly (\$/year/DU)	Monthly (\$/month/DU)	Yearly (\$/year/DU)
Parcel Size (Square Feet/DU)						
Multiple Family - No Irrigation	\$18.75	\$225.00	\$15.52	\$186.24	\$20.32	\$243.84
Under 5,000	\$18.75	\$225.00	\$23.80	\$285.60	\$30.92	\$371.04
5,000 - 10,000	\$23.77	\$285.24	\$30.15	\$361.80	\$39.05	\$468.60
10,001 - 15,000	\$28.79	\$345.48	\$36.50	\$438.00	\$47.17	\$566.04
Over 15,000,	\$28.79	\$345.48	\$36.50	\$438.00	\$47.17	\$566.04
Plus Each Additional 1,000	\$1.67	\$20.04	\$2.12	\$25.44	\$2.71	\$32.52
All Metered	Monthly (\$/month)	Use (\$/ccf)	Monthly (\$/month)	Use (\$/ccf)	Monthly (\$/month)	Use (\$/ccf)
Nonirrigation Account Charge:						
5/8" Inch Meter	\$5.49		\$7.07		\$8.95	
1 Inch Meter	\$5.74		\$7.37		\$9.25	
1 1/2 Inch Meter	\$5.98		\$7.66		\$9.56	
2 Inch Meter	\$6.66		\$8.48		\$10.41	
3 Inch Meter	\$11.61		\$14.46		\$16.63	
4 Inch Meter	\$13.45		\$16.68		\$18.93	
6 Inch Meter	\$17.73		\$21.86		\$24.30	
Irrigation Account Charge:						
5/8" Inch Meter	\$1.80		\$2.32		\$2.41	
1 Inch Meter	\$2.05		\$2.61		\$2.72	
1 1/2 Inch Meter	\$2.29		\$2.91		\$3.02	
2 Inch Meter	\$2.97		\$3.72		\$3.87	
3 Inch Meter	\$7.92		\$9.71		\$10.09	
4 Inch Meter	\$9.76		\$11.93		\$12.39	
6 Inch Meter	\$14.04		\$17.10		\$17.76	
Metered Usage Charge:						
All Usage		\$0.803		\$1.104		\$1.413

DU = Dwelling Unit  
ccf = 100 cubic feet = 748 gallons

5/27/2011



**Table 2**  
**Town of Discovery Bay CSD**  
**Proposed 2011/12 - 2012/13 Wastewater Rates**

Residential Unmetered	Existing FY 2010/11		Proposed FY 2011/12		Proposed FY 2012/13	
	Monthly (\$/month)	Yearly (\$/year)	Monthly (\$/month)	Yearly (\$/year)	Monthly (\$/month)	Yearly (\$/year)
Single Family - Each DU	\$44.38	\$532.56	\$53.02	\$636.24	\$55.78	\$669.36
Multiple Family/Condos - Each D	\$33.29	\$399.48	\$39.76	\$477.12	\$41.83	\$501.96
Nonresidential Metered	Use (\$/ccf)		Use (\$/ccf)		Use (\$/ccf)	
Business/Government/Clubs	\$3.082		\$3.682		\$3.874	
Restaurants/Bars/Dining Facilities	\$9.048		\$10.783		\$11.344	
Schools	\$2.773		\$3.314		\$3.487	
Other Domestic Strength Users	\$3.082		\$3.682		\$3.874	

DU = Dwelling Unit  
ccf = 100 cubic feet = 748 gallons

5/27/2011

**Table 3A  
Town of Discovery Bay CSD  
Proposed Water and Wastewater Charges  
Option 1 - Existing Rate Structure**

Customer	2010/11	2011/12		2012/13		Units
	Charge	Charge	Increase	Charge	Increase	
<b>Residential Unmetered</b>						
Single Family, Under 5,000 SF						
Water	\$18.75	\$23.62	25.9%	\$30.68	29.9%	\$/month
Wastewater	\$44.38	\$53.02	19.5%	\$55.78	5.2%	\$/month
Total	\$63.13	\$76.63	21.4%	\$86.46	12.8%	\$/month
	\$757.57	\$919.58	21.4%	\$1,037.46	12.8%	\$/year
Single Family, 5-10,000 SF						
Water	\$23.77	\$29.90	25.8%	\$38.72	29.5%	\$/month
Wastewater	\$44.38	\$53.02	19.5%	\$55.78	5.2%	\$/month
Total	\$68.15	\$82.92	21.7%	\$94.50	14.0%	\$/month
	\$817.81	\$995.03	21.7%	\$1,134.02	14.0%	\$/year
Single Family, 10-15,000 SF						
Water	\$28.79	\$36.19	25.7%	\$46.77	29.2%	\$/month
Wastewater	\$44.38	\$53.02	19.5%	\$55.78	5.2%	\$/month
Total	\$73.17	\$89.21	21.9%	\$102.55	15.0%	\$/month
	\$878.05	\$1,070.47	21.9%	\$1,230.58	15.0%	\$/year
Multiple Family, Condominiums, Under 5,000 SF						
Water	\$18.75	\$23.62	25.9%	\$30.68	29.9%	\$/month
Wastewater	\$33.29	\$39.76	19.5%	\$41.83	5.2%	\$/month
Total	\$52.04	\$63.38	21.8%	\$72.51	14.4%	\$/month
	\$624.43	\$760.53	21.8%	\$870.13	14.4%	\$/year
<b>Residential Metered</b>						
Single Family, 18 CCF/Month						
Water	\$20.20	\$27.05	33.9%	\$34.44	27.3%	\$/month
Wastewater	\$44.38	\$53.02	19.5%	\$55.78	5.2%	\$/month
Total	\$64.58	\$80.07	24.0%	\$90.22	12.7%	\$/month
	\$774.92	\$960.80	24.0%	\$1,082.65	12.7%	\$/year
<b>Vacant Parcels</b>						
Water	\$14.67	\$14.67	0.0%	\$14.67	0.0%	\$/month
Wastewater	\$18.67	\$18.67	0.0%	\$18.67	0.0%	\$/month
Total	\$33.33	\$33.33	0.0%	\$33.33	0.0%	\$/month
	\$400.00	\$400.00	0.0%	\$400.00	0.0%	\$/year
<b>Nonresidential Metered</b>						
Sandy Cove Shopping Center						
Water	\$6,208	\$8,274	33.3%	\$10,521	27.2%	\$/year
Wastewater	\$30,437	\$36,282	19.2%	\$38,171	5.2%	\$/year
Total	\$36,645	\$44,555	21.6%	\$48,692	9.3%	\$/year
<b>Overall Rate Increase</b>						
Water			27.4%		27.8%	2 Year Average 27.6%
Wastewater			18.9%		5.1%	11.8%
Total			22.0%		13.6%	17.7%
<b>Rate Stabilization</b>						
Cash Generated or (Used)						
Water		\$0		\$0		
Wastewater		\$0		\$0		
Total		\$0		\$0		
<b>Ending Cash Balances (1)</b>						
July-Dec.		\$2,732,860		\$2,403,643		
Jan.-June	\$5,269,560	\$5,269,560		\$5,269,560		

(1) Cash balance includes \$3 million in reserves.

5/27/2011

**Table 3B**  
**Town of Discovery Bay CSD**  
**Proposed Water and Wastewater Charges**  
**Option 2 - Existing Rate Structure with Multiple Family Rate Adjustment**

Customer	2010/11	2011/12		2012/13		Units
	Charge	Charge	Increase	Charge	Increase	
<b>Residential Unmetered</b>						
Single Family, Under 5,000 SF						
Water	\$18.75	\$23.80	27.0%	\$30.92	29.9%	\$/month
Wastewater	\$44.38	\$53.02	19.5%	\$55.78	5.2%	\$/month
Total	\$63.13	\$76.82	21.7%	\$86.70	12.9%	\$/month
	\$757.57	\$921.85	21.7%	\$1,040.36	12.9%	\$/year
Single Family, 5-10,000 SF						
Water	\$23.77	\$30.15	26.9%	\$39.05	29.5%	\$/month
Wastewater	\$44.38	\$53.02	19.5%	\$55.78	5.2%	\$/month
Total	\$68.15	\$83.17	22.0%	\$94.82	14.0%	\$/month
	\$817.81	\$998.05	22.0%	\$1,137.89	14.0%	\$/year
Single Family, 10-15,000 SF						
Water	\$28.79	\$36.50	26.8%	\$47.17	29.2%	\$/month
Wastewater	\$44.38	\$53.02	19.5%	\$55.78	5.2%	\$/month
Total	\$73.17	\$89.52	22.3%	\$102.95	15.0%	\$/month
	\$878.05	\$1,074.25	22.3%	\$1,235.41	15.0%	\$/year
Multiple Family, Condominiums, Under 5,000 SF						
Water	\$18.75	\$23.80	27.0%	\$30.92	29.9%	\$/month
Wastewater	\$33.29	\$39.76	19.5%	\$41.83	5.2%	\$/month
Total	\$52.04	\$63.57	22.2%	\$72.75	14.5%	\$/month
	\$624.43	\$762.80	22.2%	\$873.03	14.5%	\$/year
Multiple Family, Condominiums, No Irrigation						
Water	\$18.75	\$15.52	-17.2%	\$20.32	30.9%	\$/month
Wastewater	\$33.29	\$39.76	19.5%	\$41.83	5.2%	\$/month
Total	\$52.04	\$55.28	6.2%	\$62.15	12.4%	\$/month
	\$624.43	\$663.40	6.2%	\$745.82	12.4%	\$/year
<b>Residential Metered</b>						
Single Family, 18 CCF/Month						
Water	\$20.20	\$27.25	34.9%	\$34.70	27.3%	\$/month
Wastewater	\$44.38	\$53.02	19.5%	\$55.78	5.2%	\$/month
Total	\$64.58	\$80.26	24.3%	\$90.47	12.7%	\$/month
	\$774.92	\$963.16	24.3%	\$1,085.67	12.7%	\$/year
<b>Vacant Parcels</b>						
Water	\$14.67	\$14.67	0.0%	\$14.67	0.0%	\$/month
Wastewater	\$18.67	\$18.67	0.0%	\$18.67	0.0%	\$/month
Total	\$33.33	\$33.33	0.0%	\$33.33	0.0%	\$/month
	\$400.00	\$400.00	0.0%	\$400.00	0.0%	\$/year
<b>Nonresidential Metered</b>						
Sandy Cove Shopping Center						
Water	\$6,208	\$8,347	34.5%	\$10,616	27.2%	\$/year
Wastewater	\$30,437	\$36,282	19.2%	\$38,171	5.2%	\$/year
Total	\$36,645	\$44,629	21.8%	\$48,786	9.3%	\$/year
<b>Overall Rate Increase</b>						
Water			27.4%		27.8%	2 Year Average
Wastewater			18.9%		5.1%	27.6%
Total			22.0%		13.6%	11.8%
<b>Rate Stabilization</b>						
Cash Generated or (Used)						
Water		\$0		\$0		
Wastewater		\$0		\$0		
Total		\$0		\$0		
<b>Ending Cash Balances (1)</b>						
July-Dec.		\$2,736,055		\$2,407,460		
Jan.-June	\$5,269,560	\$5,269,560		\$5,269,560		

(1) Cash balance includes \$3 million in reserves.

Town of Discovery Bay CSD  
2011/12 Rate Study  
CIP Summary per 6/23/11 Budget & 6/24 & 28 & 27/11 Reductions

Account No.	Description	2010/11 Budget	Encumbered 4/12/2011	YTD Expenses 4/27/2011	2010/11 Proj. Actuals	Unencumbered Proj. Expenses 4/28-6/30/11	2011/12 Budget	2012/13 Budget
<b>Sewer</b>								
0910-001	Carport for Equipment	\$0					\$110,000	
0910-004	Manhole Rehabilitation Project	\$15,000		\$24,070	\$24,070	\$0	\$15,000	\$15,000
0910-005	Landscapa @ Plant #1	\$5,000			\$0	\$0	\$7,000	
0910-006	Replace Sewer Main (1)	\$0		\$207,460	\$175,550	\$0	\$0	
0910-007	UV System	\$0		\$315,027	\$315,027	\$0	\$23,665	
0910-008	Salinity Project	\$200,000			\$0	\$0	\$70,000	
0910-010	Wetlands	\$85,000	\$169,486		\$0	\$0	\$0	
1011-001	Bypass Pipeline	\$80,000		\$10,708	\$10,708	\$0	\$0	
1011-002	Upgrade/Replace SCADA PLC's (Multi-Year)	\$20,000			\$0	\$0	\$25,000	\$25,000
1011-003	Biosolids Pumps (2) wet well	\$22,000			\$0	\$0	\$20,000	
1011-004	Re-Activate Pump Station W	\$90,000		\$500	\$500	\$0	\$20,000	\$358,000
1011-005	Bypass Valve Lift Sta "S"	\$12,000			\$0	\$0	\$10,000	
1011-006	Metal Cover for UV Area	\$125,000			\$0	\$0	\$25,000	
1011-007	Clarifier Cleaning Devices	\$25,000			\$0	\$0	\$0	
1011-008	Paving for Biosolids Containment Area	\$15,000			\$0	\$0	\$15,000	
1011-009	New Moles (2)	\$80,000	\$15,892	\$57,233	\$78,000	\$4,875	\$0	
1011-010	Road Crossing Ramps	\$25,000			\$0	\$0	\$15,000	
1011-022	Emergency Sewer Main Repairs-Cherry Hills	\$0	\$100,000		\$100,000	\$0	\$0	
1112-001	Trailered Trash-Pump	\$0					\$20,000	
1112-002	Raise Manholes	\$0					\$20,000	
1112-003	Two New Solar Dryers and 2 Belt Presses	\$0					\$800,000	\$800,000
1112-004	Develop Lagoon #3 Emergency Storage Facility	\$0					\$0	\$0
	Portable Mixer in Influent Pump Station (If needed)							\$5,000
	Influent Pump Station Modifications, Upgrade							\$90,000
	Emergency Storage Facilities (Plant 1 Lagoon)							\$27,000
	Add Third Oxidation Ditch Treatment Train							\$0
	Revise UV Disinfection Weirs							\$10,000
1112-009	Collection System Pump Station Improvements						\$40,000	\$50,000
	<b>Subtotals Sewer</b>	<b>\$769,000</b>	<b>\$285,378</b>	<b>\$614,993</b>	<b>\$703,855</b>	<b>\$4,875</b>	<b>\$1,235,665</b>	<b>\$1,380,000</b>
<b>Water</b>								
0809-002	Well #6 Design & Drill Test Hole			\$38,189		\$0	\$0	
0910-011	Security Door Locks (12)	\$8,000				\$0	\$8,000	
0910-012	Ladder/Vandal Guard	\$2,000				\$0	\$10,000	
0910-014	Water Meter Program (Multi-Year)	\$500,000		\$21,360	\$21,360	\$0	\$500,000	
0910-000	Water Meter Program: Reimbursements	-\$500,000			\$0	\$0	-\$500,000	
1011-011	Filter Media Replacement	\$40,000		\$45,769	\$45,769	\$0	\$0	
1011-013	Rehab Wells	\$30,000		\$10,335	\$10,335	\$0	\$30,000	\$30,000
1011-015	Water Meter Trailer	\$20,000			\$0	\$0	\$20,000	
1112-005	New 850-gpm Filter (D) Willow Lake Site	\$0					\$0	\$0
1112-006	New supply well to Willow Lake WTP-include site purchase & new	\$0					\$40,000	\$575,000
1112-008	Install water well transducers & Wellhead survey						\$38,000	\$0
	Install shallow monitoring wells							\$0
	Groundwater Basin Assessment							\$0
	Miscellaneous Water projects (TBD)							\$75,000
	<b>Subtotals Water</b>	<b>\$98,000</b>	<b>\$0</b>	<b>\$113,663</b>	<b>\$77,464</b>	<b>\$0</b>	<b>\$144,000</b>	<b>\$680,000</b>
<b>Misc.</b>								
0910-015	Replace District Office Roof				\$20,000	\$20,000		
1011-016	Pickup Truck (1)	\$20,000			\$0	\$0	\$0	
1011-017	K-Rail for Bulk Material	\$15,000		\$4,408	\$0	\$0	\$0	
1011-018	Portable Message Units	\$30,000			\$0	\$0	\$30,000	
1011-019	GPS Tracking Device	\$12,000			\$0	\$0	\$0	
1011-020	Replace Fence Near Marina	\$15,000			\$0	\$0	\$0	
1011-021	New Chairs for Board Room	\$8,000			\$0	\$0	\$0	
1112-007	Fuel Tank (Regular Fuel)	\$0					\$10,000	
	<b>Subtotals Misc.</b>	<b>\$98,000</b>	<b>\$0</b>	<b>\$4,408</b>	<b>\$20,000</b>	<b>\$20,000</b>	<b>\$40,000</b>	<b>\$0</b>
<b>Infrastructure Replacement Fund</b>								
R1112-008	Sewer Facilities Replacement Fund	\$0					\$150,000	\$150,000
R1112-009	Pumps/Motors Replacement Fund	\$0					\$40,000	\$100,000
R1011-010	Water Facilities Replacement Fund	\$50,000					\$94,000	\$100,000
R1112-011	Facilities & Vehicles Replacement Fund	\$0			\$0		\$100,000	\$50,000
	<b>Subtotals Infrastructure Replacement Fund</b>	<b>\$50,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$384,000</b>	<b>\$400,000</b>
	<b>Totals CIP</b>	<b>\$1,015,000</b>		<b>\$733,069</b>	<b>\$801,319</b>	<b>\$24,875</b>	<b>\$1,803,665</b>	<b>\$2,460,000</b>
<b>Other Encumbrances at 4/12/11</b>								
Lift Station F	Repair & Surveying + CO 1		\$76,277					
Herwit	Wastewater Master Plan		\$98,245					
LSCE	Water Master Plan		\$95,472					
	<b>Total Encumbrances at 4/12/11</b>		<b>\$553,372</b>					
	Less: Carry over to 2011/12 budget							
Herwit	Wastewater Master Plan		(\$20,000)					
LSCE	Water Master Plan		(\$30,000)					
	<b>Encumbrances at 6/30/11</b>		<b>\$503,372</b>					

(1) Projected actuals less than YTD expenses.

**Town of Discovery Bay CSD  
Infrastructure Replacement Fund Allocations**

Reference: 2011/12 Budget received 5/26/11

Account No.	Item	Allocations		2011/12			2012/13		
		Water	Sewer	Budget	Water	Sewer	Budget	Water	Sewer
R1112-008	Sewer Facilities Replacement Fund	0%	100%	\$150,000	\$0	\$150,000	\$150,000	\$0	\$150,000
R1112-009	Pumps/Motors Replacement Fund	60%	40%	\$40,000	\$24,000	\$16,000	\$100,000	\$60,000	\$40,000
R1011-010	Water Facilities Replacement Fund	100%	0%	\$94,000	\$94,000	\$0	\$100,000	\$100,000	\$0
R1112-011	Facilities and Vehicles Replacement F	40%	60%	\$100,000	\$40,000	\$60,000	\$50,000	\$20,000	\$30,000
<b>Totals</b>	<b>Totals</b>			<b>\$384,000</b>	<b>\$158,000</b>	<b>\$226,000</b>	<b>\$400,000</b>	<b>\$180,000</b>	<b>\$220,000</b>



# Town of Discovery Bay CSD

## AGENDA REPORT

Meeting Date

June 1, 2011

Prepared By: Fairin Perez, Landscape Manager ✓  
Submitted By: Rick Howard, General Manager ✓

### Agenda Title

Award of contract for the Cornell Park Play Area Renovation (Ph. I) project to James Breneman.

### Recommended Action

Accept bid and award construction contract in the amount of \$58,600.00 to James Breneman and authorize the President of the Board to execute necessary contract documents.

### Executive Summary

Staff received Board authorization to contract for design and engineering services for the Cornell Park Play Area Renovation Project on September 15, 2010. The overall project was approved as a part of the FY 2010-11 Operating and Capital Improvement Budget. Final drawings and specifications were received on May 2, 2011 and the project was released for public bid on May 6, 2011. On May 25, 2011 at 2:00 p.m. staff publicly opened all bids submitted.

Out of the eight (8) responsive bidders, James Breneman was the lowest at a total package (Mobilization/Site Protection, Demolition/Removals, Earthwork, Drainage, Play Area Curb, Pedestrian Concrete, Concrete Seat Wall & Miscellaneous) bid amount of Fifty-eight thousand, six hundred dollars (\$58,600.00). It should be noted that James Breneman was also the successful contractor and lowest responsible bidder on the Ravenswood Park Splash Pad project. Staff was pleased with the work performed on that project by the contractor.

Staff thoroughly reviewed the complete bid package and license(s) status and found all documents and requirements to be satisfactory.

Staff recommends accepting the lowest responsible bid and awarding the contract for the Cornell Park Play Area Renovation (Ph.I) Project to James Breneman in the amount of \$58,600.00.

