



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

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

**NOTICE OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
TOWN OF DISCOVERY BAY CSD**
Wednesday March 21, 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 Special meeting dated March 7, 2012
2. Minutes of previous Regular meeting dated March 7, 2012
3. District Invoices

F. NEW BUSINESS AND ACTION ITEMS

1. Nominees for Independent Special District Selection to the Local Agency Formation Commission (LAFCO)
2. 2012 Community Clean Water Initiative Ballot
3. Establishment of FY 2012-13 Budget Ad-Hoc Committee
4. Adopt Resolution 2012-07 Allowing Preliminary Project Expenditures To Be Reimbursed From Bond Proceeds

G. VEOLIA REPORT

H. MANAGER'S REPORTS

I. GENERAL MANAGER'S REPORT

1. Earth Day

J. DISTRICT LEGAL COUNSEL REPORT

K. COMMITTEE UPDATES

L. CORRESPONDENCE-Discussion and Possible Action

1. Contra Costa County Aviation Advisory Committee meeting Minutes dated December 8, 2011
2. East Contra Costa Fire Protection District meeting Minutes dated February 6, 2012
3. East Contra Costa Fire Protection District meeting Minutes dated February 27, 2012
4. Transplan Committee meeting Minutes dated February 9, 2012
5. State Route 4 Bypass Authority meeting Minutes dated February 9, 2012
6. Letter from Central Valley Regional Water Quality Control Board dated March 14, 2012

M. PUBLIC RECORD REQUESTS RECEIVED

N. FUTURE AGENDA ITEMS

O. ADJOURNMENT

Adjourn to next Regular meeting of April 4, 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."



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

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

MINUTES OF A SPECIAL MEETING OF THE
BOARD OF DIRECTORS OF THE
TOWN OF DISCOVERY BAY CSD
Wednesday March 7, 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 to Order – 6:31 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 adjourning into the Closed Session regarding Action Item D.
- D. **CLOSED SESSION:**
CONFERENCE WITH REAL PROPERTY NEGOTIATORS
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, all four (4) Board Members were present during the entirety of the Closed Session, and there is no reportable action.
- F. **ADJOURNMENT**
The meeting adjourned at 6:51 p.m. to the Regular Meeting on March 7, 2012 on 1800 Willow Lake Road.

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

//cmc – 03.08.12



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

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

MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
TOWN OF DISCOVERY BAY CSD
Wednesday March 7, 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 to order - 7:00 p.m. by President Steele
Pledge of Allegiance - led by Girl Scouts of the USA
Roll Call - All Present

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

There were two (2) Public Comment Speakers

C. PRESENTATIONS

1. Proclamation to the Girl Scouts of the USA
President Steele - Presented the Proclamation to the Girl Scouts

D. AREA AGENCIES REPORTS / PRESENTATION

1. SHERIFF'S OFFICE REPORT

Alan Johnson - Provided the law enforcement report for the month of January

2. FIRE DISTRICT REPORT

Chief Burris - Provided his report and the details for the month of February

3. CHP REPORT

Officer Godman - Provided an update of the services to the Town of Discovery Bay

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

5. SUPERVISOR MARY PIEPHO, DISTRICT III REPORT

Karyn Cornell - Provided an update on the County related items. Office has moved to new location: 3361 Walnut Boulevard Suite 140, Brentwood, CA 94513

E. COMMITTEE/LIAISON REPORTS

1. Trans-Plan Report - No Report

2. County Planning Commission Report - John Osborne provided an update on three (3) projects within Discovery Bay; Pantages Project, Newport Pointe Project, and the Village Project

There was discussion between John Osborne, the General Manager, and the Board

3. Code Enforcement Report - General Manager Howard provided the details of the Code Enforcement meeting

4. Special Districts Report** - No Report

**These meetings are held Quarterly

President Steele - Moved Item K to this point of the meeting

Board Vacancy: Discussion and possible action

Legal Counsel Schroeder - Provided an update on the options for the Board Vacancy

Interested Residents for the Board Vacancy

Hal Bailey - Not present

Bruce Hall - Provided the details of his strengths and qualifications

Marshall Harris - Provided the details of his strengths and qualifications

Jim Mattison - Provided the details of his strengths and qualifications

Midge A Moser – Provided the details of her strengths and qualifications

Bill Pease – Provided the details of his strengths and qualifications

Tony Rigoni – Provided the details of his strengths and qualifications

Toby Ronquillo – Not present

Jonathan Silver – Provided the details of his strengths and qualifications

Diane Stewart – Provided the details of her strengths and qualifications

Frank Visintin – Provided the details of his strengths and qualifications

There was discussion between Legal Counsel and the Board

Motion by: President Steele to appoint prior to April 6, 2012

Second by: Vice-President Graves

Vote: Motion carried – AYES: 4, NOES: 0

The discussion continued between Legal Counsel and the Board

Motion by: Vice-President Graves to have the appointment at the April 4, 2012 meeting

Second by: Director Simon

Vote: Motion carried – AYES: 4, NOES: 0

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 February 15, 2012
2. Minutes of previous Special meeting dated February 29, 2012
3. District Invoices
4. Adopt and Approve Resolution 2012-06 - Contra Costa Stakeholders Regarding the Bay-Delta
5. Consideration and Approval of Overnight camping request and fee waiver for "Great American Campout" event at Cornell Park on June 23, 2012 and June 24, 2012
6. Information on CPRS Branding Initiative "Parks Make Life Better" and authorization for Policy Agreement to use branding logo
7. Authorization to waive reservation fees for the Brentwood Pony League's 2012 seasonal use of Cornell Park baseball field

Motion by: Director Simon to approve the Consent Calendar

Second by: Vice-President Graves

Vote: Motion carried – AYES: 4; NOES: 0

G. NEW BUSINESS AND ACTION ITEMS

1. Adoption of the FY 2012-2013 Budget Calendar

General Manager Howard – Provided the details of Item G-1

Motion by: Vice-President Graves to approve the Budget Calendar

Second by: Director Tetreault

Vote: Motion carried – AYES: 4, NOES: 0

2. Award of contract to Vintage Contractors for Regatta Park Basketball Surfacing

General Manager Howard – Provided the details of Item G-2

Motion by: Director Tetreault to approve the Contract for \$10,280.00

Second by: Director Simon

Vote: Motion carried – AYES: 4, NOES: 0

3. Award of contract to Stockton Fence & Material Co. for Cornell Park Tennis Court Chain Link Fence Replacement Project

General Manager Howard – Provided the details of Item G-3

There was one (1) Public Comment Speaker

Motion by: Director Simon to award the Contract to Stockton Fence & Material Co. for Cornell Park Tennis Court Chain

Link Fence not to exceed \$14,214.00

Second by: Director Tetreault

Vote: Motion carried – AYES: 4, NOES: 0

4. Award of contract to Odyssey Landscaping, Inc. for RFP #12-01, Cornell Park Horse Shoe Pits

General Manager Howard – Provided the details of Item G-4

Motion by: Vice-President Graves accepting the bid as proposed

Second by: Director Tetreault

Vote: Motion carried – AYES: 4, NOES: 0

5. Approve Town of Discovery Bay Community Services District Job Descriptions

General Manager Howard – Provided the details of Item G-5

There was a discussion between the General Manager and the Board

Motion by: Director Simon to approve the Town of Discovery Bay Community Services District Job Descriptions

Second by: Vice-President Graves

Vote: Motion carried – AYES: 4, NOES: 0

6. Town of Discovery Bay Fiscal Year 2011-12 Operating and Capital Budget Mid Year Summary Report

General Manager Howard – Provided the details of Item G-6

Finance Manager Breitstein – Provided additional details of Item G-6

There was one (1) Public Comment Speaker

There was discussion between the Finance Manager, the General Manager, and the Board

No action on Item G-6

H. PRESIDENT REPORT AND DIRECTORS' COMMENTS

Vice-President Graves – Provided the details and his reports for the East Contra Costa County Fire Protection District for meeting dates of February 27, 2012 and March 5, 2012

President Steele – Provided the details and his report for the Byron Union School District for meeting date of February 16, 2012

I. MANAGER'S REPORT

None

J. GENERAL MANAGER'S REPORT

General Manager Howard – Provided details of items that have been posted to our Website – East Contra Costa County Fire Protection District Town Hall Meeting Power Point presentation from March 1, 2012, reminder of April 21, 2012 Earth Day Celebration at Slifer Park, and Daylight Savings time begins this weekend, so remember to spring ahead and to also check the batteries on your smoke detectors

K. DISTRICT LEGAL COUNSEL REPORT

1. Board Vacancy: Discussion and possible action

Item K-1 moved before Item F

Legal Counsel Schroeder – The Board held a Special meeting at 6:30 p.m. this evening – one (1) Closed Session Agenda Item – all four (4) Board Members were present during the entirety of the Closed Session – No reportable action

L. COMMITTEE UPDATES

None

M. CORRESPONDENCE – Discussion and Possible Action

1. R – State Route 4 Bypass Authority meeting Minutes from January 12, 2012
2. R – Byron Municipal Advisory Council meeting Minutes from January 19, 2012

N. PUBLIC RECORD REQUESTS RECEIVED

1. Request from Professional Finders – Financial and Property Tax Overpayment Information etc. – Request date February 5, 2012
2. Request from William Richardson – Water Master Plan – Request date February 12, 2012
3. Request from Brian Dawson – Board Vacancy – Request date February 23, 2012

O. FUTURE AGENDA ITEMS

Budget Committee – Director Simon

P. ADJOURNMENT

The meeting adjourned at 8:40 p.m. to the next regular meeting on March 21, 2012 at 1800 Willow Lake Road.

For the Audio of this meeting please visit our Website at

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

//cmc – 03.13.12



Town of Discovery Bay

"A Community Services District"

AGENDA REPORT

Meeting Date

March 21, 2012

Prepared By: Dina Breitstein, Finance Manager & Liz Hardy, 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 \$62,261.94

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

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

Previous Relevant Board Actions for This Item

Attachments

Request For Authorization to Pay Invoices for the Town of Discovery Bay CSD 2011/2012

Request For Authorization to Pay Invoices for the Discovery Bay Lighting & Landscape District # 8 2011/2012

Request For Authorization to Pay Invoices for the Discovery Bay Lighting & Landscape District # 9 2011/2012

AGENDA ITEM: E-3

Request for authorization to pay invoices (RFA)
 For the Meeting on March 21, 2012
 Town of Discovery Bay CSD
 For Fiscal Year's 7/11 - 6/12

Acct Code							
1	7001	Express Employment	Inv# 10706898-3, dtd 2/22/12	Admin Asst		\$38.72	
	7952	Express Employment	Inv# 10706898-3, dtd 2/22/12	Admin Asst	(Z - 35)	\$9.68	
	7952	Express Employment	Inv# 10706898-3, dtd 2/22/12	Admin Asst	(Z - 57)	\$33.88	
	7952	Express Employment	Inv# 10706898-3, dtd 2/22/12	Admin Asst	(Z - 61)	\$271.04	
2	7001	Express Employment	Inv# 10727384-9, dtd 2/29/12	Admin Asst		\$38.72	
	7952	Express Employment	Inv# 10727384-9, dtd 2/29/12	Admin Asst	(Z - 61)	\$135.52	
					Sub-Total	\$527.56	
3	7011	ReliaStar	Inv#JR52 457(b) Benefits for 03/01-03/15/12			\$1,128.05	
	7024	ReliaStar	Inv#JR52 457(b) Benefits for 03/01-03/15/12			\$288.49	
					Sub-Total	\$1,416.54	
4	7011	SDRMA	Inv#0011002-IN, dtd 03/08/12	Employee Medical Benefits	April 2012	\$1,712.61	
	7024	SDRMA	Inv#0011002-IN, dtd 03/08/12	Employee Medical Benefits	April 2012	\$570.87	
					Sub-Total	\$2,283.48	
5	7205	Neumiller & Beardslee	Inv. #247052, dtd 3/08/12	Services thru 02/29/12		\$13,125.18	
6	7205	Neumiller & Beardslee	Inv. #247053, dtd 8/08/12	Services thru 02/29/12		\$64.50	
					Sub-Total	\$13,189.68	
7	7210	Luhdorff & Scalmanini	Inv.# 27633, dtd 02/26/12	Water Master Plan		\$785.00	
8	7210	Luhdorff & Scalmanini	Inv.# 27634, dtd 02/26/12	Gen Ser 2011 - C1		\$612.00	
					Sub-Total	\$1,397.00	
9	7210	ParcelQuest	Renewal for Mar 2012- 2013			\$856.61	
10		<u>Cal-Card - Acct# xxxx-xxxx-xxxx-3473 - Closing 2/27/12</u>					
	7301	General Repairs - Water/Sewer				\$317.34	
	7430	Office Supplies				\$107.31	
	7490	Travel & Training				\$79.13	
	7510	Info Systems Maintenance				\$39.00	
	7520	Cellular Communications				\$187.38	
	7620	Special Equipment				\$27.12	
	7665	Office Building/Improvements				\$508.79	
	7685	Miscellaneous Small Tools				\$412.38	
	7690	Equipment Maintenance/Fuel				\$868.81	
	7950	Miscellaneous Services & Supplies				\$846.54	
	7951	Miscellaneous Reimbursables				\$128.55	
	7952	Landscape Related Reimbursables				\$173.94	
0910-008		Salinity Study Project				\$36.02	
	7950	Misc to Research				\$54.02	
					Sub-Total	\$3,786.33	
11	7301	Corix	Inv# 1721302331, dtd 02/29/12	For water meters		\$224.08	
12	7301	Frank A. Olsen Co	Inv# 224909, dtd 02/29/12	Plant #1		\$2,342.53	
13	1011-005	Frank A. Olsen Co	Inv# 224947, dtd 03/08/12	Valve for LS "S"		\$1,585.95	
					Sub-Total	\$3,908.48	
15	7301	J.W. Backhoe & Constr.	Inv# 1648, dtd 02/28/12	Repair @ 5175 Disc Pnt		\$5,640.15	
16	7301	J.W. Backhoe & Constr.	Inv# 1651, dtd 02/28/12	Paving @ 5175 Disc Pnt		\$4,006.59	
					Sub-Total	\$9,646.74	
17	7301	R&B Company	Inv# S1288616.001, dtd 03/07/12	Lids for meter boxes		\$413.19	
18	7410	Ricoh	Inv# 414763073, dtd 3/1/12	Copler Maintenance Contract		\$393.93	
19	7414	Freedom Mailing Services, Inc.	Inv# 20289, dtd 3/09/12	Bill Processing		\$926.88	
20	7420	Neopost	Accl# xxxx-xxxx-xxxx-4658, closing 03/07/12	Postage account		\$75.00	
21	7430	Office Depot	Inv# 598689325001, dtd 02/17/12	Office Supplies		\$49.59	
22	7670	Office Depot	Inv# 598689563001, dtd 02/20/12	Office Supplies		\$162.36	
23	7430	Office Depot	Inv# 599567982001, dtd 02/24/12	Office Supplies		\$68.01	
	7952	Office Depot	Inv# 599567982001, dtd 02/24/12	Office Supplies		\$203.45	
24	7430	Office Depot	Inv# 599567761001, dtd 02/24/12	Office Supplies		\$66.66	
25	7430	Office Depot	Inv# 599567983001, dtd 02/27/12	Office Supplies		\$10.38	
26	7430	Office Depot	Inv# 600486739001, dtd 03/02/12	Office Supplies		\$11.91	
					Sub-Total	\$572.36	
27	7510	CCC Dept of Info Technology	Inv# 7383, dtd 3/1/12	WAN Terminal Monthly Fee		\$39.15	
28	7510	MediaMacros, Inc.	Inv# 2346, dtd 3/05/12	Programming Services		\$300.00	

