



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

President - Chris Steele • Vice-President - Kevin Graves • Director - Jim Mattison • Director - Mark Simon • Director - Ray Tetreault

**NOTICE OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
TOWN OF DISCOVERY BAY CSD**
Wednesday August 15, 2012
REGULAR MEETING 7:00 P.M.
1800 Willow Lake Road, Discovery Bay, California
Website address: www.todb.ca.gov

REGULAR MEETING 7:00 P.M.

- A. ROLL CALL AND PLEDGE OF ALLEGIANCE**
1. Call business meeting to order 7:00 p.m.
 2. Pledge of Allegiance
 3. Roll Call
- B. PUBLIC COMMENTS (Individual Public Comments will be limited to a 3-minute time limit)**
During Public Comments, the public may address the Board on any issue within the District's jurisdiction which is not on the agenda. The public may comment on any item on the Agenda that is before the Board for consideration. 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. PRESENTATIONS**
- D. PRESIDENT REPORT AND DIRECTORS' COMMENTS**
- 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 Public Financing Authority meeting dated August 1, 2012
 2. Minutes of previous Special meeting dated August 1, 2012.
 3. Minutes of previous Regular meeting dated August 1, 2012
 4. District Invoices
 5. Discovery Bay Boulevard Roadway Banners -- American Hero's
 6. Action Memorializing Resolution No. 2012-19 by Adopting Resolution No. 2012-20
- F. PUBLIC HEARING to Consider the Following**
1. Adopt and Approve Resolution 2012-21 for the Conflict of Interest Code Amendment for 2012
- G. NEW BUSINESS AND ACTION ITEMS**
1. Consideration of Draft Letter to Governor Brown Opposing the Peripheral Canal Project
- H. VEOLIA REPORT**
- I. MANAGER'S REPORTS**
1. Landscape Managers Report
- J. GENERAL MANAGER'S REPORT**
- K. DISTRICT LEGAL COUNSEL REPORT**
- L. COMMITTEE UPDATES**

M. CORRESPONDENCE-Discussion and Possible Action

1. R – East Contra Costa Fire Protection District meeting minutes dated June 25, 2012
2. S – Letter to Contra Costa County Airports regarding Comment Request -- Airport Master Plan -- Proposed use of the Mariposa Community Benefit Fund for Byron Airport Improvements
3. R – Transplan Committee meeting minutes dated June 14, 2012
4. R – State Route 4 Bypass Authority meeting minutes dated June 14, 2012
5. S – Letter to Contra Costa County Department of Conservation and Development regarding Pantages Bay Development Draft EIR SCH #2007-052130

N. PUBLIC RECORD REQUESTS RECEIVED

1. Request from David Piepho – Don Flint's PRR – Request date July 27, 2012

O. FUTURE AGENDA ITEMS

P. ADJOURNMENT

Adjourn to next Regular meeting of September 5, 2012 starting at 7:00pm at 1800 Willow Lake Road-Located behind the 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."

DISCOVERY BAY PUBLIC FINANCING AUTHORITY

Chairperson - Chris Steele • Vice-Chairperson - Kevin Graves • Director - Jim Mattison • Director - Mark Simon • Director - Ray Tetreault

MINUTES OF THE SPECIAL MEETING OF THE
BOARD OF DIRECTORS OF THE
DISCOVERY BAY PUBLIC FINANCING AUTHORITY
Wednesday August 1, 2012
SPECIAL MEETING 7:00 P.M.
1800 Willow Lake Road, Discovery Bay, California
Website address: www.todb.ca.gov

SPECIAL MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

Call business meeting to order – 7:26 p.m. by President Steele
Pledge of Allegiance – Led by President Steele
Roll Call – All Present

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

There was one (1) Public Comment Speaker

C. CONSENT CALENDAR

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

1. Minutes of previous Discovery Bay Public Financing Authority meeting dated July 18, 2012

Motion by: Director Simon to approve the Consent Calendar

Second by: Director Tetreault

Vote: Motion Carried – AYES: 5, NOES: 0

D. NEW BUSINESS AND ACTION ITEMS

1. Adoption of the Discovery Bay Public Financing Authority Resolution 2012-02 for the Proposed Series 2012 Enterprise Revenue Bonds

General Manager Howard – Provided details of item D-1

Cameron Weist, Weist Law Firm – Provided additional details of item D-1

There was discussion between Cameron Weist, the General Manager, and the Board

Motion by: Vice-President Graves to adopt the Public Financing Authority Resolution 2012-02 for Proposed Series 2012 Enterprise Revenue Bonds, and additional motion to approve the Recommended Action as provided in the

Agenda Report – Items one (1), two (2), and three (3)

Second by: Director Simon

Vote: Motion Carried – AYES: 5, NOES: 0

E. CHAIR'S REPORT AND MEMBER'S COMMENTS

None

F. LEGAL COUNSEL REPORT

Legal Counsel Schroeder – This was quite an undertaking and compliments to Cameron Weist, Dan Massiello, and the Committee as well as the General Manager, Rick Howard for their hard work.

G. ADJOURNMENT

The meeting adjourned at 7:51 p.m. at 1800 Willow Lake Road

//cmc – 08.08.12

<http://www.todb.ca.gov/content/agenda-and-minutes/>



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

President - Chris Steele • Vice-President - Kevin Graves • Director - Jim Mattison • Director - Mark Simon • Director - Ray Tetreault

MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY CSD
Wednesday August 1, 2012
1800 Willow Lake Road, Discovery Bay, California
SPECIAL MEETING 6:30 P.M.
Website address: www.todb.ca.gov

SPECIAL MEETING AT 6:30 P.M.

- A. ROLL CALL
Call business meeting to order -- 6:32 p.m. by President Steele
Roll Call -- All Present
- B. PUBLIC COMMENT
None
- C. OPEN SESSION DISCLOSURE OF CLOSED SESSION AGENDA
(Government Code Section 54957.7)
Legal Counsel Schroeder -- The Board is now adjourning into a Closed Session regarding action item D-1. There are no facts or circumstances for disclosure other than what is in the Agenda.
- D. CLOSED SESSION:
1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS Government Code Section 54956.8
Property: 10+/- acres -- APN 008-200-014 and 008-200-011 (Discovery Bay Athletic Club site)
Agency Negotiator: General Manager, Rick Howard
Negotiating parties: (Pilati Farms and Randy Prince)
Under negotiation: instruction to negotiator will concern price and terms of payment.
- E. RETURN TO OPEN SESSION: REPORT ON CLOSED SESSION
(Government Code Section 54957.1)
Legal Counsel Schroeder -- The Board has reconvened from Closed Session regarding action item D-1, all five (5) Board Members were present during the duration of the Closed Session, and there is no reportable action at this time.
- F. ADJOURNMENT:
The meeting adjourned at 7:18 p.m. to the Regular Meeting on August 1, 2012 at 7:00 p.m. on 1800 Willow Lake Road

//cmc -- 08.02.12

<http://www.todb.ca.gov/content/agenda-and-minutes/>



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

President - Chris Steele • Vice-President - Kevin Graves • Director - Jim Mattison • Director - Mark Simon • Director - Ray Tetreault

MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
TOWN OF DISCOVERY BAY CSD
Wednesday August 1, 2012
REGULAR MEETING 7:00 P.M.
1800 Willow Lake Road, Discovery Bay, California
Website address: www.todb.ca.gov

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

Call business meeting to order – 7:52 p.m. by President Steele
Pledge of Allegiance – Led by President Steele
Roll Call – All Present

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

None

C. PRESENTATIONS

None

D. AREA AGENCIES REPORTS / PRESENTATION

1. SHERIFF'S OFFICE REPORT

Lieutenant Alan Johnson – Provided the law enforcement report for the month of June and July
There was discussion between Lieutenant Johnson and the Board. There was one (1) Public Comment Speaker

2. CHP REPORT – No Report

3. FIRE DISTRICT REPORT – No Report

4. EAST CONTRA COSTA FIRE PROTECTION DISTRICT REPORT – No Report

5. SUPERVISOR MARY PIEPHO, DISTRICT III REPORT – No Report

E. COMMITTEE/LIAISON REPORTS

1. Trans-Plan Report – No Report

2. County Planning Commission Report – No Report

3. Code Enforcement Report

General Manager Howard – Provided details from the Code Enforcement meeting dated July 26, 2012

4. Special Districts Report** – No 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 July 18, 2012

2. District Invoices

3. Adoption of the Town of Discovery Bay CSD Resolution 2012-17 for the Proposed Series 2012 Enterprise Revenue Bonds

4. Approval of First Amendment to Employment Contract with General Manager

5. Purchase of 2012 Ford Escape

There was one (1) Public Comment Speaker

Motion by: By Director Simon to approve the Consent Calendar

Second by: Director Tetreault

Vote: Motion Carried – AYES: 5, NOES: 0

G. PUBLIC HEARING to Consider the Following

1. **Town of Discovery Bay CSD Water and Wastewater Service Charges Report for the Fiscal Year 2012-2013; continue Collection of the charges on the County Tax Roll and adoption of Resolution No. 2012-19**

General Manager Howard – Provided details on item G-1

There was discussion between the General Manager and the Board

President Steele – Opened the Public Hearing for Public Comment

There was no Public Comment

President Steele – Closed the Public Hearing

Motion by: Director Mattison to lower the Town of Discovery Bay CSD Water Rate by 5%

Second by: Vice-President Graves

Vote: Motion Carried – AYES: 5, NOES: 0

Motion Amended by: Director Tetreault to Approve Resolution 2012-19 with the amendments of the previous motion

Second by: Director Simon

Vote: Motion Carried – AYES: 5, NOES: 0

2. **Town of Discovery Bay CSD Ravenswood Landscape Zone #9, Park, Lighting and Open Space Improvements District Assessments Report for the Fiscal Year 2012-2013; continue Collection of Assessments on County Tax Roll and adoption of Resolution No. 2012-18**

General Manager Howard – Provided details on item G-2

President Steele – Opened the Public Hearing for Public Comment

There was no Public Comment

President Steele – Closed the Public Hearing

Motion by: Vice-President Graves to accept Resolution 2012-18 with regards to the Ravenswood Landscape Zone #9

Second by: Director Mattison

Vote: Motion Carried – AYES: 5, NOES: 0

H. NEW BUSINESS AND ACTION ITEMS

General Manager Howard – Items H-1 and H-2 discussed in reverse order

1. **Contra Costa County Airports Comment Request – Airport Master Plan – Proposed use of the Mariposa Community Benefit Fund for Byron Airport Improvements**

General Manager Howard – Provided details on item H-1

There was discussion between the General Manager and the Board

Motion by: Director Tetreault to direct Staff to draft a letter with no negative comment

Second by: Director Simon

Vote: Motion Carried – AYES: 5, NOES: 0

2. **Review "Draft" Town of Discovery Bay Community Services District Capacity Fee Program**

General Manager Howard – Introduced Tom Gaffney with Bartle Wells Associates and also provided details on item H-2

Tom Gaffney with Bartle Wells Associates – Provided additional details on item H-2

There was discussion between Tom Gaffney, the General Manager, and the Board

General Manager Howard – Staff will bring the final document to the first meeting of September

There was one (1) Public Comment Speaker

Hofmann Company – David Lennon – Provided additional details on item H-2

General Manager Howard – Staff is not requesting action at this time, feedback only

I. PRESIDENT REPORT AND DIRECTORS' COMMENTS

Director Simon – Provided details in regards to the Chase Bank ATM project being turned down

1. **Discussion regarding the Peripheral Canal Impact**

President Steele – Provided details on item I-1

There was discussion between the General Manager and the Board

The Board requested that a letter be sent to Governor Brown and other Agencies in regards to the Peripheral Canal Impact

There was (1) Public Comment Speaker

J. MANAGER'S REPORT

None

K. GENERAL MANAGER'S REPORT

1. **Consideration of Monthly Newspaper Article**

General Manager Howard – Provided details on item K-1

There was discussion between the General Manager, Legal Counsel, and the Board

Motion by: Director Tetreault to have articles written by Director Mattison and approved by Staff for the Newspaper

Second by: Director Simon

Vote: Motion Carried – AYES: 5, NOES: 0

2. **Board Subcommittee Meeting Schedule**

General Manager Howard – Provided details on item K-2

There was discussion between the General Manager, Legal Counsel, and the Board

General Manager Howard – Stated that this item will be brought back as an Agenzized item for the first meeting of September

3. DRAFT of Town of Discovery Bay Emergency Operations Plan

General Manager Howard – Provided details on item K-3

There was discussion between the General Manager and the Board

There was one (1) Public Comment Speaker

General Manager Howard – Stated that this item will be brought back as an Agenized item for the first meeting of September

L. DISTRICT LEGAL COUNSEL REPORT

Legal Counsel Schroeder – The Board meet at 6:30 p.m. for a Special Closed Session. All five (5) Board Members were present during the Closed Session regarding action item D-1 and there is no reportable action

M. COMMITTEE UPDATES

Director Mattison – Provided his report and details of the meeting dated July 26, 2012

N. CORRESPONDENCE – Discussion and Possible Action

1. R - Central Valley Regional Water Quality Control Board regarding Wastewater Treatment Plant dated July 6, 2012

2. R - Byron Municipal Advisory Council meeting Minutes dated May 17, 2012

3. R - Contra Costa County Department of Conservation and Development regarding Notice of Extended Public Review Period for Pantages Bays dated July 23, 2012

O. PUBLIC RECORD REQUESTS RECEIVED

P. FUTURE AGENDA ITEMS

Director Mattison – New Office Space

Director Mattison – Discussion/update of jurisdiction on two (2) parks

Q. ADJOURNMENT

The meeting adjourned at 9:20 p.m. to the next regular meeting on August 15, 2012 at 1800 Willow Lake Road