### Fiscal Impact:

Amount Requested - \$58,600  
Sufficient Budgeted Funds Available?: Yes  
Zone # 8 Category: Capital Fund# 4789

### Previous Relevant Board Actions for This Item

Approved award of Contract for Cornell Park Play Area Renovation Design Services (Consent) – September 15, 2010  
Approval and Adoption of the Proposed Final 2010-2011 Operating and Capital Improvement Budgets for the Discovery Bay Lighting & Landscaping Zone #8 & Zone #9 – June 16, 2010  
Approval & Authorization to Staff to sign and record the Notice of Exemption (CEQA) for the Cornell Park Play Area Renovation (Consent) – January 19, 2011

### Attachments

Cornell Park Play Area Renovation (Ph. I), Bid Summary  
Cornell Park Play Area Renovation (Ph. I) – Itemized Bid Breakdown  
Complete Bid Package for James Breneman  
Draft Contract for Cornell Park Play Area Renovation (Ph. I)

AGENDA ITEM: G-2



**Cornell Park Play Area Renovation - Itemized Bid Breakdown**

5/25/2011

Contractor	Bid Item #1 Mobilization & Site Protection	Bid Item #2 Demolition & Removals	Bid Item #3 Earthwork	Bid Item #4 Drainage (Play Area & Storm)	Bid Item #5 Play Area Curb	Bid Item #6 Pedestrian Concrete	Bid Item #7 Concrete Seat Wall	Bid Item #8 Miscellaneous	TOTAL
Glissman Excavating	\$3,981	\$7,020	\$984	\$7,008	\$3,484	\$16,056	\$18,596	\$4,718	\$61,847
Community Playgrounds	\$4,662	\$9,961	\$1,394	\$3,712	\$3,685	\$14,063	\$37,985	\$2,926	\$78,388
Odyssey Companies	\$2,000	\$6,000	\$2,000	\$3,410	\$4,000	\$7,500	\$34,500	\$2,800	\$62,210
Blossom Valley Playgrounds Unlimited	\$1,500	\$12,219	\$3,976	\$4,000	\$1,888	\$9,230	\$28,402	\$9,918	\$71,133
MCI Engineering	\$4,430	\$12,530	\$2,600	\$5,245	\$2,670	\$11,270	\$17,500	\$13,180	\$69,425
G&G Builders	\$3,700	\$3,700	\$26,600	\$4,400	\$2,100	\$13,600	\$19,700	\$2,100	\$75,900
James Breneman	\$5,000	\$10,500	\$7,930	\$16,680	\$1,952	\$12,810	\$23,912	\$4,000	\$82,784
	\$2,000	\$5,600	\$9,400	\$4,300	\$2,600	\$13,000	\$19,800	\$1,900	\$58,600



## ACKNOWLEDGEMENT

### CORNELL PARK PLAY AREA RENOVATION (Ph.I)

To ensure all bid materials were received, this Acknowledgement must be completed and returned in a sealed envelope prior to 2:00 p.m. Wednesday, May 25, 2011. This sheet acknowledges receipt of the following materials:

1. Notice Inviting Sealed Bids
2. Instructions for Bidders
3. Sample Contract and General Conditions
4. Bid Table (A)
5. List of Subcontractors (B)
6. Bidders Responsibility Statement (C1-C6)
7. Non Collusion Affidavit (D)
8. Bid Guarantee (E)
9. Cornell Park Play Area Specifications  
Sections: 02020, 02300, 02310, 02320, 02630, 02751, 02810, 02870,  
02900, 03301 & 03340, all dated April 27, 2011
10. Cornell Park Play Area Specifications:  
L0.0, L1.0, C1.0, L2.1, L2.2, L2.3, L3.1, L3.2, L4.1, L4.2 and  
L4.3, all dated April 27, 2011
11. Addenda(s) receipt(s) through No. 001, if applicable

**Bid submittals received without this completed sheet will be deemed incomplete and will not be considered in the award process.**

Acknowledged by: JAMES BRENNAN  
Company: JAMES BRENNAN  
License No. 872174  
Bidder: JAMES BRENNAN  
Title: OWNER  
Date: 5/25/11

## Bid Table

### Cornell Park Play Area Renovation (Ph. I)

\*\* Play Equipment Installation & Poured in Place Safety Surfacing is EXCLUDED  
from Phase I work\*\*

Bid Dollar Amount:

Bid Item #1 -- Mobilization & Site Protection	\$ <u>2000.00</u>
Bid Item #2 -- Demolition & Removals	\$ <u>5600.00</u>
Bid Item #3 -- Earthwork	\$ <u>9400.00</u>
Bid Item #4 -- Drainage (Play Area & Storm)	\$ <u>4300.00</u>
Bid Item #5 -- Play Area Curb	\$ <u>2600.00</u>
Bid Item #6 -- Pedestrian Concrete	\$ <u>13000.00</u>
Bid Item #7 -- Concrete Seat Wall	\$ <u>19800.00</u>
Bid Item #8 - Misc. (Irrigation, Landscape, Etc.)	\$ <u>1900.00</u>

Written total dollar amount (58,600.00) FIFTY EIGHT THOUSAND  
SIX HUNDRED

Authorized signature of Bidder:

  
Signature

JAMES BRENNAN  
Printed Name

5/25/11  
Dated

## CERTIFICATION BY CONTRACTOR

I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

CONTRACTOR:

JAMES BRENNAN

BY: JAMES BRENNAN

TITLE: OWNER

CONTRACTOR'S LICENSE NUMBER: 872124

TELEPHONE NUMBER: 925/457-2026

LIST OF SUBCONTRACTORS

CORNELL PARK PLAY AREA RENOVATION (Ph. I)

In Compliance with the provisions of Sections 4100 to 4113 of the Government Code of the State of California, and any amendments thereof, each Bidder shall set forth below the names and locations of the mill, shop or office of each subcontractor who will perform work or labor or render service to the Contractor on or about the construction of the Work or improvement to be performed under these specifications and the portion of the Work which will be done by each subcontractor.

If the Contractor fails to specify a subcontractor for any portion of the Work to be performed under the contract, he shall be deemed to have agreed to perform such portion himself, and he shall not be permitted to subcontract that portion of the Work except under the conditions hereinafter set forth.

Subletting or subcontracting of any portion of the Work as to which no subcontractor was designated in the original Bid shall only be permitted in cases of public emergency or necessity.

<u>DIVISION OF WORK</u>	<u>SUBCONTRACTOR</u>	<u>LOCATION</u>
_____		
_____		
_____		
_____		
_____		
_____		

FIRM NAME: JAMES BRENNEMAN

BY: JAMES BRENNEMAN

TITLE: OWNER

BIDDER'S RESPONSIBILITY STATEMENT

CORNELL PARK PLAY AREA RENOVATION (Ph. I)

1. SCOPE OF THIS STATEMENT

In order to allow the Town of Discovery Bay CSD to make a determination of the Bidder's responsibility, the Bidder shall provide the following information as a part of its Bid. The Town of Discovery Bay CSD shall consider the information contained in this Statement as personal and proprietary to the Bidder, and the Town of Discovery Bay CSD shall use the information for the sole purpose of determining the Bidder's responsibility. Unless otherwise compelled by a court order, the Town of Discovery Bay CSD shall not consider this Statement to be a public record; provided, however, that the Bidder shall indemnify, defend, and hold the Town of Discovery Bay CSD harmless from any claim or litigation related to the Town of Discovery Bay CSD's classification of this document as exempt from disclosure under the Public Records Act. If additional pages are required to respond to any of the questions set forth in this Statement, the Bidder shall describe and list the additional pages in Section 8, below.

2. EXPERIENCE

- a. How many years has the Bidder been performing work as a contractor under the present business name?
- b. If any of the experience listed in this document refers to work performed under a different name, list the different business names and describe the relationship to the present business name on a separate page (list the additional pages in Section 8 below).

3. CURRENT WORK IN PROGRESS

- a. How many construction projects, which are currently under construction, is the Bidder under contract to perform?

3

- b. What is the total dollar amount of the construction contracts listed in Section 3.a. above?

\$440,000.00

- e. List the name of the project and a client contact person, with telephone number, for three current active projects referred to in Section 3.a.

Project Name: LIVERMORE SIDEWALK REPAIR

Contract Amount: \$ 27,200.00

City/Client Contact: ROBERT TINGLEY (LIVERMORE)

Name and Phone: 925/960-4544

Project Name: SUMMER HOUSE LEASING OFFICE

Contract Amount: \$367,000.00

City/Client Contact: D.A. POTE (LANCE TUCKER)

Name and Phone: 415-672-3672

Project Name: ASPEN DR. CURB RAMP PROJECT

Contract Amount: \$38,800.00

City/Client Contact: CONTRA COSTA COUNTY (PETE WARDEN)

Name and Phone: 925-313-2248

4. COMPLETED WORK

Provide the requested information set forth below for the: (a.) three most recent projects completed and (b.) three most recent public works projects completed.

a. Three most recent projects completed:

Project Name: RAVENSWOOD SPLASHPAD

Project Description: CREATE SPLASHPAD

Contract Amount: \$111,000.00

Date Completed: 3/12/11

Contact Person: FAIRIN PEREZ

Contact Person's Phone: 925-634-1131

Project Name: LOARD'S ICE CREAMS

Project Description: COMMERCIAL T.I.

Contract Amount: \$23,000.00

Date Completed: 4/26/11

Contact Person: HELEN HILLS

Contact Person's Phone: 510-570-1436

Project Name: CURB, GUTTER, & SIDEWALK REPAIR

Project Description: CONCRETE REPAIR

Contract Amount: \$71,000.00

Date Completed: 5/3/11

Contact Person: VICTOR CAEN

Contact Person's Phone: 650-802-4203

b. Three most recent public works project (City, State, County) completed:

Project Name: SAME AS C-3

Project Description: \_\_\_\_\_  
\_\_\_\_\_

Contract Amount: \_\_\_\_\_

Date Completed: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Contact Person's Phone: \_\_\_\_\_

Project Name: SAME AS C-3

Project Description: \_\_\_\_\_  
\_\_\_\_\_

Contract Amount: \_\_\_\_\_

Date Completed: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Contact Person's Phone: \_\_\_\_\_

Project Name: SAME AS C-3

Project Description: \_\_\_\_\_  
\_\_\_\_\_

Contract Amount: \_\_\_\_\_

Date Completed: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Contact Person's Phone: \_\_\_\_\_



5. CLAIMS HISTORY

- a. Has any claim (whether mediated, arbitrated, or litigated) been made against your company in the past five years? No
- b. Has your company made any claim (whether mediated, arbitrated, or litigated) against any Public Agency or claim in the past five years? No
- c. If you answered "yes" to subsections 5.a. or 5.b. above, describe the claim(s) using the format below: (use additional sheets if necessary).

Project Name: \_\_\_\_\_

Claim Amount: \_\_\_\_\_

Other Party Contact: \_\_\_\_\_

Name and Phone: \_\_\_\_\_

Describe the claim(s) on a separate sheet (see Section 8, below).

6. CONTRACT TERMINATION

- a. Has your company ever been terminated by a City or client, or rejected from bidding on a public works project in the last five- (5) years? No. If yes, provide an explanation below:

Project Name: \_\_\_\_\_

City/Client Contact  
Name and Phone: \_\_\_\_\_

Date of Termination/Rejection: \_\_\_\_\_

Explanation: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If more than one (1), describe on additional sheet (see Section 8 below).

7. COMPLETION BY SURETY

- a. Has your company ever failed to satisfactorily complete a construction contract, or has a surety ever completed any portion of a construction contract of your company within the last five (5) years? No. If yes, provide an explanation below:

Project Name: \_\_\_\_\_

Surety Contact  
Name and Phone: \_\_\_\_\_

Date of Surety Took Over: \_\_\_\_\_

Explanation: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If more than one (1), describe on additional sheet (see Section 8, below).

8. ADDITIONAL PAGES

The Bidder declares that the pages listed in this Subsection were added and included with these Bid Documents in order to accurately respond to the Bidding Requirements.

\_\_\_\_\_ (List Pages)

9. PENALTY OF PERJURY

Bidder hereby declares and certifies under penalty of perjury that the information contained herein is true, correct, and complete.

IN WITNESS WHEREOF, the undersigned represent and warrant that they have the right, power, legal capacity and authority to sign this document on behalf of the Bidder, and have caused this document to be executed by setting hereto their names, titles and signatures.

BIDDER:

James Brennan DATE: 5/25/11  
(Signature)

James Brennan OWNER  
(Name and Title of Signatories)

James Brennan  
(Legal Name of Bidder)

2000 MORRIS RD. WALNUT CREEK, CA 94596  
(Address)

925-457-2026  
(Phone Number)

**"NONCOLLUSION AFFIDAVIT"  
TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID**

**CORNELL PARK PLAY AREA RENOVATION (Ph. I)**

State of California  
County of CONTRA COSTA

JAMES BRENNAN, being first duly sworn, deposes and says under penalty of perjury under the laws of the State of California, that he or she has the right, power, legal capacity, and authority to execute this Affidavit, as OWNER of JAMES BRENNAN the party making the foregoing Bid, that the Bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the Bid is genuine and not collusive or sham; that the Bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the Bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the Bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the Bid are true; and, further, that the Bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid."

IN WITNESS WHEREOF, the undersigned represent and, warrant that they have the right, power, legal capacity, and authority to sign this document on behalf of the Bidder, and have caused this document to be executed by setting thereto their names, titles and signatures at CONTRA COSTA, County, in the State of CALIFORNIA.

BIDDER: [Signature] 5/25/11  
(Signature) (Date)

(Name and Title of Signatories)

JAMES BRENNAN  
(Legal Name of Bidder)

2000 NORRIS RD.  
(Address)

WANNOT CREEK, CA 94590

State of California, County of Contra Costa  
Subscribed and sworn to (or affirmed) before me on this 25 day of May, 2011, by James Brennan personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

[Signature]  
(Signature of Notary)



## BID GUARANTEE

Attached hereto and made a part hereof is United States Currency, Cashier's Check, Certified Check or Surety Bond No. 7112586 in the amount of \$ 6500.00 which is not less than ten percent (10%) of the total amount of the total bid, as a guaranty that the Bidder will enter into a Contract in the form bound with these Specifications within five (5) days after the notice of award of the Contract by the Owner (hereinafter "Security").

The undersigned hereby agrees that, in case his Bid is accepted, he will within five (5) days after notice thereof, execute a Contract with the Owner in the form hereto attached and, if required by law, shall furnish a bond in the sum of the Contract price to secure the payment of all labor and material bills, and also a bond in the sum of the Contract price to secure the faithful performance of the Contract according to the terms and provisions therein; and in case of failure to execute the Contract and furnish the bonds within said period or such extension thereof as may be allowed by resolution duly passed and adopted, it is expressly agreed that the Town of Discovery Bay CSD may award the Contract to the second lowest bidder and the amount of Bidder's Security shall be applied by the Town of Discovery Bay CSD to the difference between Bidder's Bid and the second lowest Bid, and the surplus, if any, shall be returned to Bidder if cash or a check is used, or to the surety on Bidder's bond if a bond is used.

It is understood by the undersigned that the quantities of material of work specified in the "Notice Inviting Sealed Bids" are estimated and are given only for the purpose of comparing bids and that the prices quoted are not conditioned upon the accuracy or approximate accuracy of the estimate.

It is understood that the Owner may award a Contract as the interests of the Owner may dictate.

Attached hereto and made a part of this Bid is a Bidder's Responsibility Statement, and a List of Subcontractors as required by the provisions of Sections 4100 to 4113 of the Government Code of the State of California.

CONTRACTOR: JAMES BRENEMAN

BY: JAMES BRENEMAN

TITLE: OWNER

ADDRESS: 2000 NORRIS RD

WALNUT CREEK, CA 94596

CONTRACTOR'S LICENSE NUMBER: 872124

TELEPHONE NUMBER: 925/

COPY



AIA Document A310

Bid Bond

Bond No. 71112806

KNOW ALL MEN BY THESE PRESENTS, that we James Breneman, 2000 Norris Road, Walnut Creek, CA 14596

as Principal, hereinafter called the Principal, and Western Surety Company, P.O. Box 5077, Sioux Falls, SD 57117

a corporation duly organized under the laws of the State of South Dakota as Surety, hereinafter called the Surety, are held and firmly bound unto Town of Discovery Bay, 1800 Willow Lake Road, Discovery Bay, CA 94505

as Obligee, hereinafter called the Obligee, in the sum of 10% of Bid Amount Dollars (\$ 10% of Bid Amount),

for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for Cornell Park Play Area Renovation (Phase I)

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 25th day of May, 2011

James Breneman
Principal

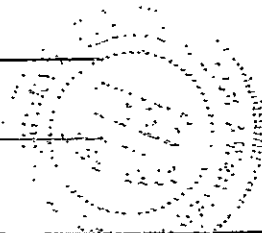
(Signature/Title) OWNER

(Witness)

Western Surety Company
Surety

John D. Welsbrot, Attorney-In-Fact

(Witness)



JFY

**ACKNOWLEDGMENT**

State of Pennsylvania  
County of Bucks

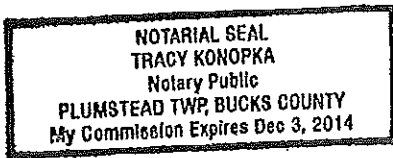
On May 25, 2011 before me, Tracy Konopka, Notary Public  
(here insert name and title of the officer)

personally appeared John D. Weisbrot

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature (Tracy Konopka)



(Seal)



# TOWN OF DISCOVERY BAY CSD

1800 Willow Lake Road, Discovery Bay, CA 94505-9376  
Telephone: (925) 634-1131 Fax: (925) 513-2705

## CONTRACT FOR

### CORNELL PARK PLAY AREA RENOVATION (Ph. 1)

This CONTRACT is made and entered into this \_\_\_ day of June, 2011, by and between the Town of Discovery Bay Community Services District (hereinafter "Owner") whose address is 1800 Willow Lake Road Discovery Bay, CA 94505 and James Breneman (hereinafter "Contractor").

### WITNESSETH

That the Owner has awarded to the Contractor, upon his Bid duly submitted in the amount of \$58,600.00, the Contract for doing the work and furnishing the materials and equipment for the work (hereinafter "Work") described in the Contract Documents bound herewith on the terms stated as follows:

1. Contractor Agrees:
  - a. To do all the Work and furnish all the labor, material, equipment and appliances to complete the Work in accordance with the Contract Documents. See attached "Exhibit A"
  - b. To do and perform said Work diligently as directed by the Owner until completion is evidenced by written acceptance by the Owner.
  - c. To start said Work within five (5) working days after receipt of Notice to Proceed and Completion of all work in 25 working days, which are part of "Exhibit A" from date established by the Notice to Proceed. A working day shall be defined in accordance with the provision of Section 8 of the California Standard Specifications.
  - d. To remedy, at his expense, any defects in the Work, which shall appear within a period of twelve (12) months from the date of the final acceptance of the Work.
  - e. To do and perform the Work contemplated hereby and furnish all labor, material, appliances, equipment, tools and pay all taxes therefore, at the bid price specified in the Bid form submitted by the Contractor, a conformed copy of which is attached and made a part of the Contract.
  - f. To maintain during the life of the Contract, Workers' Compensation, Public Liability and Property Damage Insurance as provided in the General Conditions. Certificates of such insurance shall be delivered to the Owner. The Contractor must comply with Labor Code §3700.





5C. Pursuant to California Labor Code Section 1776, Contractor and each Subcontractor shall keep accurate records, showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by him or her in connection with the work. Each payroll record shall contain or be verified by a written declaration that it is made under penalty of perjury, stating both of the following: The information contained in the payroll record is true and correct. The employer has complied with the requirements of Labor Code Section 1771, 1811, and 1815 for any work performed by his or her employees on the public work project. A certified copy of all payroll records shall be made available for inspection or furnished upon request to the Town of Discovery Bay CSD, the Division of Labor Standards Enforcement, and the Division of Apprenticeship Standards of the Department of Industrial Relations. A certified copy of all payroll records shall be made available upon request by the public for inspection or for copies thereof. However, a request by the public shall be made through the Town of Discovery Bay CSD, the Division of Apprenticeship Standards, or the Division of Labor Standards Enforcement. If the requested payroll records have not been provided pursuant to Labor Code Section 1776 (b)(2), the requesting party shall, prior to being provided the records, reimburse the costs of preparation as provided in Title 13 California Code of Regulations Section 16402 by the Contractor, subcontractors, and the entity through which the request was made. The public shall not be given access to the records at the principal office of the Contractor. The certified payroll records shall be on forms provided by the Division of Labor Standards Enforcement or shall contain the same information as provided by the division. The Contractor or subcontractor shall file a certified copy of the records enumerated with the entity that requested the records within ten (10) days after receipt of a written request.

5D. Any copy of records made available for inspection as copies and furnished upon request to the public or any public agency by the Town of Discovery Bay CSD, the Division of Apprenticeship Standards, or the Division of Labor Standards Enforcement shall be marked or obliterated in such a manner as to prevent disclosure of an individual's name, address, and social security number as provided in Labor Code Section 1776. The name and address of the Contractor awarded the contract or the subcontractor performing the contract shall not be marked or obliterated. The Contractor shall inform the Town of Discovery Bay CSD of the location of the records enumerated under paragraph (1.3) including the street address, city and county, and shall within five (5) working days provide a notice of change of location and address. The Contractor or Subcontractor shall have ten (10) days in which to comply subsequent to receipt of written notice requesting the records. In the event that the Contractor or Subcontractor fails to comply within the 10-day period, her or she shall, as a penalty to the Town of Discovery Bay CSD, forfeit twenty-five dollars (\$25.00) for each calendar day, or portion thereof, for each worker until strict compliance is effectuated. Upon the request of the Division of Labor Standards Enforcement, these penalties shall be withheld from progress payments then due. The Contractor is not subject to a penalty assessment pursuant to this section due to the failure of a subcontractor to comply with this section.

6. It is mutually agreed and understood that the complete Contract shall consist of this Contract, and the following component documents, all of which are fully a part hereof as if herein set out in full, or if not attached, as if attached, and which together constitute the Contract Documents:
- Instructions for Bidders (Attached)
  - "Noncollusion Affidavit" (Attached)
  - Accepted Bid with Attached List of Subcontractors and Attached Bidder's Responsibility Statement (Attached)
  - Faithful Performance Bond and Labor and Materials Bond (if applicable)

- General Conditions (Attached)
  - Plans and Specifications, including any amendments (Not Attached)
    - Specification Sections: 02020, 02300, 02310, 02320, 02630, 02751, 02810, 02870, 02900, 03301 & 03340, all dated April 27, 2011
    - Drawings: L0.0, L1.0, L1.0, L2.1, L2.2, L2.3, L3.1, L3.2, L4.1, L4.2, & L4.3 all dated April 27, 2011
7. The provisions of California Labor Code Sections 1777.5 and 1777.6 shall apply to the employment of apprentices by Contractor or any subcontractor under him.
  8. If the total bid amount as set forth in the Bid is in excess of \$25,000, then Contractor shall provide a Faithful Performance Bond and a Labor and Materials Bond, in the sum of 100% of the contract price; the Faithful Performance Bond will be retained by the Town of Discovery Bay for twelve months following final acceptance by the Town of Discovery Bay of the improvements constructed to guarantee correction of failures attributable to workmanship and materials.
  9. All provisions of the California Occupational Safety and Health Act of 1973 (CAL/OSHA), as amended, shall be adhered to.
  10. The statutory provisions for penalties for failing to comply with the State of California wage and labor laws will be enforced, as well as that for failing to pay prevailing wages.
  11. Eight hours labor constitutes a legal day's work.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed in duplicate, on the day and year first above written.

TOWN OF DISCOVERY BAY  
 1800 Willow Lake Road  
 Discovery Bay, CA 94505

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

CONTRACTOR: \_\_\_\_\_

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_



# Town of Discovery Bay CSD

## AGENDA REPORT

Meeting Date

June 1, 2011

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

### Agenda Title

California Regional Water Quality Control Board Administrative Civil Liability Complaint R5-2011-0576 for Assessment of Mandatory Minimum Penalties (MMP's) -- Town of Discovery Bay Community Services District (TODBCSD)

### Recommended Action

Authorize payment in the amount of \$15,000 to the California Regional Water Quality Control Board (CRWQCB) pursuant to Administrative Civil Liability Complaint R5-2011-0576 for Assessment of Mandatory Minimum Penalties.

### Executive Summary

On March 25, 2011, the TODBCSD was notified by the CRWQCB that the District had violated effluent limitations for the seven (7) day median for total coliform on five (5) different occasions in January (19, 21, 24, 25, and 26), 2011. These violations can be attributed directly to the start up and debug of the new Trojan 3000Plus UV disinfectant system that was brought online during this time frame. The five (5) violations are classified as "Mandatory Minimum Penalties", or MMP's. MMP's in this instance are defined by the CRWQCB as "Non-Serious Violations" (see Attachment A, May 6, 2011 letter from CRWQCB to TODBCSD).