Request for authorization to pay invoices (RFA)
 For the Meeting on March 21, 2012
 Town of Discovery Bay CSD
 For Fiscal Year's 7/11 - 6/12

<u>Acct Code</u>				
29	7520	Aaron Goldsworthy	Expense Report for Feb & Mar 2012 Cell Phone Usage	\$72.47
30	7520	Verizon Wireless	Inv# 1061347411, dtd 02/26/12 District Cell Phones 1/27/12 -02/26/12	\$438.89
31	7535	Enerpower	Inv# 59958, dtd 1/20/12 PG&E Acct# 2990602600	\$227.00
32	7535	Enerpower	Inv# 59959, dtd 1/20/12 PG&E Acct# 8651647866	\$952.00
33	7535	Enerpower	Inv# 59960, dtd 1/20/12 PG&E Acct# 2943721807	\$2,029.00
34	7537	Enerpower	Inv# 59961, dtd 1/20/12 PG&E Acct# 0631986334	\$8.00
35	7537	Enerpower	Inv# 59962, dtd 1/20/12 PG&E Acct# 3881134135	\$462.00
36	7535	Enerpower	Inv# 59963, dtd 1/20/12 PG&E Acct# 2990602600	\$65.00
37	7535	Enerpower	Inv# 59964, dtd 1/20/12 PG&E Acct# 8651647866	\$674.00
38	7535	Enerpower	Inv# 59965, dtd 1/20/12 PG&E Acct# 2943721807	\$2,321.00
39	7537	Enerpower	Inv# 59966, dtd 1/20/12 PG&E Acct# 0631986334	\$41.00
40	7537	Enerpower	Inv# 59967, dtd 1/20/12 PG&E Acct# 3881134135	\$335.00
41	7535	Enerpower	Inv# 59968, dtd 1/20/12 PG&E Acct# 8651647866	\$1,198.00
42	7535	Enerpower	Inv# 59969, dtd 1/20/12 PG&E Acct# 2943721807	\$1,050.00
43	7537	Enerpower	Inv# 59970, dtd 1/20/12 PG&E Acct# 0631986334	\$7.00
44	7537	Enerpower	Inv# 59971, dtd 1/20/12 PG&E Acct# 3881134135	\$449.00
45	7535	Enerpower	Inv# 59972, dtd 1/20/12 PG&E Acct# 2990602600	\$533.00
46	7535	Enerpower	Inv# 59973, dtd 1/20/12 PG&E Acct# 8651647866	\$120.00
47	7535	Enerpower	Inv# 59974, dtd 1/20/12 PG&E Acct# 2943721807	\$993.00
48	7537	Enerpower	Inv# 59975, dtd 1/20/12 PG&E Acct# 0631986334	\$86.00
49	7537	Enerpower	Inv# 59976, dtd 1/20/12 PG&E Acct# 3881134135	<u>\$441.00</u>
				\$11,991.00
50	7630	American Retrofit Systems	Inv# 203, dtd 3/14/12	\$200.00
51	7690	Brentwood Tire Co.	Inv# 24725, dtd 03/06/12 Oil Change & Rotate tires	\$40.83
52	7952	Gales & Assoc.	Inv# 33611, dtd 3/08/12 Regatta Basketball Ct (Z-57 #2310)	\$216.45
53	7952	Watersavers Irrigation Inc.	Inv# I1141216, dtd 03/05/12 Irrigation repair parts (Z-61 #2282)	\$67.44
54	7952	Watersavers Irrigation Inc.	Inv# I1142377, dtd 03/08/12 Irrigation repair parts (Z-61 #2282)	<u>\$96.12</u>
Sub-Total				\$163.56
TODB GRAND TOTAL				\$53,080.21
<u>Community Center Acct</u>				
1		Neumiller & Beardslee	Inv. #247052, dtd 3/08/12 Services thru 02/29/12	\$2,878.00

Request For Authorization To Pay Invoices (RFA)
 For the Meeting on March 21, 2012
 Town of Discovery Bay, D.Bay L&L Park #8
 For Fiscal Year's 7/11 - 6/12

Acct Code					
1	2120	Discovery Bay Disposal	Acct# 17-0001966, dtd 02/29/12	Service for Feb 2012	\$279.75
2	2120	Town of DB	Acct# 99000000042.07, dtd 2/15/12	Landscape Water billing	\$3.74
3	2120	Town of DB	Acct# 99000000042.05, dtd 2/15/12	Landscape Water billing	\$2.92
4	2120	Town of DB	Acct# 99000000042.04, dtd 2/15/12	Landscape Water billing	\$27.06
5	2120	Town of DB	Acct# 99000000042.03, dtd 2/15/12	Landscape Water billing	\$73.62
6	2120	Town of DB	Acct# 99000000042.01, dtd 2/15/12	Landscape Water billing	\$388.59
7	2120	Town of DB	Acct# 99000000042.02, dtd 2/15/12	Landscape Water billing	\$79.25
8	2120	Town of DB	Acct# 99000000042.06, dtd 2/15/12	Landscape Water billing	\$41.03
9	2120	Town of DB	Acct# 99000000042.08, dtd 2/15/12	Landscape Water billing	\$2.62
10	2120	Town of DB	Acct# 99000000042.09, dtd 2/15/12	Landscape Water billing	\$9.12
				Sub-Total	\$627.95
11	2130	Watersavers Irrigation	Inv# 11142377, dtd 3/08/12	Various supplies for Irrigation repairs	\$5.46
12		<u>Cal-Card - Acct# xxxx-xxxx-xxxx-3473 - Closing 2/27/12</u>			
	2131	Minor Equipment			39.99
	2270	Maintenance of Equipment			12.86
	2272	Fuel for Equipment			438.9
	2282	Grounds Maintenance			<u>104.57</u>
				Sub-Total	596.32
13	2170	ProPet Distributors, Inc.	Inv# 85986, dtd 3/07/12	Dog Bags for Park	\$778.50
14	2281	Town of Discovery Bay CSD	Inv# 3351, dtd 2/14/12	Reimb of Nov 2011 Charges	\$360.00
15	2479	Town of Discovery Bay CSD	Inv# 3351, dtd 2/14/12	Reimb of Nov 2011 Charges	<u>\$500.00</u>
				Sub-Total	\$860.00
16	2282	Antloch Plumbing	Inv# 5725, dtd 3/12/12	Repair Drinking Fountain and run ext. of drain line	\$800.00
17	2282	Valley Crest	Inv# 3945805, dtd 02/28/12	Willow Lake Island Bark	\$280.00
18	2282	Valley Crest	Inv# 3945809, dtd 02/28/12	Marina Road Planting	<u>\$648.00</u>
				Sub-Total	\$928.00
19	2301	Sue Heini	Expense Report	for mileage Dec, Jan & Feb	\$17.21
20	2310	Express Employment	Inv# 10706898-3, dtd 2/22/12	Admin Asst.	\$208.12
21	2310	Express Employment	Inv# 10727384-9, dtd 2/29/12	Admin Asst.	<u>\$271.04</u>
				Sub-Total	\$479.16
				TOTAL	\$5,372.35

Request For Authorization To Pay Invoices (RFA)
 For the Meeting on March 21, 2012
 Town of Discovery Bay, D.Bay L&L Park #9
 For Fiscal Year's 7/11 - 6/12

<u>Acct Code</u>					
1	2120	Town of Discovery Bay	Acct# 99000000043.02, dtd 02/15/12	Landscape Water Billing	\$195.09
2	2120	Town of Discovery Bay	Acct# 99000000043.01, dtd 02/15/12	Landscape Water Billing	\$13.67
3	2120	Town of Discovery Bay	Acct# 99000000043.03, dtd 02/15/12	Landscape Water Billing	<u>\$96.19</u>
				Sub-total	\$304.95
4	2170	ProPet Distributors	Inv# 85986, dtd 3/07/12	Dog Bags for park	\$259.50
5		<u>Cal-Card - Acct# xxxx-xxxx-xxxx-3473 - Closing 2/27/12</u>			
	2272	Fuel for Equipment			\$134.61
6	2310	Express Employment	Inv# 10706898-3, dtd 02/22/12	Admin. Asst.	\$212.96
7	2310	Express Employment	Inv# 10727384-9, dtd 02/29/12	Admin. Asst.	<u>\$19.36</u>
				Sub-total	\$232.32
				Total	\$931.38



Town of Discovery Bay
"A Community Services District"
AGENDA REPORT

Meeting Date

March 21, 2012

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

Agenda Title

Nominees for Independent Special District Selection to the Local Agency Formation Commission (LAFCO)

Recommended Action

Staff recommends that the Board select one (1) Special District Regular Member to fill a vacated term of office on the LAFCO Board that expires in May 2016

Executive Summary

There is an open seat on the LAFCO Board to be filled. The position is currently held by Mike McGill, who will seek reappointment to LAFCO.

The Independent Special District Selection Committee is scheduled to be held at the Central Contra Costa Sanitary District Multipurpose Room located at 5019 Imhoff Place in Martinez on Monday, April 16, 2012 at 10:00 a.m. to vote for the nominee to be appointed to LAFCO.

There are two (2) nominees for the LAFCO seat to be elected. They are:

Michael R. McGill – Central Contra Costa Sanitary District, and

George H. Schmidt – West County Wastewater District

It is recommended that the Board of Directors select a candidate to fill the Special District vacancy currently open on the LAFCO Board and that the Board president cast the District's vote.

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

None

Attachments

Contra Costa Local Agency Formation Commission Public Announcement

District List with Name, Title, and Alternate

Resolution from Pleasant Hill Recreation & Park District, Ironhouse Sanitary District, and Central Contra Costa Sanitary District nominating Michael R. McGill

Resolution from Diablo Water District nominating George H. Schmidt

AGENDA ITEM: F-1

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
PUBLIC ANNOUNCEMENT
(for immediate release and posting)

Contact: Lou Ann Texeira, Executive Officer
Phone: 925-335-1094

The Contra Costa Local Agency Formation Commission (LAFCO) is currently accepting applications for the Regular and Alternate Public Member seats.

LAFCO is an independent agency created by the State of California. LAFCO is charged with encouraging orderly governmental boundaries and efficient services, discouraging urban sprawl, and preserving agricultural and open space resources. The Commission meets these objectives by regulating the boundaries of cities and special districts and conducting municipal service reviews and other special studies.

Contra Costa LAFCO is composed of seven voting members and four alternates. These include two members and an alternate from the County Board of Supervisors, two members and an alternate from city councils, two members and an alternate from independent special district boards, and one public member and one alternate public member. Alternate members participate in meetings, but vote only when the regular member is absent or has a conflict of interest.

The Commissioners will screen applications and make the appointment. The term of office for the open public member seats is four years expiring in May 2016.

Contra Costa LAFCO meetings are typically held on the second Wednesday of each month at 1:30 pm in Martinez. The Commission can call special meetings if necessary. Commissioners receive a \$150 stipend per meeting. Commissioners are not employees of LAFCO and receive no employee benefits.

Requirements: Applicants must be a resident of Contra Costa County, able to regularly attend LAFCO meetings, have a general understanding of LAFCO functions and authorities, and cannot be officers or employees of a county, a city, or a special district in Contra Costa County. The public members are considered *public officials* and are required to file a standard annual financial disclosure statement with the California Fair Political Practices Commission.

In order to be considered, a completed application form must be received in the Contra Costa LAFCO office located at 651 Pine Street, Sixth Floor, Martinez, CA 94553 by 5:00 pm, Friday, March 9, 2012. Applications may be submitted by email, fax or U.S. mail; post marks will not be accepted. To download an application form, and for more information about Contra Costa LAFCO, please visit our website at www.contracostalafco.org, or contact the LAFCO office at 925-335-1094.