//cmc – 08.03.12

<http://www.todb.ca.gov/content/agenda-and-minutes/>



Town of Discovery Bay

"A Community Services District"

AGENDA REPORT

Meeting Date

August 15, 2012

Prepared By: Dina Breitstein, Finance Manager & Lesley Marable, Sr. Accounts Clerk
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 \$163,243.43

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 2012/2013

Request For Authorization to Pay Invoices for the Discovery Bay Lighting & Landscape District # 8 2012/2013

Request For Authorization to Pay Invoices for the Discovery Bay Lighting & Landscape District # 9 2012/2013

AGENDA ITEM: E-4

**Request for authorization to pay invoices (RFA)
For the Meeting on August 15, 2012
Town of Discovery Bay CSD
For Fiscal Year's 7/12 - 6/13**

<u>Vendor Name</u>	<u>Invoice Number</u>	<u>Description</u>	<u>Invoice Date</u>	<u>Amount</u>
Administration				
American Retrofit System	239	Install 8 cat-5 terminals at CSD Office	8/8/2012	\$805.00
Big Dog Computer	20090930-29	Fairin Computer (Zone 61)	7/25/2012	249.38
Big Dog Computer	20090930-29	Fairins Computer (Zone 57)	7/25/2012	106.87
Bill Brandt Ford	2012 FORD ESCAPE	2013 Ford Escape	7/27/2012	25,850.54
Brentwood Reprographics	2012-2472	Sufer Park Shad Structure Final Plans (Zone 61)	7/19/2012	25.98
California Park & Recreation Society	123395	Membership	7/18/2012	165
County Clerk - CCC	2012-2013	Notice of Expmtion, Ravenswood Annual Assesment	8/2/2012	50
MailFinance	N3415274	Lease Postage Machine	7/18/2012	69.53
Odyssey Landscape Co, Inc.	36037415	Monthly Contract (Zone 57)	7/20/2012	2,635.00
Odyssey Landscape Co, Inc.	36037415	Monthly Contract (Zone 61)	7/20/2012	4,280.00
Odyssey Landscape Co, Inc.	36037415	Monthly Contract (Zone 35)	7/20/2012	215
Office Depot	617302000000	Misc office supplies	7/18/2012	99.76
Office Depot	617717000000	Office Supplies	7/20/2012	33.7
ReliaStar Life Insurance Company	JR52 457(B) 08/15/12	457(b) 08/01-08/15/12	8/1/2012	1,093.75
ReliaStar Life Insurance Company	JR52 457(B) 08/15/12	457(b) 08/01-08/15/12	8/1/2012	282.24
SDRMA	0011617-IN	Medical Benefits Sept 2012	8/6/2012	1,712.61
Town of Discovery Bay CSD	PETTY CASH 080112	Petty Cash Reimb	8/1/2012	5.75
Town of Discovery Bay CSD	PETTY CASH 080112	Petty Cash Reimb	8/1/2012	106.67
U.S. Bank Corporate Payment System	4246044555703473/712	Lunch Meetings, Rick/Dina/Lesley/Jim	7/25/2012	85.48
U.S. Bank Corporate Payment System	4246044555703473/712	Caselle Training, Lesley/Dina	7/25/2012	1,684.41
U.S. Bank Corporate Payment System	4246044555703473/712	Phone lines, DB office/Willow Lake/Park n Ride	7/25/2012	543.95
U.S. Bank Corporate Payment System	4246044555703473/712	Computers for Office	7/25/2012	4,825.31
U.S. Bank Corporate Payment System	4246044555703473/712	Misc Office Supplies	7/25/2012	78.75
U.S. Bank Corporate Payment System	4246044555703473/712	Flowers for Director	7/25/2012	83.89
U.S. Bank Corporate Payment System	4246044555703473/712	Intuit Support	7/25/2012	39
UPS	12417292	Sufer Park Plans Shade Structure (Zone 61)	7/21/2012	35.25
		Administration	Sub-Total	\$45,162.82

Water

American Retrofit Systems	241	Install 6 cat-5 terminals at Well 1b	8/8/2012	\$515.00
Big Dog Computer	20090930-29	Aarons Computer	7/25/2012	\$225.00
Big Dog Computer	20090930-29	Aarons Computer	7/25/2012	\$199.00
Brentwood Ace Hardware	7/31/2012	shop supplies	7/31/2012	\$4.44
Brentwood Ace Hardware	7/31/2012	Misc supplies	7/31/2012	\$7.00
Brentwood Reprographics	2012-2545	Public Financing Authority	7/26/2012	\$72.13
County Clerk - CCC	2012-2013	Notice of Exemption, water & wastewater increase	8/2/2012	\$20.00
EnerPower	61172	PGE#2943721807 05/11-06/12/12	7/20/2012	\$1,766.00
EnerPower	61174	PGE#2990602600	7/20/2012	\$1,165.00
Golden State Flow Measurement, Inc	I-035282	Replace defective Water Meters	7/17/2012	\$8,401.51
J.W. Backhoe & Construction, Inc.	1704	Leak at Edgeview Dr	7/19/2012	\$1,208.85
J.W. Backhoe & Construction, Inc.	1705	Leak on Discovery Bay	7/19/2012	\$1,204.90
J.W. Backhoe & Construction, Inc.	1708	Varlous repairs-fire hydrant, gate valve, gaskets & O ring	7/25/2012	\$6,083.04
J.W. Backhoe & Construction, Inc.	1709	Leak at Cherry Hill Dr	7/25/2012	\$4,977.60
J.W. Backhoe & Construction, Inc.	1710	Leak Discovery Bay Blvd	7/25/2012	\$1,900.25
J.W. Backhoe & Construction, Inc.	1711	Leak at Cabrillo Point	7/25/2012	\$1,946.35
Luhdorff & Scalmanini	27982	Water Master Plan	6/30/2012	\$1,045.00
R & B Company	S1308373.001	Connect Water Meters to Service Mains	7/16/2012	\$316.09
ReliaStar Life Insurance Company	JR52 457(B) 08/15/12	457(b) 08/01-08/15/12	8/1/2012	\$374.65
U.S. Bank Corporate Payment System	4246044555703473/712	AT&T Gateway for fireflies	7/25/2012	\$187.78
U.S. Bank Corporate Payment System	4246044555703473/712	Fuel for V#103, 105, 106	7/25/2012	\$443.12
U.S. Bank Corporate Payment System	4246044555703473/712	Backup light for Boom Truck	7/25/2012	\$88.62
U.S. Bank Corporate Payment System	4246044555703473/712	Parts for Flow Gauge	7/25/2012	\$ 20.90
U.S. Bank Corporate Payment System	4246044555703473/712	reflective tape for trucks	7/25/2012	\$ 43.30
U.S. Bank Corporate Payment System	4246044555703473/712	Shop items-Bulbs, Drill bits, Flash lights, etc	7/25/2012	\$ 65.06
U.S. Bank Corporate Payment System	4246044555703473/712	Electric Tape	7/25/2012	\$ 15.64
UPS	000012X417302	Repair of Datamatic Roadrunner	7/28/2012	\$ 35.38
Veolia Water North America	17571	R & M Month of May	7/23/2012	\$2,435.08

			Water	Sub-Total	\$34,766.69
Wastewater					
American Retrofit Systems	8/8/2012	Install 4 cat-5 terminals at WWTP2	8/8/2012	\$495.00	
Brentwood Ace Hardware	7/31/2012	shop supplies	7/31/2012	\$6.66	
Brentwood Ace Hardware	7/31/2012	Misc supplies	7/31/2012	\$10.51	
Brentwood Reprographics	2012-2545	Public Financing Authority	7/26/2012	\$108.19	
County Clerk - CCC	2012-2013	Notice of Exemption, water & wastewater increse	8/2/2012	\$30.00	
Cramer, Frank (Mileage)	12-Jul	July 2012 Expense Report, Mileage	7/31/2012	\$103.23	
CVCWA	DUES/TOWN OF DISCOVE	Membership Dues/Town of Discovery Bay	7/30/2012	\$430.00	
CVCWA	TOWNOF DISCOVERY BAY	Methylmercury Special Project	6/7/2012	\$10,000.00	
EnerPower	61173	PGE#3881134135 05/11-06/11/12	7/20/2012	\$421.00	
Kleinfelder, Inc.	766322	WWTP ADDN	7/5/2012	\$1,837.70	
RellaStar Life Insurance Company	JR52 457(B) 08/15/12	457(b) 08/01-08/15/12	8/1/2012	\$46.34	
U.S. Bank Corporate Payment System	4246044555703473/712	Phones, Veolia, WWTP2, WWTP2 fax	7/25/2012	\$365.81	
U.S. Bank Corporate Payment System	4246044555703473/712	Fuel for V#103,106	7/25/2012	\$223.69	
U.S. Bank Corporate Payment System	4246044555703473/712	Back up lights for Boom Truck	7/25/2012	\$132.93	
U.S. Bank Corporate Payment System	4246044555703473/712	Parts for Flow Gauge	7/25/2012	\$31.35	
U.S. Bank Corporate Payment System	4246044555703473/712	Misc Items-Hose, Warning marker, hinge, etc	7/25/2012	\$236.55	
U.S. Bank Corporate Payment System	4246044555703473/712	Reflective tape for truck	7/25/2012	\$64.94	
U.S. Bank Corporate Payment System	4246044555703473/712	Shop items-Bulbs, Flash lights, drill bits, etc	7/25/2012	\$97.58	
U.S. Bank Corporate Payment System	4246044555703473/712	Water Env-Virgil	7/25/2012	\$136.75	
Veolia Water North America	17571	R & M Month of May	7/23/2012	\$28,397.16	
			Wastewater	Sub-Total	\$43,175.39
				Grand Total	\$123,104.90

Request For Authorization To Pay Invoices (RFA)
For the Meeting on Aug 15, 2012
Town of Discovery Bay, D.Bay L&L Park #8
For Fiscal Year's 7/12 - 6/13

<u>Vendor Name</u>	<u>Invoice Number</u>	<u>Description</u>	<u>Invoice Date</u>	<u>Amount</u>
Big Dog Computer	20090930-29	Parts for Dell Computer	7/25/2012	\$90.00
Big Dog Computer	20090930-29	FairIn Computer	7/25/2012	\$159.38
Boething Treeland Farms, Inc.	TV230044	Clipper Dr	7/12/2012	\$5,767.13
Brentwood Ace Hardware	7/31/2012	Clipper Dr, Rental Equip	7/31/2012	\$226.60
Brentwood Ace Hardware	7/31/2012	Hitch Ball, Ball Mount,etc	7/31/2012	\$48.85
Brentwood Ace Hardware	7/31/2012	Grain Scoop, Threaded Handle,etc	7/31/2012	\$69.63
Brentwood Ace Hardware	7/31/2012	Towels	7/31/2012	\$7.56
Brentwood Ace Hardware	7/31/2012	Water Fountain Cornell/Utility rope	7/31/2012	\$26.49
Delta Bluegrass Co.	631990	Clipper Dr Grass	7/5/2012	\$1,316.14
Discovery Bay Disposal	170001966 JULY 2012	2 Yd Bin	7/31/2012	\$279.75
Express Employment Profession:	11215503-1	Clipper Dr Landscaper	7/3/2012	\$1,678.89
Express Employment Profession:	11255442-3	Clipper Dr Landscaper	7/11/2012	\$1,557.09
Express Employment Profession:	11288291-5	Clipper Dr Landscaper	7/18/2012	\$837.78
Express Employment Profession:	113093637	Landscaper week ending 07/22/12	7/25/2012	\$830.00
J.W. Backhoe & Construction, In-	1707	Leak in Cornell Park	7/20/2012	\$3,054.53
Turf & Industrial Equipment	UI12891	Landscape Utility Vehicle	7/11/2012	\$7,262.13
U.S. Bank Corporate Payment Sy	4246044555703473/712	ISA	7/25/2012	\$258.57
U.S. Bank Corporate Payment Sy	4246044555703473/712	#4959 items	7/25/2012	\$411.47
U.S. Bank Corporate Payment Sy	4246044555703473/712	Clipper Dr-Debris box	7/25/2012	\$609.91
U.S. Bank Corporate Payment Sy	4246044555703473/712	ISA	7/25/2012	\$269.95
U.S. Bank Corporate Payment Sy	4246044555703473/712	ISA	7/25/2012	\$25.00
U.S. Bank Corporate Payment Sy	4246044555703473/712	ISA	7/25/2012	\$125.00
U.S. Bank Corporate Payment Sy	4246044555703473/712	WCISA Membership	7/25/2012	\$52.00
U.S. Bank Corporate Payment Sy	4246044555703473/712	Phone bill DB blvd	7/25/2012	\$52.58
U.S. Bank Corporate Payment Sy	4246044555703473/712	Fuel for V#108,109,Gator	7/25/2012	\$491.00
U.S. Bank Corporate Payment Sy	4246044555703473/712	Reflective tape for truck	7/25/2012	\$27.06
U.S. Bank Corporate Payment Sy	4246044555703473/712	Misc items-Bulbs, flash lights, stop sign, etc	7/25/2012	\$164.20
U.S. Bank Corporate Payment Sy	4246044555703473/712	bath towels	7/25/2012	\$10.80
U.S. Bank Corporate Payment Sy	4246044555703473/712	Computer supplies	7/25/2012	\$233.00
U.S. Bank Corporate Payment Sy	4246044555703473/712	Cornell tiles and rules sign	7/25/2012	\$136.05
U.S. Bank Corporate Payment Sy	4246044555703473/712	Clipper Dr/Byron Boys ranch lunch	7/25/2012	\$98.06
Watersavers Irrigation Inc.	I1192342	Clipper Dr	7/12/2012	\$373.31
Watersavers Irrigation Inc.	I1194603	Clipper Dr	7/17/2012	\$112.58
Watersavers Irrigation Inc.	I1195069	Clipper Dr	7/18/2012	\$144.49
Watersavers Irrigation Inc.	I1195071	Clipper Dr	7/18/2012	\$7.83
Watersavers Irrigation Inc.	I1195449	Clipper Dr	7/19/2012	\$116.37
Watersavers Irrigation Inc.	I1195449	Clipper Dr	7/19/2012	\$42.58
Watersavers Irrigation Inc.	I1195762	Clipper Dr	7/19/2012	\$98.42
Watersavers Irrigation Inc.	I1197261	Clipper Dr	7/23/2012	\$248.23
Watersavers Irrigation Inc.	I1197318	Clipper Dr	7/23/2012	\$25.72
Watersavers Irrigation Inc.	I1201000	Clipper	8/1/2012	\$1,210.50
Williams Sanitary Service	23580	Clipper toilet	7/10/2012	\$115.00
Town of Discovery Bay CSD	9-900-000-004-2.01	Water Usage	6/15/2012	\$2,733.73
Town of Discovery Bay CSD	9-900-000-004-2.02	Water Usage	6/15/2012	\$647.15
Town of Discovery Bay CSD	9-900-000-004-2.03	Water Usage	6/15/2012	\$502.03
Town of Discovery Bay CSD	9-900-000-004-2.04	Water Usage	6/15/2012	\$170.93
Town of Discovery Bay CSD	9-900-000-004-2.05	Water Usage	6/15/2012	\$33.33
Town of Discovery Bay CSD	9-900-000-004-2.06	Water Usage	6/15/2012	\$402.05
Town of Discovery Bay CSD	9-900-000-004-2.08	Water Usage	6/15/2012	\$8.60
Town of Discovery Bay CSD	9-900-000-004-2.09	Water Usage	6/15/2012	\$76.33
Town of Discovery Bay CSD	9-900-000-004-4.02	Water Usage	6/15/2012	\$97.83
Town of Discovery Bay CSD	9-900-000-004-4.03	Water Usage	6/16/2012	\$291.33
Town of Discovery Bay CSD	9-900-000-004-4.04	Water Usage	6/17/2012	\$11.22
Town of Discovery Bay CSD	9-900-000-004-4.05	Water Usage	6/15/2012	\$79.25
				<u>\$33,725.41</u>