Both Veolia and District staff believed that the CRWQCB should consider these as one (1) violation as they occurred concurrent with the start up of the new Trojan 3000Plus UV disinfectant system. In a letter dated April 6, 2011, Veolia provided supporting data to the CRWQCB requesting that the incident be treated as a single violation resulting from the start-up of the TODBCSD's new UV system. In their response letter dated May 6, 2011, the CRWQCB determined that, after consideration, the event(s) was not a single violation as the District had asserted, but that they were separate violations subject to individual MMP's.

Staff concurs with the CRWQCB findings and recommends payment of \$15,000 to the CRWQCB pursuant to Administrative Civil Liability Complaint R5-2011-0576.

### Fiscal Impact:

Amount Requested \$15,000

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

Prog/Fund # Category: Pers. Optg. #7385 Cap. -or- CIP# Fund#

### Previous Relevant Board Actions for This Item

N/A

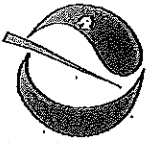
### Attachments

March 25, 2011 letter from CRWQCB to TODBCSD

April 6, 2011 letter from Veolia to CRWQCB

May 6, 2011 letter from CRWQCB to TODBCSD

AGENDA ITEM: G-3



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

TOWN OF DISCOVERY BAY



3/29/11  
 Emailed to  
 Nestor, GM +  
 Gregory of CA

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

Edmund G. Brown Jr.  
 Governor

Linda S. Adams  
 Acting Secretary for  
 Environmental Protection

25 March 2011

Virgil Koehne, General Manager  
 Town of Discovery Bay  
 1800 Willow Lake Road  
 Discovery Bay, CA 94505

**NOTICE OF VIOLATION AND DRAFT RECORD OF VIOLATIONS FOR ASSESSING  
 MANDATORY MINIMUM PENALTIES, TOWN OF DISCOVERY BAY COMMUNITY  
 SERVICES DISTRICT, WASTEWATER TREATMENT PLANT, CONTRA COSTA COUNTY**

The Town of Discovery Bay Community Services District's Wastewater Treatment Plant is regulated by Waste Discharge Requirements (WDRs) Order R5-2008-0179 (NPDES No. CA0078590). As required by section 13385 of the California Water Code, the Central Valley Water Board must assess mandatory minimum penalties for violations of the effluent limitations contained in the WDRs.

Enclosed is a draft Record of Violations (ROV) that contains a listing of effluent limitation violations that have occurred at the facility from 1 August 2009 through 31 January 2011. The ROV also shows that the proposed mandatory minimum penalty is \$12,000. Please review the ROV for accuracy and submit any comments or corrections by **8 April 2011**. Water Board staff will incorporate the ROV into an Administrative Civil Liability Complaint, which will be issued for public review in May 2011.

If you have any questions regarding the violations, please contact Barry Hilton at (916) 464-4762 or [bhilton@waterboards.ca.gov](mailto:bhilton@waterboards.ca.gov).

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

Enclosure: Attachment A

**ATTACHMENT A  
ADMINISTRATIVE CIVIL LIABILITY COMPLAINT R5-2011-XXXX**

**Town of Discovery Bay Community Services District  
Wastewater Treatment Plant**

**RECORD OF VIOLATIONS (1 August 2009– 31 January 2011) MANDATORY PENALTIES  
(Data reported under Monitoring and Reporting Program R5-2008-0179)**

	<u>Date</u>	<u>Violation Type</u>	<u>Units</u>	<u>Limit</u>	<u>Measd</u>	<u>Period</u>	<u>Rmrks</u>	<u>CIWQS</u>
1	6-Oct-10	Coliform	MPN/100mL	23	27	7-day median	3	887312
2	31-Dec-10	Electrical Conductivity	µmhos/cm	2,100	2,192	Annual Average	3	890048
3	19-Jan-11	Total Coliform	MPN/100mL	23	30	7-day median	3	892607
4	21-Jan-11	Total Coliform	MPN/100mL	23	30	7-day median	4	892608
5	24-Jan-11	Total Coliform	MPN/100mL	23	40	7-day median	4	892610
6	25-Jan-11	Total Coliform	MPN/100mL	23	30	7-day median	4	892609
7	26-Jan-11	Total Coliform	MPN/100mL	23	40	7-day median	4	892611

Remarks:

1. Serious Violation: For Group I pollutants that exceed the effluent limitation by 40 percent or more.
2. Serious Violation: For Group II pollutants that exceed the effluent limitation by 20 percent or more.
3. Non-serious violation falls within the first three violations in a six-month period, thus is not subject to mandatory minimum penalties.
4. Non-serious violation subject to mandatory minimum penalties.

<u>VIOLATIONS AS OF:</u>	<u>1/31/2011</u>
Group I Serious Violations:	0
Group II Serious Violations:	0
Non-Serious Violations Not Subject to MMPs:	3
Non-serious Violations Subject to MMPs:	4
<b><u>Total Violations Subject to MMPs:</u></b>	<b><u>4</u></b>

**Mandatory Minimum Penalty = (0 serious Violations + 4 Non-Serious Violations) x \$3,000 = \$12,000**



4-7-11

**Date:** April 6, 2011

**To:** Victor Vasquez  
Senior Water Resources Control Engineer  
NPDES Compliance and Enforcement Unit

**From:** Doug Little  
Project Manager  
Veolia Water West Operating Services, Inc.  
Certificate Number V-27720

**Subject:** Review of Letter from CRWQCB dated March 25, 2011, "Notice of Violation and Daft Record of Violation for Assessing Mandatory Minimum Penalties, Town of Discovery Bay Community Services District, Wastewater Treatment Plant, Contra Costa County"

Mr. Vasquez,

Gerald Smart, the CPO for the Town of Discovery Bay WWTP's is on vacation this week and unable to respond to this letter by the due date of April 8<sup>th</sup>. I have been serving at the Town of Discovery Bay WWTP's as technical support and have applied to the Office of Operator Certification for a duplicate certificate to act as an operator at this location. As a representative of Veolia Water, I am responding to this letter in Gerald's absence.

We have reviewed the record of violations submitted to the Town of Discovery Bay on March 25, 2011 and agree with the letters accuracy regarding dates, violation types, limits and measured values.

We request the CRWQCB consider the following interpretation of the data and events. Records of violation 3-7, Total Coliform 7-day median, as outline in Attachment A occurred during start up of newly installed Ultra Violet disinfection equipment. This work was a proactive effort by the Town of Discovery Bay to provide redundancy to the disinfection process and ensure compliance. The newly installed UV system experienced some operational control challenges that resulted in several days of Total Coliform detections leading to exceedance of the 7 day median limit. We consider records of violation 3-7 a Single Operational Upset under the States definition. The State Water Resources Control Board, Water Quality Enforcement Policy, Section VII. C., Single Operational Upset states that "a single operational upset that leads to simultaneous violations of one or more pollutant parameters over multiple days shall be treated as a single violation."

We feel the record of violations in Attachment A should reflect 3 total events with violations 3-7 counting as a single event. Based on the interpretation above, we request

the Town of Discovery Bay not be subject to monetary penalties for the violations recorded in this letter.

You may contact me directly with questions at 707-396-3112.

We look forward to your response.

Respectfully,

A handwritten signature in black ink, appearing to read "Douglas Little". The signature is fluid and cursive, with a large, prominent loop at the end.

Douglas Little  
Project Manager  
Veolia Water West Operating Services, Inc.



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



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

Linda S. Adams  
Acting Secretary for  
Environmental Protection

Edmund G. Brown Jr.  
Governor

Received 5/9/11

6 May 2011

Virgil Koehne, General Manager  
Town of Discovery Bay  
1800 Willow Lake Road  
Discovery Bay, CA 94505

CERTIFIED MAIL  
7010 1670 0002 0652 6089

**ADMINISTRATIVE CIVIL LIABILITY COMPLAINT R5-2011-0576 FOR ASSESSMENT OF MANDATORY MINIMUM PENALTIES, TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT, WASTEWATER TREATMENT PLANT, CONTRA COSTA COUNTY**

Enclosed is an Administrative Civil Liability Complaint (Complaint), issued pursuant to California Water Code section 13385, for violations of Waste Discharge Requirements (WDRs) Order R5-2008-0179 (NPDES No. CA0078590) by the Town of Discovery Bay Community Services District (Discharger) at its wastewater treatment plant. The Complaint charges the Discharger with administrative civil liability in the amount of **fifteen thousand dollars (\$15,000)**, which represents the sum of accrued Mandatory Minimum Penalties for effluent limitation violations (identified in Attachment A of the Complaint) that occurred from 1 September 2009 through 28 February 2011.

On 25 March 2011, Central Valley Water Board staff issued a draft Record of Violations (ROV). On 8 April 2011, the Discharger responded and requested that the January 2011 total coliform violations be considered single operational upset and treated as a single violation. Board staff disagree that the violations should be considered a single operational upset and have therefore retained the individual violations. The final ROV has been extended by one month and an additional violation has been added to the complaint.

Pursuant to CWC section 13323, the Discharger may:

- Pay the proposed administrative civil liability and waive its right to a hearing (Option #1 on the attached waiver form);
- Ask that the hearing be postponed to facilitate settlement discussions or for other reasons (Options #2 or #3 on the attached waiver form); or
- Contest the Complaint and/or enter into settlement discussions without signing the enclosed waiver.

If the Central Valley Water Board does not receive a signed waiver by **6 June 2011**, a hearing will be scheduled for the **3/4/5 August 2011** Board meeting in Rancho Cordova. This hearing will be governed by the attached Hearing Procedures, which have been approved by the

**California Environmental Protection Agency**



Board Chair for use in adjudicating matters such as this one. Any objections to the Hearing Procedures must be received by David Coupe, whose contact information is listed in the Hearing Procedures, by **5 p.m. on 20 May 2011**.

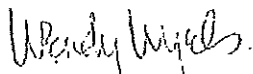
If the Discharger chooses to sign the waiver and pay the assessed civil liability, this will be considered a tentative settlement of the violations. The settlement will be considered final pending a 30-day comment period, starting from the date this Complaint is issued. Interested parties may comment on the proposed action during this period by submitting written comments to the Central Valley Water Board staff person listed below. Should the Central Valley Water Board receive new information or comments during this comment period, the Executive Officer may withdraw the complaint, return payment, and issue a new complaint. If the Central Valley Water Board does not hold a hearing on the matter, and if the terms of the final settlement are not significantly different from those proposed in the enclosed Complaint, then there will not be additional opportunities for public comment on the proposed settlement.

In order to conserve resources, this letter transmits paper copies of the documents to the Discharger only. Interested persons may download the documents from the Central Valley Water Board's Internet website at:

[http://www.waterboards.ca.gov/centralvalley/tentative\\_orders/](http://www.waterboards.ca.gov/centralvalley/tentative_orders/).

Copies of these documents can also be obtained by contacting or visiting the Central Valley Water Board's office weekdays between 8:00 AM and 5:00 PM.

If you have any questions or comments regarding the Administrative Civil Liability Complaint, please contact Barry Hilton at (916) 464-4762 or [bhilton@waterboards.ca.gov](mailto:bhilton@waterboards.ca.gov).



WENDY WYELS, Supervisor  
Compliance and Enforcement Section

Enclosure: ACLC R5-2011-0576  
Hearing Procedures  
Waiver Form

cc w/o encl: Kenneth Greenberg, USEPA, Region 9, San Francisco  
Mayumi Okamoto, Office of Enforcement, SWRCB, Sacramento  
Ellen Howard, Office of Enforcement, SWRCB, Sacramento  
Patrick Pulupa, Office of Chief Counsel, SWRCB, Sacramento  
Ken Landau, Central Valley Water Board Advisory Team, Sacramento  
David Coupe, Office of Chief Counsel, SWRCB, Sacramento  
Alex Mayer, Office of Chief Counsel, SWRCB, Sacramento  
Carol Oz, Department of Fish and Game, Region 2, Rancho Cordova  
Contra Costa Environmental Health Division, Concord  
Bill Jennings, California Sportfishing Protection Alliance, Stockton  
Jae Kim, Tetra Tech, Fairfax, VA

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

ADMINISTRATIVE CIVIL LIABILITY COMPLAINT R5-2011-0576

MANDATORY PENALTY  
IN THE MATTER OF

TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT  
DISCOVERY BAY WASTEWATER TREATMENT PLANT  
CONTRA COSTA COUNTY

This Complaint is issued to the Town of Discovery Bay Community Services District (hereafter Discharger) pursuant to California Water Code (CWC) section 13385, which authorizes the imposition of Administrative Civil Liability, and CWC section 13323, which authorizes the Executive Officer to issue this Complaint. This Complaint is based on findings that the Discharger violated provisions of Waste Discharge Requirements (WDRs) Order R5-2008-0179 (NPDES No. CA0078590).

The Executive Officer of the Central Valley Regional Water Quality Control Board (Central Valley Water Board or Board) finds the following:

1. The Town of Discovery Bay Community Services District owns the Discovery Bay Wastewater Treatment Plant (WWTP), which provides sewerage service to the Town of Discovery Bay in Contra Costa County. Treated domestic, commercial, and industrial wastewater is discharged to Old River, a water of the United States.
2. On 4 December 2008, effective 23 January 2009, the Central Valley Water Board issued WDRs Order R5-2008-0179, which contained new requirements and rescinded Order R5-2003-0067, except for enforcement purposes.
3. On 17 December 2009, the Executive Officer of the Central Valley Water Board issued Administrative Civil Liability Complaint (ACLC) R5-2009-0595 for mandatory minimum penalties for effluent violations (identified in Attachment A to ACLC R5-2009-0595) that occurred from 1 January 2009 through 31 August 2009. The Discharger paid the civil liability and the Board considers those effluent violations specifically listed in Attachment A to ACLC R5-2009-0595 resolved.
4. This Complaint addresses administrative civil liability for effluent violations that occurred during the period from 1 September 2009 through 28 February 2011. These violations are specifically identified in Attachment A to this Complaint as subject to mandatory minimum penalties. Attachment A to this Complaint is attached hereto and incorporated herein by this reference.
5. On 25 March 2011, Central Valley Water Board staff issued the Discharger a draft Record of Violations. On 8 April 2011, the Discharger responded requesting that the total coliform violations that occurred in January 2011 be considered a single operational upset, and treated as a single violation. However, as described in Attachment B of this Complaint, Board staff disagree that the violations should be considered a single

operational upset and have therefore retained the individual violations. The final ROV has been extended by one month and an additional violation has been added to the complaint.

6. CWC sections 13385(h) and (i) require assessment of mandatory penalties and state, in part, the following:

CWC section 13385(h)(1) states:

Notwithstanding any other provision of this division, and except as provided in subdivisions (j), (k), and (l), a mandatory minimum penalty of three thousand dollars (\$3,000) shall be assessed for each serious violation.

CWC section 13385 (h)(2) states:

For the purposes of this section, a "serious violation" means any waste discharge that violates the effluent limitations contained in the applicable waste discharge requirements for a Group II pollutant, as specified in Appendix A to Section 123.45 of Title 40 of the Code of Federal Regulations, by 20 percent or more or for a Group I pollutant, as specified in Appendix A to Section 123.45 of Title 40 of the Code of Federal Regulations, by 40 percent or more.

CWC section 13385 subdivision (i)(1) states, in part:

Notwithstanding any other provision of this division, and except as provided in subdivisions (j), (k), and (l), a mandatory minimum penalty of three thousand dollars (\$3,000) shall be assessed for each violation whenever the person does any of the following four or more times in any period of six consecutive months, except that the requirement to assess the mandatory minimum penalty shall not be applicable to the first three violations:

- A) Violates a waste discharge requirement effluent limitation.
- B) Fails to file a report pursuant to Section 13260.
- C) Files an incomplete report pursuant to Section 13260.
- D) Violates a toxicity effluent limitation contained in the applicable waste discharge requirements where the waste discharge requirements do not contain pollutant-specific effluent limitations for toxic pollutants.

7. CWC section 13323 states, in part:

Any executive officer of a regional board may issue a complaint to any person on whom administrative civil liability may be imposed pursuant to this article. The complaint shall allege the act or failure to act that constitutes a violation of law, the provision authorizing civil liability to be imposed pursuant to this article, and the proposed civil liability.

8. WDRs Order R5-2008-0179 Effluent Limitations IV.A.1.e., states, in part:

- e. Total Coliform Organisms. Effluent total coliform organisms shall not exceed:
  - i. 23 most probable number (MPN) per 100 mL, as a 7-day median;

9. WDRs Order R5-2008-0179 Effluent Limitations IV.A.1.g., states, in part:

g. Electrical Conductivity.

i. The electrical conductivity in the discharge shall not exceed an annual average of 2,100  $\mu$ mhos/cm;

10. According to the Discharger's self-monitoring reports, the Discharger committed eight (8) non-serious violations of the above effluent limitations contained in WDRs Order R5-2008-0179 during the period beginning 1 September 2009 and ending 28 February 2011. Five of the non-serious violations are subject to mandatory penalties under CWC section 13385 subdivision (i)(1) because these violations were preceded by three or more similar violations within a six-month period. The mandatory minimum penalty for these non-serious violations is **fifteen thousand dollars (\$15,000)**.
11. The total amount of the mandatory penalties assessed for the cited effluent violations is **fifteen thousand dollars (\$15,000)**. As stated herein, a detailed list of the cited effluent violations is included in Attachment A. This Complaint addresses administrative civil liability for violations that are specifically identified in Attachment A as subject to mandatory minimum penalties.
12. Issuance of this Administrative Civil Liability Complaint to enforce CWC Division 7, Chapter 5.5 is exempt from the provisions of the California Environmental Quality Act (Pub. Resources Code section 21000 et seq.), in accordance with California Code of Regulations, title 14, section 15321(a)(2).

**THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT IS HEREBY GIVEN NOTICE THAT:**

1. The Executive Officer of the Central Valley Water Board proposes that the Discharger be assessed an Administrative Civil Liability in the amount of **fifteen thousand dollars (\$15,000)**.
2. A hearing on this matter will be held at the Central Valley Water Board meeting scheduled on **3/4/5 August 2011**, unless the Discharger does one of the following by **6 June 2011**:
  - a) Waives the hearing by completing the attached form (checking off the box next to Option 1) and returning it to the Central Valley Water Board, along with payment for the proposed civil liability of **fifteen thousand dollars (\$15,000)**; or
  - b) The Central Valley Water Board agrees to postpone any necessary hearing after the Discharger requests to engage in settlement discussions by checking off the box next to Option #2 on the attached form, and returns it to the Board along with a letter describing the issues to be discussed; or
  - c) The Central Valley Water Board agrees to postpone any necessary hearing after the Discharger requests a delay by checking off the box next to Option #3 on the attached

form, and returns it to the Board along with a letter describing the issues to be discussed.

3. If a hearing on this matter is held, the Central Valley Water Board will consider whether to affirm, reject, or modify the proposed Administrative Civil Liability, or whether to refer the matter to the Attorney General for recovery of judicial civil liability.
4. If this matter proceeds to hearing, the Executive Officer reserves the right to amend the proposed amount of civil liability to conform to the evidence presented, including but not limited to, increasing the proposed amount to account for the costs of enforcement (including staff, legal and expert witness costs) incurred after the date of the issuance of this Complaint through completion of the hearing.

  
\_\_\_\_\_  
PAMELA C. CREEDON, Executive Officer

6 May 2011

\_\_\_\_\_  
DATE

Attachment A: Record of Violations  
Attachment B: Memorandum

### **Separation of Functions**

To help ensure the fairness and impartiality of this proceeding, the functions of those who will act in a prosecutorial role by presenting evidence for consideration by the Central Valley Water Board (Prosecution Team) have been separated from those who will provide advice to the Central Valley Water Board (Advisory Team). Members of the Advisory Team are: Mr. Kenneth Landau and Mr. David Coupe. Members of the Prosecution Team are: Ms. Pamela Creedon, Mr. Fr derick Moss, Ms. Wendy Wyels, Mr. Victor Vasquez, Mr. Barry Hilton, and Ms. Ellen Howard. Any members of the Advisory Team who normally supervise any members of the Prosecution Team are not acting as their supervisors in this proceeding, and vice versa. Pamela Creedon regularly advises the Central Valley Water Board in other, unrelated matters, but is not advising the Central Valley Water Board in this proceeding. Ellen Howard is an attorney with the State Water Resources Control Board's Office of Enforcement and has not advised the Central Valley Water Board on any matter. Other members of the Prosecution Team act or have acted as advisors to the Central Valley Water Board in other, unrelated matters, but they are not advising the Central Valley Water Board in this proceeding. Members of the Prosecution Team have not had any ex parte communications with the members of the Central Valley Water Board or the Advisory Team regarding this proceeding.

### **Ex Parte Communications**

The designated parties and interested persons are forbidden from engaging in ex parte communications regarding this matter with members of the Advisory Team or members of the Central Valley Water Board. An ex parte contact is any written or verbal communication pertaining to the investigation, preparation or prosecution of the ACL Complaint between a member of a designated party or interested person on the one hand, and a Central Valley Water Board member or an Advisory Team member on the other hand, unless the communication is copied to all other designated parties (if written) or made in a manner open to all other designated parties (if verbal). Communications regarding non-controversial procedural matters are not ex parte contacts and are not restricted. Communications among one or more designated parties and interested persons themselves are not ex parte contacts.

The following communications to the Advisory Board must be copied to all designated parties: Objections to this Hearing Procedure; requests for modifications to this Hearing Procedure; requests for designated party status, or objections thereto; and all written evidence, legal argument or policy statements from designated parties. This is not an all-inclusive list of ex parte communications.

### **Hearing Time Limits**

To ensure that all participants have an opportunity to participate in the hearing, the following time limits shall apply: each designated party shall have a combined **25** minutes to present evidence (including evidence presented by witnesses called by the designated party), cross-examine witnesses (if warranted), and provide a closing statement; and each interested person shall have 3 minutes to present a non-evidentiary policy statement. Participants with similar interests or comments are requested to make joint presentations,

and participants are requested to avoid redundant comments. Participants who would like additional time must submit their request to the Advisory Team so that it is received by 5:00 p.m. on **15 July 2011**. Additional time may be provided at the discretion of the Advisory Team (prior to the hearing) or the Central Valley Water Board Chair (at the hearing) upon a showing that additional time is necessary. Such showing shall explain what testimony, comments or legal argument require extra time, and why the Discharger could not adequately provide the testimony, comments or legal argument in writing before the hearing.

A timer will be used, but will not run during Board questions or the responses to such questions, or during discussions of procedural issues.

### **Submission of Evidence and Policy Statements**

**Case in Chief:** The Prosecution Team, the Discharger and each other designated party must submit the following information in writing in advance of the hearing:

1. All evidence (other than witness testimony to be presented orally at the hearing) that the Designated Party would like the Central Valley Water Board to consider. Evidence and exhibits already in the public files of the Central Valley Board may be submitted by reference as long as the exhibits and their location are clearly identified in accordance with California Code of Regulations, title 23, section 648.3. Board members will generally not receive copies of materials incorporated by reference, and the referenced materials are generally not posted on the Board's website.
2. All legal and technical arguments or analysis.
3. The name of each witness, if any, whom the designated party intends to call at the hearing, the subject of each witness' proposed testimony, and the estimated time required by each witness to present direct testimony. (This information is not required for rebuttal witnesses or rebuttal testimony.)
4. The qualifications of each expert witness, if any. (This information is not required for rebuttal witnesses.)