DISTRICT	NAME	TITLE		ALTERNATE
ALAMO-LAFAYETTE CEMETERY DIST	Primo Facchini	BOARD PRESIDENT		
AMBROSE REC & PARK DIST	Judy Dawson	BOARD CHAIR		
B-B-K-U CEMETERY DIST	Barbara Guise	BOARD DIRECTOR		
BETHEL ISLAND MID	Marguerite Lawry (prob.)	BOARD PRESIDENT		
BYRON SANITARY DISTRICT	Lee Cummings	BOARD DIRECTOR		
CENTRAL CONTRA COSTA SANITARY DIST	Michael McGill	BOARD DIRECTOR	✓	David Williams
CONTRA COSTA MOSQUITO & VECTOR CONTROL	Angela Micheals	BOARD PRESIDENT		
CONTRA COSTA RESOURCE CON DIST	Igor Skaredoff	BOARD PRESIDENT		
CONTRA COSTA WATER DISTRICT	John Burgh	BOARD DIRECTOR		
CROCKETT COMMUNITY SERVICES DISTRICT	Patrick Glover	BOARD DIRECTOR	✓	John MacKenzie
DIABLO CSD				
DIABLO WATER DISTRICT	Howard Hobbs	BOARD PRESIDENT		
TOWN OF DISCOVERY BAY CSD	Chris Steele	BOARD PRESIDENT	✓	
EAST CONTRA COSTA IRRIGATION DIST	Glenn Stonebarger	BOARD PRESIDENT		
GREEN VALLEY REC & PARK DIST	Scott Horton		✓	NOT IN ATTENDANCE
IRONHOUSE SANITARY DIST	Doug Hardcastle	BOARD DIRECTOR	✓	David Contreras, David Huerta, Chris Lauritzen, Michael Painter
KENSINGTON FIRE PROTECTION DISTRICT	Nina Harmon Ramsey	BOARD DIRECTOR	✓	Joe De Ville
KENSINGTON POLICE PROT & CSD	Chuck Toombs	BOARD PRESIDENT		
TOWN OF KNIGHTSEN CSD	Linda Weekes	BOARD DIRECTOR		
LOS MEDANOS COMMUNITY HEALTHCARE DIST	Marilyn Condit	BOARD PRESIDENT	✓	
MORAGA-ORINDA FIRE DIST	John Wyro	BOARD DIRECTOR		
MT. DIABLO HEALTHCARE DIST	Grace Ellis	BOARD CHAIR		
MT. VIEW SANITARY DIST	Stan Caldwell	BOARD DIRECTOR	✓	Elmer J. Schaal
PLEASANT HILL REC & PARK DIST	Dennis Donaghu	BOARD PRESIDENT	✓	
RECLAMATION DIST (RD) 799				
RD 800	Pete Hansen			
RD 830	Tom Williams	BOARD PRESIDENT		
RD 2024	Robert Cecchini	BOARD DIRECTOR		
RD 2025	David Forkel	Chairman		
RD 2026	David Forkel	Chairman		
RD 2059	Gene Lewis	BOARD DIRECTOR		
RD 2065	Coleman Foley	BOARD PRESIDENT	✓	Tom Baldocchi, Jr. Tom Baldocchi, Sr.
RD 2090				
RD 2117	Herbert Speckman	BOARD DIRECTOR		
RD 2121				
RD 2122	Robert Calone	BOARD PRESIDENT		
RD 2137	Brent Gilbert	BOARD DIRECTOR		
RODEO-HERCULES FIRE PROTECTION DIST	Bill Prather	DIRECTOR		
RODEO SANITARY DISTRICT	Mike Carlson	DIRECTOR		
ROLLINGWOOD-WILART REC & PARK DIST	Charlotte Rude	BOARD DIRECTOR		
SAN RAMON VALLEY FIRE PROTECTION DIST	Tom Linari	BOARD PRESIDENT	✓	Roxanne Lindsay
STEGE SANITARY DISTRICT	Al Miller	BOARD DIRECTOR	✓	
WEST CONTRA COSTA HEALTHCARE	Eric Zell	BOARD VICE CHAIR	✓	
WEST COUNTY WASTEWATER DIST	Leonard L. Battaglia	BOARD PRESIDENT	✓	Alfred M. Granzella

✓ & shading denote confirmation received from district



Board of Directors RESOLUTION

PLEASANT HILL RECREATION & PARK DISTRICT

147 Gregory Lane
Pleasant Hill, CA 94523
(925) 682-0896
(925) 682-1633 fax
pleasanthillrec.com

PLEASANT HILL RECREATION & PARK DISTRICT
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA
BOARD OF DIRECTORS

IN THE MATTER OF RESOLUTION 2012-02-22A
NOMINATING MIKE MCGILL OF CENTRAL COSTA COUNTY SANITARY DISTRICT TO
CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION (LAFCO)

THE PLEASANT HILL RECREATION & PARK DISTRICT BOARD OF DIRECTORS DOES
FIND:

WHEREAS, the Pleasant Hill Recreation & Park District is a member of Contra Costa Special District Association (CCSDA); and

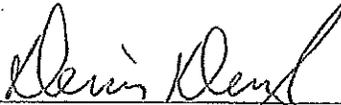
WHEREAS, the Contra Costa Special District Association Representative is hereby nominated to serve on the Commission which adopts policy and governs the affairs of the Contra Costa Local Agency Formation Commission (LAFCO); and

WHEREAS, because Mike McGill has experience serving on LAFCO representing special districts and he is a resident of the Pleasant Hill Recreation & Park District, Mike will be a positive representative on the Commission of Contra Costa Local Agency Formation Commission (LAFCO); and

THEREFORE, BE IT RESOLVED THAT Mike McGill, Central Contra Costa Sanitary District Board Member, is hereby being nominated to serve for special district regular seat on LAFCO.

PASSED AND ADOPTED ON February 22, 2012, by the following vote:

AYES: Bonato, Donaghu, Glover, Shepard, Sterrett
NOES:
ABSENT:


Dennis Donaghu, Chair

I hereby certify that the foregoing resolution was approved by the vote indicated herein above at the regular meeting of the Board of Directors on February 22, 2012.


Robert B. Berggren, Clerk of the Board

RESOLUTION 12-01

**DESIGNATING A REPRESENTATIVE OF THIS DISTRICT
TO VOTE FOR SPECIAL DISTRICT REPRESENTATIVE**

WHEREAS, Special District Vacancies on LAFCO and Call for Nominations are being announced, the District would like to nominate the following candidate for the "regular" seat on the Contra Costa County Local Agency Formation Commission nomination ballot;

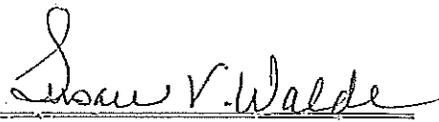
NOW, THEREFORE, BE IT RESOLVED, that Michael R. McGill, a member of the Board of Central Contra Costa Sanitary District, is nominated as a candidate for the "regular" seat on the Contra Costa Local Agency Formation Commission (LAFCO) for the election to be held on April 16, 2012.

I hereby certify that the foregoing is a full, true and correct copy of a resolution duly passed and adopted by the Sanitary Board of the Ironhouse Sanitary District at a meeting thereof held on the 7th day of February 2012.

AYES, and in favor thereof, Members: D. Contreras, D. Hardcastle, D. Huerta, C. Lauritzen and M. Painter

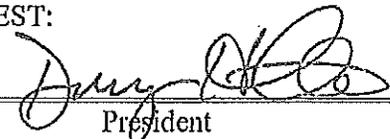
NOES, Members: None

ABSENT, Members: None



Secretary
(SEAL)

ATTEST:



President

RESOLUTION NO. 2012-009

A RESOLUTION NOMINATING BOARD MEMBER MICHAEL R. MCGILL
AS THE SPECIAL DISTRICT REPRESENTATIVE ON THE
CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION (LAFCO)

WHEREAS, the Contra Costa County Local Agency Formation Commission (LAFCO) is a regulatory agency charged by the State legislature with "discouraging urban sprawl and encouraging the orderly formation and development of local agencies" based on "local circumstances and conditions;" and

WHEREAS, the role of LAFCO is to review and approve or deny proposals to annex land to cities or special districts; detach land from cities or special districts; consolidate two or more cities or two or more special districts; form new special districts and incorporate new cities; dissolve special districts and disincorporate cities; merge cities and special districts; and allow cities or special districts to provide services outside of their boundaries; and

WHEREAS, LAFCO is made up of two City members, two County members, two Special District members and one public member, and an alternate in each category, all of whom serve four-year terms; and

WHEREAS, Central Contra Costa Sanitary District Board Member Michael McGill was elected on January 24, 2011 as Special District member to fill an unexpired term; and

WHEREAS, on January 17, 2012 the Contra Costa Local Agency Formation Commission (LAFCO) announced an upcoming vacant Special District regular seat for a four-year term ending May 9, 2016, caused by the expiring term of Member McGill; and

WHEREAS, LAFCO has called for Special Districts to submit nominations by resolution to be voted on at its April 16, 2012 election.

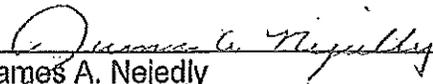
NOW, THEREFORE, the Board of Directors of the Central Contra Costa Sanitary District does resolve as follows:

Section 1. Central Contra Costa Board Member Michael R. McGill is hereby nominated to fill the Special District member vacancy on LAFCO for a four-year term ending May 9, 2016.

Section 2. This resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this 2nd day of February 2012, by the Board of Directors of the Central Contra Costa Sanitary District by the following votes:

AYES: Members: Hockett, McGill, Menesini, Williams, Nejedly
NOES: Members: None
ABSTAIN: Members: None



James A. Nejedly
President of the Board of Directors
Central Contra Costa Sanitary District
County of Contra Costa, State of California

COUNTERSIGNED:



Elaine R. Boehme, CMC
Secretary of the Central Contra Costa Sanitary District
County of Contra Costa, State of California

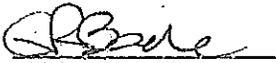
Approved as to form:



Kenton L. Alm, Esq.
Counsel for the District

I, Elaine R. Boehme, Secretary of the Central Contra Costa Sanitary District, of the County of Contra Costa, State of California, do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 2012-009 passed and adopted by said District Board on February 2, 2012.

Dated: Feb. 6, 2012



Elaine R. Boehme
Secretary of the District

RESOLUTION NO. 2012 - 2

A RESOLUTION OF THE BOARD OF DIRECTORS OF
DIABLO WATER DISTRICT NOMINATING
MICHAEL R. MCGILL
AS A CANDIDATE FOR THE POSITION OF THE CONTRA COSTA LOCAL
AGENCY FORMATION COMMISSION SPECIAL DISTRICT REGULAR SEAT

WHEREAS, the Contra Costa Local Agency Formation Commission (LAFCo) has announced that there is a vacancy for the Special District member LAFCo Regular Seat and is developing a slate of candidates for the LAFCo Special District Regular Seat.

NOW THEREFORE, BE IT RESOLVED, that the Diablo Water District nominates Michael R. McGill of the Central Contra Costa Sanitary District as a candidate for the office of Special District LAFCo Regular Seat.

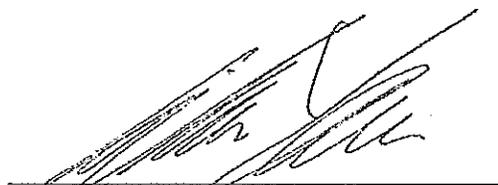
I hereby certify that the foregoing is a true and complete copy of a resolution duly and regularly adopted by the Board of Directors of Diablo Water District at a special meeting thereof held on February 29, 2012 by the following vote:

AYES: Hobbs, Cinquini, Crockett, Garcia, and Head

NOES: None

ABSENT: None

DATE: March 1, 2012



Mike Yeraka, Secretary

RESOLUTION OF THE BOARD OF DIRECTORS OF WEST COUNTY
WASTEWATER DISTRICT, COUNTY OF CONTRA COSTA, CALIFORNIA

RESOLUTION NO. 12-009

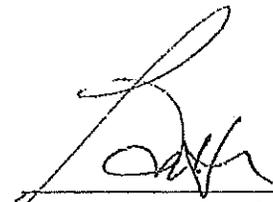
NOMINATING GEORGE H. SCHMIDT AS A CANDIDATE
FOR THE REGULAR SPECIAL DISTRICT MEMBER VACANCY ON
THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

BE IT RESOLVED that the Board of Directors of the West County Wastewater District, Contra Costa County, California, does hereby nominate George H. Schmidt as a candidate for the Regular Member seat to represent the Independent Special Districts on the Contra Costa County Local Agency Formation Commission.

* * *

I HEREBY CERTIFY that the foregoing resolution was duly and regularly adopted by the Board of Directors of the West County Wastewater District, Contra Costa County, California, at a regular meeting thereof held on the 7th day of February, 2012, by the following vote:

AYES: Schmidt, Granzella, Caine, Soltow Battaglia
NOES: None
ABSENT: None



President of the Board of Directors
West County Wastewater District
Contra Costa County, California



Town of Discovery Bay

"A Community Services District"

AGENDA REPORT

Meeting Date

March 21, 2012

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

Agenda Title

2012 Community Clean Water Initiative Ballot

Recommended Action

Provide Direction, as necessary

Executive Summary

The Contra Costa County Flood Control and Water Conservation District has teamed with all nineteen (19) of the incorporated Cities and Towns and Contra Costa County, in a cooperative effort to prevent water pollution. This joint effort is known as the Contra Costa Clean Water Program ("Clean Water Program").

The Clean Water Program is now tasked with implementing new State and Federal clean water mandates. If local creeks, reservoirs, lakes, the Delta and Bay are not cleaned up, local communities may be forced to pay large fines and possibly be subjected to third-party lawsuits. As a result, the Clean Water Program is proposing the 2012 Community Clean Water Initiative, a spring 2012 property owner election, to improve local water quality and protect our communities from toxic and dangerous pollutants.

The District owns thirteen (13) parcels that are subject to the initiative process. The attached spreadsheet identifies the subject parcels, as well as the assessment for each parcel. The total amount of the assessment for 2012 for all parcels ranges from a low of \$1.14 to \$568.48 annually. The combined annual total is \$1,829.89. The initiative expires in ten (10) years. Staff has attached the Contra Costa Clean Water Program fact sheet as well as a news article from the Contra Costa Times.

Staff is seeking Board direction on how to proceed with the initiative.

Fiscal Impact:

Amount Requested \$

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

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

Previous Relevant Board Actions for This Item

N/A

Attachments

1. Ballot Sample
2. Parcel Spreadsheet
3. Fact Sheet
4. Contra Costa Times News Article

AGENDA ITEM: F-2

- . If the property is owned by an individual, the individual may sign.
- . If a property is held by a husband and wife, either may sign for both.
- . If two or more persons own the property as tenants-in-common or as joint tenants, any tenants-in-common, or joint tenant, may sign for all.
- . If the property is owned by a corporation, the ballot may be signed for the corporation by an officer or officers authorized to make contracts or by resolution of the corporation's Board of Directors.
- . If the property is owned by another legal entity, the ballot may be signed by any person authorized by law to make contracts for the entity.
- . If the property is owned by a public agency, the ballot may be signed by any person authorized by law to make contracts for the agency or by resolution of the agency's Governing Board.

1. Verify the owner name, address, and parcel number listed on the assessment ballot are correct. If they are not correct, call 925-313-2360.
2. Fill in or clearly mark the oval next to the word "YES" or "NO" to approve or disapprove of the proposed clean water fee. To ensure a permanent mark, a pen should be used.
3. Sign and date this official ballot. Only official ballots which are signed and marked with the property owner's support or opposition will be counted. After marking your vote, simply FOLD the ballot so that your vote is on the inside of the fold. Then place the ballot in the return envelope provided. No postage is necessary to mail back your ballot.
4. If you make a mistake in completing your ballot or wish to change or withdraw your ballot, please call 925-313-2360.

5. To be tabulated, ballots MUST be received by Friday, April 6, 2012 at 5:00 p.m.

You may return your ballot in the following ways:

- A) Mail your ballot to the address shown on the enclosed return envelope so that it is received on or before April 6, 2012 at 5:00 p.m.
- B) Hand-deliver your ballot to the Clerk of the Board of Contra Costa County Supervisors at 651 Pine Street, 1st Floor, Room 106, Martinez, California so that it is received on or before April 6, 2012 at 5:00 p.m.