Request For Authorization To Pay Invoices (RFA)
 For the Meeting on August 15, 2012
 Town of Discovery Bay, D.Bay L&L Park #9 (Ravenswood)
 For Fiscal Year's 7/12 - 6/13

<u>Vendor Name</u>	<u>Invoice Number</u>	<u>Description</u>	<u>Invoice Date</u>	<u>Amount</u>
Big Dog Computer	20090930-29	Fairin Computer	7/25/2012	\$106.87
Doug Gourley Playground Design, Inc.	1571	Spring Riders @ Ravenswood	7/31/2012	\$895.93
Odyssey Landscape Co, Inc.	36037415	Monthly Contract	7/20/2012	\$2,725.00
Turf & Industrial Equipment	UI12891	Landscape Utility Vehicle	7/11/2012	\$2,000.00
U.S. Bank Corporate Payment System	4246044555703473/712	Phone bill, PnR irrigation, DB office	7/25/2012	\$59.27
U.S. Bank Corporate Payment System	4246044555703473/712	Ravenswood Splashpad	7/25/2012	\$23.64
Williams Sanitary Service	23580	Ravenswood toilet	7/10/2012	\$235.83
Town of Discovery Bay CSD	9-900-000-004-3.01	Water Usage	6/15/2012	\$245.10
Town of Discovery Bay CSD	9-900-000-004-3.03	Water Usage	6/15/2012	\$121.48
		Total		\$6,413.12



Town of Discovery Bay

"A Community Services District"

AGENDA REPORT

Meeting Date

August 15, 2012

Prepared By: Rick Howard, General Manager
Submitted By: Rick Howard, General Manager ^{RK}

Agenda Title

Discovery Bay Boulevard Roadway Banners -- American Hero's

Recommended Action

Information only

Executive Summary

The American Hero's Banner project sponsored by the American Hero's Organization creates roadway/street banners to pay tribute to U.S. Military personnel that have given their lives in the Iraq and Afghanistan wars.

Locally, the *Some Gave All - The Joey Graves Foundation*, is promoting the installation of twenty three (23) banners to be placed on Discovery Bay Boulevard between Highway 4 and Willow Lake Road. The banners are scheduled to be installed on August 29, 2012 and removed no later than October 6, 2012. Tennyson Electric Inc. of Livermore is donating their time and resources in order to have the banners installed and removed.

The banners will be a repeat of those placed in the same area in September 2011.

Contra Costa County Public Works Department is handling the Encroachment Permit and authorization process.

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

Attachments

Copy of Encroachment Permit for the project

AGENDA ITEM: E-5



Contra Costa County
Public Works
Department

Permit No.: _____
Road No.: _____
Area: _____
TBM: _____
USA No.: _____
Fed Tax ID No.: _____

APPLICATION AND PERMIT CENTER

Work Order/Job # _____

ENCROACHMENT PERMIT

Rev 1/27/12

Type of Encroachment Permit: Small Large Utility For Office Use Only County Project/W.O. _____ Permit Violation
Permit Fee \$ _____ Inspection Fee \$ _____ Cash Bond \$ _____ Receipt No.: G- _____

Permit to do work in accordance with Title 10 of the Ordinance Code of Contra Costa County, County Standard Plans and Specifications, and any Special Requirements shown or listed herein. *Read both sides of this Permit and all the attachments carefully. Keep this Permit at the work site.*

Permittee: Tennyson Electric Inc Contractor: Tennyson Electric Inc 7179918
Address: 7875 National Drive Ste A-2 Address: 7875 National Dr Ste A-2
City/State/Zip: Livermore CA 94550 City/State/Zip: Livermore CA 94550
Contact Person: Mike Tennyson Telephone No.: 925-606-1038 Fax No.: 925-606-7656
Email Address: _____ Cell Phone No.: _____

Expiration Date: All work described in this permit, including finish paving, shall be completed on Oct 6, 2011
If all work covered by this permit, including finish paving is not completed by this date, you must acquire a new permit.

Permitted Activity: Excavate Curb, Gutter, Sidewalk* Yes No Excavate AC Pavement* Yes No
Installation of 23 American Hero Banners. Banners to be removed prior to permit expiration date.

Emergency Contact Person: John Douva Telephone No.: 925-382-1954
*Excavation Permits Require An Emergency Contact Available 24/7. PERMITS FOR EXCAVATION REQUIRE A CURRENT USA NUMBER.

Start Date: 8/29/12 Projected Completion Date: 12/06/11
*Permit applications with more than 30 calendar days between the start and completion date must be accompanied by a detailed construction schedule

Site Address: Discovery Bay Blvd between Hwy 4 - River Lake Rd

- General Permit Conditions:
- ALL WORK MUST BE INSPECTED.** ARRANGE for an INSPECTION by phoning Edgav Gallo @ 925-595-6008 at least two working days before you begin work. If you can not reach the inspector contact the construction office at (925) 313-2320. **WORK DONE WITHOUT NOTIFICATION IS SUBJECT TO REJECTION AND/OR A PENALTY OF \$100.**
 - You must schedule a **FINAL INSPECTION** by phoning your inspector. Refunds of deposits and/or bonds will be processed **90 days** from the date the permit was signed off by the Public Works Construction Inspector. A signed off permit from another permitting agency or utility company does not guarantee the work performed under this permit has been completed satisfactorily.
 - Standard Road Encroachment Permit Conditions; Sections I, II, III, and IV** on the back of this permit apply. **READ CAREFULLY.**

Items Attached or Referred to Herein and Made Part Hereof:
 General Permit Conditions Attachment _____ ; Special Road Encroachment Permit Conditions; Preserving Survey Monumentation;

The Permittee agrees to save, indemnify and hold harmless the County of Contra Costa, its officers, employees and agents from all liabilities imposed by law by reason of injury to or death of any person(s) or damage to property, including without limitation liability for trespass, nuisance or inverse condemnation, which may arise out of the work covered by this permit and does agree to defend the County, its officers, employees and agents against any claim or action asserting such a liability. Accepting this permit or starting any work hereunder shall constitute acceptance and agreement to all of the conditions and requirements of this permit and the ordinance and specifications authorizing issuance of such permit.

Signature of Permittee: _____ Date: 8/8/11
Print Name: _____

By: _____ Date: _____
Robert B. Hendry III, Senior Engineering Technician
For: Julia R. Bueren, Public Works Director, Contra Costa County

Work Completed
 Expired
 APPLY PENALTY - No Inspection Requested
Inspector: _____ Date: _____
G:\engsvct\Permit Center\Permit Forms\Encroachment Permit Master 12.doc

STANDARD ROAD ENCROACHMENT PERMIT CONDITIONS

I. GENERAL INSTRUCTIONS

1. **WORK MUST BE INSPECTED** - Work done without inspection may have to be removed and be reconstructed.
2. **PROTECTION** - Provide and maintain enough barricades, lights, signs, cones, flaggers and other safety measures to protect the public, in accordance with the current California Manual on Uniform Traffic Control Devices.
3. **TRAFFIC** - A County road may not be closed to public traffic without the approval of the Board of Supervisors. Unless noted otherwise in attached General or Special Road Encroachment Permit Conditions, keep a minimum of one 10' wide traffic lane open to traffic while working; at all other times, two 10' wide lanes shall be open.
4. **STANDARDS** - Work shall be in accordance with the latest edition of Caltrans Standard Specifications and Plans and County Standard Specifications and Plans.
5. **UTILITIES** - Utility relocations are the responsibility of the permittee.
6. **UNDERGROUND SERVICE ALERT (USA)** - Must be contacted prior to excavating in a County road right of way. Telephone 811. Any work found in progress without a valid USA number will be shut down and the roadway cleared.
7. **SURVEY MONUMENTS SHALL BE PROTECTED**. Any survey monuments removed, or disturbed, shall be replaced using surveying practices acceptable to the County Surveyor, who can be contacted at (925) 313-2230.
8. **FIELD CHANGES** - Any modification due to field conditions must be approved by the inspector.
9. **IF WORK** is performed **without a permit**, the fee shall be **double** the amount per fee schedule or a **minimum** of \$300. All work performed **without a permit** is subject to removal and/or reinstallation.
10. **STAFF CHARGES** - Permittee is responsible for all staff charges associated with the permit. Any exceptions must be resolved before the permit is issued. Permits will not be signed off as complete until all the review and inspection charges are paid in full.

II. SPECIAL REQUIREMENTS - DRIVEWAYS (DRIVEWAY SHALL BE CONSTRUCTED FROM EDGE OF PAVEMENT TO PROPERTY LINE)

1. Minimum driveway construction shall consist of 2" of asphalt pavement on 6" of Class 2 Aggregate Base. Concrete driveways within the County road right of way shall consist of a minimum of 6" of Class 3 concrete over 3" of Class 2 Aggregate Base. The driveway is to be sloped to prevent storm water runoff to flow onto the County road and shall not interfere with roadside drainage or cause erosion or deposition of silt.
2. The driveway location shall comply with County Standard Plan No. CA70i, shall not interfere with a legal encroachment or create a hazard or nuisance, and shall be spaced to make maximum street parking available.
- 3a. The top elevation of driveway 5' behind curb is to be .60' or 7 1/4" higher than the flow line of the gutter.
- 3b. The driveway elevation at the property line shall be within 1' of the elevation of the near shoulder and shall merge with the shoulder to preserve the roadbed section.
4. If existing driveway depression is not used, it shall be completely removed (curb, gutter and sidewalk) by saw cut at next nearest expansion joint or score mark and replaced with concrete to conform to adjacent improvements - form board to be used at gutter lip and the pavement restored with asphalt concrete. Sidewalk and curb which is replaced shall be doweled. (See County Standard Plan No. CA 74i)
5. Existing curb and gutter, or curb, gutter and sidewalk shall be removed for full width of driveway with saw cut at next nearest expansion joint or score mark. (See County Standard Plan No. CA 70i) A form board must be used at the gutter lip and the pavement restored with asphalt concrete. The new sidewalk and curb shall be doweled. (See County Standard Plan No. CA 74i)
- 6a. Where driveways connect to County roads without curbs, shape a valley gutter across the driveway. The flow line shall match the flow line of existing roadside ditch.
- 6b. Install a culvert for full width of driveway. This culvert is to be laid to the flow line grade of existing roadside ditch. The minimum culvert diameter is 18".
7. Driveway grade breaks shall comply with County Standards (See County Standard Plan No. CA 20i)
8. All broken curbs, gutters and sidewalks shall be completely removed by saw cut at nearest expansion joint or score mark and replaced to true grade and cross-section. The new curb and sidewalk shall be doweled. (See County Standard Plan No. CA 74i)