The Prosecution Team's information must include the legal and factual basis for its claims against each Discharger; a list or attached copy of all evidence on which the Prosecution Team relies, which must include, at a minimum, all documents cited in the complaint or Staff Report; and the witness information required under items 3-4 for all witnesses, including staff.

The Prosecution Team shall submit one hard copy and one electronic copy to Kenneth Landau and one electronic copy to David Coupe. Each other designated party shall submit 3 hard copies and one electronic copy to Kenneth Landau and one electronic copy to David Coupe. Kenneth Landau and David Coupe must receive all submissions no later than 5:00 p.m. on the applicable due date under Important Deadlines, below.

**Rebuttal:** Any designated party that would like to submit written evidence, legal analysis or policy statements to rebut the information previously submitted by other designated parties shall submit 3 hard copies and one electronic copy of their rebuttal information to Kenneth

Landau and one electronic copy of the information to David Coupe so that they are received by 5 p.m. on the due date under Important Deadlines, below. "Rebuttal" means evidence, analysis or comments offered to disprove or contradict other designated parties' submissions. Rebuttal shall be limited to the scope of the materials previously submitted by the other designated parties. Rebuttal information that is not responsive to information previously submitted by other designated parties may be excluded.

Copies: Board members will receive copies of all materials submitted in hard copy or electronic format. The Board's copies will be printed in black and white from the designated parties' electronic copies. Designated parties who are concerned about print quality of all or any part of their written materials should submit a high-resolution pdf or provide an extra nine paper copies for the Board members. For items with voluminous submissions, Board members may receive copies electronically only. Electronic copies are also posted on the Board's website.

Parties without access to computer equipment are strongly encouraged to have their materials scanned at a copy and mailing center. However, the Board will not reject materials solely for failure to provide electronic copies.

Other Matters: By **21 July 2011**, the Prosecution Team shall prepare a summary agenda sheet ("buff sheet") for this item to be included in the Board members' agenda package and posted on the internet. The buff sheet shall clearly state that it was prepared by the Prosecution Team. The Prosecution Team shall provide a copy of the buff sheet to all parties by mail or email.

Interested persons who would like to submit written non-evidentiary policy statements are encouraged to submit them to the Advisory Team as early as possible, but they must be received by **21 July 2011**. Interested persons do not need to submit written comments in order to speak at the hearing.

In accordance with California Code of Regulations, title 23, section 648.4, the Central Valley Water Board endeavors to avoid surprise testimony or evidence. Absent a showing of good cause and lack of prejudice to the parties, the Central Valley Water Board may exclude evidence and testimony that is not submitted in accordance with this Hearing Procedure. Excluded evidence and testimony will not be considered by the Central Valley Water Board and will not be included in the administrative record for this proceeding. Power Point and other visual presentations may be used at the hearing, but their content may not exceed the scope of other submitted written material. Designated parties must provide the Advisory Team with a printed copy of such materials at or before the hearing, for inclusion in the administrative record. Additionally, any witness who has submitted written testimony for the hearing shall appear at the hearing and affirm that the written testimony is true and correct, and shall be available for cross-examination.

### **Evidentiary Documents and File**

The Complaint and related evidentiary documents are on file and may be inspected or copied at the Central Valley Water Board office at 11020 Sun Center Drive, Suite 200, Rancho Cordova, CA. This file shall be considered part of the official administrative record



for this hearing. Other submittals received for this proceeding will be added to this file and will become a part of the administrative record absent a contrary ruling by the Central Valley Water Board's Chair. Many of these documents are also posted on-line at: [http://www.waterboards.ca.gov/centralvalley/board\\_decisions/tentative\\_orders/index.shtml](http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/index.shtml)

Although the web page is updated regularly, to assure access to the latest information, you may contact Wendy Wyels (contact information above).

### **Questions**

Questions concerning this proceeding may be addressed to the Advisory Team attorney (contact information above).

**IMPORTANT DEADLINES**

(Note: The Advisory Team will generally adhere to this schedule unless the discharger submits a waiver and it is accepted.)

All required submissions must be received by 5:00 p.m. on the due date.

6 May 2011	Prosecution Team issues ACL Complaint to Discharger and Advisory Team and publishes Public Notice
20 May 2011	Objections due on proposed Hearing Procedure
26 May 2011	Deadline for submission of request for designated party status.
6 June 2011	Deadline for opposition to request for designated party status.
6 June 2011	Discharger's deadline for submitting signed form to waive right to hearing within 90 days.
16 June 2011	Advisory Team issues decision on requests for designated party status, if any.
16 June 2011	Prosecution Team's deadline for submission of all information required under "Evidence and Policy Statements," above.
6 July 2011	Remaining Designated Parties' (including the Discharger's) deadline for submission of all information required under "Evidence and Policy Statements," above.
6 July 2011	Prosecution Team submits an electronic copy to Kenneth Landau and David Coupe of all documents cited in the complaint or Staff Report, unless previously submitted.
15 July 2011	Requests for additional hearing time (see Hearing Time Limits, above).
18 July 2011	All Designated Parties shall submit any rebuttal evidence, written rebuttal to legal argument and/or written rebuttal to policy statements; and all evidentiary objections to other Designated Parties' submittals.
21 July 2011	Prosecution Team's deadline to submit the buff sheet
21 July 2011	Interested persons' comments are due.
29 July 2011.	If <i>new</i> rebuttal evidence or argument is submitted, deadline for designated parties to submit any requests for additional time at the hearing to respond to the rebuttal.
3/4/5 August 2011:	Hearing

**WAIVER FORM  
FOR ADMINISTRATIVE CIVIL LIABILITY COMPLAINT**

By signing this waiver, I affirm and acknowledge the following:

I am duly authorized to represent the Town of Discovery Bay Community Services District (hereafter Discharger) in connection with Administrative Civil Liability Complaint R5-2011-0576 (hereafter Complaint). I am informed that California Water Code section 13323, subdivision (b), states that, "a hearing before the regional board shall be conducted within 90 days after the party has been served. The person who has been issued a complaint may waive the right to a hearing."

**(OPTION 1: Check here if the Discharger waives the hearing requirement and will pay in full.)**

- a. I hereby waive any right the Discharger may have to a hearing before the Central Valley Water Board.
- b. I certify that the Discharger will remit payment for the proposed civil liability in the full amount of **fifteen thousand dollars (\$15,000)** by check that references "ACL Complaint R5-2011-0576" made payable to the *State Water Pollution Cleanup and Abatement Account*. Payment must be received by the Central Valley Water Board by **6 June 2011**.
- c. I understand the payment of the above amount constitutes a proposed settlement of the Complaint, and that any settlement will not become final until after a 30-day public notice and comment period. Should the Central Valley Water Board receive significant new information or comments during this comment period, the Central Valley Water Board's Executive Officer may withdraw the complaint, return payment, and issue a new complaint. I also understand that approval of the settlement will result in the Discharger having waived the right to contest the allegations in the Complaint and the imposition of civil liability.
- d. I understand that payment of the above amount is not a substitute for compliance with applicable laws and that continuing violations of the type alleged in the Complaint may subject the Discharger to further enforcement, including additional civil liability.

**(OPTION 2: Check here if the Discharger waives the 90-day hearing requirement in order to engage in settlement discussions.)** I hereby waive any right the Discharger may have to a hearing before the Central Valley Water Board within 90 days after service of the complaint, but I reserve the ability to request a hearing in the future. I certify that the Discharger will promptly engage the Central Valley Water Board Prosecution Team in settlement discussions to attempt to resolve the outstanding violation(s). By checking this box, the Discharger requests that the Central Valley Water Board delay the hearing so that the Discharger and the Prosecution Team can discuss settlement. It remains within the discretion of the Central Valley Water Board to agree to delay the hearing. Any proposed settlement is subject to the conditions described above under "Option 1."

**(OPTION 3: Check here if the Discharger waives the 90-day hearing requirement in order to extend the hearing date and/or hearing deadlines. Attach a separate sheet with the amount of additional time requested and the rationale.)** I hereby waive any right the Discharger may have to a hearing before the Central Valley Water Board within 90 days after service of the complaint. By checking this box, the Discharger requests that the Central Valley Water Board delay the hearing and/or hearing deadlines so that the Discharger may have additional time to prepare for the hearing. It remains within the discretion of the Central Valley Water Board to approve the extension.

\_\_\_\_\_  
(Print Name and Title)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

**ATTACHMENT A  
ADMINISTRATIVE CIVIL LIABILITY COMPLAINT R5-2011-0576**

**Town of Discovery Bay Community Services District  
Wastewater Treatment Plant**

**RECORD OF VIOLATIONS (1 September 2009 – 28 February 2011) MANDATORY PENALTIES  
(Data reported under Monitoring and Reporting Program R5-2008-0179)**

	<u>Date</u>	<u>Violation Type</u>	<u>Units</u>	<u>Limit</u>	<u>Measured</u>	<u>Period</u>	<u>Remarks</u>	<u>CIWQS</u>
1	6-Oct-10	Total Coliform	MPN/100mL	23	27	7-day median	3	887312
2	31-Dec-10	Electrical Conduct	µmhos/cm	2,100	2,192	Annual Avg	3	890048
3	19-Jan-11	Total Coliform	MPN/100mL	23	30	7-day median	3	892607
4	21-Jan-11	Total Coliform	MPN/100mL	23	30	7-day median	4	892608
5	24-Jan-11	Total Coliform	MPN/100mL	23	40	7-day median	4	892610
6	25-Jan-11	Total Coliform	MPN/100mL	23	30	7-day median	4	892609
7	26-Jan-11	Total Coliform	MPN/100mL	23	40	7-day median	4	892611
8	1-Feb-11	Total Coliform	MPN/100mL	23	35	7-day median	4	895468

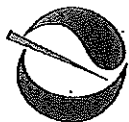
Remarks:

1. Serious Violation: For Group I pollutants that exceed the effluent limitation by 40 percent or more.
2. Serious Violation: For Group II pollutants that exceed the effluent limitation by 20 percent or more.
3. Non-serious violation falls within the first three violations in a six-month period, thus is not subject to mandatory minimum penalties.
4. Non-serious violation subject to mandatory minimum penalties.

<u>VIOLATIONS AS OF:</u>	<u>2/28/2011</u>
Group I Serious Violations:	0
Group II Serious Violations:	0
Non-Serious Violations Not Subject to MMPs:	3
Non-serious Violations Subject to MMPs:	5
<b><u>Total Violations Subject to MMPs:</u></b>	<b><u>5</u></b>

**Mandatory Minimum Penalty = (0 serious Violations + 5 Non-Serious Violations) x \$3,000 = \$15,000**

Attachment B ADMINISTRATIVE CIVIL LIABILITY COMPLAINT R5-2011-0576  
**California Regional Water Quality Control Board**  
**Central Valley Region**  
Katherine Hart, Chair



Linda S. Adams  
Acting Secretary for  
Environmental Protection

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

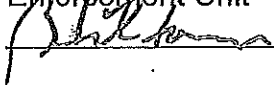


Edmund G. Brown Jr.  
Governor

TO: Victor Vasquez  
Sr. Engineer  
NPDES Compliance and  
Enforcement Unit

FROM: Barry Hilton  
WRCE  
NPDES Compliance and  
Enforcement Unit

DATE: 5 May 2011

SIGNATURE: 

**SUBJECT: DISCOVERY BAY COLIFORM VIOLATIONS**

By letter dated 8 April 2011, the Discharger explained that the total coliform effluent violations in January 2011 occurred during start up of new ultraviolet disinfection equipment which was installed to provide redundancy in the treatment process and ensure compliance. The Discharger explained that the new system experienced operational challenges which resulted in the violations. The Discharger requested that the total coliform violations be considered a single operational upset (SOU), and treated as a single violation. The Discharger cited the State Water Board Enforcement Policy definition for SOUs, which states, in part:

In accordance with California Water Code section 13385, subdivision (f)(2), for the purposes of MMPs only, a single operational upset that leads to simultaneous violations of one or more pollutant parameters over multiple days shall be treated as a single violation. The Regional Water Board shall apply... US EPA Guidance in determining if a single operational upset occurred ... Single operational upsets include such things as an upset caused by a sudden violent storm, some other exceptional event, or a bursting tank...

Central Valley Water Board staff reviewed the effluent data and the Discharger's request and has concluded that the violations and circumstances did not meet the criteria for a SOU as set forth in US EPA Guidance. The violations were not caused by an exceptional or unforeseen event.

Furthermore, there is a discrepancy between the Enforcement Policy and CWC section 13385(f)(1) regarding SOUs. According to section 13385(f)(1), an SOU that "leads to simultaneous violations of more than one pollutant parameter" shall be considered one violation; however, the Enforcement Policy states "one or more pollutant parameters." Based on CWC section 13385(f)(1), the total coliform violations can not be considered one SOU violation because only one parameter exceeded its effluent limitations..

The Discharger should have considered requesting protection from MMPs under CWC Section 13385(j)(D). Effluent violations resulting from the operation of a new or reconstructed wastewater treatment unit may be exempted from mandatory penalties if the Discharger meets the requirements of CWC section 13385(j)(D), which includes the submittal of an operations plan in advance of the start up of operation. However, the Discharger did not submit an operations plan for the new ultraviolet disinfection system. In addition, this section allows an exemption for the first 30 days of start-up. Board staff understand that the violations which took place in January 2010 occurred more than 30 days after the initial operation of the ultraviolet disinfection system.

To summarize, the total coliform violations are not properly classified as a "single operational upset" and the Discharger did not request protection from MMPs under CWC 13385(j)(D). Therefore, the total coliform violations have been retained as individual violations.

**California Environmental Protection Agency**

Central Valley Regional Water Quality Control Board

HEARING PROCEDURE  
FOR ADMINISTRATIVE CIVIL LIABILITY COMPLAINT  
R5-2011-0576

ISSUED TO  
TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT  
DISCOVERY BAY WASTEWATER TREATMENT PLANT  
CONTRA COSTA COUNTY

SCHEDULED FOR 3/4/5 August 2011

PLEASE READ THIS HEARING PROCEDURE CAREFULLY. FAILURE TO COMPLY WITH THE DEADLINES AND OTHER REQUIREMENTS CONTAINED HEREIN MAY RESULT IN THE EXCLUSION OF YOUR DOCUMENTS AND/OR TESTIMONY.

**Background**

The Executive Officer has issued an Administrative Civil Liability (ACL) Complaint pursuant to California Water Code (CWC) sections 13323 to Town of Discovery Bay Community Services District (Discharger), alleging violations of CWC section 13385 for discharges from the Discharger's wastewater treatment plant that exceeded permitted effluent limitations.

The Complaint proposes that an administrative civil liability in the amount of \$15,000 be imposed. A hearing is currently scheduled to be conducted before the Central Valley Water Board during its 3/4/5 August 2011 meeting.

**Purpose of Hearing**

The purpose of the hearing is to consider relevant evidence and testimony regarding the ACL Complaint. At the hearing, the Central Valley Water Board will consider whether to issue an administrative civil liability order assessing the proposed liability, or a higher or lower amount, or reject the proposed liability. The public hearing on will commence at 8:30 a.m. or as soon thereafter as practical, or as announced in the Central Valley Water Board meeting agenda. The meeting will be held at

11020 Sun Center Drive, Suite 200, Rancho Cordova, California.

An agenda for the meeting will be issued at least ten days before the meeting and posted on the Central Valley Water Board's web page at:

[http://www.waterboards.ca.gov/centralvalley/board\\_info/meetings](http://www.waterboards.ca.gov/centralvalley/board_info/meetings)

### **Hearing Procedure**

The hearing will be conducted in accordance with this Hearing Procedure. This Hearing Procedure has been approved by the Central Valley Water Board Chair in model format, and is subject to further revision by the Central Valley Water Board's Advisory Team or the Board Chair. A copy of the general procedures governing adjudicatory hearings before the Central Valley Water Board may be found at California Code of Regulations, title 23, section 648 et seq., and are available at: <http://www.waterboards.ca.gov> or will be made available upon request. In accordance with Section 648, subdivision (d), any procedure not provided by this Hearing Procedure is deemed waived. Except as provided in Section 648, subdivision (b) and herein, Chapter 5 of the Administrative Procedures Act (commencing with Gov't Code § 11500) does not apply to this hearing.

**ANY OBJECTIONS TO THE HEARING PROCEDURE MUST BE RECEIVED BY THE CENTRAL VALLEY WATER BOARD'S ADVISORY TEAM NO LATER THAN 20 MAY 2011 OR THEY WILL BE WAIVED. FAILURE TO COMPLY WITH THE DEADLINES AND REQUIREMENTS CONTAINED HEREIN MAY RESULT IN THE EXCLUSION OF DOCUMENTS AND/OR TESTIMONY.**

The Discharger shall contact the Prosecution Team to try to resolve objections regarding due dates, the hearing date and hearing time limits BEFORE submitting objections to the Advisory Team.

### **Hearing Participants**

Participants in this proceeding are designated as either "parties" or "interested persons." Designated parties to the hearing may present evidence and cross-examine witnesses and are subject to cross-examination. Interested persons may present non-evidentiary policy statements; but may not cross-examine witnesses and are not subject to cross-examination. Interested persons generally may not present evidence (e.g., photographs, eye-witness testimony, monitoring data). Both designated parties and interested persons may be asked to respond to clarifying questions from the Central Valley Water Board, staff or others, at the discretion of the Central Valley Water Board.

The following participants are hereby designated as parties in this proceeding:

1. Central Valley Water Board Prosecution Team
2. Town of Discovery Bay Community Services District

### **Requesting Designated Party Status**

Persons who wish to participate in the hearing as a designated party must request party status by submitting a request in writing (with copies to the existing designated parties) so that it is received no later than 5 p.m. on **26 May 2011**, by the Advisory Team attorney (contact information listed below). The request shall include an explanation of the basis for status as a designated party (i.e., how the issues to be addressed in the hearing and the potential actions by the Central Valley Water Board affect the person, and the need to

present evidence or cross-examine witnesses), the information required of designated parties as provided below, and a statement explaining why the party or parties designated above do not adequately represent the person's interest. Any opposition to the request must be received by the Advisory Team, the person requesting party status, and all other parties by 5 p.m. on **6 June 2011**. The parties will be notified by 5 p.m. on **16 June 2011** whether the request has been granted or denied.

### Primary Contacts

#### **Advisory Team:**

Kenneth Landau, Assistant Executive Officer  
11020 Sun Center Drive, Suite 200, Rancho Cordova, CA 95670  
Phone: (916) 464-4726  
klandau@waterboards.ca.gov

David Coupe, Staff Counsel  
State Water Resources Control Board, Office of Chief Counsel  
Physical Address: 1001 I Street, Sacramento, CA 95814  
Mailing Address: P.O. Box 100, Sacramento, CA 95812  
Phone: (916) 327-4439; fax: (916) 341-5199  
dcoupe@waterboards.ca.gov

#### **Prosecution Team:**

Pamela Creedon, Executive Officer  
Frederick Moss, Assistant Executive Officer  
Wendy Wyels, Environmental Program Manager  
Victor Vasquez, Senior Water Resources Control Engineer  
Barry Hilton, Water Resources Control Engineer  
11020 Sun Center Drive, Suite 200, Rancho Cordova, CA 95670  
Phone: (916) 464-4835; fax: (916) 464-4645  
wwyels@waterboards.ca.gov

Ellen Howard, Staff Counsel  
State Water Resources Control Board, Office of Enforcement  
Physical Address: 1001 I Street, Sacramento, CA 95814  
Mailing Address: P.O. Box 100, Sacramento, CA 95812  
Phone: (916) 341-5677; fax: (916) 341-5896  
ehoward@waterboards.ca.gov

#### **Discharger:**

Mr. Virgil Koehne  
General Manager  
Town of Discovery Bay Community Services District  
1800 Willow Lake Road  
Discovery Bay, CA 94505  
Phone: (925) 634-1131  
e-mail: vk1800todb@sbcglobal.net





# Town of Discovery Bay CSD

## AGENDA REPORT

Meeting Date

June 1, 2011

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

### Agenda Title

Approve Purchase of One (1) 30-hp Vaughan Chopper Pump for Wastewater Treatment Plant No. 1 Influent Station

### Recommended Action

Approve purchase of one 30-hp Vaughan Chopper Pump and authorize the General Manager to issue a purchase order in the amount of \$19,650 to complete the purchase agreement.

### Executive Summary

The Influent Pump Station at Wastewater Plant #1 contains five (5) submersible ITT Flygt pumps. Each pump is approximately twenty (20) feet deep, and receives the raw wastewater. The pumps are responsible for splitting wastewater flow to the two (2) headworks located at each of our two (2) plants. Generally these submersible pumps have a life span of five (5) to ten (10) years.

With newer pump technology, it is recommended that one (1) Vaughan Chopper 30HP pump be purchased to replace one (1) ITT Flygt pump at the Influent pump station. At this time, two (2) of the ITT Flygt pumps require maintenance. The purchase of the Chopper style pump is recommended as the newer style pumps are operationally more efficient. The rebuilt Flygt pumps will be serviced with one (1) placed back into service and one (1) will remain as a back-up pump. The Vaughan pump is manufactured domestically, allowing for prompt parts and supplies to be delivered on site. ITT Flygt pumps are manufactured overseas. The District currently utilizes Vaughan chopper pumps for their ability to chop rags, plastics, and other debris in a more efficient manner. This process is a major issue for wastewater systems.

### Fiscal Impact:

Amount Requested \$ 19,650

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

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

### Previous Relevant Board Actions for This Item

### Attachments

Vaughn Pumps Pricing Quotation

AGENDA ITEM: G-4



# ROCKWELL ENGINEERING AND EQUIPMENT CO.

---

PAGES SENT # 3

Fax

To: VIRGIL KOEHNE From: ROCKWELL ENGINEERING  
Comp. DISCOVERY BAY Date: 5/9/11  
Phone: 925-634-1733/1131 Phone: 209-988-4080/707-447-6300  
Fax: 925-513-2705/2724/634-8347 Fax: 707-447-6400  
Re: VAUGHAN CHOPPER PUMP FROM: BRAD

Urgent  For Review  Please Comment  Please Reply  Please Recycle

COMMENTS: PER OUR CONVERSATION, HERE IS THE INFORMATION REGARDING THE VAUGHAN CHOPPER PUMP. WE HAVE REPLACED MANY FLYGT & NON-CLOG PUMPS TO A CHOPPER PUMP THAT WILL NOT CLOG OR PLUG WITH MOST DEBRIS. WE CAN SAVE YOU DOWNTIME AND LABOR COSTS.

AS WE HAVE SHOWN IN MANY LOCAL PLANTS, THE CHOPPER PUMP WILL CUT AND CHOP PLASTICS, HAIR, RAGS, WOOD AND MISC. OTHER MATERIAL. THIS INCLUDES AREAS LIKE PUMP/LIFT STATIONS, WASTE SUMPS, DIGESTERS(HEAT RECIRC. & MIXING), PRIMARY SCUM AND SLUDGE, SCREENINGS, AND PROBLEM AREAS WHERE THE CONTINUOUS CHOPPING AND CUTTING OF THE SOLIDS WILL KEEP THE OPERATION CLEAN.