3 82 1 *****AUTO**5-DIGIT 94505
 CONTRA COSTA COUNTY
 DISCOVERY BAY TOWN O
 1800 WILLOW LAKE RD
 DISCOVERY BAY CA 94505-9376

10001004



PARCEL NUMBER	PROPOSED ANNUAL FEE
0042000133	\$57.00

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Example of Ballot

2012 Community Clean Water Initiative

Parcel Number	Parcel Description	Fee
004-200-013-3	Cornell Park - Land	\$ 57.00
008-330-065-7	DB #8 - Front Entrance Parcel	\$ 1.14
008-492-017-2	DB #8 Landscape - Clipper Drive	\$ 57.76
008-491-046-2	DB #8 Landscape off of Balboa Way	\$ 3.04
008-501-053-6	DB #8 Landscaping on Clipper Drive	\$ 6.08
008-330-066-5	Golf Course Valve Pump Station - Land	\$ 1.14
008-510-033-7	Highway 4 Landscaping - Land	\$ 49.02
	Sub-Total for Land	\$ 175.18
011-220-036-5	Newport Water Treatment Plant - Land	\$ 163.40
008-200-015-9	Willow Lake Water Treatment Plant	\$ 408.50
	Sub-Total for Water	\$ 571.90
008-340-041-6	Wastewater Treatment Plant #2 - 18 Acres Land	\$ 568.48
008-340-040-8	Wastewater Treatment Plant #2 - Land	\$ 285.57
008-340-033-3	Wastewater Treatment Plant #2 - Operation Building Land	\$ 196.08
011-350-012-8	Newport Lift Station	\$ 32.68
	Sub-Total for Wastewater	\$ 1,082.81
	Total for Land, Water, and Wastewater	\$ 1,829.89



2012 COMMUNITY CLEAN WATER INITIATIVE

FACT SHEET

FREQUENTLY ASKED QUESTIONS

Contra Costa Times Article: San Francisco Bay: a garbage can for 7 million people

Protecting Clean Water

Each year, tons of harmful and dangerous pollutants, bacteria and trash are carried through our neighborhoods and enter local creeks, reservoirs, lakes, the Delta and Bay. As water drains from streets, parking lots, and lawns, pollutants are picked up and enter the drainage system through thousands of catch basins throughout Contra Costa County. From there, this polluted water flows through a system of pipes, channels and creeks straight into the Delta and Bay.

The Contra Costa County Flood Control and Water Conservation District has teamed up with all 19 of the incorporated cities and towns and Contra Costa County, in a cooperative effort to prevent water pollution. This joint effort is known as the **Contra Costa Clean Water Program** ("Clean Water Program").

The Clean Water Program is now tasked with implementing new State and Federal clean water standards. If local creeks, reservoirs, lakes, the Delta and Bay are not cleaned up, local communities may be forced to pay large fines and will be subject to third-party lawsuits. As a result, the Clean Water Program is proposing the **2012 Community Clean Water Initiative**, a spring 2012 property owner election, to improve local water quality and protect our communities from toxic and dangerous pollutants.

The Proposed "2012 Community Clean Water Initiative" will:



South San Ramon Creek

- Protect local sources of clean drinking water from contamination and pollution
- Remove harmful and dangerous pollutants, toxic chemicals, and potentially infectious bacteria and viruses from our local creeks, reservoirs, lakes, the Delta and Bay
- Capture, clean and use rainwater to irrigate local parks and landscaping. This "rainwater harvesting" will also decrease the impacts of polluted stormwater and urban runoff on our local creeks, lakes, reservoirs, the Delta and Bay
- Prevent illegal or toxic discharges from industrial and commercial properties
- Provide other clean water and pollution control services and facilities required by Federal and State clean water regulations
- Keep trash and pollution away from local shorelines, creeks, reservoirs, and the Delta and Bay

Strict Fiscal Safeguards

*This measure **REQUIRES** Strict Fiscal Controls:*

- Funding from the proposed Clean Water Initiative can **ONLY** be used for local clean water and pollution control services and facilities in Contra Costa County.
- **ALL funds must stay local.** 100% of the funding will be used in the individual community where it was generated. (*i.e. 100% return-to-source*)
- Independent Citizens Oversight and mandatory audits will ensure funds are spent properly.
- This measure will last 10 years. This funding cannot be extended without a new vote of local property owners.



Happy Valley

Election Schedule

- This is a **property-owner** election defined by and subject to California State Constitution Article XIII D.
- The Contra Costa County Board of Supervisors held a Public Hearing on February 7, 2012 at 10:00 AM in the Board of Supervisors Chambers, Room 107, 651 Pine Street, Martinez, CA to receive public input. The outcome was to move forward with property owner election.
- Property owners should receive their ballots by mail the week of February 21, 2012.
- Completed ballots can be mailed OR hand-delivered to the County Clerk of the Board of the Contra Costa County Board of Supervisors, 651 Pine Street, 1st Floor, Room 106, Martinez, California. To count in this election, **ALL completed ballots must be received by the County on or before April 6, 2012 at 5:00 p.m.**

For more information about the 2012 Community Clean Water Initiative, please choose one of the following:

Municipal Regional Stormwater NPDES Permit

Public Hearing Notice Mailer

- South County
- East County
- West County
- Central County
- Lamorinda

Informational Mailer 1

- South County
- East County
- West County
- Central County
- Lamorinda

Informational Mailer 2

- CCWP Mailer 2

Board of Supervisors Meeting Documents - December 06, 2012

- Board Order Approve Fee Report
- CWFI Fee Report
- CWFI Survey Results
- CWFI Fee Chart
- CWFI Resolution 2011
- Agenda Memo 12/06/11

Board of Supervisors Meeting Documents - February 07, 2012

- Board Order Public Hearing
- Terminate Proceedings
- Agenda Memo 02/07/12

San Francisco Bay: a garbage can for 7 million people

Posted:

ContraCostaTimes.com

Bay Area residents pollute San Francisco Bay every year with enough trash to fill 100,000 kitchen garbage bags, according to the first comprehensive study of the volume of litter flowing into the bay.

The tidal wave of fast-food wrappers, plastic bottles, paper bags and cigarette butts rolls across the landscape and into storm drains, where the garbage washes into creeks and the bay in wet weather. Although it may not be surprising that because of their size San Jose and Oakland pollute the most, tiny Colma in San Mateo County and a host of East Bay cities, including Pittsburg, El Cerrito and Richmond, are among the areas that add the most litter per capita, according to an analysis by this newspaper.

"This is 100 percent preventable. Trash doesn't happen by itself. If we can get people to modify their behavior, we'll make huge gains," said Geoff Brosseau, executive director of the Bay Area Stormwater Management Agencies Association, the Menlo Park group that compiled the report.

The study is part of a massive effort to clean up trash in bay waters. In 2009, state regulators required cities and counties to reduce the amount of trash going into the bay by 40 percent by 2014 or face fines, with a goal of reducing it 100 percent by 2022.

The first step was for cities to estimate current conditions. The study concluded that 1.36 million gallons of trash flow through storm drains from 76 cities and county land in Santa Clara, Alameda, Contra Costa and San Mateo counties each year into creeks and the bay. San Francisco, which has a unique system that collects sewage and stormwater together and filters it all at treatment plants, was not included. Nor were North Bay counties that won't be covered under the new state rules for several more years.

The study -- completed this month -- used gallons, rather than pounds, to measure volume, because much of the trash, such as plastic wrapping, is very light.

What's in the debris stew? Forty-nine percent is plastic -- candy wrappers, chip bags, lids and straws, the study found -- and 21 percent is paper, 8 percent plastic grocery bags, 7 percent plastic foam and the rest cans, bottles and other debris.

The trash is not only ugly, it also can choke wildlife and tangle boat propellers. Much of it washes into the Pacific Ocean, where it contributes to the Great Pacific Garbage Patch, a vortex of plastic trash north of Hawaii.

To meet the 40 percent reduction by 2014, some places, such as San Jose and Alameda County, have banned plastic bags at supermarkets. Others, such as Oakland, have banned plastic foam packaging at restaurants. Still others have increased street sweeping or installed underground devices to catch trash in storm drains.

"It's a challenge for municipalities," Brosseau said. "There's very little interest in raising taxes. They probably can't afford to put in filters everywhere. It's more effective to go after the sources of the trash."

San Jose ranks first on the litter list, with 168,673 gallons of trash going into creeks and the bay. San Jose officials said there's a logical reason: Their city has the most people and acres of any Bay Area city.

"When you have more property, you have more litter," said Jennifer Garnett, a spokeswoman for San Jose's Environmental Services Department. "It is a pervasive problem across the Bay Area. We all need to do our part."

By 2014, San Jose plans to cut litter flowing into its 1,150 miles of storm drains by 54 percent, Garnett said. The cost: about \$6.2 million.

Already, San Jose has passed the most far-reaching bag ban of any Bay Area city, outlawing plastic bags at most markets and retailers, in addition to forcing stores to charge for paper bags. It has banned plastic foam at city events and is considering a ban at restaurants. It plans to put in 118 screens at storm drain inlets in high-trash areas and nine large trash-capture devices in storm drain tunnels. The city also works with the U.S. Environmental Protection Agency to enlist homeless people to clean creeks around homeless encampments.

"Since we've been working on these things, there's been an absolute, tremendous difference," said Lesley Estes, Oakland's watershed and stormwater management supervisor. "You can see it at Lake Merritt. It's a different place."

Ranked per capita, Oakland and San Jose do well, coming in below the Bay Area average of 260 gallons of trash per 1,000 people. Top on that list is the tiny city of Colma, with 516 gallons.

The estimates were done by fitting 149 storm drains around the Bay Area with trash-capture devices, and analyzing surrounding land uses. Commercial and high-density residential areas -- common in many East Bay cities that rank high on the per capita list -- had the most trash. Parks and rural residential areas had the least. The study then came up with total litter estimates by looking at each city's land uses and factors such as the frequency of street sweeping.

"We have a Best Buy, two Home Depots and an auto row," said Brad Donohue, Colma's acting public works director. "And we have less than 2,000 residents. That skewed the data."

To reach the 40 percent reduction goal, environmentalists say, cities must install trash-catching devices and ban plastic bags and plastic foam containers, rather than just running public education campaigns.

"Some municipalities will resist effective methods that have costs," said David Lewis, executive director of Save the Bay. "That's natural. But these are legal requirements. And the bay has been paying the costs of noncompliance for years."

Library director Leigh Poitinger contributed to this report. Paul Rogers covers resources and environmental issues. Contact him at 408-920-5045.



Town of Discovery Bay

"A Community Services District"

AGENDA REPORT

Meeting Date

March 21, 2012

Prepared By: Dina Breitstein, Finance Manager
Submitted By: Rick Howard, General Manager

Agenda Title

Establishment of FY 2012-13 Budget Ad-Hoc Committee

Recommended Action

It is recommended that the Board establish the FY 2012-13 Budget Review Ad-Hoc Committee; and to appoint two (2) Board members and three (3) public members to sit on the Budget Review Ad-Hoc Committee

Executive Summary

At the March 7, 2012 Board meeting, it was the request of the Board of Directors to establish a Budget Review Ad-Hoc Committee for the fiscal year 2012-13 budget review process. Public notice will immediately be distributed. The deadline for the letters of interest from the public will be noon on Friday April 13, 2012. The letters of interest will be reviewed and recommendations and decisions will be brought to the April 18, 2012 Board Meeting.

The FY 2012-13 Budget Review Ad-Hoc Committee will work with staff in the development of the FY 2012-13 Operating and Capital Improvement Program Budget. Staff anticipates that the committee will meet on at least four (4) occasions prior to finalizing the budget for Board review and consideration.

The Budget Review Committee will consist of two (2) members of the Board and three (3) members of the public. District staff will not be members of the committees but will provide administrative support to the committee.

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

March 7, 2012 Board meeting

Attachments

Town of Discovery Bay CSD Budget Review Committee Press Release
District Representative Listing 2012

AGENDA ITEM: F-3



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

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

Town of Discovery Bay CSD
For Immediate Release

Contact: Rick Howard, 925-634-1131 rhoward@todb.ca.gov

Release Date: March 22, 2012

Town of Discovery Bay CSD Seeking Applicants for Various Committees

The Town of Discovery Bay Community Services District is accepting letters of interest and statements of qualifications from citizens interested in participating on the FY 2012-13 Budget Review Committee. There are presently three (3) public openings for the committee. The Board of Directors will make the final committee selections.

FY 2012-13 Budget Review Committee

The Budget Review Ad-Hoc Committee will analyze and provide feedback, and make recommendations to the Board of Directors on Budgetary matters facing the Board beginning in July 2012. The committee will review past years, and current years budgets in order to gain an understanding of the many facets of the District's financial position. Topics for discussion and review will include revenues, expenditures, capital projects, sustainability, and strategic financial planning. Residents who possess skill sets specific to public finance or accounting are encouraged to submit a letter of interest. Meetings will take place on a frequent basis through the end of May 2012. Meetings may take place during the day or evening hours depending on the schedule established by the committee.

###

Town of Discovery Bay CSD Board of Directors

District Representative Listing for 2012*

Updated March 16, 2012 for Approval on March 21, 2012 Board Meeting

DISTRICT REPRESENTATIVE		
	Director Appointed	Alternate
Budget Ad-Hoc Committee		
Community Center	Chris Steele	Ray Tetreault
Contra Costa County Aviation Advisory Committee	Kevin Graves	Chris Steele
Contra Costa County Code Enforcement	Mark Simon	Rick Howard (Staff)
Contra Costa Special Districts Association	Kevin Graves	Mark Simon
East Contra Costa County Fire Protection District	Kevin Graves	Mark Simon
East County Water Management Agency	Board President	Board Vice President
Investment Oversight Ad-Hoc Committee	Chris Steele	Mark Simon
LAFCo	Chris Steele	Mark Simon
Parks/Landscaping	Mark Simon	Vacant
Police Services	Ray Tetreault	Vacant
Recreation Ad-Hoc Committee	Appointment when there is a full Board	Appointment when there is a full Board
School Districts	Chris Steele	Kevin Graves
Transportation	Kevin Graves	Vacant
Water & Sewer Vendor	Ray Tetreault	Kevin Graves

* Adoption of this Listing constitutes approval of the Board for attendance at meetings and representation of the Town of Discovery Bay, by the designated representative (or in that representative's absence, the alternate) concerning the subject for which the appointment is made but does not address the issue of whether such attendance may be compensated or whether expenses may be paid for such attendance, as those issues are addressed by law and by separate policy of the Board.

SCOPE OF FUNCTIONS

Budget Ad-Hoc Committee: This involves working with staff in the development of the FY 2012-13 Operating and Capital Improvement Program Budget. The Committee will meet on at least four (4) occasions prior to finalizing the budget for Board review and consideration.

Community Center: This involves meetings with public officials, public employees, Town staff and developers concerning issues involving the location of the Community Center.

Contra Costa County Aviation Advisory: This involves attending meetings of this committee to discuss airport operations and activities.

Contra Costa County Code Enforcement: This involves meeting with public officials, public employees and community groups covering issues of code enforcement in, or affecting, the Town.

Contra Costa Special Districts Association. This involves attending meeting of the Contra Costa Special Districts Association.