III. SPECIAL REQUIREMENTS - STREET CUTS (See County Standard Specifications for Detailed Requirements).

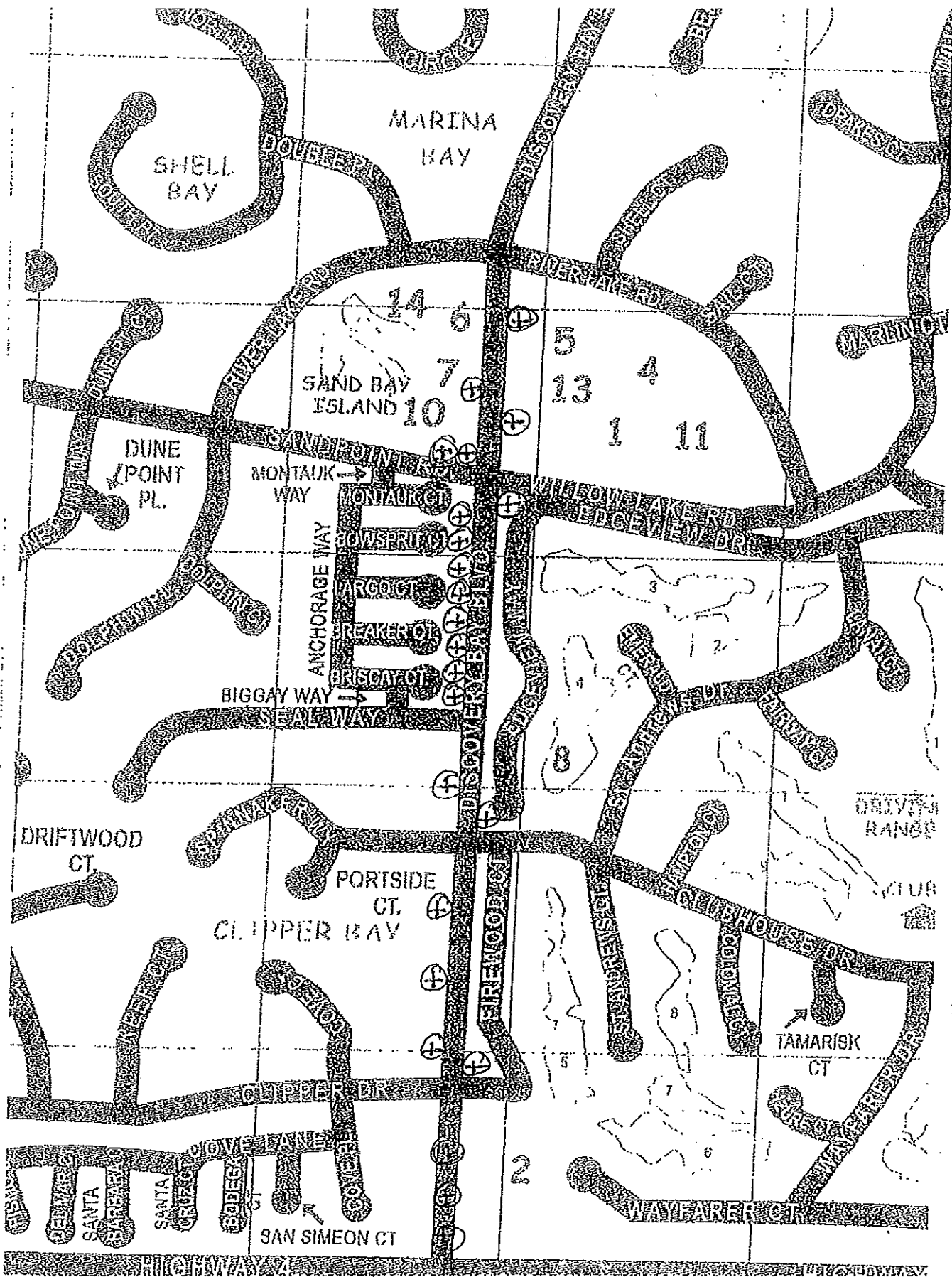
1. **TRENCH EXCAVATION** - Trench excavation and backfill requirements shall follow County Standard Plan No. CU01i. Prior to the start of the work covered under this encroachment permit:
 - a. Any deviation proposed from the backfill material or asphalt concrete specified on the Standard Plan shall be approved by the Public Works Department's M&T Lab.
 - b. Any deviation proposed from the trench excavation specified on the Standard Plan shall be approved by the inspector.
2. The Permittee shall not excavate trenches in advance of pipe placement. No more trench shall be excavated than can be finished, including pipe placement, backfill and temporary paving on the same day. Shoring shall comply with current CAL-OSHA safety orders.
3. For trench backfill in other road right-of-way areas, the trench backfill shall consist of existing material or suitable backfill material as approved by the inspector. The trench backfill shall have a minimum relative compaction of 90 percent.

No jetting is allowed under any paved roadway or within a distance of 4' from the edge of existing pavement. Backfill shall be compacted by impact, vibration or any combination of these. Jetting will be allowed only when more than four feet from the pavement and when the backfill and trench are suitable for jetting and shall be supplemented with mechanical compaction to obtain required relative compaction.

4. **TEMPORARY PAVING** - Temporary paving (or permanent paving) shall be placed at the end of each work day and shall have a minimum thickness of 1.5" of 1/2-inch, Type A asphalt concrete. The permittee shall maintain the temporary trench paving until the permanent paving is performed.

IV. SPECIAL REQUIREMENTS - SIDEWALK DRAINS

1. Install a 3" inside diameter non-corrosive pipe through curb or through curb and sidewalk. One panel of sidewalk, curb and gutter, or where there is no sidewalk, 1' of curb only (don't remove gutter) to be removed by a saw cut. Pipe flow line shall match gutter flow line, and pipe shall be cut off flush with face of curb. Sidewalk concrete shall encase pipe in 3" concrete jacket. Replace curb, gutter, sidewalk and pavement to match adjacent improvements. (See County Standard Plan No. CD06i)



SHELL BAY

MARINA BAY

SAND BAY ISLAND

DUNE POINT PL.

MONTAUK WAY

ANCHORAGE WAY
 BREAKER CT
 BRISCAT CT

BIGGAY WAY

DRIFTWOOD CT.

PORTSIDE CT.
 CLIPPER BAY

CLIPPER DR.

SAN SIMEON CT

14 6
 7 5
 10 13 4
 1 11

DRIVING RANGE

CLUB

TAMARISK CT

WAYFARER CT.

Who We Are and What We Do

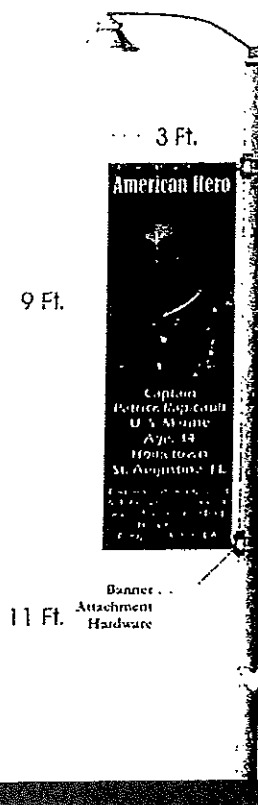
American Heroes Tribute is a California nonprofit corporation, 501(c)(3) organization. We are supported by friends, families and private sponsors, including cities, counties, local businesses, schools, churches, corporate sponsors, American Legions, Veterans of Foreign Wars, and more.

Our mission is to provide a banner for each service person killed in Iraq and Afghanistan. The banners are displayed throughout cities along streets, parks, and at community centers. We strive to find new locations to display the tribute banners throughout the year. The banners move to different cities to give the largest number of people possible an opportunity to view the American Heroes Tribute display.

American Heroes Tribute's first banner event was held in San Clemente, CA on April 24, 2005, and included 24 tribute banners in this city sponsored event. Since then, we have held events in California and other states honoring the men and women who gave their lives defending our freedom.

American Heroes Tribute is raising the necessary funds to print tribute banners for every service person who has lost his or her life in Iraq and Afghanistan. We want to create awareness and broaden appreciation for the diverse American spirit, while recognizing the true American Heroes.

Please join us by contributing your time and helping us achieve our monetary goals and, thus, honoring these brave men and women.





Town of Discovery Bay

"A Community Services District"

AGENDA REPORT

Meeting Date

August 15, 2012

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

Agenda Title

Action Memorializing Resolution No. 2012-19 by Adopting Resolution No. 2012-20

Recommended Action

Adopt Resolution No. 2012-20 Memorializing Charges For Water And Wastewater Service For Fiscal Year 2012-13

Executive Summary

The Board adopted Resolution No. 2011-13 on August 3, 2011 establishing water and wastewater rates for the two (2) year period July 1, 2011 through June 30, 2013. However, at the Board meeting of August 1, 2012, the Board voted unanimously to reduce by 5% residential and commercial water rates for the FY 2012-13 period, and adopted Resolution No. 2012-19.

Resolution No's. 2011-13 and 2012-19 only acknowledge the adoption of the rate model as authorized on August 3, 2011.

In an effort to establish a formal link between the action taken on August 3, 2011 and the most recent action of August 1, 2012, staff proposes Board adoption of Resolution 2012-20. This action is strictly ministerial in nature.

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

August 3, 2011 and August 1, 2012

Attachments

Resolution No. 2011-13
Resolution No. 2012-20 and attachments

AGENDA ITEM: E-6



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT**

RESOLUTION 2011-13

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT
ESTABLISHING CHARGES FOR WATER AND WASTEWATER SERVICE AND CONTINUING
COLLECTION OF WATER AND WASTEWATER
SERVICE CHARGES ON THE COUNTY ROLL**

WHEREAS, the Board of Directors of the Town of Discovery Bay Community Services District ("Board") has caused to be prepared a report entitled "Water and Wastewater Rate Study – Fiscal Years 2011/12 & 2012/13" by Hornberger Engineering of Campbell (called the "Report"); and

WHEREAS, the Board has adopted the Report on June 1, 2011; and

WHEREAS, the Board has determined that it is necessary to increase the water and wastewater service charges for metered users; and

WHEREAS, the Board has determined that it is necessary to increase the water and wastewater service charges for non-metered residential users and to collect such charges on the County tax rolls; and

WHEREAS, the Board has determined that it is necessary to accept and continue in effect those charges for water and sewer services established by Contra Costa County Sanitation District 19 pursuant to its Ordinance No. 18, and accepted and continued by Town of Discovery Bay Community Services District Ordinance No. 1, including collection of those charges on the County tax rolls, for those users within the Town of Discovery Bay CSD which are not metered or are not non-metered residential users; and

WHEREAS, the Board finds and declares that the Town of Discovery Bay Community Services District has prepared a report of all parcels in the district receiving water and wastewater services, and the amount of the charge for each parcel for the year; and that written notice of said report was mailed to each person to whom any parcel of real estate described in such report is assessed; and that the Town of Discovery Bay Community Services District has held a public hearing pursuant to Government Code section 61115; and

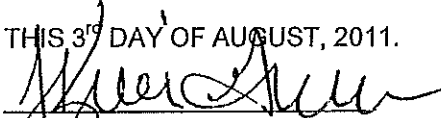
WHEREAS, the Board finds and declares that the Town of Discovery Bay Community Services District has complied with the requirements of California Constitution Article XIID, Section 6 (Proposition 218), and that no majority protest was received;

NOW THEREFORE BE IT RESOLVED the Board of Directors of the Town of Discovery Bay Community Services District as follows:

1. The above recitals are true and correct, and are incorporated as part of this Resolution.
2. For Fiscal Years 2011/2012 and 2012/2013 the water and wastewater are established as set forth in Table 1 and Table 2, attached hereto as Exhibit A.
3. The General Manager shall have the authority, in the event of a parcel having large irrigated areas, to reduce the sewer use component of the above rates to recognize that water for irrigation does not enter the wastewater system.

4. The rates for water and wastewater service for all parcels which are non-metered and are not included in the categories set forth in Exhibit A of this Resolution are continued at the level established by Contra Costa County Sanitation District 19 pursuant to its Ordinance No. 18, and accepted and continued by the Town of Discovery Bay Community Services District Ordinance No. 1.
5. The Board finds and declares that the annual charge for non-metered water and wastewater services shall be collected on the Contra Costa County tax roll as set forth in Government Code §§ 61115 and following, and the Secretary of the Town of Discovery Bay Community Services District is authorized and directed to file the report of such charges, and all other documents necessary, with the Auditor-Controller of Contra Costa County.
6. For fiscal year 2013/2014 and thereafter the rates set forth in this Resolution shall be changed each year as inflation rises or falls and the cost of labor to read metered water meters increases or decreases. This change shall be based on the Consumer Price Index for All Urban Consumers for the San Francisco-Oakland-San Jose, CA area. This percentage shall increase or decrease each fiscal year by using the CPI for the two (2) previous years.
7. The Board finds and declares that the adoption of this Resolution and the rates established herein is exempt from the requirements of the California Environmental Quality Act pursuant to Title 14, California Code of Regulations § 15273(a), and specifically adopts and incorporates herein as part of the record and as findings those sections of the Report which discuss the need for revenue, including the projected total operating expenses, the capital projects and the improvements required, and specifically finds and declares that the charges established herein are for the purposes specified in Title 14, California Code of Regulations, § 15273(a)(1) through 15273(a)(4).
8. The Secretary of the Town of Discovery Bay Community Services District is authorized and directed to file a Notice of Exemption pursuant to Title 14, California Code of Regulations, §15062.