WE WOULD LIKE THE CHANCE TO SHOW YOU THE ADVANTAGES OF THE CHOPPER PUMP AND HOW WE ELIMINATE ANY NEED FOR OTHER PUMPS, SCREENS, AND GRINDERS. WE KNOW WE CAN HELP YOUR OPERATIONS AND GUARANTEE THE PERFORMANCE OF THE VAUGHAN CHOPPER PUMPS.

PLEASE LET US KNOW IF YOU HAVE ANY QUESTIONS OR NEED MORE INFORMATION.

THANKS,  
BRAD

---

SOUTHERN CALIFORNIA  
2913 EL CAMINO REAL, SUITE 337  
TUSTIN, CA 92782  
PHONE: (714) 505-9700  
FAX: (714) 505-9800

NORTHERN CALIFORNIA  
1989 PEABODY, SUITE 237  
VACAVILLE, CA 95687  
PHONE: (707) 447-6300  
FAX: (707) 447-6400

[www.rockwellengineering.com](http://www.rockwellengineering.com)  
Email: [brad@rockwellengineering.com](mailto:brad@rockwellengineering.com)

**ROCKWELL  
ENGINEERING AND EQUIPMENT CO.**

2913 EL CAMINO REAL, STE #337  
TUSTIN, CA 92782

TEL. (714) 505-9700  
FAX. (714) 505-9800

DISCOVERY BAY  
VIRGIL KOEHNE

MAY 9, 2011

Re: Vaughan Chopper Pump – Replace FLYGT Pump

Dear Virgil: Per our conversation, we offer the Vaughan Chopper Pump for the pumping operations. As we have shown in many local installations, these pumps will chop and cut the plastics, trash, wood, and most solids that would block or plug other pumps. They are also engineered to run dry and reduce maintenance costs by having the oil filled housing lubricate all wearable internal surfaces. Specifically the pump features and conditions are as follows:

**PUMPSTATION # 1- REPLACE FLYGT – 20 HP PUMP**

**Vaughan Model # SE6U-1090 SUBMERSIBLE Chopper Pump**

- Cast Alloy Steel Impeller(dynamically balanced) and Cutter Bar heat treated to a minimum 650+ Brinell, ASTM A148-73, Grade 90-60
- Ductile Cast Iron Casing. ASTM A536-72, Gr. 80-55-06.
- Oil bath lubricated ball bearings with Alloy Steel Shaft.
- Alloy 20 Stainless Steel welded metal bellows mechanical shaft seal with silicon carbide faces protected by a stainless steel shroud.
- 6" x 150# ANSI rated discharge flange.
- 25 feet of cable for the Submersible Motor.
- WE SHOULD BE ABLE TO USE THE **EXISTING RAIL SYSTEM.**
- The **RELIANCE SUBMERSIBLE MOTOR WILL BE** a 20 HP, 1170 RPM, 460 Volt, 3Ph/60Hz, 1.15 S.F., Driver.

Price \$ 15,870./each

TRIAL/EVALUATION OF THE VAUGHAN CHOPPER PUMP – 30 DAYS

Performance: 600 GPM @ 47 Ft. TDH

Delivery: 3 - 4 Weeks      F.O.B. Montesano, CA

**PUMPSTATION # 1- REPLACE FLYGT – 30 HP PUMP**

**Vaughan Model # SE6U-118 SUBMERSIBLE Chopper Pump**

- Cast Alloy Steel Impeller(dynamically balanced) and Cutter Bar heat treated to a minimum 650+ Brinell, ASTM A148-73, Grade 90-60
- Ductile Cast Iron Casing. ASTM A536-72, Gr. 80-55-06.
- Oil bath lubricated ball bearings with Alloy Steel Shaft.
- Alloy 20 Stainless Steel welded metal bellows mechanical shaft seal with silicon carbide faces protected by a stainless steel shroud.
- 6" x 150# ANSI rated discharge flange.
- 25 feet of cable for the Submersible Motor.
- WE SHOULD BE ABLE TO USE THE **EXISTING RAIL SYSTEM.**
- **The RELIANCE SUBMERSIBLE MOTOR WILL BE a 30 HP, 1170 RPM, 460 Volt, 3Ph/60Hz, 1.15 S.F., Driver.**

Price \$ 17,980.-/each

TRIAL/EVALUATION OF THE VAUGHAN CHOPPER PUMP – 30 DAYS

Performance: 1400 GPM @ 44 Ft. TDH

Delivery: 3 - 4 Weeks F.O.B. Montesano, CA

Please call if you have any questions please call.

Sincerely,

Brad Rockwell

Chemical Engineer

## Rick Howard

---

**From:** John Fawcett [jfawcett@lsce.com]  
**Sent:** Thursday, May 26, 2011 5:55 PM  
**To:** Rick Howard; Virgil Koehne  
**Cc:** Justin Shobe  
**Subject:** FW: From TASKalfa 400ci  
**Attachments:** doc20110526173724.pdf

Rick and Virgil:

Please review the attached cost information for the 2011-2012 and 2012-2013 fiscal years. Please review Table 2-1 (also attached) and compare this Figure relative to the Figure 2-1 that we (Rick, Virgil, Jason and I) discussed a few hours ago. Note that we moved the 44.6 MGY Irrigation Demand number out of the Infill Development to the current demand where it had not been accounted for previously (based upon Virgil's input). When we did this, the current water demand increased and now the required flow rate (See Figure 2-3) exceeds the existing well capacity with the single largest well out of service. This means we are currently behind the 8-ball in our ability to meet water demand and we have therefore included costs for the new well/station in the 2011-2012 and 2012-2013 fiscal years (see attached cost table). We were just at the point of needing the new well anyway, because it would have taken time to acquire land, complete CEQA, construct a test hole, obtain a DPH permit, and to complete the design and construction work.

Please call if you have any questions.

Regards

John Fawcett, PE  
Luhdorff and Scalmanini Consulting Engineers 500 First Street Woodland, CA 95695  
(off) 530.661.0109

we barely exceed the

-----Original Message-----

**From:** [t400@lsce.com](mailto:t400@lsce.com) [mailto:t400@lsce.com]  
**Sent:** Thursday, May 26, 2011 5:38 PM  
**To:** John Fawcett  
**Subject:** From TASKalfa 400ci

Scan Job from %printer

-----  
TASKalfa 400ci  
[00:c0:ee:4c:03:f3]  
-----



# 3" - 6" E-Series Submersible Chopper Pumps

## Materials of Construction:

### Impeller/Upper Cutter/

**Cutter Nut:** ..... Cast Steel, heat treated to minimum Rockwell C 60.

**Cutter Bar:** ..... Plate Steel, heat treated to minimum 60 Rockwell C Hardness.

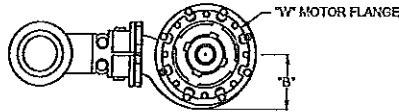
### Casing/Back Pull-Out Plate/

**Guide Bracket/Elbow:** ..... Ductile Cast Iron.

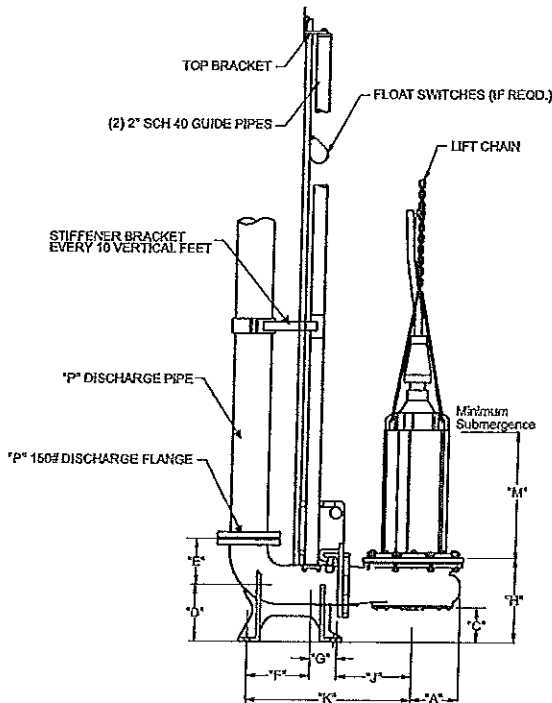
**Mechanical Seal:** ..... Silicon carbide or tungsten carbide.

**Flange:** ..... 150 lb. ANSI rated.

**Paint:** ..... Stainless Epoxy.



DRAWINGS AND DIMENSIONS SUBJECT TO CHANGE WITHOUT NOTICE.  
DO NOT USE FOR CONSTRUCTION PURPOSES.  
CONTACT VAUGHAN FOR CERTIFIED CONSTRUCTION PRINTS.



MODEL	A	B	C	D	E	F	G	H	J	K	P
SE3F / SE3G	5	6 3/8	4 1/8	7 1/8	7 1/8	9 1/16	4 9/16	11 5/8	8 5/8	22 3/4	3
SE3L / SE3M	5 1/2	6 3/8	5 7/8	7 1/8	7 1/8	9 1/16	4 9/16	10 7/8	9 5/8	23 3/4	3
SE3V / SE3W	5 1/8	6 3/8	5 11/16	7 1/8	7 1/8	9 1/16	4 9/16	10 7/8	9 5/8	23 3/4	3
SE4K / SE4L	6 5/8	7 5/8	4 1/2	7 1/8	7 1/8	9 13/16	4 9/16	11 5/16	10 1/2	24 1/8	4
SE4P / SE4R	8	9 1/4	4 5/8	7 7/8	7 7/8	9 13/16	4 9/16	12	12 1/2	26 7/8	4
SE6U	8 3/4	9 5/8	6 1/8	9 1/8	7 7/8	11	4 9/16	14 5/8	13 3/4	28 13/16	6

### 15 MINUTE IN-AIR FRAME SIZES ONLY

HP	SPEED	FRAME SIZE	M	W	HP	SPEED	FRAME SIZE	M	W	
5	1170	180TY	17 1/4	12 3/8	25	1170	250TY	25 1/8	17	
5	1750				25	1750				
7.5	1750				25	3510				
7.5	1170				30	1750				
10	1170	210TY	21 7/8	15 1/4	30	3510		320TY	25 1/2	18 3/4
10	1750				40	1750				
15	1750				40	3510				
15	3510				30	1170				
20	1750	250TY	25 1/8	17	60	1750	75		1750	
20	3510				60	1750				
15	1170				75	1750				
20	1170				75	1750				

FRAME	FITS PUMP MODELS
180TY	ALL 3" - 6" PUMPS
210TY	ALL 3" - 6" PUMPS
250TY	ALL 3" - 6" PUMPS
320TY	3V/3W/4K/4L/4P/4R/8U



## Vaughan Co., Inc.

364 Monte Elma Road  
Montesano, WA 98563  
Phone: 360-249-4042, FAX: 360-249-6155  
e-mail: info@chopperpumps.com

CURRENT U.S. PATENTS: No. 5,460,482; No. 5,460,483; No. 5,456, 580; No. 5,256,032; No. 5,076,757; No. 4,840,384; No. 4,842,479.

CURRENT FOREIGN PATENTS: No. 2 371 834; No. 2 188 138; No. 1,290,981; No. 276224; No. 0 774 045.

OTHER PATENTS PENDING.



# Town of Discovery Bay CSD

## AGENDA REPORT

Meeting Date

June 1, 2011

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

### Agenda Title

Approve contract to outsource monthly services for water meter billing with Freedom Mailing.

### Recommended Action

Authorize the General Manager to execute contract documents between the District and Freedom Mailing to outsource monthly services for water meter billing in the annual amount of \$12,450 effective July 1, 2011.

### Executive Summary

Each month, District staff facilitates the preparation, assembly, and distribution of over 1,900 water bills. This process is entirely manual and requires a considerable amount of staff effort to fold, insert, seal and stamp monthly invoices for each monthly billing cycle.

The current FY 2010-11 Operating budget includes an authorized expense in the amount of \$20,000 to fully outsource water billing services for the District. After reviewing opportunities to improve the method of service delivery, including the existing process, the purchase of a fully automated inserting machine, or to fully outsource the procedure, staff determined it was more cost effective to outsource the process than continuing to do the procedure in-house.

Presently, it is estimated (based upon the last month's billing procedures) that one (1) member of the staff spends approximately 18 hours monthly folding, stuffing and sealing envelopes. This process can be reduced to less than one hour by outsourcing this work.

On May 11, 2011, staff distributed a Request For Proposal (RFP) that outlines the types of work necessary to comply with the terms and needs of the District. RFP's were to be submitted no later than Friday, May 27, 2011 at 3:00 pm.

The District received three (3) of proposals (See attached proposal list). Based upon their proposal, fees, and their ability to work within the existing Caselle financial systems software package currently in place, staff recommends Freedom Mailing to best meets the needs of the District.

### Fiscal Impact:

Amount Requested \$12,450

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

Prog/Fund # Category: Pers. Optg. 7414 Cap. -or- CIP# Fund#

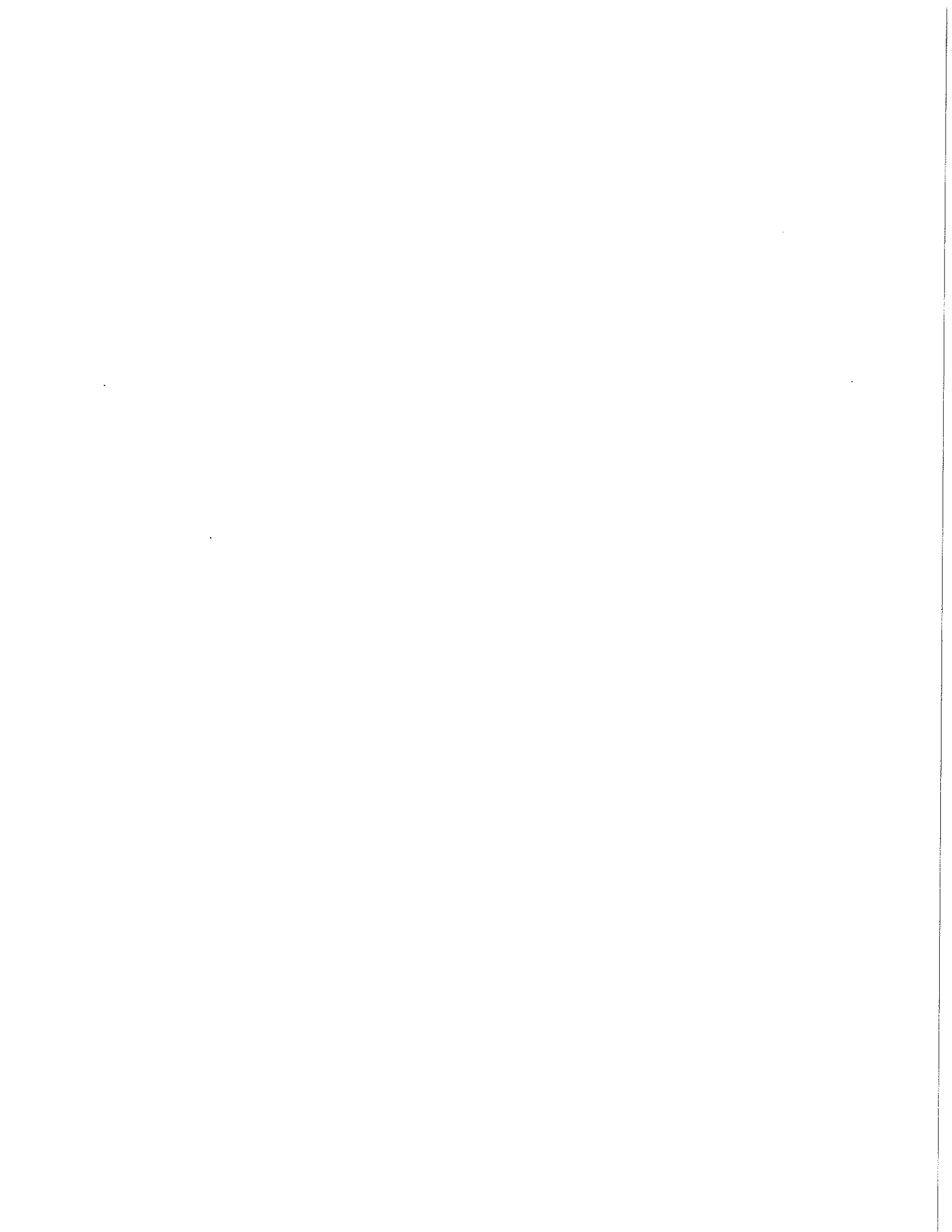
### Previous Relevant Board Actions for This Item

FY 2010-11 Budget

### Attachments

RFP; Bidders List; and Proposal from Freedom Mailing.

AGENDA ITEM: G-5





**REQUEST FOR PROPOSAL**

**UTILITY BILL PRINTING AND MAILING SERVICES**

Prepared by: **TOWN OF DISCOVERY BAY CSD**  
**1800 WILLOW LAKE ROAD**  
**DISCOVERY BAY, CA. 94505**  
**(925) 634-1131**

**1. Introduction**

**1.1 Proposed Solicitation**

The Town of Discovery Bay Community Services District, hereinafter referred to as the "District" is soliciting proposals for qualified vendors to process, print, insert and mail utility bills on a monthly basis.

The primary point of contact for questions regarding this Request for Proposal at the Town of Discovery Bay is Ms. Liz Hardy. Ms. Hardy can be reached at (925) 634-1131, Monday through Friday, 8:30am – 5:00pm.

**2. Scope of Services**

**2.1 Description of Town Utility Billing Process**

The Town of Discovery Bay CSD's Utility Billing provides for the billing and collection of all utility accounts for water services. It is a current function of the Finance Department. Utility Billing data is processed monthly with all accounts billed on monthly basis. There are approximately 2,000 bills mailed each month. The bills are currently printed on 8.5 x 11 paper and mailed in a standard #10, double window envelope.

**2.2 Objective**

The objective of this Request for Proposal (RFP) is to provide qualified suppliers with the necessary information for preparing quotes to print, insert, and mail utility bills monthly. In addition the District seeks to develop an improved design for its utility bill format using 8.5 x 11 inch printed stock with a perforation for the tear off payment stub and return envelope. The District is seeking a supplier that can provide design and format services that would result in a flexible, professional and easy to understand billing statement. Specific requirements for the services requested are listed in Section 2.3 "Scope of Work".

**2.3 Scope of Work**

1. Supplier must be a full service supplier who is capable of providing all services requested with no subcontracting of any portions of the project, including presorting, artwork, programming and electronic present of bills and statements.
2. Supplier must provide programming and bill design services as required. The design should be able to accommodate the use of graphics, bar graphs and color where feasible.
3. The supplier must provide a means for secure data transmission and confirm receipt of the data.
4. The supplier will be required to print, insert, meter and mail via first class postage the completed statements within 24 hours. Supplier must make every effort to mail it in 24 hours, and if this is not possible the bills must be mailed the next business day. Supplier must contractually guarantee this schedule.
5. Supplier must store/warehouse all forms and envelopes used to process District bills. Supplier must provide one per-unit fee that includes all services, including postage. Per-unit fee must include all materials, data processing, printing and warehousing required for printing, inserting, postage and mailing each bill. Per-unit price must be all-inclusive and there can be no additional charges for jammed/wasted materials or other overhead.
6. The supplier must provide for the District to view and approve sample bills online before the bills are printed and mailed, at no additional cost to the District.
7. The supplier must support bill inserts printed by the District and provide insert services.
8. Supplier must provide electronic pre-sorting services to maximize postal discounts and mail bills at lowest first class rate. Software used to pre-sort must be USPS approved.
9. There is one preprinted Utility Form; each form should have a tear off payment stub.
10. Supplier to provide window #10 mailing envelope with security tinting to mask bill contents. Return envelope should be a single window #9 with security tinting.
11. Experience with Caselle Clarity, Caselle Utility Software is preferred.

**2.4 Services to be conducted by Supplier**

1. Conduct initial discussion with the District to develop an in-depth understanding of utility billing process.
2. Submit written data or other requests for information to the District.
3. Supply a time schedule for initial implementation to process, print and mail utility bills, as well as on-going provision of same services.
4. Implement all services described in Section 2.3 "Scope of Work"

**2.5 Services to be conducted by the Town of Discovery Bay CSD**

District staff will provide the supplier with all relevant information necessary for implementation of requested services.

**3. Conditions and Requirements**

**3.1 Cost Proposal and Pricing**

The supplier will provide detailed costs of all services pertaining to Section 2.3 "Scope of Work" Prices quoted by suppliers will be firm prices, not subject to increase during the term of the contractual agreement arising with the District as a result of this proposal. Suppliers quoted prices shall include any applicable state and federal tax. Suppliers are to stipulate the expiration date of their quoted proposal.

**3.2 Evaluation Criteria**

The District's final selection will not be dictated on any single factor including price. The District's RFP team will evaluate proposals and will include both objective and subjective analysis. Proposals will be evaluated on the basis of experience; qualifications, technology and resources, and any innovative ideas presented for making the utility billing process proceed quickly and smoothly.

1. **Comprehensiveness of Services Provided:** The supplier must have the capability to meet the required service levels described in this RFP.
2. **Public Sector Experience and References:** The suppliers experience in providing services to the public sector as well as client references.
3. **Assigned Relationship Management Team:** The credentials and experience of staff assigned to our relationship.

4. **Technology and Resources:** The available technology and resources necessary to perform both utility bill design and format services as well as monthly utility bill printing, stuffing and mailing services. Final selection will be based on the evaluation of proposals unless it is deemed necessary by the RFP team to conduct interviews of closely scored firms. The supplier determined best qualified to perform this project will be recommended to the District Board of Directors for contract award.

### **3.3 Right to Request Additional Information**

During the evaluation process, the RFP team and the District reserve the right, where it may serve the best interest of the District, to request additional information and clarification from suppliers.

### **3.4 Right to Reject Any or All Proposals**

The District reserves the right to reject any or all proposals, to waive technicalities or formalities and to accept any proposal deemed in the best interest of the District.

### **3.5 Contracts**

It is recognized that the formal basis of any agreement between the District and the supplier is a contract rather than a proposal. In submitting proposals, suppliers must indicate that they are prepared to complete a contract containing all the information submitted in their proposals. The proposal will become part of the contract between the District and the successful supplier.

### **3.6 Undue Influence**

The supplier declares and warrants that no undue influence or pressure is used against or in concert with any officer or employee of the District in connection with the award or terms of the Contract that will be executed as a result of this RFP, including any method of coercion, confidential financial arrangement, or financial inducement. No officer or employee of District will receive compensation, directly or indirectly, from the supplier, or from any officer, employee or agent of the supplier, in connection with the award of the Contract or any work to be conducted as a result of the RFP. Violation of this Section shall be a material breach of the Contract entitling the District to any and all remedies by law or in equity.