Contra Costa County Fire Protection District. This involves attending meetings of the East Contra Costa County Fire Protection District, and meeting with public officials, public employees and community groups concerning issues of fire protection in, or affecting, the Town.

East County Water Management Association. This involves attending meetings of this association, made up of representatives of local water and wastewater agencies to discuss, and exchange, information pertaining to water and wastewater operations.

Investment Oversight Ad-Hoc Committee - This involves meetings with public officials, public employees, and Town Staff that will review the District's investment portfolio through regular quarterly meetings and make recommendations that are consistent with the District's Investment Policy.

LAFCo: This involves attending meetings of LAFCO when an issue affecting the Town is before LAFCO.

Parks/Landscaping. This involves meeting with contractors, public officials, public employees, Town Staff, and community groups concerning issues involving the Town's parks and/or landscaping.

Police Services. This involves meeting with public officials, public employees and community groups covering issues of police services in, or affecting, the Town.

Recreation Ad-Hoc Committee - This involves meetings with public officials and Town Staff to begin to develop a recreation program aimed at providing additional recreational opportunities to the community.

School Districts. This involves attending meetings of the School Districts, and meeting with public officials, public employees or community groups concerning issues affecting the relationship between the Town and the Town's residents and School Districts whose area involves any portion of the Town.

Transportation. This involves attending meetings with public officials, public employees, and community groups concerning transportation issues affecting the residents of the Town.

Water and Sewer Vendor. This involves meeting with contractors, public officials, public employees, Town Staff, and Community groups concerning issues involving the Town's Water and Sewer contractor(s).



Town of Discovery Bay

"A Community Services District"

AGENDA REPORT

Meeting Date

March 21, 2012

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

Agenda Title

Adopt Resolution 2012-07 Allowing Preliminary Project Expenditures To Be Reimbursed From Bond Proceeds

Recommended Action

That the Board of Directors (the "Board") approves Resolution No. 2012-07 (the "Resolution"), thereby authorizing expenditures pertaining to the finance of the costs associated with constructing, repairing, expanding, modernizing, and/or equipping of its Water Enterprise and Wastewater Enterprise, as identified in the Water Master Plan and Wastewater Master Plan, respectively, as accepted by the Board of Directors by Board action on February 8, 2012 and as set forth in the schedule of projects attached thereto.

Executive Summary

The Town of Discovery Bay CSD is in the investigation stages of identifying the best method of providing long-term financing for those projects identified in the Water and Wastewater Master Plans. It is likely that such financing for those projects will include the issuance of bonds, notes, certificates of participation, revenue bonds or other form of debt, the interest upon which is excluded from gross income for federal income tax purposes (the "Bonds"). The Town of Discovery Bay CSD has already begun expending money on one (1) of the identified projects, and is projecting that it will spend additional funds prior to the issuance of the Bonds. By adoption of the attached Resolution, and upon issuance of the Bonds, the Town of Discovery Bay CSD will be legally permitted to reimburse itself for all qualified preliminary and construction expenditures associated to and related to the capital projects (the "Qualified Expenditures").

Furthermore, Treasury and Internal Revenue Service Code Regulations require adoption of the attached Resolution as an "official action," which then qualifies the Town of Discovery Bay CSD to issue tax exempt debt, for purposes of reimbursing Qualified Expenditures prior to the issuance of the Bonds.

Therefore, in order to ensure the continued recovery of allowable Qualified Expenditures, the Regulations require the adoption of a resolution indicating the Board's intention to finance expenditures related to the Project(s); a statement that any such expenditures would be financed through the issuance of a tax-exempt or taxable Bonds; a qualitative description of the proposed Project whose expenditures would be reimbursed from the proceeds of Bonds; and Identification of the expected source(s) of funds, which would initially pay for such expenditures and ultimately be utilized to repay the Bond obligation.

The attached Resolution meets IRS Regulations and will allow for maximum reimbursement of Qualified Expenditures for the Project from future Bond sales. Passage of the attached Resolution does not irrevocably bind the Town of Discovery Bay CSD to issue Bonds. It merely spelled out the Town of Discovery Bay's CSD intent to do so at some future date and preserved the Town of Discovery Bay's CSD right to reimburse itself for Qualified Expenditures.

There is no fiscal impact for the adoption of the resolution. The attached Resolution qualifies the Town of Discovery Bay CSD to issue tax exempt debt for purposes of reimbursing Project expenditures prior to the issuance of the Bonds. Otherwise, if not adopted, the Town of Discovery Bay CSD would not be entitled to be reimbursed from Bond proceeds.

Fiscal Impact:

Amount Requested \$N/A
 Sufficient Budgeted Funds Available?: (If no, see attached fiscal analysis)
 Prog/Fund # Category: Pers. Optg. Cap. -or- CIP# Fund#

Previous Relevant Board Actions for This Item

N/A

Attachments

Resolution No. 2012-07

AGENDA ITEM: F-4



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2012-07**

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT
DECLARING ITS INTENTION TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF TAXABLE
OR TAX-EXEMPT OBLIGATIONS AND DIRECTING CERTAIN ACTIONS WITH RESPECT THERETO AS REQUIRED
BY UNITED STATES DEPARTMENT OF TREASURY REGULATIONS SECTION 1.150-2**

WHEREAS, the Town of Discovery Bay Community Services District (the "Town of Discovery Bay") desires and intends to finance the costs of acquiring, constructing, repairing, expanding, modernizing, and/or equipping of its Water Enterprise and Wastewater Enterprise, as identified in the Water Master Plan and Wastewater Master Plan, respectively, as accepted by the Board of Directors by Board action on February 8, 2012 and as set forth in the schedule of projects attached thereto; and

WHEREAS, the Town of Discovery Bay CSD intends to finance the acquisition, construction, repairing, expanding, modernizing, and/or equipping of the Project or portions of the Project with the proceeds of the sale of taxable or tax-exempt bonds, notes, certificates of participation, revenue bonds or other forms of debt, the interest upon which is excluded from gross income for federal income tax purposes (the "Bonds"); and

WHEREAS, prior to the issuance of the Bonds the Town of Discovery Bay CSD desires to incur certain capital expenditures (the "Expenditures") with respect to the Project from available moneys of the Town of Discovery Bay CSD; and

WHEREAS, the Board of Directors has determined that those moneys advanced within sixty (60) days from the date hereof, and those moneys which will be advanced on and after the date hereof, to pay Expenditures are available only for a temporary period, and it is necessary to reimburse the Town of Discovery Bay CSD for such Expenditures from the proceeds of the Bonds, all as set forth pursuant to Section 1.150-2 of the regulations (the "Treasury Regulations") promulgated under the Internal Revenue Code of 1986, as amended (the "Tax Code"); and

WHEREAS, this Resolution will be reasonably available for public inspection within a reasonable period of time after its date of adoption and in the same manner governing the public availability of records of other official acts of the Board of Directors; and

WHEREAS, this Resolution is intended to be a "declaration of official intent" in accordance with Section 1.150-2 of the Treasury Regulations.

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

SECTION 1. The Town of Discovery Bay reasonably expects to reimburse itself for the Expenditures made by the Town of Discovery Bay in anticipation of the issuance of the Bonds with proceeds from the sale of the Bonds. The reimbursement of the expenditure is consistent with the Town of Discovery Bay's budgetary and financial circumstances. There are no funds or other sources of money of the Town of Discovery Bay, or any related person or controlled entity, that have been, or are reasonably expected to be reserved, allocated on a long term basis or otherwise set aside to pay the costs of the Project to be paid or reimbursed out of the proceeds of the Bonds.

SECTION 2. The maximum principal amount of the Bonds from which Expenditures are to be made is reasonably expected to be \$20,000,000. The obligation to be represented by the Bonds may be incurred by the Town of Discovery Bay CSD by means of the execution and delivery of certificates of participation or revenue bonds, or, in the alternative, the Bonds may be issued by a joint exercise of powers authority which will make the Bond proceeds available to the Town of Discovery Bay CSD through a loan, lease, or installment purchase arrangement.

SECTION 3. The proceeds from the Bonds are to be used for the financing, acquisition, design and/or construction of the Project, funding a reserve fund, a capitalized interest fund, and paying certain costs of issuance related thereto.

SECTION 4. This Resolution is adopted solely for purposes of establishing compliance with the requirements of section 1.150-2 of the Treasury Regulations. This Resolution does not bind the Town of Discovery Bay CSD to make any expenditure, incur any indebtedness or proceed with the financing, acquisition or construction of the Project. All of the Expenditures covered by this Resolution were made not earlier than sixty (60) days prior to the date of adoption hereof.

SECTION 5. All actions heretofore taken by the officers, or their respective designees, employees and agents of the Board of Directors of the Town of Discovery Bay CSD in connection with the financing of the Project are hereby ratified and confirmed.

SECTION 6. This Resolution shall take effect immediately upon its adoption.

SECTION 7. The Board Secretary shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED THIS 21st DAY OF March 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 March 21, 2012 by the following vote of the Board.

AYES:
NOES:
ABSTAIN:
ABSENT:

Richard J. Howard
Board Secretary



MONTHLY OPERATIONS REPORT

February 2012

Town of Discovery Bay, CA

915 Days of Safe Operations

38325 worked hours since last recordable incident

TRAINING:

Safety, Operations, & Equipment

Safety	Attended	Hours
Defensive Driving	All Staff Members	2.0
Operation		
Webinar – Near Misses	All Staff Members	0.5

WATER SERVICE

- Troubleshoot issues with Jockey #1 WLWTP
- Order new valves for backwash tank
- Order new CL17 Chlorine analyzer for Willow Lake WTP
- Meet with LSCE & Town about upgrade to the chlorine pumping system at WL

Customer Inquiries:

0 Brown water calls

# of Active Wells	Gallons of Water Produced	Chemical Usage/Delivered	Fire Hydrant Flushing
5	61.89 MG	1120 gals	0

Bacteriological Test Results:

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

WASTEWATER SERVICE

- o Replaced valves at clarifier #2 L/S plant 1
- o Repaired river ARV leak
- o Unplugged belt press feed line
- o Troubleshoot pump #1 clarifier 2 L/S (bad impeller)
- o Replace pump #1 clarifier 2 L/S
- o Sent Pump#1 in for repairs
- o Installed automatic valve on GC valve compressor blow down
- o Cleaned UV channel
- o Installed new ARV at clarifier 2 L/S

Customer Inquiries:

0

# of Active Lift Stations	# of Inactive Lift Stations	Chemical Usage Polymer-gals	SSO	Wastewater Received (MG)
15	0	46.2	0	39.14

Collections:

- o Flushed **21,085** ft of sanitary sewer. YTD **47,116** ft.
- o Inspected **90** manholes & covers. YTD **117**
- o Installed ultra-sonic sensor in L/S H (as a test)
- o Cleaned L/S S
- o Troubleshoot at L/S G (swapped pumps)
- o Swapped air compressor bubbler from L/S H to L/S J



Wastewater Laboratory Analysis

<i>WW Effluent Parameter</i>	<i>Permit Limits</i>	<i>January Lab Data</i>	<i>February Lab Data</i>
Flow, MG Effluent, monthly total		50.80	46.41
Flow, Daily Discharge Flow, avg.	2.1 MGD	1.64 MGD	1.60 MGD
Effluent BOD ₅ , lbs/d, monthly avg.	350	14	13
Effluent TSS, lbs/d, monthly avg.	525	191	208
Effluent BOD ₅ , mg/L, monthly avg.	20	1.0	1.0
Effluent TSS, mg/L, monthly avg.	30	14	16
Total Coli form 7 day Median Max	23	7	8
Total Coli form Daily Maximum	240	13	21
% Removal BOD ₅ , monthly avg.	85	99	99
% Removal, TSS, monthly avg.	85	95	95
Electrical Conductivity, umhos/cm annual avg.	2100	2300 (YTD)	2225 (YTD)

Red - new parameter added

Maintenance:

Preventive and Corrective

Total # of WO's Completed	Total Hours
252.0	246.6

Call & Emergency Responses

Call Outs	Emergencies
9	0

Personnel Hours & Overtime:

Regular Hours	Overtime
1338.75	60.0

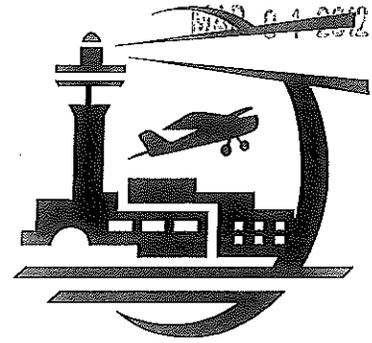
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ITEM # I

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ITEM # J

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DOCUMENTATION
FOR THIS AGENDA
ITEM # K

FINAL



**CONTRA COSTA COUNTY
AVIATION ADVISORY COMMITTEE
MINUTES OF MEETING
December 8, 2011**

MEETING CALLED: The meeting was called to order by Chair Tom Weber at 12:03 p.m. at the Director of Airport's Office.

PRESENT: Mike Bruno, CCC Airports Business Association
David Dolter, At Large 1
Janet Kaiser, Diablo Valley College
Keith McMahon, City of Concord
Derek Mims, City of Pleasant Hill
David Pfeiffer, District V
Rich Spatz, Secretary, At Large 2
Rudi Raab, District I
Russell Roe, District II
Tom Weber, Chair, District IV

ABSENT: Geoffrey Logan, Vice Chairperson, District III

STAFF: Keith Freitas, Director of Airports
Beth Lee, Assistant Airports Director

**OPENING COMMENTS
BY CHAIR:** None

**PUBLIC COMMENT
PERIOD:** None

**APPROVAL OF
MINUTES:** Moved by Derek Mims; seconded by Rich Spatz. Dave Dolter
Abstained. Approved unanimously.

APPROVAL OF

CONSENT ITEMS: Moved by Dave Dolter; seconded by Mike Bruno. Approved unanimously.

PRESENTATION/SPECIAL REPORTS:

- a. None

DISCUSSION/ACTION ITEMS:

- a. Items Pulled from Consent
N/A

- b. AAC At-Large Position Interview

Ed Young introduced himself as a longtime resident of Contra Costa County. He graduated in 1987 and a BA degree in History with a minor in Business Administration. He earned his pilot's license in 1973 and is familiar with the Byron Airport as he lives in Discovery Bay. He recently finished a term serving on the Grand Jury so he has some experience with the way the County is run. He has also reviewed the Aviation Advisory Committee (AAC) minutes for the past year to familiarize himself with Airport issues.

AAC members were supportive of his desire to be a member of the committee. The AAC recommendation will be forwarded to the Internal Operations Committee and then to the full Board.

Mike Bruno made a motion to recommend Ed to the AAC At-Large position. Rich Spatz seconded. Approved unanimously.