PASSED, APPROVED AND ADOPTED THIS 3rd DAY OF AUGUST, 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 August 3, 2011, by the following vote of the Board:

AYES: 4
NOES: 1 Director Simon
ABSENT: 0
ABSTAIN: 0

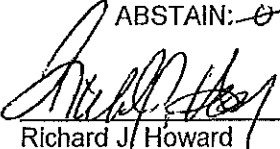

Richard J. Howard
Board Secretary

EXHIBIT "A"
Town of Discovery Bay CSD
Proposed 2011/12 - 2012/13 Water & Wastewater Rates

Table 1 - WATER	Existing FY 2010/11		Proposed FY 2011/12		Proposed FY 2012/13	
Residential Unmetered	Monthly	Yearly	Monthly	Yearly	Monthly	Yearly
	(\$/month/DU)	(\$/year/DU)	(\$/month/DU)	(\$/year/DU)	(\$/month/DU)	(\$/year/DU)
Parcel Size (Square Feet/DU)						
Multiple Family - No Irrigation	\$18.75	\$225.00	\$15.05	\$180.60	\$20.31	\$243.72
Under 5,000	\$18.75	\$225.00	\$23.11	\$277.32	\$30.91	\$370.92
5,000 - 10,000	\$23.77	\$285.24	\$29.29	\$351.48	\$39.04	\$468.48
10,001 - 15,000	\$28.79	\$345.48	\$35.47	\$425.64	\$47.17	\$566.04
Over 15,000,	\$28.79	\$345.48	\$35.47	\$425.64	\$47.17	\$566.04
Plus Each Additional 1,000	\$1.67	\$20.04	\$2.06	\$24.72	\$2.71	\$32.52
WATER	Monthly	Use	Monthly	Use	Monthly	Use
All Metered	(\$/month)	(\$/ccf)	(\$/month)	(\$/ccf)	(\$/month)	(\$/ccf)
Nonirrigation Account Charge:						
5/8" Inch Meter	\$5.49		\$6.90		\$8.95	
1 Inch Meter	\$5.74		\$7.19		\$9.26	
1 1/2 Inch Meter	\$5.98		\$7.49		\$9.57	
2 Inch Meter	\$6.66		\$8.31		\$10.41	
3 Inch Meter	\$11.61		\$14.31		\$16.65	
4 Inch Meter	\$13.45		\$16.54		\$18.96	
6 Inch Meter	\$17.73		\$21.73		\$24.36	
Irrigation Account Charge:						
5/8" Inch Meter	\$1.80		\$2.33		\$2.42	
1 Inch Meter	\$2.05		\$2.62		\$2.73	
1 1/2 Inch Meter	\$2.29		\$2.92		\$3.03	
2 Inch Meter	\$2.97		\$3.74		\$3.88	
3 Inch Meter	\$7.92		\$9.74		\$10.12	
4 Inch Meter	\$9.76		\$11.97		\$12.43	
6 Inch Meter	\$14.04		\$17.16		\$17.83	
Metered Usage Charge:						
All Usage		\$0.803		\$1.075		\$1.413
Table 2 - WASTEWATER	Existing FY 2010/11		Proposed FY 2011/12		Proposed FY 2012/13	
Residential Unmetered	Monthly	Yearly	Monthly	Yearly	Monthly	Yearly
	(\$/month)	(\$/year)	(\$/month)	(\$/year)	(\$/month)	(\$/year)
Single Family - Each DU	\$44.38	\$532.56	\$50.39	\$604.68	\$55.77	\$669.24
Multiple Family/Condos - Each D	\$33.29	\$399.48	\$37.79	\$453.48	\$41.83	\$501.96
Nonresidential Metered	Use		Use		Use	
	(\$/ccf)		(\$/ccf)		(\$/ccf)	
Business/Government/Clubs	\$3.082		\$3.499		\$3.873	
Restaurants/Bars/Dining Facilities	\$9.048		\$10.248		\$11.343	
Schools	\$2.773		\$3.150		\$3.486	
Other Domestic Strength Users	\$3.082		\$3.499		\$3.873	

DU = Dwelling Unit

ccf = 100 cubic feet = 748 gallons

The charges above are based on the "Water & Wastewater Rate Study" prepared by Hornberger Engineering for the District

Water and wastewater rates comply with Proposition 218 and the wastewater rates also comply with the Revenue Program Guidelines of the State Water Resources Control Board.



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT**

RESOLUTION 2012-20

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT
MEMORIALIZING CHARGES FOR WATER AND WASTEWATER SERVICE FOR FISCAL YEAR 2012-13**

WHEREAS, the Board of Directors of the Town of Discovery Bay Community Services District ("Board") Adopted Resolution No. 2011-13 on August 3, 2011 establishing charges for water and wastewater service for a two-year (2) period beginning July 1, 2011 and ending June 30, 2013; and

WHEREAS, on August 1, 2012 the Board adopted Resolution 2012-19 maintaining the adopted rates pursuant to Resolution No. 2011-13 for Wastewater Services; and

WHEREAS, on August 1, 2012 the Board adopted Resolution 2012-19 reducing by 5% the adopted rates for FY 2012-13 pursuant to Resolution No. 2011-13 for Water Services.

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

1. The above recitals are true and correct, and are incorporated as part of this Resolution.
2. For Fiscal Year 2012/2013 the water and wastewater rates are established as set forth in Resolution No. 2012-19, attached hereto as Exhibit A.

PASSED, APPROVED AND ADOPTED THIS 15th DAY OF AUGUST, 2012.

V. Chris Steele
Board President

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Town of Discovery Bay Community Services District at a regularly scheduled meeting, held on August 15, 2012, by the following vote of the Board:

AYES:
NOES:
ABSENT:
ABSTAIN:

Richard J. Howard
Board Secretary



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT**

RESOLUTION 2012-19

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT
ESTABLISHED CHARGES FOR WATER AND WASTEWATER SERVICE
AND CONTINUING COLLECTION OF WATER AND WASTEWATER
SERVICE CHARGES ON THE COUNTY ROLL**

WHEREAS, the Board of Directors of the Town of Discovery Bay Community Services District ("Board") has caused to be prepared a report entitled "Water and Wastewater Rate Study – Fiscal Years 2011/12 & 2012/13" by Hornberger Engineering of Campbell (called the "Report"); and

WHEREAS, the Report was prepared and covered a two year period commencing on July 1, 2011 and ending on June 30, 2013; and

WHEREAS, the Board has adopted the Report on June 1, 2011; and

WHEREAS, the Board has determined that it is necessary to increase the water and wastewater service charges for metered users; and

WHEREAS, the Board has determined that it is necessary to increase the water and wastewater service charges for non-metered residential users and to collect such charges on the County tax rolls; and

WHEREAS, the Board adopted Resolution No. 2011-13 on August 3, 2011 establishing charges for water and wastewater service for a two-year period beginning on July 1, 2011 and ending on June 30, 2013; and

WHEREAS, the Board has determined that it is necessary to accept and continue in effect those charges for water and sewer services established by Contra Costa County Sanitation District 19 pursuant to its Ordinance No. 18, and accepted and continued by Town of Discovery Bay Community Services District Ordinance No. 1, including collection of those charges on the County tax rolls, for those users within the Town of Discovery Bay CSD which are not metered or are not non-metered residential users; and

WHEREAS, the Board finds and declares that the Town of Discovery Bay Community Services District has prepared a report of all parcels in the district receiving water and wastewater services, and the amount of the charge for each parcel for the year; and that written notice of said report was mailed to each person to whom any parcel of real estate described in such report is assessed; and that the Town of Discovery Bay Community Services District has held a public hearing pursuant to Government Code section 61115; and

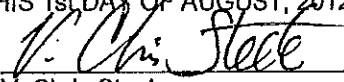
WHEREAS, the Board finds and declares that the Town of Discovery Bay Community Services District has complied with the requirements of California Constitution Article XIII D, Section 6 (Proposition 218), and that no majority protest was received;

NOW THEREFORE BE IT RESOLVED the Board of Directors of the Town of Discovery Bay Community Services District as follows:

1. The above recitals are true and correct, and are incorporated as part of this Resolution.
2. For Fiscal Year 2012/2013 the water and wastewater rates are established as set forth in Table 1 and Table 2, attached hereto as Exhibit A.
3. The General Manager shall have the authority, in the event of a parcel having large irrigated areas, to reduce the sewer use component of the above rates to recognize that water for irrigation does not enter the wastewater system.

4. The rates for water and wastewater service for all parcels which are non-metered and are not included in the categories set forth in Exhibit A of this Resolution are continued at the level established by Contra Costa County Sanitation District 19 pursuant to its Ordinance No. 18, and accepted and continued by the Town of Discovery Bay Community Services District Ordinance No. 1.
5. The Board finds and declares that the annual charge for non-metered water and wastewater services shall be collected on the Contra Costa County tax roll as set forth in Government Code §§ 61115 and following, and the Secretary of the Town of Discovery Bay Community Services District is authorized and directed to file the report of such charges, and all other documents necessary, with the Auditor-Controller of Contra Costa County.
6. For fiscal year 2013/2014 and thereafter the rates set forth in this Resolution shall be changed each year as inflation rises or falls and the cost of labor to read metered water meters increases or decreases. This change shall be based on the Consumer Price Index for All Urban Consumers for the San Francisco-Oakland-San Jose, CA area. This percentage shall increase or decrease each fiscal year by using the CPI for the two (2) previous years.
7. The Board finds and declares that the adoption of this Resolution and the rates established herein is exempt from the requirements of the California Environmental Quality Act pursuant to Title 14, California Code of Regulations § 15273(a), and specifically adopts and incorporates herein as part of the record and as findings those sections of the Report which discuss the need for revenue, including the projected total operating expenses, the capital projects and the improvements required, and specifically finds and declares that the charges established herein are for the purposes specified in Title 14, California Code of Regulations, § 15273(a)(1) through 15273(a)(4).
8. The Secretary of the Town of Discovery Bay Community Services District is authorized and directed to file a Notice of Exemption pursuant to Title 14, California Code of Regulations, §15062.

PASSED, APPROVED AND ADOPTED THIS 1st DAY OF AUGUST, 2012.


 V. Chris Steele
 Board President

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Town of Discovery Bay Community Services District at a regularly scheduled meeting, held on August 1, 2012, by the following vote of the Board:

AYES: 5
 NOES: 0
 ABSENT: 0
 ABSTAIN: 0

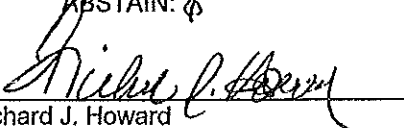

 Richard J. Howard
 Board Secretary

Exhibit A

Town of Discovery Bay CSD
2011/12 - 2012/13 Water & Wastewater Rates

Approved at 8.1.12 Board Meeting

Table 1 - WATER	Adopted FY 2011/12		Approved FY 2012/13	
Residential Unmetered	Monthly (\$/month/DU)	Yearly (\$/year/DU)	Monthly (\$/month/DU)	Yearly (\$/year/DU)
Parcel Size (Square Feet/DU)				
Multiple Family - No Irrigation	\$15.05	\$180.60	\$19.37	\$232.44
Under 5,000	\$23.11	\$277.32	\$29.58	\$354.96
5,000 - 10,000	\$29.29	\$351.48	\$37.41	\$448.92
10,001 - 15,000	\$35.47	\$425.64	\$45.24	\$542.88
Over 15,000, Plus Each Additional 1,000	\$35.47 \$2.06	\$425.64 \$24.72	\$45.24 \$2.61	\$542.88 \$31.32
WATER All Metered	Monthly (\$/month)	Use (\$/ccf)	Monthly (\$/month)	Use (\$/ccf)
Nonirrigation Account Charge:				
5/8" Inch Meter	\$6.90		\$8.66	
1 Inch Meter	\$7.19		\$8.99	
1 1/2 Inch Meter	\$7.49		\$9.32	
2 Inch Meter	\$8.31		\$10.22	
3 Inch Meter	\$14.31		\$16.85	
4 Inch Meter	\$16.54		\$19.30	
6 Inch Meter	\$21.73		\$25.03	
Irrigation Account Charge:				
5/8" Inch Meter	\$2.33		\$2.57	
1 Inch Meter	\$2.62		\$2.90	
1 1/2 Inch Meter	\$2.92		\$3.22	
2 Inch Meter	\$3.74		\$4.12	
3 Inch Meter	\$9.74		\$10.75	
4 Inch Meter	\$11.97		\$13.21	
6 Inch Meter	\$17.16		\$18.94	
Metered Usage Charge: All Usage		\$1.075		\$1.361
Table 2 - WASTEWATER	Existing FY 2011/12		Approved FY 2012/13	
Residential Unmetered	Monthly (\$/month)	Yearly (\$/year)	Monthly (\$/month)	Yearly (\$/year)
Single Family - Each DU	\$50.39	\$604.68	\$55.77	\$669.24
Multiple Family/Condos - Each DU	\$37.79	\$453.48	\$41.83	\$501.96
Nonresidential Metered	Use (\$/ccf)		Use (\$/ccf)	
Business/Government/Clubs	\$3.499		\$3.873	
Restaurants/Bars/Dining Facilities	\$10.248		\$11.343	
Schools	\$3.150		\$3.486	
Other Domestic Strength Users	\$3.499		\$3.873	

DU = Dwelling Unit

ccf = 100 cubic feet = 748 gallons

The charges above are based on the "Water & Wastewater Rate Study" prepared by Hornberger Engineering for the District

Water and wastewater rates comply with Proposition 218 and the wastewater rates also comply with the Revenue Program Guidelines of the State Water Resources Control Board.



Town of Discovery Bay

"A Community Services District"

AGENDA REPORT

Meeting Date

August 15, 2012

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

Agenda Title

Adopt and Approve Resolution No. 2012-21 for the Conflict of Interest Code Amendment for 2012

Recommended Action

Approve Amendment to the Conflict of Interest Code for the Town of Discovery Bay CSD and Adopt Resolution No. 2012-21

Executive Summary

On a Biennial basis, the Board of Directors of the Town of Discovery Bay CSD is required to review the Conflict of Interest Code (Code) to determine if it is necessary to amend. After a review of the existing Code, the District's General Manager and Legal Counsel recommend a number of amendments to update the Code. Those changes are included and referenced in the proposed Code, as attached.