**4 Vendor Proposal Format**

**4.1 Proposal Format:**

To assist the District in its evaluation of submitted proposals, it is required that each proposal adheres to the following format:

1. **Summary Sheet** - The first page of the proposal must be a completed Supplier Summary Sheet (see Appendix A)
2. **Letter of Transmittal** - In the letter of transmittal the supplier shall describe their understanding of the work to be performed and why the vendor is the best qualified to perform the services requested. This letter of transmittal must state the names of the individual(s) authorized to negotiate with the District and sign contracts on behalf of the supplier.
3. **Company Overview:** Provide a brief background and history of the company.
4. **Experience:** Describe the supplier's experience in providing services to the public sector and any exclusive resources dedicated to the public sector. Supplier should list at least three (3) references with similar requirements to the Town of Discovery Bay CSD. Include a brief description of the services provided, how long such services have been provided and a contact person and telephone number for each client described.
5. **Data Requirements:** List all data requirements, other than what has been identified in the RFP, that will be required to implement the requested services and in what type of format the data must be provided.
6. **Pricing Schedule:** Supplier must provide a per statement fee that includes data processing, bill printing, mail preparation and delivery to USPS. Supplier must also provide an itemization of setup fees, including initial programming, assistance on re-design of bill, testing and implementation.
7. **Pricing Terms & Conditions:** Describe all proposed terms and conditions, including, with limitation, written warranties, maintenance/service agreements, and license agreements.
8. **References:** Supplier should provide a list of references, including utility bill samples from other clients. Samples should be provided on actual bill stock and printed using a production printer.
9. **Additional Information:** Supplier should describe any information not previously mentioned that the supplier believes should be considered.

**5 Proposal Schedule**

**5.1 Distribution of RFP:**

May 11, 2011

**5.2 Final Date for Receipt of Proposals:**

May 27, 2011 3:00 PM

Proposals must be received by the District no later than 3:00 PM on Friday May 27, 2011. Proposals received in the mail after this deadline will not be accepted regardless of their postmarked date. Facsimiles will not be accepted. Please include the original proposal and two (2) copies.

Town of Discovery Bay CSD

---

Utility Billing Services RFP

**Appendix A**

**Supplier Summary Sheet**

Supplier Name: \_\_\_\_\_

Supplier Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Supplier Phone Number \_\_\_\_\_

Supplier Fax Number \_\_\_\_\_

Management person responsible for direct contact with the District and the services required for this Request for Proposal (RFP):

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Phone Number \_\_\_\_\_

Email Address: \_\_\_\_\_

Person responsible for day-to-day servicing of the account:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

**Appendix B**

**Certification of Proposal to the Town of Discovery Bay CSD**

1. The undersigned hereby submits its proposal and, by doing so, agrees to furnish services to the District in accordance with the Request for Proposal (RFP) and to be bound by the terms and conditions of the RFP.
2. This supplier has carefully reviewed its proposal and understands and agrees that the District is not responsible for any errors or omissions on the part of the supplier and that the supplier is responsible for these.
3. It is understood and agreed that the District reserves the right to accept or reject any or all proposals and to waive any informality or irregularity in any proposal received by the District.
4. The proposal includes all the commentary, figures and data required by the Request for Proposal.
5. This supplier has carefully read and understands all of the items contained in Section 3, Conditions and Requirements.
6. The proposal by this supplier is an irrevocable offer and shall be valid for 120 days from date of submission.

Name of Supplier: \_\_\_\_\_

By (Authorized Signature): \_\_\_\_\_

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Phone Number: \_\_\_\_\_

Fax number: \_\_\_\_\_

Email Address: \_\_\_\_\_



**Utility Bill Printing and Mailing Services**

**Bidders List**

	<b>Contractor</b>	<b>Contact</b>	<b>Address</b>	<b>City &amp; Zip</b>	<b>Email/Website address:</b>	<b>Phone and Fax</b>	<b>Bid Provided</b>	<b>Comments</b>
1	Billflash	Dan Stead	3100 Pinebrook Rd Suite 2600	Park City, UT 84098	<a href="mailto:danstead@nexttrust.com">danstead@nexttrust.com</a>	(435) 940-9123	05/23/11	
2	Advanced Infosystems	Don Hammond	P.O. Box 82817	Phoenix, AZ 85071	<a href="mailto:donhammond@AIS-AZ.com">donhammond@AIS-AZ.com</a>	(800) 279-5262	05/26/11	
3	Freedom Mailing Service	Bart Hendrickson	459 W Center St	Orem, UT 84057	<a href="mailto:services@freedommailingservices.com">services@freedommailingservices.com</a>	(801) 373-2131	05/27/11	

*Freedom Mailing Services*



459 W Center St

Orem, UT 84057

801-373-2131

fax: 801-373-8683

email: [services@freedommailingservices.com](mailto:services@freedommailingservices.com)

## Request for Proposal

for

## TOWN OF DISCOVERY BAY CSD

Town of Discovery Bay CSD

Utility Billing Services RFP

Appendix A

Supplier Summary Sheet

Supplier Name: FREEDOM MAILING SERVICES

Supplier Address: 459 W CENTER ST  
ORLANDO FL 32807

Supplier Phone Number 801-373-2131

Supplier Fax Number 801-373-8683

Management person responsible for direct contact with the District and the services required for this Request for Proposal (RFP):

Name: BARB HENDRICKSON

Title: PRESIDENT

Phone Number 801-373-2131

Email Address: SERVICES @ FREEDOM MAILING SERVICES . COM

Person responsible for day-to-day servicing of the account:

Name: TONYA HENDRICKSON

Title: OFFICE MANAGER

Phone Number: 801-373-2131

Email Address: SERVICES @ FREEDOM MAILING SERVICES . COM

## Letter of transmittal

We are pleased to present our bid for your town's mailing and printing services. In 1988 we started working for Orem City, UT. They were our first utility client and we are still providing their mailing service requirements. Our working relationship with Orem City and several of our other clients, has been without a contract. We earn the right to work for you next month by doing the job right this month.

Over the years we have seen what a typical utility billing office staff deals with in preparing their statements and satisfying their costumers. We realize all utility billing cycles have a very strict time limit. The sooner the customer receives the bill the sooner the payment is made and the more interest the city makes on those funds. We will have your bills in the mail within 24 business hours after receiving the data, the same day when possible. Our speciality is to lighten your work load and eliminate as many phone calls from your customers as possible.

Our staff receives continual training and updates from the post office and our software companies. These updates contain improvements for preparing mailings for the best pricing and the fastest delivery. Our material suppliers and service technicians provide us information on the best materials, and keep our equipment in peak working condition.

Freedom Mailing Service can do all or any portion of your mailing and printing requirements. We will help with the design and layout of your blank bills and envelopes, assist with newsletters/flyers, and any other public information you need sent out. At our facility we have the equipment to print your blank statements, envelopes, newsletters/flyers, water quality reports and public information letters.

With our software we can assign the post office automation requirements, i.e. zip + 4, Intelligent Mail bar codes, carrier routes and optional endorsement line. This information decreases your postage cost and helps pay our service fees.

The services for preparing your bills for mailing include: computer sorting, laser printing, folding, inserting bills and extra flyers, post office prep, post office delivery, and postage payment. **All these services turned around in 24 business hours**, if the file is received and verified before 2:00 PM. Information for a **13 month usage graph** can be calculated and printed for each account. Our computer program will print your variable data on the statement, including the automation requirements, without altering your calculations, data or information.

Bart Hendrickson is the President and owner of Freedom Mailing Service and will be the individual authorized to negotiate services and contracts with the Town of Discovery Bay. Freedom Mailing Service will coordinated all work for the set up, design of the materials and processing and mailing of the statements. Our office manager, Tonya Hendrickson, will assist with the design, setup and layout of templates and forms. She is also available to answer questions and assist with general processing information.

## Company Overview

In 1988 Bart took charge of Freedom Mailing Services with one client, Orem City. By the end of the first year he teamed up with Doug Hendrickson, his brother, who started UPPER CASE Printing after graduating from Brigham Young University with a degree in Graphic Arts. They have worked side by side in the same building ever since. Forms, envelopes, flyers etc. will be completed by UPPER CASE Printing and all mailing prep and delivery will be done by Freedom Mailing Services. All orders will be coordinated through Freedom Mailing.

Shortly after combining Freedom Mailing Services and Upper Case Printing into one location, new utility customers started using the services of our one stop shop. As postal requirements changed more clients came on line. Both companies added new equipment and procedures to make sure we were providing the best services possible for our clients. We took over the challenges of preparing mail for the Post office off of the cities hands. The cities, water and sewer districts were able to focus on the specific needs of their utility customers.

After 15 years of steady growth we moved to a bigger facility in 2004. Having more room allowed us to purchase more equipment for continued growth. At this time over eighty five water, electric, gas, sewer and sanitation providers in 14 states use Freedom Mailing Services and UPPER CASE Printing for all or part of their billing needs.

The vast majority of our clients use the Caselle software to generate their utility software. We have been a vendor at the last 10 Caselle users conferences. We work very well with their support staff in resolving issues relating to our mutual clientele.

Freedom Mailing Services and UPPER CASE Printing see the utility statement that the Town of Discovery Bay is mailing to their customers as a way to promote a sense of community. We know from experience that city utility companies want their statements to reflect their individuality. Out of all our utility customers no two statements are exactly alike. Our pricing and services make it possible for cities to design their statements to best convey their image and information for their residents. If the statement, including newsletters and flyers, is kept under one ounce, it is a cost effective way of keeping the community informed of activities and events, planning and zoning meetings, and water quality and conservation information.

Time, accuracy and image is essential. The faster and more accurate the statement is produced and mailed, the sooner the customer receives and pays their bill. With the customer paying their bill sooner, the more time the funds earn interest in your bank account. Using a custom form, the Town of Discovery Bay's image is prominently promoted and residents feel more informed and part of the community.

## Experience

Our business focuses on working for utility providers. We know that each utility company depends on the revenue that comes from customers paying their utility bills. The statements need to be completed as soon as possible so the utility customer has sufficient time to make a payment. Those that are on fixed incomes want to make sure they pay their utility's first. It has been proven that the bills that are received first are paid first.

Freedom Mailing Services and UPPER CASE Printing's business plan is to place the Town of Discovery Bay's billing requirements as their first priority. These orders will be completed within 24 business hours after receiving and verifying your data. The software that is used to sort and optimize postage discounts is approved by the Postal Service and is rated among the very best in the mailing industry. We have invested in some of the best printing and mailing equipment to ensure that your order is done right and on time.

To insure that the statements are correct we verbally and physically, if necessary, verify the data. When your file has been created and is ready to be sent electronically to us, we ask for a phone call from you informing us the file is on its way. If we do not see the file shortly after your call, we will contact you and see if there is a problem or have you send it again. When the file arrives it is pulled into your custom template and checked that it was received accurately. After our processing, a sample bill will be printed and faxed back to you for verification. We will then personally call you back and confirm the number of statements, the due date and messages. If all the data is correct we will start work on the statements at that time. If any general data (i.e. due date or message) is incorrect we will work with you to make the necessary corrections. If the amounts or calculations are wrong we will wait for a new file to be processed and sent from you. We will then re-verify the data with a call and/or a proof.

We know there is no room for delay. Equipment failure is no excuse. Both Freedom Mailing Service and UPPER CASE Printing have back up equipment to insure on time production. There are 2 color copiers, 3 digital printers, and a two color offset and envelope press to produce your materials and inserts.

To insure that the bills are mailed on time we have 2 servers running simultaneously to update and store the data, 4 work stations to prepare the files, 6 laser printers, 5 folders and 4 inserter's. All to insure the bills are completed in a timely manner.

The following are clients that have billing files similar to Discovery Bay CSD.

Mindy Gulliksen - New Castle, CO	970-984-2311
Nancy Stahl - Pagosa Area Water & Sanitation Dist., CO	970-731-2691
Terri Schupman - Jackson, WY	307-733-3932 ex 105
Joyce Peverly - Green River, WY	307-872-6126
Sherry Laier - Santa Clara City, UT	435-673-6712 ex 3
Jeff Nielson - Salem City, UT	435-423-2770

## Data Requirements

The design of your forms and envelopes will be a close collaboration between the city and our office. Proofs will be sent back and forth until a final agreement is reached.

A digital image of your city logo, with color separations, will be needed for the layout and design of all forms and envelopes. These can be sent as JPEG, TIFF, PNG, or EPS graphics.

Newsletters and flyers can be sent as a .PDF(our first choice), MS Word, Publisher, WordPerfect, PageMaker, Photoshop, Illustrator or IN DESIGN files and emailed to Freedom Mailing Services. Camera ready artwork may also be mailed directly to our offices at 459 W Center St, Orem, UT 84057. If extra inserts are printed from an outside vendor we request they be received at our office three days prior to the utility billing files being sent.

Utility billing export files need to be sent in either an Excel, CSV or ASCII comma or tab delimited formats. These formats are available in the Caselle city billing software.

All files need to be received and verified by 2:00 pm to meet the 24 hour turn around time as explained in the previous section.

To keep costs down and deliveries fast and accurate, Freedom Mailing Services will provide the city with an error report of addresses not found. This report consists of addresses that may have key entry errors, or the address format does not match postal requirements. This report will be sent to the utility billing clerk for correction within their main data base. Freedom Mailing Service will provide suggestions for corrections. Your office can also verify the addresses on the Post Office website at [www.usps.com](http://www.usps.com), under FIND ZIP CODES on the tool bar. *Please realize that new addresses may take three to six months before they have gone through appropriate channels and are recognized by our software(Our software is updated monthly from the National Postal data base). New addresses are entered into the National Postal data base by your local Post Office but it takes time to go through all necessary channels.*

# Pricing Options

## Option #1

One color form	.023
#10 single window	.02696
Mailing services	<u>.47</u>
Total per piece	<b>.51996 cents</b>

## Option #3

Two color form	.02459
#10 single window	.02696
Mailing services	<u>.47</u>
Total per piece	<b>.52155 cents</b>

## Option #5 (Security tint envelopes)

One color form	.023
#10 single window	.02908
Mailing services	<u>.47</u>
Total per piece	<b>.52208 cents</b>

## Option #7 (Security tint envelopes)

Two color form	.02459
#10 single window	.02908
Mailing services	<u>.47</u>
Total per piece	<b>.52367 cents</b>

## Option #2

One color form	.023
#10 single window	.02696
#9 courtesy reply	.024
Mailing services	<u>.47</u>
Total per piece	<b>.54396 cents</b>

## Option #4

Two color form	.02459
#10 single window	.02696
#9 courtesy reply	.024
Mailing services	<u>.47</u>
Total per piece	<b>.54555 cents</b>

## Option #6 (Security tint envelopes)

One color form	.023
#10 single window	.02908
#9 courtesy reply	.02625
Mailing services	<u>.47</u>
Total per piece	<b>.54833 cents</b>

## Option #8 (Security tint envelopes)

Two color form	.02459
#10 single window	.02908
#9 courtesy reply	.02625
Mailing services	<u>.47</u>
Total per piece	<b>.54992 cents</b>



## Pricing Terms & Conditions

Forms and envelopes will be printed a years worth at a time with a one time payment at completion. The invoice will be due 30 days from the invoice date. They will be stored in our warehouse free of charge. You will be given regular updates on the remaining stock. When your stock is down to an approximate two month supply, you will be contacted to see if we can assist with placing another order. We will address any adjustments or modification to your stock at that time.

With each batch of utility bills an invoice will be created showing the number of statements sent and the service fee. When there are extra inserts the invoice will show the quantity and amount for them separately. We require payment within 30 days of the statements being mailed. Payments must be received before the next batch of statements are mailed.

We realize your city may have changes from time to time. The need to add new information or services to better serve your citizens is on going. We know there is a high possibility of additional services in the future or the need to change information on a specific account. We *do not* charge for minor changes or adjustments to our variable data template. Our only additional charges will occur if there is a major format change or statement overhaul. At that time a typesetting and/or template fee may occur for both the variable data template and/or the statement/envelopes.

# References

<u>Company</u>	<u>Contact</u>	<u>Phone Number</u>
Avra Water Co-Op Inc. 11821 W Picture Rocks Rd Tucson AZ 85743	Barbara	520-682-7331
City of Cannon Beach Po Box 368 Cannon Beach OR 97110	Jean White	530-436-8057
City of Cedar Hills 3925 W Cedar Hills Dr Cedar Hills UT 84062	Becky Tehero	801-785-9668
City Of Hailey 115 Main Street South Ste H Hailey ID 83333	Trina Isaacs	208-788-9830 ex 22
S E S D Po Box 349 Payson UT 84651	Natalie Peacock	801-465-8020
Lehi City Corporation 153 N 100 E Lehi. UT 84043	Sue Homstead	801-768-7100 ex 2252
Town of New Castle 450 W Main St New Castle CO 81647	Mindy Gulliksen	970-984-2311
Payson City Corporation 439 W Utah Ave Payson UT 84651	Cheryl Hobbs	801-465-5203
Pleasant Grove Po Box 900 Pleasant Grove UT 84062	Scott Wells	801-785-5045
Richfield City Corporation Po Box 250 Richfield UT 84701	Mike Langston	435-896-6439
Santaquin City 45 W 100 S Santaquin UT 84655	Jody Thomas	801-754-3211 ex 16

*References from any of our other customers are available upon request.*

## Additional Information

Some of our clients use our multiple statement services. If a customer receives their personal bill and another for a business or rental property to the same address, we can combine them into one envelope. Apartment buildings or home owner associations that receive multiple statements of 7 or more sheets can be put into a 9 x 12 envelope. This service saves on postage, envelopes and inserts. Our pricing is cost plus postage.

Another cost saving service we can provide is preparing saturation mailings. We can use a simplified address to cover all your residents (even those who may not receive a statement) using the lowest postage rates that only city, county, state and federal government entities can use.

Freedom Mailing Services and UPPER CASE Printing see the utility statement that the Town of Discovery Bay is mailing to their customers as a way to promote a sense of community. Out of all our utility customers no two statements are exactly alike. We know from experience that city utility companies want their statements to reflect their individuality, neither is the choice of three or four layouts acceptable. Our pricing and services make it possible for cities to design their statements to best convey their image and information for their residents. If the statement, including newsletters and flyers, is kept under one ounce, it is a cost effective way of keeping the community informed of activities and events, planning and zoning meetings, and water quality and conservation information.

Time, accuracy and image is essential. The faster and more accurate the statement is produced and mailed, the sooner the customer receives and pays their bill. With the customer paying their bill sooner, the more time the funds earn interest in your bank account. Using a custom form, the Town of Discovery Bay's image is prominently promoted and residents feel more informed and part of the community.



# AVRA WATER CO-OP INC.

11821 W. Picture Rocks Road - Tucson, Az 85743-9376  
Office Hours: 8:00 - 4:30 p.m. • M-F  
Closed During Lunch • 12:00 - 1:00 p.m.

Statement Date: 05/16/2011

SERVICE ADDRESS	
9975 W Ina Rd	
ACCT #	DUE DATE
1.210.200.01	06/10/2011

FOR BILLING OR SERVICE INQUIRIES PLEASE CALL 520-682-7331

SERVICE PERIOD	PREV READING	CURRENT READING	USAGE
From: 04/05/2011 To: 05/05/2011	13,563	13,711	14800
<p><b>2010-2011 WATER USAGE</b></p> <p>Y-axis: 0, 7450.0, 14900 x 1000 gal</p> <p>X-axis: May, Jun, Jul, Aug, Sep, Oct, Nov, Dec, Jan, Feb, Mar, Apr, May</p>		DESCRIPTION	CHARGE
		Water	61.80
		Superfund Tax	.10
		Sales Tax	4.39
		Previous Balance	
		<b>AMOUNT DUE:</b>	<b>66.29</b>
CURRENT USAGE	LAST BILLING USAGE	LAST YEAR USAGE	
14800	14100	6500	

**MESSAGE:**

IF THERE IS A PREVIOUS BALANCE IT IS DUE May 23, 2011 DISCONNECT IS 8 AM ON May 24, 2011  
Visit [avrawater.com](http://avrawater.com)

Please detach and return bottom portion with your payment

AVRA WATER CO-OP INC.  
11821 W. Picture Rocks Road  
Tucson, AZ 85743-9376

If paying by one of these credit cards, please enter the information on the reverse side.			
MASTER CARD <input type="checkbox"/>	DISCOVER <input type="checkbox"/>	VISA <input type="checkbox"/>	AMERICAN EXPRESS <input type="checkbox"/>
DUE DATE	ACCOUNT NUMBER	AMOUNT	
06/10/2011	1.210.200.01	66.29	
INDICATE AMOUNT PAID \$			

23 \*\*\*\*\*AUTO\*\*SCH 5-DIGIT 85742  
Crandell, Rick D.  
9975 W INA RD  
TUCSON, AZ 85743-9394

1  
1



1 2 1 0 2 0 0 0 1 8 0 0 0 0 0 6 6 2 9 0

**Water Rates:**

**Monthly Base rate charge: Zero usage**

Meter size:	Base Rate
5/8 x 3/4 (Standard Size)	\$28.29
3/4 x 3/4	\$42.44
1 inch	\$70.73

**Commodity Rates: Per Thousand**

Meter size: 5/8 x 3/4 & 3/4 x 3/4 Cost:	
From 1 to 8500 gal	\$2.20
8,501 to 16,500	\$2.35
Over 16,500 gals	\$2.50
1 inch and larger 1 to 20,000 gals	\$2.20
20,001 to 40,000	\$2.35
Over 40,000 gals	\$2.50

Multiple Dwellings on one meter, which is a Master Meter, will be charged the full base rate for the first connection, the second or more connections will be charged 50% of the base rate for the size meter. Responsibility for payment remains with the first dwelling master meter.

**Rates:** Rates for Water are authorized and regulated by the Arizona Corporation Commission ACC's phone number is 520-628-6550 or 800-535-0148

**Payment Options:** For your convenience we have several options to pay your bills.

1. Deposit box across the driveway from the front door
2. **Online payments with [xpressbillpay.com](http://xpressbillpay.com)**
3. **Auto pay** we will deduct your water bill from your checking account, savings accounts or credit/debit card on the same day every month. Come into the office and fill out the Auto payment form.
4. Come into the office and pay.
5. Mail bills to the office 3 to 4 days before the due date.

Please Check box to indicate which card you are using.

MasterCard  Name on Card \_\_\_\_\_ Expiration Date \_\_\_\_\_

DISCOVER  Card Number \_\_\_\_\_ Security Code \_\_\_\_\_

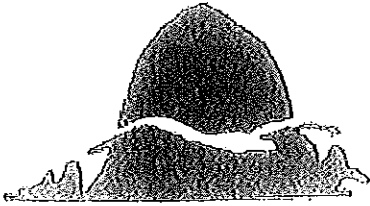
ISA  Billing Address \_\_\_\_\_ Signature \_\_\_\_\_

AMERICAN EXPRESS  If any of the following has changed, please provide the new information.