- c. Whispertrack

- Rudi Raab stated he looked at the Whispertrack website. He commented that it was expensive and had limited benefit to airports and pilots. A person could get as much information from a smart phone.
- Mike Bruno stated that he had his Chief Pilot look over Whispertrack. Mike and his Chief Pilot agreed it brought no real benefit and there was no compelling reason to go to the website. A pilot is as likely to go to the Airport website.
- Russ Roe make similar comments including information was already available in a better format.
- David Pfeiffer commented that Whispertrack needs the airports more than the airports need them and they should be offering their service for free to help them build their database.

- d. Buchanan Field Security Project Update and Access Card Issuance

Keith Freitas reported that the Airport is close to starting construction of security improvements.

- Two tandem gates on the west ramp and two gates on the east ramp.
- Currently working through paperwork for new access cards with tenants.
- Thanks to Russ Roe for giving the Airport staff the idea of temporarily using old readers to minimize disruption.

- Apex graciously agreed to let west ramp tenants use their gates as access while west side work is going on.
- No major issues as yet only a few wrinkles:
 - Having someone in the military get card when in the area
 - Getting good master lists for larger leaseholds of who is considered tenant so we can distinguish from affiliate.

e. **Runway Project Update**

Keith Freitas reported Airport received \$3.2 million grant from the Federal Aviation Administration (FAA) to reconstruct the main runway 1L/19R. Keith further stated:

- Contract has been issued but work will not start until weather clears – June/July 2012.
- Key issue will be about a nine (9) day closure of the main runways (01L/19R & 14L/32R) while the intersection area is improved.
- About 95% of Airport traffic will be able to operate during the work.
- The project will be broken up into a couple of smaller, discrete project phases to make it more efficient; phases will be more refined as the start date gets closer.
- Notice to proceed has not been issued yet; schedule will be set when we get to that stage.
- Cold and replace process will be used and is more environmentally friendly and will be used on a 75 foot span using the centerline as the midpoint. This worked at the Minden Airport. The entire runway will be grooved.
- A two (2) inch overlay will be put over the runway
- Some core sections show the overlay as thick as eight (8) inches

Mike Bruno was concerned it was only going to be nine (9) days of closures during the main work.

Russ Roe questioned whether there had been any consideration of putting any loop sensors in the runways for future technology. Keith Freitas responded this item had not been considered as of yet as there is not enough money at this point for any additions and the FAA standards have not been established for the technologies using ground loops on runways.

f. **Airport Draft Minimum Standards Document**

Keith Freitas reported that Airport staff has received six (6) comments from two individuals. The draft document is not anything new but is simply capturing what exists now.

Mike Bruno stated he had just started reviewing the document but had heard that the standards may be applied harsher to some than others. He suggested an appeals process be included. Beth Lee responded that there is an appeals process in the document and asked for public review to make sure it is accurately reflected.

Keith McMahon suggested having a separate meeting on this topic alone to keep from wedging into the broader AAC meeting.

Keith Freitas stated Airport staff is targeting the end of 2012 for full adoption through the Board of Supervisors.

Derek Mims stated most of the information was from other regulators.

Rudi Raab stated to keep informing the tenants about what is happening.

Mike Bruno will be convening the businesses to discuss.

Russ Roe suggested getting some Airport groups together to discuss.

g. Fiscal Year 2011/12 First Quarter Budget

Keith Freitas reported

- The 25% budget revenues are above and expenses below projections
- The reserve amount to be set aside from last year was increased
- At this point and time the budget is on target

Derek Mims questioned if the 2010/11 budget had been reconciled. Keith responded it had.

Tom Weber questioned whether some of the increases in revenue were due to timing issues. Keith responded that some items are paid early and others are billed in advance, so the increase could be caused by timing. However, the same is true for expenses as some items are paid in one lump sum and other over a period of time.

Airport staff will continue to look at changes throughout the year.

h. AAC Attendance

The AAC Attendance item was informational only as the AAC closes out the year.

Tom Weber thanked everyone for all their efforts in making it to the meetings. A quorum was available for every meeting throughout the year.

UPDATES/ANNOUNCEMENTS

a. Airport Committee Update

Next meeting is scheduled for Monday, December 12, 2011.

b. What is happening at Buchanan Field & Byron Airports/Other Airports

- Goats R Us performed drainage ditch growth and thatch removal.
- Byron Jet Center is well under construction.
- Santa Skydive was successfully held on December 3

c. Update from Airport Business Association

Mike Bruno reported that the Center for Environmental Health (CEH) filed a lawsuit to stop the selling of leaded fuel. The FBO's mentioned in the lawsuit formed a group and filed a suit stating that Avgas is made to Federal standards; if it were made to a different

standard they would be in violation of Federal law. CEH revised complaint as they did not care that the gas was being sold as long as the appropriate notifications were sent out. The FBO group lost at the Federal level and is now going to State trial. CEH has been prosecuting successfully on this issue with other large industries.

Mike Bruno stated that he has noticed an increase in business over the last few months and hopes it continues.

d. AAC Announcements

- Tom Weber distributed a copy of the AAC annual report to its members. The report would be shared with the Airport Committee and is scheduled before the full Board of Supervisors on December 13, 2011.
- Tom Weber then reported that Dave Dolter's term ends the end of February and the he would be leaving the AAC.

e. Airport Staff Announcements

None

FUTURE AGENDA ITEMS

- To be Determined

ADJOURNMENT: The meeting was adjourned by the Chair at 1:10 p.m.



EAST CONTRA COSTA FIRE PROTECTION DISTRICT

Meeting Minutes Board of Directors Regular Meeting

Monday February 6, 2012-- 6:30 P.M.

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.

RECONVENE TO OPEN SESSION – 3231 Main Street, Oakley
(6:30 P.M.)

President Romick reported that during the closed sessions, the Board gave direction to Staff.

CALL TO ORDER – (6:30P.M) By President Romick

PLEDGE OF ALLEGIANCE – (6:31 P.M) Led by Chief Henderson

ROLL CALL- (6:31 P.M) Directors Present: Anderson, Barr, Brockman, Bryant, Frazier
Kenny, Morgan, Romick, Stonebarger

PUBLIC COMMENTS - (6:32 P.M.)

There were no Public Speakers

CONSENT CALENDAR - (6:32 P.M.)

- C. 1** Approve minutes from January 9, 2012 Regular Board of Directors Meeting.
- C. 2** Approve District Response CCC Grand Jury Report #1202-
"Fire Protection- What Can You Afford?"
Motion by: Director Kenny to approve Consent Calendar Items;
Second by: Director Frazier
Vote: Motion carried 9:0

Motion by: Director Kenny to approve Consent Calendar Items; C2 with the amendment version of the corrections.
Second by: Director Anderson
Vote: Motion carried 9:0

PUBLIC HEARINGS

NONE

DISCUSSION ITEMS

- D.1** Receive Update from District Town Hall Meeting and Public Outreach.
(6:32 P.M.)

There were no Public Speakers

- D.2** Review Draft Ordinance and Resolution for Proposed Parcel Tax and Scheduling a
(6:35 P.M.) Special Meeting to Consider Adoption.

President Romick called for a Special Board of Directors meeting for February 27, 2012

There were no Public Speakers

- C. 2** Approve District Response CCC Grand Jury Report #1202-
"Fire Protection- What Can You Afford?"

At the request of the General Counsel, the Board returned to consideration of this item to consider corrections and revisions to the response.

Motion by: Director Kenny to approve Item C2, as amended.
Second by: Director Anderson
Vote: Motion carried 9:0

INFORMATIONAL STAFF REPORTS - (7:22 P.M.)

1. Service calls for January 2012 & Trench Rescue in Brentwood- Chief Henderson provided a report.
2. Grant Updates - Chief Henderson provided a status on the FEMA Grant for the ladder truck -- the district qualified. The Safer grant is being prepared for submission.

DIRECTORS' COMMENTS - (7:30 P.M.)

Director Bryant thanked all the firefighter for a good job on the Trench Rescue.
Director Frazier asked Local 1230 for and update on Willy West Recovery.
Director Kenny thanked all the firefighters for an excellent job.
Director Kenny addressed the raffle to shave his beard to benefit Engineer Willy West.

INFORMATIONAL REPORTS AND REQUESTS FOR FUTURE AGENDA ITEMS FROM BOARD MEMBERS- (7:30)

Director Barr requested a future agenda item to discuss contacting agencies within the District and providing them information regarding the proposed parcel tax

ADJOURN TO THE SPECIAL BOARD MEETING SCHEDULED: February 27, 2012 - (7:35P.M.)

Motion by: Director Kenny to adjourn to the next Board meeting, February 27, 2012
Second by: Director Romick
Vote: Motion carried 9:0



EAST CONTRA COSTA FIRE PROTECTION DISTRICT

Meeting Minutes Board of Directors Regular Meeting

Monday February 27, 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:
(6:05 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.

RECONVENE TO OPEN SESSION – 3231 Main Street, Oakley - (6:25 P.M.)

President Romick reported that during the closed sessions, the Board gave direction to Staff for item 1.

CALL TO ORDER– (6:30P.M) - By President Romick

PLEDGE OF ALLEGIANCE– (6:31 P.M) - Led by Chief Henderson

**ROLL CALL- (6:31 P.M) Directors Present: Anderson, Barr, Brockman, Bryant, Frazier
Kenny, Morgan, Romick, Stonebarger**

PUBLIC COMMENTS - (6:32 P.M.)

There were 2 Public Speakers – Gil Guerrero & Vince Wells (Local 1230) _

CONSENT CALENDAR

NONE

PUBLIC HEARINGS- (6:34 P.M.)

- PH.1** Adopt Resolution Calling a Special Election On Tuesday June 5, 2012 And Ordering That A Question Relating To The Levy Of A Special Parcel Tax Be Submitted To The Voters At That Special Election.

Motion by: Director Frazier for a motion to adopt the Resolution Calling a Special Election On Tuesday June 5, 2012 And Ordering That A Question Relating To The Levy Of A Special Parcel Tax Be Submitted To The Voters At That Special Election, as amended to add a sunset of June 30, 2023 (Resolution 2012-02)

Second by: Director Barr

Vote: Motion carried 9:0

There were 8 Public Speakers – Stephen Smith, Gene Clare, Clark Groseclose, Steve Reid, Vickey Rinehart, Steve Huebner, Ben Andres & Karen Roggie

DISCUSSION ITEMS

- D.1** Consider Options for Filing a Written Argument Regarding the Proposed Parcel Tax - (7:35 P.M.)

Direction was given to Staff to write a draft Argument Regarding the Proposed Parcel for review at the next Regular Board of Directors Meeting, March 5, 2012.

Motion by: Director Bryant for the staff to write a draft Argument Regarding the Proposed Parcel Tax for the next Board meeting, March 5, 2012

Second by: Director Brockman

Vote: Motion carried 9:0

- D.2** Requesting Participation from Outside Agencies in District's Public Information Effort Related to Proposed Parcel Tax. - (7:41 P.M.)

There was 1 Public Speaker. – Steve from Discovery Bay

INFORMATIONAL STAFF REPORTS

NONE

DIRECTORS' COMMENTS - (7:50 P.M.)

Director Bryant thanked Local 1230 for their support.

Director Frazier update on Willy West Fund Raiser on March 24, 2012.

Director Kenny addressed the raffle to shave his beard to benefit Engineer Willy West

INFORMATIONAL REPORTS AND REQUESTS FOR FUTURE AGENDA ITEMS FROM BOARD MEMBERS - (7:55 P.M.)

ADJOURN TO THE NEXT REGULAR BOARD MEETING SCHEDULED: March 5, 2012 - (7:55 P.M.)

Motion by: Director Anderson to adjourn to the next Board meeting, March 5, 2012

Second by: Director Barr

Vote: Motion carried 9:0

MAR 06 2012

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

MINUTES

February 9, 2012

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

ROLL CALL

PRESENT: Gil Azevedo (Antioch), Brian Kalinowski (Antioch), Mary N. Piepho (Contra Costa County Board of Supervisors), Duane Steele (Contra Costa County Planning Commission), Robert Taylor (Brentwood), Joe Weber (Brentwood), and Vice Chair Salvatore Evola (Pittsburg)

ABSENT: Chair Jim Frazier (Oakley), Bruce Ohlson (Pittsburg), and Kevin Romick (Oakley)

STAFF: John Cunningham, TRANSPLAN Staff
David Schmidt, Legal Counsel

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Dale Dennis, Program Manager for the East Contra Costa Regional Fee and Financing Authority (ECCRFFA) and the State Route 4 Bypass Authority, took this opportunity to announce the State Route 4 transfer ceremony scheduled for Monday, February 13 at 10:00 A.M. in the parking lot close to the Sand Creek Road Intersection at the Streets of Brentwood. He urged members to mark their calendars for the ceremony which would commemorate the transfer of the SR4 Bypass to Caltrans and return the local road to the cities of Brentwood and Oakley, and to the county. When asked, he affirmed that the roadway was now a state highway and truck traffic would now be allowed. All signs restricting truck traffic had been removed. The new signs for the roadway would be changed next week.

Joe Weber arrived at 6:34 P.M.

CONSENT ITEMS

On motion by Bob Taylor, seconded by Mary Piepho, TRANSPLAN Committee members unanimously adopted the Consent Calendar, as follows:

3. Adopted Minutes from January 12, 2012 TRANSPLAN meeting.

4. Accepted Correspondence.
5. Accepted News Articles.

Vice Chair Evola recused himself from the closed session. The meeting was then chaired by former Chair Kalinowski serving as Chair Pro Tem. In the absence of Legal Counsel, the TRANSPLAN Committee recessed at 6:37 P.M. deferring the closed session until his arrival. David Schmidt, Legal Counsel, arrived at 6:43 P.M. and the Committee adjourned into closed session at that time.

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

Chair Pro Tem Kalinowski reconvened from closed session at 7:46 P.M. and advised that there was nothing to report from closed session.

ADJOURNMENT

Chair Pro Tem Kalinowski adjourned the TRANSPLAN Committee meeting at 7:47 P.M., to March 8, 2012 at 6:30 P.M. or other day/time deemed appropriate by the Committee.

Respectfully submitted,

Anita L. Tucci-Smith
Minutes Clerk

TownOfDiscoveryBay CSD
Received
MAR 07 2012

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

JOINT EXERCISE OF POWERS AGENCY

February 9, 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 7:57 P.M.

ROLL CALL

PRESENT: Brian Kalinowski (Antioch), Mary N. Piepho (Contra Costa County Board of Supervisors), and Chair Robert Taylor (Brentwood)

ABSENT: Jim Frazier (Oakley)

STAFF: Dale Dennis, Program Manager
David Schmidt, Legal Counsel

PUBLIC COMMENT

There were no comments from the public.