The Fair Political Practices Commission (FPPC) has adopted the California Code of Regulations, Title 2, §18730, which outlines the terms of a standard Conflict of Interest Code that can be adopted by reference. The District's Code includes this reference. Each year, the Board as well as certain members of the staff are required by the FPPC to file a Form 700. Government Code §87203 is the legislative section that Form 700 is derived. Consequently, it is recommended that the District's Code include this reference (Government Code §87203) in order that the Code is consistent with Form 700. This action ties the two (2) conflict of interest requirements together.

The District's existing Code is silent on the subject of "Gifts". The recommended Code includes reference to Government Code §87203 which is also consistent with requirements as outlined in Form 700.

Additionally, it is also necessary to amend the Conflict of Interest Code in order to add a position and/or to reflect current positions within the District. There are two (2) proposed changes to the position listing:

Parks and Landscape Manager (formerly Landscape Manager); and
Finance Manager (newly added position)

Notice of the Public Hearing was posted in the Contra Costa Times on Saturday August 11, 2012.

Fiscal Impact:

Amount Requested N/A

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

Prog/Fund # . Category:

Previous Relevant Board Actions for This Item

Attachments

Resolution No. 2012-21

Proposed/Recommended Conflict of Interest Code with attachments

AGENDA ITEM: F-1



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT**

RESOLUTION 2012-21

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT
AMENDING THE CONFLICT OF INTEREST CODE**

WHEREAS, the Political Reform Act of 1974, Government Code section 81000 et seq., requires state and local government agencies to adopt and amend a Conflict of Interest Code as necessary; and

WHEREAS, the Fair Political Practices Commission has adopted a regulation found at California Code of Regulations, Title 2, Section 18730, which contains the terms of a standard Conflict of Interest Code which may be adopted by reference; and

WHEREAS, it is necessary to amend the Conflict of Interest Code to reflect the changes incorporated therein; and

WHEREAS, a public hearing was held to consider the amendments pursuant to Government Code Section 87311.

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

1. The above recitals are true and correct, and are incorporated as part of this Resolution.
2. Amends its Conflict of Interest Code as Set forth and incorporated herein by reference.

PASSED, APPROVED AND ADOPTED THIS 15TH DAY OF AUGUST, 2012.

V. Chris Steele
Board President

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Town of Discovery Bay Community Services District at a regularly scheduled meeting, held on August 15, 2012, by the following vote of the Board:

AYES:
NOES:
ABSENT:
ABSTAIN:

Richard J. Howard
Board Secretary

DRAFT

**CONFLICT OF INTEREST CODE FOR THE
TOWN OF DISCOVERY BAY COMMUNITY SERVICE DISTRICT**

The Political Reform Act, Government Code Section 81000, *et seq.*, requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendix in which members and employees are designated and disclosed categories are set forth, constitute the conflict of interest code of the Town of Discovery Bay Community Service District.

Designated members and employees shall file statements of economic interests with the Town of Discovery Bay Community Service District. The statements will be available for public inspection and reproduction. (Gov. Code Section 81008).

APPENDIX

DESIGNATED POSITIONS

<u>Designated Positions</u>	<u>Disclosure Categories</u>
Directors	All
General Manager	All
Water and Wastewater Manager	All
<u>Parks & Landscape Manager</u>	All
<u>Finance Manager</u>	All
Attorney	All
Consultants*	All

* Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation: The President of the Board may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and this is not required to fully comply with the disclosure requirements described in this section. Such a written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The President's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

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DRAFT

DISCLOSURE CATEGORIES

1. All investments and business positions in business entities, and all sources of income and interests in real property that are required to be disclosed in the annual statement required in Government Code Section 87203. This category is known as full disclosure.

2. Investments in or income from persons or businesses engaged in the business of providing service or supplies, including, but not limited to, equipment, machinery, or office supplies, to the Town of Discovery Bay Community Services District, or could foreseeably provide services or supplies to the Town of Discovery Bay Community Services District

3. Interests in real property located in whole or in part within the boundaries of the Discovery Bay Community Services District, or within a two-mile radius of the Town of Discovery Bay Community Services District, including any leasehold, beneficial or ownership interest or option to acquire such interest in real property if the fair market value of the interest is greater than \$2,000.00 that are required to be disclosed in the annual statement required in Government Code Section 87203.

4. Business positions, including, but not limited to, status as a director, officer, sole owner, partner, trustee, employee, or holder of a position of management in any business entity which, in the prior two years had contracted with, or in the future may contract with, the Town of Discovery Bay Community Services District to provide services or supplies to the Town of Discovery Bay Community Services District.

4.5. Gifts received from any single source or person with a single gift value more than \$50 as well as gifts with a cumulative total of \$420 or more received in a 12 month period, as well as gifts required to be disclosed in the annual statement required in Government Code Section 87203

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Town of Discovery Bay

"A Community Services District"

AGENDA REPORT

Meeting Date

August 15, 2012

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

Agenda Title

Consideration of Draft Letter to Governor Brown Opposing the Peripheral Canal Project

Recommended Action

As necessary

Executive Summary

On July 25, 2012 Governor Jerry Brown announced a \$14.0 Billion plan to divert up to 9,000 cubic feet of water per second from the Sacramento Delta through a pair of 33' diameter pipes thirty five (35) miles under the Delta to the Tracy Pumping Station. The plan calls for the following:

- It would deliver Delta water to 25 million Californians, from the Bay Area to San Diego;
- The tunnels would irrigate three (3) million acres of farmland, and would preserve one of the Sacramento-San Joaquin River Delta;
- The operations would be phased in over several years and a conveyance designed to use gravity flow to maximize energy efficiency and to minimize environmental impact.

At the Board meeting of August 1, 2012, President Steele requested a letter be sent to the Governor and all stake holders opposing the Peripheral Canal Project.

The letter was not available as of the agenda preparation deadline and will be distributed prior to the meeting on August 15, 2012.

Fiscal Impact:

Amount Requested \$

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

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

Previous Relevant Board Actions for This Item

August 1, 2012 request of President Steele to send letter to Governor Brown and all Delta Stakeholders.

Attachments

Draft Letter (To be distributed prior to August 15, 2012)

AGENDA ITEM: G-1



MONTHLY OPERATIONS REPORT

July 2012

Town of Discovery Bay, CA

1068 Days of Safe Operations

45576 worked hours since last recordable incident

TRAINING:

Safety, Operations, & Equipment

Safety	Attended	Hours
Blood borne Pathogens Fire Extinguisher Thermo Imaging	All Staff Members	6.0
Operation		
Turbidity Meter	All Staff Members	1.0

WATER SERVICE

- Repaired leak on Booster Pump #4 NPWTP
- Repaired air leak at WLWTP
- Repaired Chlorine line leak NPWTP
- Repaired Water Seal leak Booster Pump #1 NPWTP
- Installed Safety Curtain around Chemical Feed pumps At NP & WLWTP

Note: Well 4 in lead and Well 5 in lag to offset specific conductivity

Customer Inquiries:

3 Brown water calls

# of Active Wells	Gallons of Water Produced	Chemical Usage/Delivered	Fire Hydrant Flushing
5	160.1 MG	6100 gals	1



Bacteriological Test Results:

Routine Bacteria Samples Collected	No. Total Coliform Positives	No. Fecal/E. coli Positives
16	0	0

WASTEWATER SERVICE

- Replace belts on Rotor #2 Plant #1
- Replaced PLC on Clarifier #2 Plant #1
- Troubleshoot air compressor bubbler system Clarifier #2 plant #1
- Install sump pump in electrical MH #1 Plant #2
- Replaced belts on Rotor #4 Plant #1 (twice)
- Replaced belts on Odor Control Plant #1
- Blower Overload Rotor #2 Plant #1

Customer Inquiries:

0

# of Active Lift Stations	# of Inactive Lift Stations	Chemical Usage Polymer-gals	SSO	Wastewater Received (MG)
15	0	61.6	0	41.7

Collections:

- Flushed 0.0 ft of sanitary sewer. YTD 3496 ft. 5 % completed
- Inspected 0 manhole & covers. YTD 7
- Clean & De-ragged L/S "F" (3 Times)
- Installed Level control in L/S "H"



Wastewater Laboratory Analysis

<i>WW Effluent Parameter</i>	<i>Permit Limits</i>	<i>June Lab Data</i>	<i>July Lab Data</i>
Flow, MG Effluent, monthly total		41.73	41.82
Flow, Daily Discharge Flow, avg.	2.1 MGD	1.39MGD	1.35MGD
Effluent BOD ₅ , lbs/d, monthly avg.	350	35	35
Effluent TSS, lbs/d, monthly avg.	525	81	67
Effluent BOD ₅ , mg/L, monthly avg.	20	3	3
Effluent TSS, mg/L, monthly avg.	30	7	6
Total Coli form 7 day Median Max	23	13	15
Total Coli form Daily Maximum	240	50	30
% Removal BOD ₅ , monthly avg.	85% min.	99%	99%
% Removal, TSS, monthly avg.	85% min.	96%	97%
Electrical Conductivity, umhos/cm annual avg.	2100	2153(YTD)	2202(YTD)

Red – new parameter added

Maintenance:

Preventive and Corrective

Total # of WO's Completed	Total Hours
158.0	452.0

Call & Emergency Responses

Call Outs	Emergencies
6	0

Personnel Hours & Overtime:

Regular Hours	Overtime
2009	99



No Back Up
Documentation For
Agenda Item # I



No Back Up
Documentation For
Agenda Item # J



No Back Up
Documentation For
Agenda Item # K



No Back Up
Documentation For
Agenda Item # L



EAST CONTRA COSTA FIRE PROTECTION DISTRICT

Meeting Minutes
Board of Directors Regular Meeting

Monday June 25, 2012 – 6:30 P.M.
Meeting Location: 3231 Main Street, Oakley

BOARD OF DIRECTORS		
Pat Anderson	Kevin Romick - President	Robert Kenny
Steve Barr	Joel R. Bryant- Vice President	Cheryl Morgan
Robert A. Brockman	Jim Frazier	Erick Stonebarger

Preceded by a Special Closed Session Meeting at 6:00 P.M., 3231 Main Street, Oakley

6:00 P.M. – Call to Order and Adjourn to Closed Session on the following matters:
(6:00 P.M.)

1. CONFERENCE WITH LABOR NEGOTIATOR
pursuant to Government Code Section 54957.6
Agency designated representative: Board President and Vice President
Employee Organizations: International Association of Fire Fighters, Local 1230, AFSCME
Local 2700, East County Fire Fighters Association (Reserves), Unrepresented Management.
2. CONFERENCE WITH LEGAL COUNSEL:
ANTICIPATED LITIGATION pursuant to Government Code Section 54956.9 (c):
one potential case.

RECONVENE TO OPEN SESSION – 3231 Main Street, Oakley – (6:21 P.M.)

CLOSED SESSION REPORT: The Board gave direction to staff and no action was taken.

CALL TO ORDER - (6:30 P.M.)

PLEDGE OF ALLEGIANCE – (6:31 P.M.)

ROLL CALL-(6:32 P.M.) Directors Present: Anderson, Barr, Brockman, Bryant, Frazier, Kenny,
Morgan, Romick, Stonebarger

PRESENTATION- (6:32 P.M)

- P.1 Commendations from Contra Costa County Emergency Medical Services present to FF Miller, Captain Gjerman.

PUBLIC COMMENTS- (6:35 P.M)

*There was 5 Public Speakers - David Mata, Gary Steinberger, Carissa Pillow, Ronald Dion
Christine Thresh*

CONSENT CALENDAR- (6:48 P.M)

- C.1 Approve minutes from June 11, 2012 Regular Board of Directors Meeting.
- C.2 Adopt a resolution approving the continuation of various ECCFPD administrative services provided by Contra Costa County for FY 2012-13.

Motion by: Director Romick to approve Consent Calendar Items C.1 & C.2
Second by: Director Kenny
Vote: Motion carried 9:0

DISCUSSION ITEMS

- D.1 Review of election process for changing to an elected Board of Directors.
(6:50 P.M)

There was 0 Public Speakers

- D.2 Approve adjustment to Fiscal Year 2011-12 Operating Budget.
(7:05 P.M)

Motion by: Director Frazier to Approve adjustment to Fiscal Year 2011-12 Operating Budget
Second by: Director Stonebarger
Vote Motion carried 6:3

There was 1 Public Speaker – Walter MacVittie

- D.3 Receive overview of a Volunteer Firefighter Program.
(7:15 P.M)

There was 3 Public Speakers – Gil Guerrero, Bob Mankin, David Grass

PUBLIC HEARINGS - (7:45 P.M)

- PH.1 Adopt Fiscal Year 2012-13 Preliminary Operating Budget.

Motion by: Director Anderson to Adopt Fiscal Year 2012-13 Preliminary Operating Budget.
Second by: Director Romick
Vote Motion carried 8:1.

There was 1 Public Speaker – David Graás

INFORMATIONAL STAFF REPORTS - (8:10 P.M)

DIRECTORS' COMMENTS - (8:11 P.M)

INFORMATIONAL REPORTS AND REQUESTS FOR FUTURE AGENDA ITEMS FROM BOARD MEMBERS - (8:12 P.M)

Director Barr submitted a list of 9 items for a workshop for future agenda items.

Director Stonebarger requested that a workshop be scheduled to discuss for future agenda items.

Director Anderson requested the costs to bring Station 95 (Bethel Island) up to par for use to house a volunteer's firefighter program.