Your Name \_\_\_\_\_ Spouse's Name \_\_\_\_\_

Your Address \_\_\_\_\_

Email Address \_\_\_\_\_ Your Phone \_\_\_\_\_



# City of Cannon Beach

P.O. Box 368  
Cannon Beach, OR 97110  
xpressbillpay.com  
Phone: 503-436-8080

## Utility Bill

Office Hours  
8 a.m. to 5 p.m. Weekdays

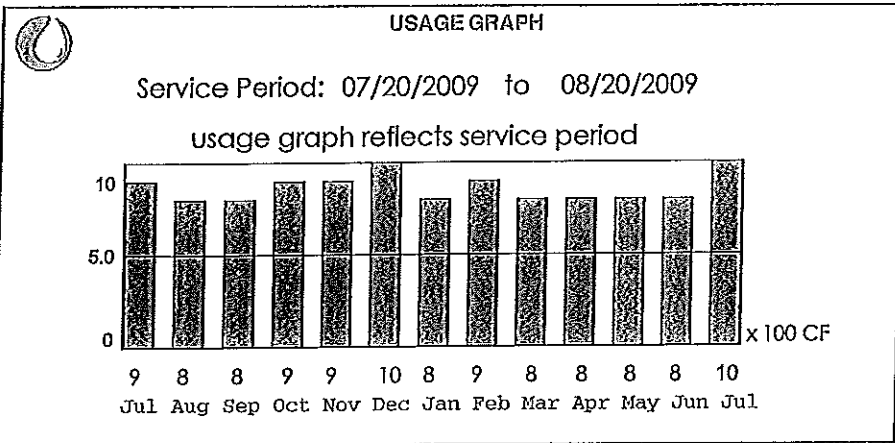
DUE DATE	09/15/2009
Account No.	306.02
Service Address:	
164 W Jefferson	

5\*\*\*\*\*AUTO\*\*5-DIGIT 97110  
Eliza & Scott Davis  
PO Box 1305  
Cannon Beach OR 97110-1305

1 1

Previous Reading	Present Reading	Multiplier	Total Usage
132 cu. ft.	142 cu. ft.	100	1,000 cu. ft.

Total Amount	
Water	33.91
Sewer	46.49
Storm Drain	3.85
PREV BAL	68.39
ADJ	.00
PYMNTS	68.37CR
<b>PAY THIS AMOUNT</b>	<b>84.27</b>



### MESSAGE

Payments received after August 23, 2009 will not be reflected in this statement.

Penalties and interest are assessed on payments received after 5 p.m. on the 15th .

Sewer and storm rate increase effective July 1st.

NEW MONTHLY MINIMUM BILL IS: \$36.67. Basic sewer rate is \$19.25 for 400 c.f.

Excess sewer consumption billed at \$4.54 c.f. Basic storm rate is \$3.85.

△ Detach Here △

Please Return Lower Portion With Your Payment

△ Detach Here △

City of Cannon Beach  
P.O. Box 368  
Cannon Beach, OR 97110  
xpressbillpay.com  
Phone: 503-436-8080

Eliza & Scott Davis  
SERVICE ADDRESS:  
164 W Jefferson

ACCOUNT NUMBER:  
306.02

Payment Due Date
09/15/2009

Amount Due
<b>84.27</b>

Please bill my

Visa  Mastercard  Discover

Card # \_\_\_\_\_

Exp. Date: \_\_\_\_\_ V. Code \_\_\_\_\_

Signature: \_\_\_\_\_

Check box to change mailing address and complete on other side

00003060270000084277

Payments are due and payable on the 15th of each month. Payments received after the 15th are subject to a \$10.00 late payment penalty. If the 15th day of the month falls on a weekend or a holiday, the payment is still due on the 15th and may be deposited in the Utility Drop Box. The Utility Drop Box is located to the left of the main entrance to City Hall at 163 E. Gower St.

**ONLINE UTILITY BILL PAYMENTS**

Our online option, Xpress Bill Pay, saves you time and gives you more flexibility. Also, current and past statements can be viewed online. If you have an Internet connection and an e-mail address, you can pay your bill online using a debit/credit card or your checking account. Go to [www.ci.cannon-beach.or.us](http://www.ci.cannon-beach.or.us) and click on Xpress Bill Pay for more information.

**DIRECT PAY (EFT)**

With this option, residents can automatically pay their monthly utility charge from a checking or savings account via Electronic Funds Transfer or EFT. There are no checks, no stamps, and nothing to "drop off". It's automatic, free and easy. A monthly statement will still be sent to each resident. The Direct Pay form can be found on the City website at [www.ci.cannon-beach.or.us](http://www.ci.cannon-beach.or.us).

**Conversion Information for Cubic Feet to Gallons**

To convert cubic feet to gallons multiply the number of cubic feet by 7.48. Example - 400 cu. ft. x 7.48 = 2,992 gallons.

**PLEASE NOTIFY US OF ANY CHANGES**

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY, STATE, ZIP \_\_\_\_\_

PHONE NUMBER TO CONTACT FOR EMERGENCIES  
\_\_\_\_\_



**CITY OF CEDAR HILLS**

3925 W CEDAR HILLS DR  
CEDAR HILLS UT 84062  
(801) 785-9668  
www.cedarhills.org

**Total Amount Due:**

**\$ 229.04**

Bills are due & payable upon receipt.

Amount Paid:

Account Number

1.0260.1

\$10 Late Fee After

10/01/2009

Service Address:

10043 N WILLOW CT

20 \*AUTO\*\*SCH 5-DIGIT 84042  
Eagar, Kim  
10043 N Willow Ct  
Cedar Hills UT 84062-9629

1 1



Address change on reverse side.

PLEASE RETURN TOP PORTION WITH YOUR PAYMENT



**CITY OF CEDAR HILLS**  
3925 W CEDAR HILLS DR  
CEDAR HILLS UT 84062  
(801)785-9668  
www.cedarhills.org

**BILLING ADDRESS:**

Eagar, Kim  
10043 N Willow Ct  
Cedar Hills UT 84062-9629

Account Number	Previous Balance	Payments Made	Current Charges	Amount Due	\$10 Late Fee After
1.0260.1	207.84	92.32-	113.52	229.04	10/01/2009

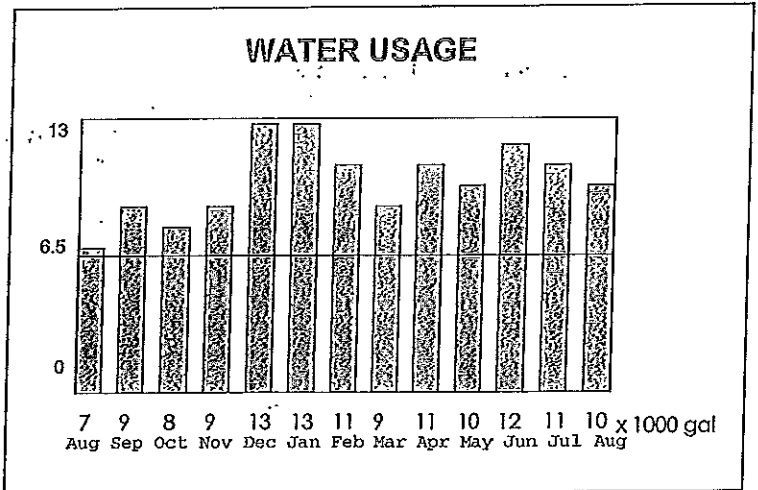
PAYMENTS RECEIVED AFTER THE 1<sup>ST</sup> OF THE MONTH ARE NOT REFLECTED ON THIS BILL

Utility billing cycle from: 08/01/2009 to 08/31/2009 at 10043 N WILLOW CT

AMOUNT	SERVICE CHARGES
18.50	WATER
4.95	CUP
35.40	SEWER
10.92	GARBAGE
5.75	STORM DRAINAGE
12.05	PI USAGE
15.95	PI BASE RATE
10.00	PENALTY
.00	ADJUSTMENTS
92.32-	PAYMENTS
<b>\$ 229.04</b>	<b>PAY THIS AMOUNT</b>

Received By:  
09/01/2009

METER READING		TOTAL GALLONS USED (THOUSANDS)
PREVIOUS	PRESENT	
07/27/2009 211	08/26/2009 221	10



Please read the important information on the back of this bill.

Sewer, Garbage, and Recycling rates have changed due to increased rates from Waste Management and TSSD. Moving forward, your checks may be converted to ACH payment. Tired of late penalties? See the reverse side of this bill for more information about Direct Pay.

Remember bills can be viewed and paid online at [www.cedarhills.org](http://www.cedarhills.org)

Please examine the bill carefully, as it will be considered correct if we are not notified within 30 days.



Change of Mailing Address/Telephone Number			
Name			
Mailing Address			
City	State	Zip	Telephone

**OFFICE LOCATION**  
 3925 W CEDAR HILLS DR  
 CEDAR HILLS UT 84062  
 (801) 785-9668

**OFFICE HOURS**  
 M-Th 8 AM to 5 PM  
 Friday 8 AM to 4 PM  
 (Excluding Holidays)

**WEB SITE INFORMATION**  
[www.cedarhills.org](http://www.cedarhills.org)  
 Send e-mails to:  
[frontdesk@cedarhills.org](mailto:frontdesk@cedarhills.org)

Visit the City Website at [www.cedarhills.org](http://www.cedarhills.org) to find answers to frequently asked questions, billing rates, upcoming events, and other important information.

Payments are due and payable upon receipt of the bill around the 10th of the month and are received without a late charge on the first day of the following month. If the first day of the month falls on a weekend or a holiday, the payment is still due on the first and may be deposited in the Utility Drop Box. The Utility Drop Box is located at the northeast corner of the parking lot of the Public Safety Building at 3925 W Cedar Hills Drive.

**ONLINE UTILITY BILL PAYMENTS**

The online bill payment option, Xpress Bill Pay, saves time and provides more flexibility. Also, current and past statements may be viewed on Xpress Bill Pay. With an Internet connection and an e-mail address, bills may be paid online using a debit or credit card. Go to [www.cedarhills.org](http://www.cedarhills.org) and click on Xpress Bill Pay for more information.

**DIRECT PAY**

With this option, residents may automatically pay the monthly utility charge from a checking or savings account via Electronic Funds Transfer or EFT. There are no checks, no stamps, and nothing to "drop off." It's automatic, free and easy. A monthly statement will still be sent to each resident. The Direct Pay application form may be found on the City Website at [www.cedarhills.org](http://www.cedarhills.org)>>Departments>>Utilities.

**CITY OF CEDAR HILLS BILLING RATES**  
[www.cedarhills.org](http://www.cedarhills.org)>>Departments>>Utilities

Water	<i>PI Connected:</i> Base rate of \$6.00 + usage. Usage as follows: 1-10,000 gallons- \$1.25/K; 10,001-12,000 - \$2.00/K; 12,001—18,000 - \$3.00/K; 18,001+ - \$4.00/K <i>PI Not Connected:</i> Base rate of \$6.00 + usage. Usage as follows: 1-6,000 gallons - \$2.00/K; 6,001—12,000 - \$3.00/K; 12,001—18,000 - \$4.00/K; 18,001+ - \$5.00/K 10,001-13,000 - \$2.00 per 1,000; 13,001 and over - \$3.00 per 1,000
CUP	\$4.95 per month
Sewer	Base rate of \$10.65+ \$2.25 per 1,000 gal of average monthly winter water usage
Garbage	1 Toter - \$10.92, each additional toter - \$7.13
Recycling	1 Toter - \$4.79 per month, each additional toter - \$2.24
PI Usage	Ranging from \$12.05 to \$22.38 per month according to lot size, billed year round
PI Base Rate	\$15.95 per month, billed year round
Storm Drain	\$5.75 per month
Late Fee	\$10.00

**COLLECTION PROCEDURES**

All bills are due and payable upon receipt. Bills not paid by the 1st of the month will be considered delinquent and subject to disconnection. A shutoff notice will be sent out giving customers a date when the utility service will be disconnected if payment has not been made. A final notice will be sent out giving customers 48 hours to pay the past due balance. Please be advised that there will be an additional fee if the final notice is sent to you. THESE ARE THE ONLY NOTICES YOU WILL RECEIVE BEFORE YOUR UTILITIES WILL BE DISCONNECTED. CUSTOMERS WHO ARE ON VACATION, OUT OF TOWN FOR UNFORESEEN CIRCUMSTANCES, ETC. ARE NOT EXEMPT.

# City of Hailey

Office Hours  
9 A.M. to 5 P.M. Monday—Friday  
Except Holidays

115 Main Street South (208) 788-4221  
Suite H (208) 788-2924 Fax  
Hailey, ID 83333



## UTILITY BILL

Service Address:  
841 MAIN ST N

19 \*\*\*\*\*AUTO\*\*5-DIGIT 83333  
PIONEER FEDERAL CREDIT  
841 N MAIN ST  
HAILEY ID 83333-8418

1 1

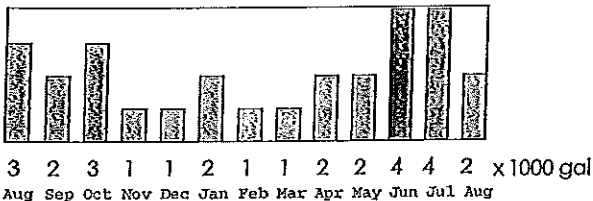
Billing Date	09/01/2009
Due Date	09/25/2009
Total Amt Due	60.13
Amount Paid	
Account Number	4.03750.01

▲ DETACH HERE ▲ PLEASE RETURN TOP PORTION WITH YOUR PAYMENT ▲ DETACH HERE ▲

NAME & SERVICE ADDRESS	SERVICE PERIOD		NO. OF DAYS BETWEEN METER READINGS	ACCOUNT NUMBER
	FROM	TO		
PIONEER FEDERAL CREDIT 841 MAIN ST N	08/01/2009	08/31/2009	30	4.03750.01

METER READINGS		GALLONS USED	CHARGES	UTILITY SERVICE
PREVIOUS	PRESENT			
42	44	WATER 2,000	61.03 61.03CR  11.14 4.45 15.16 6.49 22.89	PREVIOUS BALANCE PAYMENT RECEIVED THIS PERIOD  WATER WATER BOND SEWER SEWER BOND GARBAGE SERVICE
			60.13 60.13	ADJUSTMENTS CURRENT BILLING TOTAL PLEASE PAY THIS AMOUNT

WATER USAGE



Deposit(s) on this account: \$

**MESSAGE:** Choose to pay your bill online, view your account history and select paperless billing at [www.haileycityhall.org](http://www.haileycityhall.org), select Bill Payment tab to register.

School resumed on August 31, 2009.  
Please be aware there is increased vehicle, bicycle and pedestrian traffic during the school year.  
Your personal safety or personal safety of others is important that all travelers keep an eye out for each other.  
With cooler weather our lawns need less water; consider decreasing your watering time accordingly.



sesdofutah.com  
Bill Date: 8/31/2009

• TELEPHONE (801) 465-8020  
• 803 NORTH 500 EAST • P.O. BOX 349  
• PAYSON, UTAH 84651-0349  
• OFFICE HOURS 8:00 A.M. - 5:00 P.M. WEEKDAYS

ACCOUNT NUMBER	SERVICE ADDRESS
116650-01	10563 S 5600 W

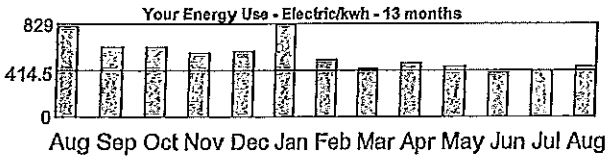
RATE SCHEDULE	SERVICE		DAYS	METER READINGS		KILOWATT-HOURS USED	MULT.	AMOUNT
	FROM	TO		FROM	TO			
1-Res	7/17/2009	8/18/2009	32	3773	4219	446	1	44.15

Res Cust Chrg 5.78  
Yard Lights 12.80  
Sales Tax 2.38

Payments Received 62.17, Thank You

COMPARISONS	DAYS SERVICE	TOTAL KWH	AVG. KWH/DAY	COST PER DAY
CURRENT	32	446	13.94	1.56
LAST MONTH	30	405	13.50	1.57
LAST YEAR	32	802	25.06	2.65

CURRENT CHARGES	65.11
BALANCE FORWARD	0.00



AMOUNT NOW DUE	65.11
<b>DUE DATE</b>	09/21/2009

SESD Public Hearing Tues Sept 8th @12pm on Energy Efficiency Program.

Important Information:  
PAYING YOUR BILL: Please pay this bill as soon as you receive it. Return your payment in the enclosed envelope or in person at the SESD office. PAST DUE BILLS: An unpaid bill becomes delinquent 20 days after billing and subject to 18% APR or 1 1/2% per month penalty. If you are unable to pay this bill, please call the telephone number on the top of this bill or come into the SESD office to discuss a payment agreement. Return Checks: We will charge you a \$15.00 fee if your check is returned from the bank unpaid. To report a POWER OUTAGE: CALL the SESD Office or 465-8053.

CUSTOMER PORTION PLEASE RETAIN THIS COPY FOR YOUR RECORDS

PLEASE TEAR AT PERF

PLEASE DETACH AND RETURN THIS PORTION WITH PAYMENT



P.O. BOX 349 PAYSON, UTAH 84651-0349  
TELEPHONE (801) 465-8020

9 \*\*\*\*\*AUTO\*\*5-DIGIT 84651  
Polley Adams  
10563 S 5600 W  
Payson UT 84651-9634

DUE DATE	09/21/2009
AMOUNT NOW DUE	65.11
ACCOUNT NUMBER	116650-01



\$  
AMOUNT ENCLOSED

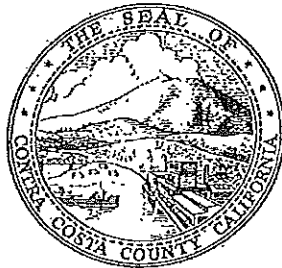
NO BACK UP  
DOCUMENTATION  
FOR THIS AGENDA  
ITEM # H

NO BACK UP  
DOCUMENTATION  
FOR THIS AGENDA  
ITEM # 1

NO BACK UP  
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FOR THIS AGENDA  
ITEM # K

NO BACK UP  
DOCUMENTATION  
FOR THIS AGENDA  
ITEM # L

Byron  
Municipal  
Advisory  
Council



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: 7:05p.m.**  
**Thursday, April 21, 2011**

- 1.) Meeting called to order by Chair Juarez at 7:05 p.m. Council members Della Nina and Beltran present. Absent: Vice Chair Schmit and Council member Lopez.
- 2.) **Public Comment:** Annette and Pete Holdiman discussed their concerns with the design of Marsh Creek Road portion of the Bypass, particularly at the railroad crossing near their driveway due to a lack of visibility and speeding. Jim Gwerder provided an update on the Mariposa Energy Project and thanked the Byron MAC for their approval. A groundbreaking for the project is expected in June. John Milochik, owner of Woodmill Recycling, asked about the Clean-Up Day and offered assistance.
- 3.) **Review of Record of Actions of 1-20-11 meeting:** Council member Della Nina made a motion to accept the Record of Actions as prepared. Second by Vice Chair Juarez. Motion carried 3-0.
- 4.) **Agency Reports**
  - a.) **East Contra Costa Fire Protection District:** No Report
  - 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: Supervisor Piepho continues to advocate for the Delta and testified at a congressional hearing in Fresno on April 11<sup>th</sup>; re-districting is taking place based on the 2010 Census, Public meetings regarding the re-districting proposals are anticipated to be held during the weeks of May 16 and 23; Supervisor Piepho advocated and worked with the Department of Boating and Waterway regarding the treatment of Egeria Densa. Treatment started April 12<sup>th</sup> in Discovery Bay and April 13<sup>th</sup> in Bethel Island. Daily monitoring will take place to ensure there are not effects on crops; the Contra Costa County Board of Supervisors approved the purchase of 2.83 acres off of Technology Way in Brentwood for the future development of an East County Government Center; distributed flyers regarding the upcoming Household Hazardous Waste events hosted by Delta Diablo Sanitation District for East County residents.
- 5.)
  - a.) **Discuss 2011 Byron Community Clean-up Day-June 25, 2011:** Field Representative Cornell will check on the ability of Woodmill Recycling participating. Council member Lopez will lead the event with assistance from Council member Beltran. The Byron MAC will be accepting donations at the event.
  - b.) **Discuss May 2011 Byron MAC meeting:** Chair Juarez reminded the council that she will be unable to attend the May meeting: Council decided to keep the meeting on May 19<sup>th</sup> with the Vice Chair running the meeting.



c.) **Agency Comment Request for a land-use permit renewal for an existing cell site ( approved by LP-99-2011), consisting of a 20-ft. mono-pole, 6 antennas, 2-ft. wide microwave dish, GPS antenna, generator/500 gal. propane tank and lease area at site address 14031 Vasco Road: Motion to approve the application without comment made by Council member Della Nina. Second made by Council member Beltran. Motion carried 3-0.**

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

- a.) R-3/21/11 Supervisor Piepho regarding Byron Union School District's Excelsior Middle School new entrance and former "button-hook" entrance.
- b.) R-3/21/11 Contra Costa County Zoning Administrator Agenda for Monday, March 21, 2011
- c.) R-3/22/11 Contra Costa County Planning Commission notice of meeting cancellation for Tuesday, March 22, 2011
- d.) R-3/29/11 Supervisor Piepho regarding an update from the Department of Conservation and Development regarding the current status of the East Contra Costa Historical Society's land-use permit compliance.
- e.) R-4/4/11 Contra Costa County Zoning Administrator Agenda for Monday April 4, 2011
- f.) R-4/6/11 Supervisor Piepho regarding a staff report for the Contra Costa County Board of Supervisor's Finance Committee regarding Keller Canyon Mitigation Funds.
- g.) R-4/12/11 Contra Costa County Planning Commission Cancellation Notice for Tuesday, April 12, 2011
- h.) R-4/18/11 Contra Costa Zoning Administrator Agenda for Monday, April 18, 2011
- i.) R-4/26 /11 Contra Costa County Planning Commission Agenda for Tuesday, April 26, 2011

**7.) Future Agenda Items:**

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

8.) Adjourned at 7:33 p.m. to next meeting scheduled for May 19, 2011.



TOWN OF DISCOVERY BAY  
RECEIVED

County Supervisor Mary Nejedly Piepho, District III  
CONTRA COSTA COUNTY BOARD OF SUPERVISORS

5-16-11  
In email to Brentwood  
ca

COMMITTEES

May 11, 2011

Internal Operations Committee

Delta Protection Commission

Transportation, Water &  
Infrastructure Committee

Tri Valley Transportation  
Committee

Local Agency Formation  
Commission

Central Contra Costa  
Solid Waste Authority

Airport Committee

Association of Bay Area  
Governments

Contra Costa Regional Medical  
Center Joint Services Committee

Dougherty Valley Oversight  
Committee

South West Area Transportation

Captain James Cahoon  
California Highway Patrol  
5001 Blum Street  
Martinez, CA 94553

Dear Captain Cahoon,

I have received numerous concerns from residents who live along Marsh Creek Road, particularly between the Highway 4 Bypass and Highway 4, regarding speed violators, specifically during commute hours.

I would like to request additional patrol on Marsh Creek Road particularly with regards for violators of the posted speed limit.