CONSENT ITEMS

On motion by Director Piepho, seconded by Director Kalinowski, the Authority unanimously adopted the Consent Items, as follows:

- A. APPROVED Minutes of January 12, 2012.
- B. APPROVED Revised Work Plan and Budget for FY 2011/12.
- C. APPROVED Agreement to perform Tariff Schedule Related Work with PG&E in the not-to-exceed cost of \$140,619.75 to install a service point for signals at the Sand Creek Road Interchange, and AUTHORIZED the Secretary or designee to sign the agreement on behalf of the Authority.
- D. THE AUTHORITY TOOK THE FOLLOWING ACTIONS:
 - 1. DECLARED its intention to convey to the City of Antioch, Authority owned real property identified in the Notice of Intention to Convey Real Property.

2. DETERMINED the property is not required for Authority use.
3. TO TAKE FINAL ACTION on Thursday, March 8, 2012, at 6:30 P.M. in the Tri Delta Transit Meeting Room, 801 Wilbur Avenue, Antioch, California, as the time and place it will meet to consummate this conveyance by a unanimous vote.
4. DIRECTED the Real Property Division to have the Notice of Intention to Convey Real Property published one time, at least one week preceding the date set for hearing in the Contra Costa Times, a newspaper of general circulation (pursuant to Government Code Section 6061).

E. THE AUTHORITY TOOK THE FOLLOWING ACTIONS:

1. DETERMINED that the real property described in the Exhibit "A" to the staff report dated February 9, 2012 to be excess and no longer necessary for State Route 4 Bypass purposes.
2. APPROVED the conveyance of said excess property to the City of Antioch pursuant to Government Code Section 960.
3. AUTHORIZED the Secretary or designee to execute the Grant Deed.
4. DIRECTED the Real Property Division to deliver the Deed to the City of Antioch for acceptance and recording.

F. THE AUTHORITY TOOK THE FOLLOWING ACTIONS:

1. APPROVED Contract Change Order No. 2 with McGuire Pacific Constructors for the SR4/SR160 Signing Project, for a net cost increase of \$21,065.11 for revisions to the contract plans and special provisions as requested by Caltrans, as well as changes based on actual field conditions.
2. AUTHORIZED the Secretary or designee to sign the change order on behalf of the Authority.
3. APPROVED a \$22,000 increase in the project construction budget, for a revised budget of \$221,000, to cover the above contract change order.

DETERMINATION ITEMS

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

Program Manager Dale Dennis advised that the Sand Creek Interchange project had been advertised on February 6, with the goal to start construction in late May or early June, and with completion expected by the fall of 2013. He reminded the Authority of the State Route 4 transfer ceremony scheduled for Monday, February 13 at 10:00 A.M. in the parking lot close to the Sand Creek Road Intersection at the Streets of Brentwood to commemorate the transfer of the SR4 Bypass to Caltrans.

B. ADOPT Resolution No. 2012/01 Recognizing the Contributions of Dale Dennis as Program Manager to the SR4 Bypass Authority

On motion by Director Piepho, seconded by Director Kalinowski, the Authority unanimously adopted Resolution No. 2012/01 recognizing the contributions of Dale Dennis as Program Manager to the State Route 4 Bypass Authority.

Chair Taylor advised that the closed session was not required and therefore was not held.

CLOSED SESSION

PUBLIC EMPLOYMENT

Title: Transportation Program Manager

BOARDMEMBER COMMENTS

There were no Boardmember comments.

CORRESPONDENCE

There was no correspondence.

ADJOURNMENT

With no further business to come before the State Route 4 Bypass Authority, the meeting was adjourned at 7:58 P.M. to the next meeting scheduled for Thursday, March 8, 2012.

Respectfully submitted,

Anita L. Tucci-Smith
Minutes Clerk

MAR 14 2012



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

14 March 2012

Richard Howard, General Manager
Town of Discovery Bay CSD
1800 Willow Lake Road
Discovery Bay, CA 94505

TENTATIVE ADMINISTRATIVE CIVIL LIABILITY ORDER, TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT, WASTEWATER TREATMENT PLANT, CONTRA COSTA COUNTY

Enclosed is a proposed Administrative Civil Liability Order (Tentative Order), issued pursuant to California Water Code sections 13350, 13385 and 13268. The Tentative Order charges the Town of Discovery Bay (Discharger) with civil liability in the amount of **two hundred forty-one thousand dollars (\$241,000)** for violations of the State Water Resources Control Board Order 2006-0003-DWQ, General Waste Discharge Requirements (WDRs) for Sanitary Sewer Systems and the Central Valley Regional Water Quality Control Board's WDRs Orders R5-2003-0067 and R5-2008-0179. The violations are associated sanitary sewer overflows that occurred in 2008, 2009, and 2010.

The Tentative Order reflects a settlement that has been reached between the Discharger and the Central Valley Water Board's Prosecution Team for the violations listed in the Order. However, this Tentative Order will not be considered for signature by the Board's Advisory Team until after a 30-day period public comment period, during which time interested parties may comment on this action by submitting information to this office. Should the Prosecution Team receive new information during this comment period, the Prosecution Team may withdraw and re-issue the Tentative Order with modifications, or may schedule the matter for a hearing before the Central Valley Water Board. Please note that the Tentative Order will undergo review by the Board's Advisory Team concurrent with the public comment period.

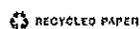
Any comments or evidence concerning the enclosed Tentative Order must be submitted to this office, attention Mike Fischer, **no later than 5 p.m. on 16 April 2012**. This includes material submitted by interested parties, including members of the public, who wish to comment on the proposed settlement. If the Central Valley Water Board does not hold a hearing on the matter, and the terms of the final settlement are not significantly different from the Tentative Order, then there will not be additional opportunities for public comment on the proposed settlement. Written materials received after **5 p.m. on 16 April 2012** will not be accepted and will not be incorporated into the administrative record if doing so would prejudice any party.

In order to conserve paper and to reduce mailing costs, paper copies of the Tentative Order have been sent to the Discharger only. The full text of the Tentative Order is available on the Central Valley Water Board's website at:

<http://www.waterboards.ca.gov/centralvalley/tentative>

KARL E. LONGLEY SCD, P.E., CHAIR | PAMELA G. GREEDON, EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley



Anyone may request a paper copy of the Tentative Order by calling the Central Valley Water Board staff listed below.

If you have any questions or comments regarding the Tentative Order, please contact Mike Fischer at (916) 464-4663 or mfischer@waterboards.ca.gov.

Original Signed by

WENDY WYELS, Supervisor
Compliance and Enforcement Section

Enclosure: Tentative Order

cc w/o encl: Kenneth Greenberg, USEPA, Region 9, San Francisco
Carol Oz, Department of Fish and Game, Region 2, Rancho Cordova
Betty Graham, CA Department of Public Health, Drinking Water Program
District Office, Richmond
Kenneth Landau, Central Valley Water Board, Rancho Cordova
Patrick Pulupa, Office of Chief Counsel, SWRCB, Sacramento
Alex Mayer, Office of Chief Counsel, SWRCB, Sacramento
David Coupe, Office of Chief Counsel, SWRCB, Sacramento
Sherman Quinlan, Contra Costa Environmental Health Department, Concord
Christina Safholm, Contra Costa Environmental Health Department, Concord
Bill Jennings, California Sportfishing Protection Alliance, Stockton

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ADMINISTRATIVE CIVIL LIABILITY ORDER R5-2012-XXXX
IN THE MATTER OF
TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT
DISCOVERY BAY WASTEWATER TREATMENT PLANT
CONTRA COSTA COUNTY

This Administrative Civil Liability Order is issued to the Town of Discovery Bay Community Services District (hereafter "Discharger") pursuant to Water Code sections 13350, 13385, and 13268, which authorize the imposition of Administrative Civil Liability, and Water Code section 7, which authorizes the delegation of the Executive Officer's authority to a deputy, in this case the Assistant Executive Officer.

This Order is based on a settlement of claims presented in Administrative Civil Liability (ACL) Complaint R5-2008-0627, issued by the Executive Officer on 3 December 2008, which alleged that the Discharger violated provisions of State Water Resources Control Board (State Water Board) Order 2006-0003-DWQ, General Waste Discharge Requirements (WDRs) for Sanitary Sewer Systems and WDRs Order R5-2003-0067 (NPDES No. CA0078590). As part of the settlement, this Order also includes additional violations of Order 2006-003-DWQ, WDRs Order R5-2003-0067, and WDRs Order R5-2008-0179.

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

Background

1. The Discharger owns a wastewater collection, treatment, and disposal system, and provides sewerage service to the Town of Discovery Bay. The treatment facility was operated under contract by Southwest Water Company (formerly ECO Resources, Inc.) until 31 December 2008. Thereafter, the facility has been operated under contract by Veolia Water.
2. On 25 April 2003, the Central Valley Water Board issued WDRs Order R5-2003-0067 to regulate the collection, treatment, and disposal of waste from the Discovery Bay wastewater treatment plant. WDRs Order R5-2003-0067 contains, among other items, prohibitions, effluent limitations, and monitoring and reporting requirements with which the Discharger must comply.
3. On 2 May 2006, the State Water Board issued Order 2006-0003-DWQ, Statewide General WDRs for Sanitary Sewer Systems (the "Sanitary Sewer General Order"). The Sanitary Sewer General Order contains, among other items, sanitary sewer overflow requirements including monitoring and reporting requirements, Sewer System Management Plan requirements, and an implementation time schedule.

4. On 4 December 2008, the Central Valley Water Board issued WDRs Order R5-2008-0179, which rescinded and replaced WDRs Order R5-2003-0067, except for the purpose of enforcement. WDRs Order R5-2008-0179 contains, among other items, prohibitions, effluent limitations, and monitoring and reporting requirements with which the Discharger must comply.
5. The sewage collection system conveys a dry weather design flow of 1.8 million gallons of wastewater per day through approximately 60 miles of gravity lines and four miles of force mains. The sewer system services a population of approximately 14,000 with 5,600 lateral connections. This collection system is relatively new, with 50% built from 1980 through 1999, and 45% built since 2000, according to the Collection System Questionnaire submitted by the Discharger.
6. The Discharger is required to operate and maintain its sewage collection system to prevent sanitary sewer overflows and spills in compliance with requirements of the Sanitary Sewer General Order and WDR Orders R5-2003-0067 and R5-2008-0179. The Discharger was required comply with the Sanitary Sewer General Order as of the date of issuance (2 May 2006), and to file documents to obtain coverage as of 2 November 2006.
7. The Discharger owns two parallel wastewater treatment plants (WWTPs). All influent flows to WWTP No. 1 and is split evenly to both plants for treatment at an influent pump station located at WWTP No. 1. WWTP No. 1 and WWTP No. 2 share a common ultra violet (UV) disinfection system located at WWTP No. 2. Effluent is pumped via an export pump station from WWTP No. 2 to Old River.

Lakeshore Sanitary Sewer Overflow

8. On 17 July 2008, a power failure caused a power interruption to the Discharger's Newport pump station. After power was restored, three of the four pumps did not restart, and one pump ran at a reduced flow capacity due to a partially closed discharge valve. The inflow at the Newport pump station wet wells was larger than the flow rate of the single working pump, raising the wastewater level in the wet wells and surcharging the system. The Discharger's SCADA system generated "high level" and "high-high level" alarms that were dismissed by plant personnel without confirming whether the Newport pump station was operating properly.
9. Due to the surcharge generated at the Newport pump station, the Discharger's collection system experienced a sanitary sewer overflow (SSO) at a sewer cleanout within the residential community of Lakeshore. The SSO had a duration of approximately 11 hours and 20 minutes. The Discharger calculated the volume of raw sewage spilled over 17/18 July 2008 to be between 77,000 and 111,000 gallons. The raw sewage entered a storm drain that discharges to a 37 million gallon manmade lake at the Lakeshore community. Because the discharge was located next to a storm inlet that led directly to the lake, it is assumed that all the raw sewage reached the lake.

10. On 14 August 2008, the Central Valley Water Board conducted an inspection of the 17/18 July 2008 Lakeshore spill and subsequently provided the Discharger with an inspection report dated 28 August 2008 (found as Attachment A to the ACL Complaint). The inspection report included a Water Code section 13267 Order for Information requiring the Discharger to submit technical reports by 10 September 2008, which were needed by Board staff to complete the SSO investigation.
11. On 10 September 2008, the Central Valley Water Board received the Discharger's response to the Water Code section 13267 Order. However, the Discharger did not submit all of the information required by the 13267 Order. After reviewing the Discharger's incomplete response and other documents, Board staff determined that the Discharger failed to comply with several provisions of WDRs Order R5-2003-0067 and General Order 2006-0003-DWQ before, during, and after the 17/18 July 2008 Lakeshore SSO.
12. On 9 October 2008, the Central Valley Water Board issued a Notice of Violation (NOV) to the Discharger for the 17/18 July 2008 Lakeshore SSO, as well as for response and reporting deficiencies before, during, and after the event. A memorandum with a detailed description of the violations was provided to the Discharger. The NOV required the Discharger to submit the missing information required in the 28 August 2008 Water Code section 13267 Order. The Discharger submitted a report on 21 October 2008. That submittal has been considered in this Order.
13. On 3 December 2008, the Executive Officer, acting as head of the Prosecution Team, issued ACL Complaint R5-2008-0627 to the Discharger. The ACL proposed a penalty of \$231,000 to address the violations that took place during the Lakeshore SSO and for failure to submit a complete technical report pursuant to Water Code section 13267.
14. On 26 February 2009, Board staff met with the Discharger to discuss penalties associated with ACL Complaint R5-2008-0627. The Discharger requested that the Board amend the ACL to include three additional SSOs that occurred in 2008, and agreed to pay an additional \$10,000. The ACL has also been amended to include three more SSOs that occurred in 2009 and 2010.

Additional Sanitary Sewer Overflows

15. On 19 April 2008, a power failure caused WWTP No. 2 to shut down. All equipment was brought back online early morning of 20 April 2008 with the exception of the effluent export pump station, which was brought online on the morning of 21 April 2008. Due to the export pump station not being operational, the treated effluent was re-directed and discharged to Reclamation District 800 drainage ditch¹. The total discharge to the drainage ditch was first estimated by Southwest Water to be 1.05 million gallons.

¹ Prior to June 2004, treated effluent was discharged to this location. After June 2004, the discharge point was moved to Old River.

However, this value is less than the average daily flow at the WWTPs and the Discharger later revised the total volume discharged to the drainage ditch to 1.67 million gallons.