**ADJOURN TO THE NEXT REGULAR BOARD MEETING SCHEDULED: August 6, 2012
(8:20 P.M)**

Motion by: Director Bryant to adjourn to the next Board meeting, August 6, 2012

Second by: Director Kenny

Vote Motion carried 9:0



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

President -- Chris Steele • Vice-President -- Kevin Graves • Director - Jim Mattison • Director - Mark Simon • Director - Ray Tetreault

August 2, 2012

Contra Costa County Airports
Attn: Keith Freitas, Director of Airports
550 Sally Ride Drive
Concord, CA 94520-5550

RE: Comment Request-- Airport Master Plan -- Proposed use of the Mariposa Community Benefit Fund for Byron Airport Improvements

Dear Mr. Keith Freitas:

The Town of Discovery Bay Community Services District Board of Directors heard testimony and took under consideration the above referenced matter at their regular meeting of August 1, 2012.

The Board had no negative comments.

Sincerely,

Rick Howard, General Manager
Town of Discovery Bay CSD

RH/ca
Cc: Board of Directors

AUG 07 2012

TRANSPLAN COMMITTEE
Antioch - Brentwood - Pittsburg - Oakley and Contra Costa County

MINUTES

June 14, 2012

The meeting of the TRANSPLAN Committee was called to order in the Tri Delta Transit Board Room, 801 Wilbur Avenue, Antioch, California by Chair Jim Frazier at 6:30 P.M.

ROLL CALL

PRESENT: Gil Azevedo (Antioch), Brian Kalinowski (Antioch), Bruce Ohlson (Pittsburg), Kevin Romick (Oakley), Duane Steele (Contra Costa County Planning Commission), Robert Taylor (Brentwood), Joe Weber (Brentwood), and Chair Jim Frazier (Oakley)

ABSENT: Salvatore Evola (Pittsburg), and Mary N. Piepho (Contra Costa County Board of Supervisors)

STAFF: John Cunningham, TRANSPLAN Staff
Stephen Siproth, Legal Counsel

PUBLIC COMMENT FOR ITEMS NOT LISTED ON THE AGENDA

There were no comments from the public.

CONSENT ITEMS

On motion by Kevin Romick, seconded by Joe Weber, TRANSPLAN Committee members unanimously adopted the Consent Calendar, as follows:

3. Adopted Minutes from May 10, 2012 TRANSPLAN meeting.
4. Accepted Correspondence.
5. Accepted Status Report on Major Projects
6. Accepted Calendar of Events

STATUS UPDATE ON SB 375/SUSTAINABLE COMMUNITY STRATEGIES (SCS)

John Cunningham, TRANSPLAN staff, explained that Martin Engelmann of the Contra Costa Transportation Authority (CCTA) had asked that the item be placed on the agenda. He was not currently present and it was continued until he was available.

AUTHORIZE STAFF TO SEND A LETTER TO THE CONTRA COSTA TRANSPORTATION AUTHORITY REGARDING BAY AREA AIR QUALITY MANAGEMENT DISTRICT POLICIES ADDRESSING CHARGING STATIONS: FUNDING UTILITY

Mr. Cunningham referred to his draft letter dated June 14, 2012 to Peter Engel, Program Manager of the Contra Costa Transportation Authority regarding electric vehicle charging stations and explained that the issue had been discussed at the last meeting of the TRANSPLAN Committee. He explained that the Bay Area Air Quality Management District (BAAQMD) had been resistant to publish guidelines or criteria to use Transportation Fund for Clear Air (TFCA) funds for charging stations, and with no response from the BAAQMD, the issue had been discussed at the local level which had then prompted a response from the BAAQMD. He referred to the draft letter that memorialized the criteria to be used given the lack of formal guidelines and asked that the letter be transmitted to the CCTA.

On motion by Bob Taylor, seconded by Gil Azevedo, TRANSPLAN Committee members unanimously authorized staff to send a letter to the Contra Costa Transportation Authority regarding Bay Area Air Quality Management District policies addressing electric vehicle charging stations.

REVIEW TRANSPLAN ADMINISTRATIVE PROCEDURES

Mr. Cunningham explained that the TRANSPLAN Administrative Procedures had also been held over from last meeting. County Counsel David Schmidt had asked for additional time to revise the procedures. The Administrative Procedures would likely be returned to the TRANSPLAN Committee next month.

On motion by Brian Kalinowski, seconded by Gil Azevedo, TRANSPLAN Committee members unanimously continued the Administrative Procedures to the next meeting.

DRAFT 2012/2013 WORK PROGRAM AND BUDGET

Mr. Cunningham advised that the item had also been continued from the last meeting. He highlighted some of the changes from last year where ferry service planning coordination was likely to require some staff time along with a backstop for the State Route 4 Bypass project, additional changes related to the State Route 4 Ramp Metering Study, and Growth Management compliance. He noted that the budget had been adjusted to recognize new staffing, and had been reduced by approximately \$13,000, split across the five jurisdictions. He clarified that Jamar Stamps would assume the staffing of the TRANSPLAN Committee because duties within the Department of Conservation and Development had been rotated.

Mr. Cunningham added that the transition to new staffing should be smooth since he would remain in the same department and he and Mr. Stamps worked well together.

Mr. Cunningham advised that the final figures from the auditors had not yet been made available and the Preliminary Budget Report would be deferred until the exact figures became available, likely in September or October.

On motion by Brian Kalinowski, seconded by Joe Weber, TRANSPLAN Committee members unanimously approved the Draft Work Program and Budget for 2012/2013, and received the Preliminary Report on the 2011/2012 Budget.

RECEIVE UPDATE ON WATER EMERGENCY TRANSPORTATION AUTHORITY (WETA)

Mr. Cunningham stated with respect to WETA that there was nothing definitive happening. The CCTA had discussed the issue at its Administration and Projects Committee (APC) meeting last month with a follow up meeting in the next few weeks. The CCTA was considering how to approach the issue given the interest of several jurisdictions. On the suggestion of establishing a committee similar to the eBART Partnership Policy Advisory Committee (ePPAC), he stated he would follow up to get something on the agenda for next month given that the letter of interest had been out for two to three months now. He expected to have definitive information in the next couple of months.

As to the meeting with Senator DeSaulnier on the WETA issue, Mr. Cunningham stated that the Senator was supportive of allowing a representative from Contra Costa County sit on the WETA Board of Directors and had expressed some concern about legislation related to the reformed WETA Board. He looked forward to getting more information in that regard.

STATUS UPDATE ON SB 375/SUSTAINABLE COMMUNITY STRATEGIES (SCS)

Martin Engelmann, Deputy Executive Director, Planning, of the CCTA, explained that for the past year the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) had been working to develop a preferred scenario for a Sustainable Community Strategy and were at the point of adopting a preferred scenario, working on the environmental process, and estimating 700,000 new housing units for the Bay Area region between 2010 and 2040, 40,000 of which would occupy dwelling units now vacant. He explained that the Great Recession had been calculated into that estimation. In addition, 1.1 million new jobs had been estimated for the Bay Area by the year 2040. Those figures translated into 90,000 homes and 120,000 jobs for Contra Costa County.

Mr. Engelmann delineated some of the expectations for eastern Contra Costa County, suggested it would be easy to meet the Regional Housing Needs Assessment (RHNA) allocations with what had been projected, and noted that CCTA staff felt it was a reasonable forecast.

Mr. Engelmann presented the Plan Bay Area summary noting that more than half of the funding in the next 30 years would go to operations and maintenance for transit; the plan assumed that all available revenues, 88 percent, would go to operations and maintenance for transit, roads, and bridges.

Mr. Engelmann explained that the objective for the Plan Bay Area was to reduce greenhouse gas (GHG) emissions by 15 percent per capita by 2035. He delineated the report and noted that ABAG's major adjustment to the forecast reflected the loss of 400,000 jobs in the Bay Area and suggested that the GHG emissions were driven by jobs. He referred to the recommended climate policy initiatives for electric vehicle acceleration, vehicle buy-back and plug-in or electric vehicle purchase incentives, car sharing, vanpool incentives, the Clean Vehicles Feebate Program, smart driving strategies and a Commuter Benefits Ordinance to help meet the intended goals.

For the environmental development phase, Mr. Engelmann referred to five alternatives in the Environmental Impact Report (EIR) which were different from the earlier information and included a No Project alternative, a Jobs-Housing Connection scenario which was the preferred scenario, a Network of Transit Neighborhoods, Workforce Housing Opportunities, and an Environmental, Equity, and Jobs alternative. He identified the EIR schedule and explained that the plan remained on its original schedule with a 2013 adoption.

Bob Taylor wanted to go on record that East County would have a particular difficulty complying with the tenants of the plan given the lack of transit and the fact that most residents would be commuting for a long time.

Brian Kalinowski commented that East County had 90 percent of the builds and had net only 400 jobs, which would remain out of balance for some time. As to the type of jobs envisioned, he questioned whether there would be any emphasis in bringing any jobs beyond the standard residential development. From a region, he suggested that East County was in a deficit for job sustaining abilities and the expectation would be that East County residents would continue to commute. If that was the case, he suggested that East County should receive a larger percentage of roadway and transit monies. He characterized the plan as more of the same for East County.

Mr. Engelmann explained that by law, Plan Bay Area would have to be adopted by MTC by April 2013, and once adopted it would remain in force for four years until the 2017 Regional Transportation Plan (RTP). If Senate Bill 1139 was implemented, he suggested it would not affect the adoption of the plan. With respect to jobs, he stated that MTC would offer information on the types of jobs proposed for East County, whether retail, service, office, manufacturing, or light industrial.

Mr. Kalinowski suggested that there needed to be a buy-in for diversifying the workforce throughout the Bay Area in partnership or leverage to provide East County some relief.

Chair Frazier adjourned into closed session at 7:06 P.M.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code Section 54956.9(a))

Case Name: TRANSPLAN & ECCRFFA vs. City of Pittsburg; Contra Costa County Superior Court Case No. MSN11-0395

The meeting reconvened from closed session at 7:29 P.M.

Legal Counsel Stephen Siptroth advised that there was nothing to report out of the closed session.

ADJOURNMENT

Chair Frazier adjourned the TRANSPLAN Committee meeting at 7:30 P.M. to July 12, 2012 at 6:30 P.M. or other day/time deemed appropriate by the Committee.

Respectfully submitted,

Anita L. Tucci-Smith
Minutes Clerk

Handouts:

- Letter dated June 14, 2012 to Peter Engel, Program Manager of the Contra Costa Transportation Authority from John Cunningham, Program Manager of the TRANSPLAN Committee Re: Electric Vehicle Charging Stations
- Bay Area Plan – Preferred Land Use and Transportation Investment Strategy, Joint MTC Planning/ABAG Administrative Committees, May 11, 2012

AUG 08 2012

**STATE ROUTE 4 BYPASS AUTHORITY
Antioch - Brentwood - Oakley and Contra Costa County**

JOINT EXERCISE OF POWERS AGENCY

June 14, 2012

The STATE ROUTE 4 BYPASS AUTHORITY meeting was called to order in the Tri Delta Transit Meeting Room, 801 Wilbur Avenue, Antioch, California by Chair Bob Taylor at 8:08 P.M.

ROLL CALL

PRESENT: Jim Frazier (Oakley), Brian Kalinowski (Antioch), and Chair Robert Taylor (Brentwood)

ABSENT: Mary N. Piepho (Contra Costa County Board of Supervisors)

STAFF: Steve Kowalewski, Deputy Director, Contra Costa County Public Works Department; Interim Program Manager
Stephen Siptroth, Legal Counsel

PUBLIC COMMENT

There were no comments from the public.

CONSENT ITEMS

Interim Program Manager Steve Kowalewski recommended that Items E, F, and G on the Consent Calendar be continued to the meeting of July 12, 2012 given that the items require a unanimous vote from the Board.

On motion by Director Frazier, seconded by Director Kalinowski, the Authority unanimously adopted the Consent Items, with the continuation of Items E, F, and G to the July 12, 2012 meeting, and with the removal of Item H for discussion, as follows:

- A. APPROVED minutes of March 8, April 12, and May 10, 2012 meetings.
- B. APPROVED amendments to Consulting Services Agreements with the following consultants (no payment limit increases) to extend the term of the existing agreements through the dates listed below, and AUTHORIZED the Secretary or designee to sign the amendments on behalf of the Authority.

1. Mark Thomas and Company – Engineering design services for Segment 1, Completion of Project Report and related documents (December 31, 2012)
 2. Parsons Brinckerhoff – Construction Management Services – Segment 2, Sand Creek Road Interchange, staff support as directed and Caltrans file compilation (September 30, 2012)
 3. Geocon Consultants Inc. – Environmental site assessment services – Segment 2, Kinder Morgan (June 30, 2013)
 4. Anita Tucci-Smith – Minutes Clerk (June 30, 2013)
 5. Mike Wood – Biologist, Segment 1 mitigation site work (December 31, 2012)
- C. APPROVED the Revised End of Year FY 2011/2012 Work Plan and Budget.
- D. APPROVED the FY 2012/2013 Work Plan and Budget.
- E. THE BOARD CONTINUED THE FOLLOWING ACTIONS TO THE JULY 12, 2012 BOARD MEETING:
1. ADOPT Resolution No. 2012/08 to convey to the State of California real property associated with Segment 2 of the State Route 4 Bypass.
 2. DIRECT the Real Property Division to deliver the Quitclaim Deed to the grantee for acceptance and recording.
- F. THE BOARD CONTINUED THE FOLLOWING ACTIONS TO THE JULY 12, 2012 BOARD MEETING:
1. ADOPT Resolution No. 2012/09 to convey to the State of California real property associated with Segment 3 (Mainline) of the State Route 4 Bypass.
 2. DIRECT the Real Property Division to deliver the Grant Deed to the grantee for acceptance and recording.
- G. THE BOARD CONTINUED THE FOLLOWING ACTIONS TO THE JULY 12, 2012 BOARD MEETING:

1. ADOPT Resolution No. 2012/10 to convey to the State of California real property associated with Segment 3 (Marsh Creek Road) of the State Route 4 Bypass.
2. DIRECT the Real Property Division to deliver the Grant Deed to the grantee for acceptance and recording.