Please feel free to contact my office at (925) 240-7260 if you have any questions regarding this or any future item.

As always, it is an honor to work with you in service to the citizens of Contra Costa County.

Sincerely,

MARY N. PIEPHO  
County Supervisor, District III

Mary Nejedly Piepho!

Cc: Kevin Graves, President, Town of Discovery Bay CSD  
Linnea Juarez, Chair, Byron MAC  
Linda Weekes, Chair, Knightsen TAC  
Mayor Bob Taylor, City of Brentwood

MNP: kc



County Supervisor Mary Nejedly Piepho, District III  
CONTRA COSTA COUNTY BOARD OF SUPERVISORS

TOWN OF DISCOVERY BAY  
RECEIVED

5-16-11

Sp/ E-mailed to Board  
CMA Co

COMMITTEES

Internal Operations Committee

Delta Protection Commission

Transportation, Water &  
Infrastructure Committee

Tri Valley Transportation  
Committee

Local Agency Formation  
Commission

Central Contra Costa  
Solid Waste Authority

Airport Committee

Association of Bay Area  
Governments

Contra Costa Regional Medical  
Center Joint Services Committee

Dougherty Valley Oversight  
Committee

South West Area Transportation

May 11, 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 resolution Sheriff Livingston and I coauthored from the May 10, 2011 Board of Supervisors' meeting that I believe will be of interest to the Town of Discovery Bay Community Services District.

The resolution declares May 20th through May 29th, 2011 as National Safe Boating Week in Contra Costa County. As the summer season approaches I remind everyone to be safe in our local waterways and wear life jackets when boating and practice the slogan of "WEAR IT".

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

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

Sincerely,

  
MARY NEJEDLY PIEPHO  
County Supervisor, District III

MNP: kc

The Board of Supervisors of C. 21  
Contra Costa County, California PR.3

In the matter of declaring  
May 20<sup>th</sup> through May 29<sup>th</sup>, 2011 as  
National Safe Boating Week in  
Contra Costa County

RESOLUTION NO. 2011/200

WHEREAS, National Safe Boating Week (NSBW) is a program of the North American Safe Boating Campaign; and

WHEREAS, National Safe Boating Week aims at spreading the message of boating safety, encourages boater education and helps to save lives; and

WHEREAS, Contra Costa County Sheriff's Marine Patrol Unit reported in 2010, 1,272 calls for service, 12 persons rescued from our waterways, 23 vessel accidents investigated, 997 vessel inspections conducted, 749 citations issued, 18 subjects arrested for Boating Under the Influence, 57 criminal offenders arrested, 30 stolen vessels recovered, 60 hazards to navigation were identified for removal, and 2,703 security checks of marine Critical Infrastructure and Key Resources; and

WHEREAS, in 2010 the Marine Services Unit investigated two fatal vessel collisions, one in Dutch Slough near Bethel Island and the other in Brickyard Cove near Richmond; and

WHEREAS, in 2010 the Marine Services Unit investigated three drowning deaths, in Dutch Slough near Bethel Island near Pittsburg Marina, and Windward Point near Discovery Bay; and

WHEREAS, on average, 700 people die each year in boating-related accidents in the United States; nearly 70% of these are fatalities caused by drowning and a significant number of these boaters would be alive today had they worn their life jackets; and

WHEREAS, in 2010, 164 free vessel exams were performed by Flotilla vessel examiners; and

WHEREAS, Flotilla 57 of Contra Costa County will continue its efforts to educate the boating public by offering boating classes and free vessel examinations, promoting safe boating and encouraging individuals to wear their life jackets.

NOW, THEREFORE, BE IT RESOLVED that the Contra Costa County Board of Supervisors does hereby designate the week of May 20th through May 29th, 2011 as National Safe Boating Week in Contra Costa County and urges all users of all in-land lakes, rivers, Carquinez Straits, and the San Francisco Bay to safeguard their lives by wearing life jackets when boating, attend a safe boating course, exercise safe boating practices, and adopt the slogan of "WEAR IT."

PASSED by a unanimous vote of the Board of Supervisors members present this 10<sup>th</sup> day of May, 2011.

*Gayle B. Uilkema*  
GAYLE B. UILKEMA

Chair  
District II Supervisor

*John Gioia*  
JOHN GIOIA  
District I Supervisor

*Mary N. Piepho*  
MARY N. PIEPHO  
District III Supervisor

*Karen Mitchoff*  
KAREN MITCHOFF  
District IV Supervisor

*Federal D. Glover*  
FEDERAL D. GLOVER  
District V Supervisor



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: May 10, 2011

DAVID TWA, Clerk of the Board of Supervisors and County Administrator

By *[Signature]* Deputy

Introduced by Supervisor Mary N. Piepho



5-16-11  
5/17 E-mailed to Board  
CML

**County Supervisor Mary Nejedly Piepho, District III**

**CONTRA COSTA COUNTY BOARD OF SUPERVISORS, VICE CHAIR**

**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

TRANSPLAN, East County Transportation Planning

May 12, 2011

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

Dear President Graves,

Please find herewith recent correspondence received by my office from the Contra Costa County Public Works Department in response to questions my office received from a Discovery Bay resident concerning landscaping zones in the Discovery Bay community. I have also included for your reference the constituent's original email.

Please feel free to contact my office should you have any questions regarding this or any future matter at (925) 240-7260.

As always, it is an honor to work with you in service to the constituents of Discovery Bay.

Sincerely,

MARY NEJEDLY PIEPHO  
County Supervisor, District III




Contra Costa County  
Public Works  
Department

Julia R. Bueren, Director  
Deputy Directors  
R. Mitch Avalon  
Brian M. Balbas  
Stephen Kowalewski

**MEMO**

**DATE:** May 9, 2011

**TO:** Karyn Cornell, Field Representative  
**FROM:** Susan Cohen, Special Districts Manager   
**SUBJECT:** Response to 4/15/2011 e-mail from Mr. Barber

As requested, below are responses to the questions posed by Mr. Barber in the attached email sent on April 15, 2011.

A. *Does the County have a 'best practices' set of recommendations, guidelines and objectives for the various unincorporated areas?*

County Public Works – Special Districts manages landscaped areas pursuant to the guidelines set forth in the County Landscape Standards. A copy can be sent if you would like, or you can locate this document on the Public Works website (<http://ca-contracostacounty.civicplus.com/index.aspx?nid=2147>). Special Districts maintains the parks and landscape parkway strips in the unincorporated areas with a variety of County General Services crews, private contractors, or local municipal agencies. In the Discovery Bay area, Special Districts contracts with the Discovery Bay Community Services District (CSD) for the maintenance of landscaping/parks in the area (Countywide Landscaping District Zones 35, 57, and 61). Special Districts staff use judgment when applying the Landscape Standards to the various areas we manage, and often defer to the local communities to establish the levels of service for maintenance. The unincorporated communities are quite varied and do not necessarily fit into a set of rules and uniformity. What works for one community might not work for another.

B. *Is there a reason for not putting all of the landscaping zones in Discovery Bay into one ownership/control structure?*

At this time, the landscaping features in Discovery Bay include the following:

• **Zone 35** (Sandy Cove Shopping Center)

Landscaping, irrigation, pedestrian trail and related improvements located within the public right-of-way and trail easements;

1. Three (3) Bixler Road median islands adjacent to Sandy Cove Shopping Center; and
2. A pedestrian trail between the Sandy Cove Shopping Center and Newport Drive including two (2) footbridges and necessary appurtenances.

• **Zone 57** (Pacific Waterways)

Landscaping, irrigation and related improvements within the public right-of-way, landscape and pedestrian pathway easements, Grant Deeded parking bay parcels, and Grant Deeded park parcel:

1. Regatta Park (AKA Tyler Memorial Park, located on Sailboat Drive);
2. Public right-of-way along Highway 4 and Bixler Road, fronting Subdivisions 7679, 7907, 7908, 7909 and 7881, totaling approximately 3,680 linear feet;
3. Porthole Drive medians and frontage on both sides of approximately 340 linear feet each (totaling 1,020 linear feet);
4. Entry area at Bixler Road and Regatta;
5. Parking bays and associated landscape; and
6. A short pedestrian path connecting Yacht Drive to Bixler Road.

• **Zone 61** (Discovery Bay West)

Landscaping, irrigation, recreational facilities and related improvements along the following roadways and within the following parks:

1. The public right-of-way frontage and medians along Newport Drive from Bixler Road to Newport Lane;
2. The public right-of-way frontage and medians along all of Preston Drive;
3. Frontage along both sides of Point of Timber Road adjacent to the Discovery Bay West development;
4. Slifer Park;
5. Landscaping associated with the Park-n-Ride Lot;
6. Open Space Parcels 'E' & 'J'; and
7. Frontages along Bixler Road Village I, Bixler Road Village II, Bixler Road Village III and Bixler Road Village IV.

These three landscaping zones in Discovery Bay are a mixture of roadway landscaping (landscaped medians and parkway strips) as well as parks. Contracting directly with the Discovery Bay Community Services District for the maintenance for the landscaping in the zones has provided some initial control by the CSD for the level of maintenance in the area.

A complete transfer of the three landscaping zones from Special Districts to the Discovery Bay CSD could provide for an efficient means of governance, however, the CSD does not have the legal authority to assume the roads in Discovery Bay. Therefore, the features within the zones that are within the road right-of-way (landscape medians and parkway strips) cannot be transferred to the CSD.

SC:jh  
G:\spdist\Administration\Correspondence\2011\response to Mr. Barber 4-15-2011 revised.doc

Cc: B. Balbas, Public Works  
W. Lai, Engineering Services  
M. Wara, Administration

Subject: question

Date: Friday, April 15, 2011 11:31:06 AM PT

From: Jeff Barber

To: Karyn Cornell

CC: Rick Howard

Karyn,

If I did not thank you for the info re the Alamo Parks & Rec function I must do so as what was provided I found to be quite informative and thought provoking. In fact, based on what I learned I have made a (no cost) recommendation to the DB CSD that I hope will enhance the visibility and utility of this area of great tax consumption and of great community benefit.

But as I said the information was thought provoking and it causes me to ask two more questions of the county.

1, Does CCC have a 'best practices' set of recommendations, guidelines and objectives for the various unincorporated areas of the county? It seems to me that many important programs and functions are somewhat of a hodgepodge and have evolved without consistency and without the benefit of modernization/upgrading to keep pace with change and growth. Certainly the various local parks/rec methodology is an example as would be the various CSD structures. You are probably aware of many more than I am. Are 'best practices' in unincorporated areas a county concern?

2. Over the last couple years, including very recently, I have heard it said by at least five DB CSD employees or Directors that they desire all of the DB landscaping zones to be homologated by the county to be under DB CSD ownership just like Zones 8 & 9. In the same breath they have all said, for no stated reason, this has been long requested and the county is not making it happen and they don't expect it to happen imminently. So I have to ask, is there a reason for not putting all the Landscaping Zones within DB into the same ownership/control structure? Is there something that I (and the rest of the DB folks) am not aware of that makes this not a good idea? If it is in-process is there a reason that it is taking so long without an anticipated resolution date? Based on what these five have said, making the change would improve efficiency and make their jobs easier. Is this an example of government bureaucracy at its finest or is there something else going on? Is this going to happen real soon and maybe the local folks have not been informed? As you know right now is budget preparation time and I would think putting this change in place for the upcoming budget cycle would most efficient.

So based on my question(s) above I'm inclined to submit a Public Records Request (PRR) seeking all county records and correspondence related to the DB CSD's desire to own all of the Landscaping Zones they presently have the responsibility to maintain. I have found the PRR process to be a very effective way to understand various matters and ferret out underlying issues. I do however recognize the challenges related to PRRs so at this time I will hold off on my request until you have had a chance to respond to this email by providing to me some specific insight into what is really going on with these Landscaping Zones and with the DB CSD's desire for uniformity.

Please understand my questions and concern in all this is related to not taking everything I'm told by the DB CSD folks at face value and, most importantly, wanting to see my tax dollars having maximum benefit to the community in which I live.

Thanks,





TOWN OF DISCOVERY BAY  
RECEIVED  
5-16-11  
\$17 E-mail to Board  
GM

County Supervisor Mary Nejedly Piepho, District III  
CONTRA COSTA COUNTY BOARD OF SUPERVISORS

COMMITTEES

Internal Operations Committee

Delta Protection Commission

Transportation, Water & Infrastructure Committee

Tri Valley Transportation Committee

Local Agency Formation Commission

Central Contra Costa Solid Waste Authority

Airport Committee

Association of Bay Area Governments

Contra Costa Regional Medical Center Joint Services Committee

Dougherty Valley Oversight Committee

South West Area Transportation

May 12, 2011

Sheriff- Coroner David O. Livingston  
Contra Costa County  
651 Pine Street, 7<sup>th</sup> Floor  
Martinez, CA 94513

Dear Sheriff Livingston,

I am writing with regards to the funding for the School Resource Officer (SRO) for the Byron Union School District. As you are aware the current grant funding for the SRO program expires at the end of the current school year.

At the May 10, 2011 Discovery Bay P-6 Zones Citizens Advisory Committee (DB P-6 Zones CAC) meeting the members voted unanimously to recommend to the Contra Costa County Sheriff's Department and Board of Supervisors that Discovery Bay P-6 Zone monies fund the SRO position for one year beginning June 2011 through June 2012. As this is an advisory recommendation from the Discovery Bay P-6 Zones Citizens' Advisory Committee, I respectfully bring forward their request and ask for your support that would preserve and protect an important component of Discovery Bay community safety.

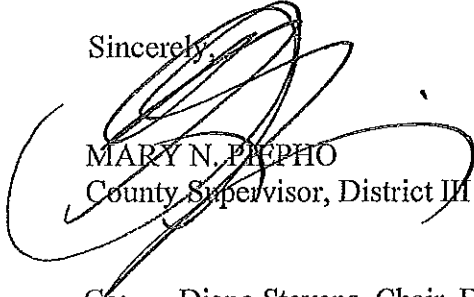
At the DB P-6 Zones CAC meeting the Committee members spoke of the significant benefit the SRO program and leadership brings to the schools and the community. I too share their sentiments regarding this vital program and the significant positive impacts it has provided to the students, the school campuses and the community at large.

Additionally, per the Committee's discussions on this matter, there is a request that during the timeframe the Byron Union School District campuses are not in session, the SRO should work from the Discovery Bay Sheriff's annex. The P-6 Committee also requested that the Byron Union School District continue to pursue special grant or school district funding for the SRO position.

I look forward to hearing from you regarding this recommendation from the Discovery Bay P-6 Zone Citizen Advisory Committee and your suggestions for funding of the Byron Union School District's SRO for June 2011 through June 2012.

As always, it is an honor to work with you in service to the constituents of Discovery Bay and Contra Costa County.

Sincerely,

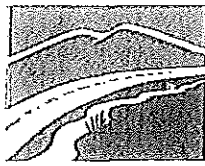


MARY N. PREPHO  
County Supervisor, District III

*Many thanks!*  
*M.*

Cc: Diane Stevens, Chair, Discovery Bay P-6 Zone CAC ✓  
Kevin Graves, Chair, Town of Discovery Bay CSD ✓  
Linnea Juarez, Chair, Byron Municipal Advisory Council  
Elaine Landro, President, Byron Union School District  
Board of Trustees

MNP: kc




Contra Costa County  
Public Works  
Department

Julia R. Bueren, Director  
Deputy Directors  
R. Mitch Avalon  
Brian M. Balbas  
Stephen Kowalewski

MEMO

DATE: May 9, 2011

TO: Karyn Cornell, Field Representative  
FROM: Susan Cohen, Special Districts Manager   
SUBJECT: Response to 4/15/2011 e-mail from Mr. Barber

As requested, below are responses to the questions posed by Mr. Barber in the attached email sent on April 15, 2011.

A. *Does the County have a 'best practices' set of recommendations, guidelines and objectives for the various unincorporated areas?*

County Public Works – Special Districts manages landscaped areas pursuant to the guidelines set forth in the County Landscape Standards. A copy can be sent if you would like, or you can locate this document on the Public Works website (<http://ca-contracostacounty.civicplus.com/index.aspx?nid=2147>). Special Districts maintains the parks and landscape parkway strips in the unincorporated areas with a variety of County General Services crews, private contractors, or local municipal agencies. In the Discovery Bay area, Special Districts contracts with the Discovery Bay Community Services District (CSD) for the maintenance of landscaping/parks in the area (Countywide Landscaping District Zones 35, 57, and 61). Special Districts staff use judgment when applying the Landscape Standards to the various areas we manage, and often defer to the local communities to establish the levels of service for maintenance. The unincorporated communities are quite varied and do not necessarily fit into a set of rules and uniformity. What works for one community might not work for another.

B. *Is there a reason for not putting all of the landscaping zones in Discovery Bay into one ownership/control structure?*

At this time, the landscaping features in Discovery Bay include the following:

- **Zone 35** (Sandy Cove Shopping Center)  
Landscaping, irrigation, pedestrian trail and related improvements located within the public right-of-way and trail easements;
  1. Three (3) Bixler Road median islands adjacent to Sandy Cove Shopping Center; and
  2. A pedestrian trail between the Sandy Cove Shopping Center and Newport Drive including two (2) footbridges and necessary appurtenances.

*"Accredited by the American Public Works Association"*  
255 Glacier Drive Martinez, CA 94553-4825  
TEL: (925) 313-2000 • FAX: (925) 313-2333  
[www.cccpublicworks.org](http://www.cccpublicworks.org)

◦ **Zone 57** (Pacific Waterways)

Landscaping, irrigation and related improvements within the public right-of-way, landscape and pedestrian pathway easements, Grant Deeded parking bay parcels, and Grant Deeded park parcel:

1. Regatta Park (AKA Tyler Memorial Park, located on Sailboat Drive);
2. Public right-of-way along Highway 4 and Bixler Road, fronting Subdivisions 7679, 7907, 7908, 7909 and 7881, totaling approximately 3,680 linear feet;
3. Porthole Drive medians and frontage on both sides of approximately 340 linear feet each (totaling 1,020 linear feet);
4. Entry area at Bixler Road and Regatta;
5. Parking bays and associated landscape; and
6. A short pedestrian path connecting Yacht Drive to Bixler Road.

◦ **Zone 61** (Discovery Bay West)

Landscaping, irrigation, recreational facilities and related improvements along the following roadways and within the following parks:

1. The public right-of-way frontage and medians along Newport Drive from Bixler Road to Newport Lane;
2. The public right-of-way frontage and medians along all of Preston Drive;
3. Frontage along both sides of Point of Timber Road adjacent to the Discovery Bay West development;
4. Slifer Park;
5. Landscaping associated with the Park-n-Ride Lot;
6. Open Space Parcels 'E' & 'J'; and
7. Frontages along Bixler Road Village I, Bixler Road Village II, Bixler Road Village III and Bixler Road Village IV.

These three landscaping zones in Discovery Bay are a mixture of roadway landscaping (landscaped medians and parkway strips) as well as parks. Contracting directly with the Discovery Bay Community Services District for the maintenance for the landscaping in the zones has provided some initial control by the CSD for the level of maintenance in the area.

A complete transfer of the three landscaping zones from Special Districts to the Discovery Bay CSD could provide for an efficient means of governance, however, the CSD does not have the legal authority to assume the roads in Discovery Bay. Therefore, the features within the zones that are within the road right-of-way (landscape medians and parkway strips) cannot be transferred to the CSD.

SC:jh  
G:\spdist\Administration\Correspondence\2011\response to Mr. Barber 4-15-2011 revised.doc

Cc: B. Balbas, Public Works  
W. Lai, Engineering Services  
M. Wara, Administration

## Rick Howard

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**From:** Karyn Cornell [Karyn.Cornell@bos.cccounty.us]  
**Sent:** Tuesday, May 10, 2011 1:28 PM  
**To:** Jeff Barber  
**Cc:** Rick Howard  
**Subject:** Re: question  
**Attachments:** response to Mr. Barber 4-15-2011 revised[4].pdf

Jeff,

Please find attached a memo from the Contra Costa County Public Works Department that responds to your questions in the below email.

Karyn Cornell  
East County Field Representative  
Supervisor Mary Nejedly Piepho  
Contra Costa County, District III  
181 Sand Creek Road Suite L  
Brentwood, CA 94513  
Ph: (925) 240-7260  
fax: (925) 240-7261

On 4/15/11 11:31 AM, "Jeff Barber" <[jeffbarber@me.com](mailto:jeffbarber@me.com)> wrote:

>Karyn,

>

>If I did not thank you for the info re the Alamo Parks & Rec function I  
>must do so as what was provided I found to be quite informative and  
>thought provoking. In fact, based on what I learned I have made a (no  
>cost) recommendation to the DB CSD that I hope will enhance the  
>visibility and utility of this area of great tax consumption and of  
>great community benefit.

>

>But as I said the information was thought provoking and it causes me to  
>ask two more questions of the county.

>

>1, Does CCC have a 'best practices' set of recommendations, guidelines  
>and objectives for the various unincorporated areas of the county? It  
>seems to me that many important programs and functions are somewhat of  
>a hodgepodge and have evolved without consistency and without the  
>benefit of modernization/upgrading to keep pace with change and growth.  
>Certainly the various local parks/rec methodology is an example as  
>would be the various CSD structures. You are probably aware of many more than I am.  
>Are 'best practices' in unincorporated areas a county concern?

>

>2. Over the last couple years, including very recently, I have heard it  
>said by at least five DB CSD employees or Directors that they desire  
>all of the DB landscaping zones to be homologated by the county to be  
>under DB CSD ownership just like Zones 8 & 9. In the same breath they  
>have all said, for no stated reason, this has been long requested and  
>the county is not making it happen and they don't expect it to happen

>imminently. So I have to ask, is there a reason for not putting all the  
>Landscaping Zones within DB into the same ownership/control structure?  
>Is there something that I (and the rest of the DB folks) am not aware  
>of that makes this not a good idea? If it is in-process is there a  
>reason that it is taking so long without an anticipated resolution  
>date? Based on what these five have said, making the change would  
>improve efficiency and make their jobs easier. Is this an example of  
>government bureaucracy at its finest or is there something else going  
>on? Is this going to happen real soon and maybe the local folks have  
>not been informed? As you know right now is budget preparation time and  
>I would think putting this change in place for the upcoming budget cycle would most  
efficient.

>  
>So based on my question(s) above I'm inclined to submit a Public  
>Records Request (PRR) seeking all county records and correspondence  
>related to the DB CSD's desire to own all of the Landscaping Zones they  
>presently have the responsibility to maintain. I have found the PRR  
>process to be a very effective way to understand various matters and  
>ferret out underlying issues. I do however recognize the challenges  
>related to PRRs so at this time I will hold off on my request until you  
>have had a chance to respond to this email by providing to me some  
>specific insight into what is really going on with these Landscaping  
>Zones and with the DB CSD's desire for uniformity.

>  
>Please understand my questions and concern in all this is related to  
>not taking everything I'm told by the DB CSD folks at face value and,  
>most importantly, wanting to see my tax dollars having maximum benefit  
>to the community in which I live.

>  
>Thanks,  
>  
>jb