THE BOARD REMOVED THE FOLLOWING ITEM FOR DISCUSSION:

- H. DIRECT staff to submit a letter to the Contra Costa Transportation Authority (CCTA) formally notifying CCTA that the Authority will not be using the remaining Measure J funds (estimated at \$522,000) allocated for two SR4 Bypass projects, the Sand Creek Interchange and 4-Lane Widening project per the Cooperative Agreement No. 05E.01 between the agencies; and requesting CCTA to use the balance of the Measure J funds for the design of the Mokelumne Trail Overcrossing of the former SR4 Bypass in Segment 2.

Bruce Ohlson, representing the East Bay Bicycle Coalition and the Delta Pedalers Bicycle Club, stated that the Boards of both of those organizations were following the potential construction of the Mokelumne Trail over the SR4 Bypass. He asked for clarification as to where the crossing would be constructed, and sought assurance that the crossing construction would be started during the widening construction and be completed within a reasonable period of time.

Mr. Kowalewski clarified that the Mokelumne Trail crossing was an overcrossing and not an at-grade crossing and the exact location of that overcrossing would be determined through the design process. As to when it would be built, he explained that construction funding had not been identified. The hope was that if the project was in a better state of readiness it would compete well in some of the bike/ped grant opportunities, and while construction would be more efficient if done all at the same time, at this point he could not verify that would be done.

Director Frazier noted that the CCTA was attempting to combine the design for the Balfour Road Interchange with the Mokelumne Overcrossing.

On motion by Director Kalinowski, seconded by Director Frazier, the Authority unanimously DIRECTED staff to submit a letter to the Contra Costa Transportation Authority (CCTA) formally notifying CCTA that the Authority will not be using the remaining Measure J funds (estimated at \$522,000) allocated for two SR4 Bypass projects, the Sand Creek Interchange and 4-Lane Widening project per the Cooperative Agreement No. 05E.01 between the agencies, and requesting CCTA to use the balance of the Measure J funds for the design of the Mokelumne Trail Overcrossing of the former SR4 Bypass in Segment 2.

DETERMINATION ITEMS

A. RECEIVED Status Report on the State Route 4 Bypass Projects

Mr. Kowalewski advised that there was nothing new to report since the transfer and relinquishment had been accomplished in that there were no active construction projects. He advised that the groundbreaking for the Sand Creek Interchange project had been scheduled for June 22, at 10:00 A.M. at the Streets of Brentwood.

BOARDMEMBER COMMENTS

There were no Boardmember comments.

CORRESPONDENCE

There was no correspondence.

ADJOURNMENT

Chair Taylor adjourned the meeting of the State Route 4 Bypass Authority at 8:13 P.M. to the next meeting scheduled for Thursday, July 12, 2012.

Respectfully submitted,

Anita L. Tucci-Smith
Minutes Clerk



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

President – Chris Steele • Vice-President – Kevin Graves • Director - Jim Mattison • Director - Mark Simon • Director - Ray Tetreault

Via Email & U.S. Mail

August 8, 2012

Contra Costa County
Department of Conservation & Development
Community Development Division
Attn: John Osborne
30 Muir Road
Martinez, CA 94553

RE: Pantages Bay Development Draft EIR SCH #2007-052130

The Town of Discovery Bay, as a Responsible Agency, has reviewed the Pantages Bay Residential Development Project Draft Environmental Impact Report (“DEIR”) SCH # 2007-052130. The Town of Discovery Bay Community Service District (TODBCSD) submits the following comments on the DEIR in the order as presented in the DEIR:

1. Table 2-1, on page 2-4, should be updated to reflect any changes made to mitigation measures as a result of comments received on the Draft EIR. For example, there are comments below regarding mitigation measures referenced in the summary table.
2. Utilities and Service Systems, on page 3-20, does not adequately describe the water utility component. For example there should be a sub-section on Water Utilities that describes:
 - water demand estimates for residential and irrigation in terms of annual, maximum day, fire flows and peak hour;
 - a description of the water system (accompanied by a Figure);
 - Irrigation system discussion;
 - Kellogg Creek water line crossings to connect Pantages with Discovery Bay that will be conducted by the TODBCSD concurrent with the project (per 2012 Water MP).
3. Landscaping, on page 3-26; indicates 770 trees will be planted. The Landscaping Plan (Fig 3-7) shows groundcover and possibly grass. Specific landscaping types should be described along with the estimated water demand on landscaping. (See comment 2)
4. Construction Sequence, on page 3-29; does not account for the timing of the Kellogg Creek water line crossings that will be completed by TODBCSD during construction. This section should be coordinated with TODBCSD.

5. Table 4-1 Development Projects in the Vicinity of the Project Site and Figure 4-1 Cumulative Projects, on page 4-4, the description of nearby development projects does not include other developments that were identified in the 2012 Water MP, including:
 - Evans; 19 residential services connections located adjacent to Village 2;
 - Byron 78; 15 commercial service connections located east of Centex.
6. Under Discussion of No Impacts, and Deplete Groundwater Supplies, on page 4.9-18, it reads: *"The project is not proposing to drill new water wells or to directly access groundwater on the project site through the existing wells. Therefore, the project would not directly deplete groundwater resources to the extent that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level."* The project will result in increased water demand thereby having a direct effect on the quantity of groundwater extracted from the aquifer system from TODBCSD wells. The increased water demand also contributes towards the need for the new water supply well that was identified in the 2012 Water MP (CIP Item 1a). The need for a groundwater basin assessment was also recommended in the 2012 Water MP to assess long term groundwater basin impacts caused by future growth in the system. See also discussion in comment 14.
7. Mitigation Measure HYD-2, on page 4.9-32, states the following: *"The identified groundwater wells shall be properly decommissioned and/or retrofitted under permit from CCEHD"*. Retrofit implies that the well may be used in the future. This is contrary to a statement made on Page 4.9-18 that specifically states the existing wells will not be used. It is probably technically infeasible that the wells could be retrofitted to meet current state Department of Public Health standards for drinking water sources. The plan for these wells should be clearly stated.
8. Source Capacity Recommendations, on page 4.15-4, Item 1, states: *"Implement well pump equipment upgrades to the largest well off line..."* The 2012 Water MP only recommended upgrades to Well 1B (CIP Item 1d) to address current deficits in water supply with the largest well offline.
9. Reference No. 17, on page 4.15-6, spelling error – name should read Virgil Koehne.
10. Indoor Water Conservation Measures, on page 4.15-15, water service metering, plumbing and fixtures should reference minimum conservation standards such as in California Plumbing Code and AB 2572.
11. Last sentence of Third paragraph, on page 4.15-20: *"The project would construct 292 residential units and would require approximately 1.2 MGY in irrigation, and would therefore require slightly less water demand than estimated in the Water MP."* The 2012 Water MP estimated 1.2 MGY of irrigation water demand in Pantages based on experience with other landscaping. The applicant

should provide site specific calculations for irrigation water demand in terms of annual, maximum day and peak flow based on the type of landscaping and the ETO values.

12. Table 4.15-1 Summary of TODBCSD Demand and Capacity, on page 4.15-20, there are two comments on this table:

- The Peaking Factors expressed in Million Gallons per Year are incorrect. It appears to be the Maximum Day Demand expressed in Gallons per Minute as reported in the Water MP.
- This table should show the breakdown of water demand factors for the project.

13. Second sentence of First paragraph, on page 4.15-21, states: *"Although an adequate water supply is identified to meet current and future demands, the TDBCSD currently lacks the appropriate facilities to ensure the source capacity to draw and distribute the groundwater supplies"*. The Water MP indicates that reliability of the future growth in water supply "is based on an assumption that the yield of groundwater system is sufficient to sustain current and future pumping." Therefore, the statement regarding water supply adequacy is not founded. The Water MP specifically states that CIP recommendations are made to ensure that a proper basis is established on which to judge the sustainability of the water supply system. Since evidence suggests that current groundwater use is sustainable, there is an open question about future growth and TODBCSD has determined that a groundwater basin assessment (CIP Item 5) must be conducted to establish this basis. In preparing the Water MP, the discussion of sustainability was in the context of build-out growth as opposed to small increments, as in this project. While it is believed that the increment of increased demand by the project will likely not have a significant effect, it should be recognized that TODBCSD is entering into a phase of growth where the sustainability is a significant concern. It is recommended that the discussion of sustainability be revised to reflect the current view of sustainability and that mitigation be included that contributes to the quantification of sustainable groundwater resources from the underlying aquifer system. Also see comments 6 and 16.

14. Third paragraph, on page 4.15-21, states that a new well, well pump upgrades and a new storage tank are required to serve new development. The 2012 Water MP also identified the need for increased treatment capacity to serve new development. Specific improvements include a new filter, new backwash tank, new recycle pumps and modified controls (CIP Items 2a, 2b and 2c).

15. Cumulative Impacts, Water Supply, and Impact CUM UTIL-1, on page 4.15-27, states that the basis for cumulative impacts is the Water MP. The Water MP analysis does not include the breadth of discussion required of an EIR for cumulative impacts. For example, the Water MP does not assess water supply relative to nearby projects listed in Table 4-1. The EIR should be expanded to address cumulative water supply impacts. This expanded section should recognize that the TODBCSD is currently within an established groundwater management area and actively participates in the following: California Statewide Groundwater Elevation Monitoring (CASGEM) that includes a groundwater elevation monitoring program to track seasonal and long-term trends

in groundwater elevations; the Integrated Regional Water Management (IRWM) program that consists of a collaborative effort to manage water resources in the region; and East County Water Management Association (ECWMA) which is comprised of water agencies (TODBCSD is a member), wastewater agencies, flood control districts, and watershed management groups within the eastern portion of Contra Costa County (East County). These programs and organizations are aimed at managing local water supplies to improve the quality, quantity, and reliability. The EIR should use relevant information available from these programs to address cumulative water supply impacts.

16. Cumulative Impacts, Water Supply, Impact CUM UTIL-1, in the second sentence, on page 4.15-27, reads: *"Implementation of the project would require approximately 108 gmp of additional water demand from TDBCSD."* Spelling: "108 gmp" may have been intended to be 108 gpm, as in 108 gallons per minute.
17. Cumulative Impacts, Water Supply, and Impact CUM UTIL-1, in the second sentence, on page 4.15-27, reads: *"Implementation of the project would require approximately 108 gmp of additional water demand from TDBCSD."* Assuming the water demand is 108 gpm, this is the only place in the Draft EIR where a water demand is attributed to the project. See also discussion in LS-2, LS-3, LS-12, LS-13. What type of water demand is this, i.e. average day, maximum day, peak hour? What is the significance of the demand, i.e. what new facilities will be required for this additional demand?
18. On page 4.15-8, the reference to WTP on the Water Plan should be revised to WWTP on Waste Water Treatment Plant.
19. On page 4.15-16 the fourth paragraph is very confusing in that it defines the remaining capacity as the capacity of the plant left over after Pantages is constructed, which is not accurate. The actual permit is for 2.1 mgd on an annual Average Flow (AAF) basis not ADWF basis as referenced. There is also no reference to the fact that the WW Master Plan notes the reliable capacity of the facility is 2.0 mgd. In addition, the math doesn't add up properly. Recommended re-wording the paragraph as follows.

"The RWQCB approved a maximum operating capacity of 2.1 mgd for average annual flow (AAF), per its permit to the TODBCSD dated December 4, 2008. The Wastewater Master Plan, however, has shown the reliable capacity of the wastewater treatment plant is currently 2.0 mgd (AAF) without further improvements. The TODBCSD wastewater treatment plant is currently operating at 1.80 mgd (AAF), with an average dry weather flow (ADWF) of 1.75 mgd and a maximum month flow of (ADMME) of 1.98 mgd. As described in subsection 4.15.3 below, project wastewater flows of 0.1 mgd would increase the amount of wastewater treated by the facility to 1.90 mgd (AAF), leaving the facility with an apparent remaining reliable capacity of 0.1 mgd (AAF). However, all remaining capacity above 1.80 mgd (AAF) is already committed to

other planned and approved development (i.e., Hofmann project), and therefore the treatment plant would need to be expanded and the District's NPDES permit would need to be amended to provide capacity for the proposed project."

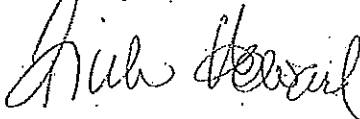
20. On page 4.15-23 the first and second paragraphs have the same problem as on page 16 noted above. Recommended re-wording as follows.

"The TODBCSD Wastewater Treatment Facility has a permitted capacity of 2.1 mgd (AAF), and is currently operating at 1.80 mgd (AAF). The Wastewater Master Plan indicates the facility has a reliable capacity of 2.0 mgd (AAF). The TODBCSD's Wastewater Treatment Facility has a remaining reliable capacity of 0.20 mgd (AAF)."

"Project wastewater flows of 0.1 mgd (AAF) would increase the amount of wastewater treated by the facility to 1.90 mgd (AAF), leaving the facility with an apparent remaining reliable capacity of 0.1 mgd (AAF). However, all remaining capacity above 1.80 mgd (AAF) is already committed to other planned and approved development (i.e., Hofmann project), and therefore the treatment plant would need to be expanded and the District's NPDES permit would need to be amended to provide capacity for the proposed project."

On behalf of The Town of Discovery Bay, as a Responsible Agency, we respectfully submit these comments for review, consideration, and attention.

Sincerely,



Rick Howard, General Manager
Town of Discovery Bay CSD

RH/ca

Cc: Board of Directors

Mark Armstrong, Pantages Bay

Rod Attebery, Neumiller & Beardslee

Dan Schroeder, Neumiller & Beardslee