16. On 10 November 2008, Southwest Water staff filled up both of the Newport lift station wet wells with potable water. Southwest Water staff then loaded the force main by using all four pumps at the lift station, each rated at 2,300 gallons per minute (gpm). The flow ruptured a glued joint on a cleanout on the force main and caused a spill of approximately 20,000 gallons of raw sewage to the ground. The Discharger estimates that less than 1,000 gallons entered a storm drain that goes into a series of private storm water ponds that drain to the Delta.
17. On 17 December 2008, staff of the State Water Resources Control Board and Central Valley Water Board conducted a joint inspection of the Discharger's WWTPs. During the inspection, the Chief Plant Operator was asked to turn the power off at WWTP No. 1 to simulate a power failure and test the plant's generator. After turning off the power to the plant, the generator started within approximately 10 seconds. Immediately after the generator started powering the plant, the inspectors noticed the SCADA system reporting several alarms indicating pump failures at the influent pumps station. Several of these alarms were acknowledged by the Chief Operator, but no action was taken. From SCADA reports submitted on 4 February 2009, it is apparent that a fault at the influent pump station was reported repeatedly by the SCADA system and the alarms were repeatedly acknowledged and cleared by Southwest Water operators without restoring proper operation of the pump station. The resulting spill was estimated by the Discharger at 1,000 gallons and was caused by operator inattention. Raw sewage entered the Reclamation District 800 drainage ditch, which is hydraulically connected to Old River.
18. On 6 August 2009, a blockage in the gravity main caused a discharge of approximately 1,500 gallons of raw sewage to the ground at 1700 Willow Lake Road. The Discharger estimates that approximately 1,000 gallons was recovered and returned to the sanitary sewer system and that approximately 500 gallons entered a storm drain which enters a private lake which is hydraulically connected to the Delta.
19. On 15 August 2009, an air relief valve was broken off of a force main under a bridge located at the corner of Newport Drive and Capstan Place, causing an estimated 4,500 gallons of raw sewage to be spilled. The Discharger estimates that 2,000 gallons of sewage reached the private lake which is hydraulically connected to the Delta. According to the initial report to the California Emergency Management Agency, the Discharger stated that vandalism was suspected as the cause of the spill.
20. Between late evening of 22 June 2010 and the morning of 23 June 2010, approximately 16,450 gallons of untreated sewage overflowed from a faulty air relief valve on a force main at Clipper Dive near Newport Drive. All 16,450 gallons of untreated sewage flowed into a storm drain and reached surface waters of Discovery Bay which are hydraulically connected to the Delta.

Regulatory Considerations

21. The *Water Quality Control Plan Central Valley Region—Sacramento River and San Joaquin River Basins, Fourth Edition* (hereafter Basin Plan), designates beneficial uses, establishes water quality objectives, and contains implementation plans and policies for all waters of the Basin. The beneficial uses of the Sacramento-San Joaquin Delta are municipal and domestic supply, agricultural supply, industrial supply, contact and non-contact water recreation, freshwater habitat, migration habitat, wildlife habitat, and navigation.
22. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.), in accordance with California Code of Regulations, title 14, section 15321(a)(2).
23. On 17 November 2009, the State Water Resources Control Board adopted a new Water Quality Enforcement Policy. However, at the time ACL Complaint R5-2008-0627 was issued, and at the time substantive settlement negotiations were conducted, this policy had not yet been adopted. Therefore, the Board considers the Water Quality Enforcement Policy adopted on 19 February 2002 as the controlling policy for the purposes of resolving ACL Complaint R5-2008-0627.

Violations under Water Code section 13350

24. Water Code section 13350(a) states, in relevant part:

(a) Any person who ... in violation of any waste discharge requirement ... or other order or prohibition issued, reissued, or amended by a regional board or the state board, discharges waste, or causes or permits waste to be deposited where it is discharged, into the waters of the state... shall be liable civilly, and remedies may be proposed, in accordance with subdivision (d) or (e).

Administrative civil liability may be imposed for violations of the Sanitary Sewer General Order pursuant to Water Code section 13350.

25. Water Code section 13350(e) states, in relevant part,

(e) The state board or a regional board may impose civil liability administratively ... either on a daily basis or on a per gallon basis, but not both.

(1) The civil liability on a daily basis may not exceed five thousand dollars (\$5,000) for each day the violation occurs.

...

(2) The civil liability on a per gallon basis may not exceed ten dollars (\$10) for each gallon of waste discharged.

Administrative civil liability may be assessed on a per-gallon basis pursuant to Water Code section 13350 or section 13385. However, this Order only imposes per-gallon assessments for wastewater that discharged to surface waters; the violations of the Sanitary Sewer General Order (the violations addressed in this section) are being

assessed as daily violations. Violations subject to Water Code section 13350 are being charged as daily violations.

26. The Sanitary Sewer General Order, section C.2, states:

Any SSO that results in a discharge of untreated or partially treated wastewater that creates a nuisance as defined in California Water Code Section 13050(m) is prohibited.

27. Water Code section 13050(m) states:

"Nuisance" means anything which meets all of the following requirements: (1) Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property. (2) Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of annoyance or damage inflicted upon individuals may be unequal. (3) Occurs during, or as a result of, the treatment or disposal of wastes.

The 17/18 July 2008, 10 November 2008, 17 December 2008, 6 August 2009, 15 August 2009, and 22/23 June 2010 SSOs created a nuisance because they interfered with the comfortable enjoyment of Lakeshore Lake, Old River, the Delta and the surrounding facilities, affected the entire community or neighborhoods in varying degrees, and occurred due to a prohibited discharge of raw sewage. These SSOs are therefore considered a violation of Section C.2 of the Sanitary Sewer General Order.

28. The Sanitary Sewer General Order, provision D.5 states:

All SSOs must be reported in accordance with Section G of the General WDRs.

The Sanitary Sewer General Order, provision G.2 states, in part:

The Enrollee shall comply with the attached Monitoring and Reporting Program 2006-0003...

The Sanitary Sewer General Order, Monitoring and Reporting Program section A.4., states:

Category 1 SSOs – All SSOs that meet the above criteria for Category 1 SSOs must be reported as soon as: (1) the Enrollee has knowledge of the discharge, (2) reporting is possible, and (3) reporting can be provided without substantially impeding cleanup or other emergency measures. Initial reporting of Category 1 SSOs must be reported to the Online SSO System as soon as possible but no later than 3 business days after the Enrollee is made aware of the SSO. Minimum information that must be contained in the 3-day report must include all information identified in section 9 below, except for item 9.K. A final certified report must be completed through the Online SSO System, within 15 calendar days of the conclusion of SSO response and remediation. Additional information may be added to the certified report, in the form of an attachment, at any time.

The above reporting requirements do not preclude other emergency notification requirements and timeframes mandated by other regulatory agencies (local County Health Officers, local Director of Environmental Health, Regional Water Boards, or Office of Emergency Services (OES)) or State law.

The Discharger did not report the 17/18 July 2008 Lakeshore SSO in accordance with the Sanitary Sewer General Order's Monitoring and Reporting Program Provision A.4. The Discharger was aware of the SSO on 18 July 2008 at 9:17 hours, and therefore, the deadline for reporting was 23 July 2008 at 9:17 hours. The Discharger entered the initial draft into the electronic reporting database on 11 August 2008, 13 days late. A final, certified report is required 15 calendar days after the conclusion of SSO response and remediation. The Discharger certified that the response was complete on 18 July 2008 at 13:30 hours; however, it did not enter the final report until 10 September 2008, nearly 39 days late.

29. The Sanitary Sewer General Order, provision D.7 states:

When a sanitary sewer overflow occurs, the Enrollee shall take all feasible steps and necessary remedial actions to 1) control or limit the volume of untreated or partially treated wastewater discharged, 2) terminate the discharge, and 3) recover as much of the wastewater discharged as possible for proper disposal, including any wash down water. The Enrollee shall ... [provide] (vi) Adequate public notification to protect the public from exposure to the SSO.

The Discharger did not properly clean up wastewater debris collected at the overflow site of the 17/18 July 2008 SSO until requested by Central Valley Water Board staff on 14 August 2008. The Discharger also failed to provide adequate public notification by not posting signs where the spill originated and failing to report the SSO in CIWQS within the required timeframe. These actions are violations of Provision D.7. of the Sanitary Sewer General Order.

30. The Sanitary Sewer General Order, section G.3 states:

... Additionally, within 30 days of receiving an account and prior to recording spills into the SSO Database, all Enrollees must complete the "Collection System Questionnaire", which collects pertinent information regarding a Enrollee's collection system. The "Collection System Questionnaire" must be updated at least every 12 months.

The Discharger enrolled in the SSO Database in 2006. However, the Discharger did not complete or update the "Collection System Questionnaire" until 10 September 2008. This is a violation of Section G.3 of the Sanitary Sewer General Order.

31. Findings 27 through 30 describe 47 distinct daily violations, which are individually listed on Attachment A of this Order. Pursuant to Water Code section 13350, up to \$5,000 may be assessed per day, per violation. Therefore, the maximum penalty for these violations under Water Code section 13350 is **two hundred thirty-five thousand dollars (\$235,000)**.

Violations under Water Code section 13268

32. Water Code section 13267(b)(1) states, in relevant part:

... the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its

region ... shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires.

The 28 August 2008 Water Code section 13267 Order required the Discharger to submit a number of technical reports. On 9 September 2008, the Discharger submitted an incomplete response to Item No. 1 of the 13267 Order because it did not address the cause, remedy, or prevention of non-compliance due to inadequate reporting. The Discharger did not submit a report to address Item No. 2 of the 13267 Order, which required an analysis of the frequency, duration, and impact of power failures experienced over the past five years. The Discharger did not submit a report to address Item No. 3 of the 13267 Order, which required a description of the preventive (failsafe) and contingency (cleanup) plans for controlling accidental discharges, and for minimizing the effect of such events.

33. Water Code section 13268(a)(1) states, in part:

Any person failing or refusing to furnish technical...reports as required by subdivision (b) of Section 13267,...is guilty of misdemeanor and may be liable civilly in accordance with subdivision (b).

34. Water Code section 13268(b)(1) states, in part:

Civil liability may be administratively imposed by a regional board... for a violation of subdivision (a) in an amount which shall not exceed one thousand dollars (\$1,000) for each day in which the violation occurs.

35. The Discharger did not submit all the requested reports by the required due date of 10 September 2008. The reports were submitted on 22 October 2008, which was 42 days late. The maximum liability for the late submittal of reports required by the Water Code section 13267 Order is **forty-two thousand dollars (\$42,000)**. A table listing each violation and the associated penalty is included as **Attachment A** to this Order.

Violations under Water Code section 13385

36. Both 33 U.S.C. § 1311(a)(referred to as Clean Water Act section 301) and Water Code section 13376 prohibit discharge of pollutants to surface waters except in compliance with a National Pollutant Discharge Elimination System (NPDES) permit.

37. Water Code section 13376 states, in relevant part:

Any person discharging pollutants or proposing to discharge pollutants to the navigable waters of the United States ... shall file a report of the discharge in compliance with the procedures set forth in Section 13260... The discharge of pollutants...except as authorized by waste discharge requirements [NPDES permit]...is prohibited.

38. Clean Water Act section 301 states that,

Except as in compliance with this section and sections ... 1342, and 1344 of this title, the discharge of any pollutant by any person shall be unlawful.

The federal Clean Water Act defines the "discharge of a pollutant" as the "any addition of any pollutant to navigable waters from any point source." (33 U.S.C. § 1362(12)(A).) The federal Clean Water Act defines a "point source" as, "any discernible, confined and discrete conveyance ... from which pollutants are or may be discharged." (33 U.S.C. § 1362(14).) Section 1342 is the statutory provision pertaining to NPDES permits, which are required for certain discharges. The spills described in Findings Nos. 9 and 15-20 are considered discharges that violate 33 U.S.C. § 1311(a), as these discharges were not made in compliance with the NPDES permits issued to the Discharger.

39. Water Code section 13385(a) states, in relevant part:

(a) Any person who violates any of the following shall be liable civilly in accordance with subdivisions (b), (c), (d), (e), and (f):

(1) Section 13375 or 13376

...
(5) Any requirements of Section 301, 302, 306, 307, 308, 318, 401, or 405 of the Clean Water Act, as amended.

40. Water Code section 13385(c) states, in relevant part:

(c) Civil liability may be imposed administratively by the state board or a regional board pursuant to Article 2.5 (commencing with Section 13323) of Chapter 5 in an amount not to exceed the sum of both the following:

(1) Ten thousand dollars (\$10,000) for each day in which the violation occurs.

(2) Where there is a discharge, any portion of which is not susceptible to cleanup or is not cleaned up, and the volume discharged but not cleaned up exceeds 1,000 gallons, an additional liability not to exceed ten dollars (\$10) times the number of gallons by which the volume discharged but not cleaned up exceeds 1,000 gallons.

41. Order R5-2003-0067, Prohibition A.1 states: "*Discharge of wastewater at a location or in a manner different from that described in Finding No. 2 is prohibited.*" The 17/18 July 2008, 10 November 2008, and 17 December 2008 SSOs were not treated, as required by the WDRs, nor were they discharged at locations authorized by the WDRs. Therefore, these discharges were in violation of Prohibition A.1.

42. Order R5-2003-0067, Prohibition A.2 states: "*Discharge to the Reclamation District No. 800 drainage ditch (discharge points 002 and 003) is prohibited after 1 June 2004.*" The 19-21 April 2008 spill was treated but discharged at Reclamation District No. 800 drainage ditch, an unauthorized waste discharge location, in violation of Prohibition A.2.

43. Order R5-2003-0067, Prohibition A.3 states: "*The bypass or overflow of untreated or partially treated wastes to surface waters is prohibited...*" The 17/18 July 2008 SSO discharged into a private lake that is hydraulically connected to the Delta, a water of the United States. The 17 December 2008 SSO discharged into a reclamation ditch that drains to Old River, a water of the United States. The 10 November 2008 SSO discharged into a storm drain that is hydraulically connected to the Sacramento-San

Joaquin River Delta, a water of the United States. These three discharges violated Prohibition A.3.

44. Order R5-2003-0067, Prohibition A.4 states: *"Neither the discharge nor its treatment shall create a nuisance as defined in Section 13050 of the California Water Code."* As described in Finding 26, the 17/18 July 2008, 10 November 2008, and 17 December 2008 SSOs created a nuisance as defined in Water Code section 13050. Therefore, these discharges violated Prohibition A.4.

45. Order R5-2008-0179, Prohibition III.A states: *"Discharge of wastewater at a location or in a manner different from that described in the Findings is prohibited."* The 6 August 2009, 15 August 2009, and 22/23 June 2010 SSOs were not treated as required by the WDRs, nor were they discharged at locations authorized by the WDRs. Therefore, these discharges were in violation of Prohibition III.A.

46. Order R5-2008-0179, Prohibition III.B states: *"The by-pass or overflow of wastes to surface waters is prohibited..."* The 6 August 2009 and 15 August 2009 SSOs discharged into a private lake that is hydraulically connected to the Sacramento-San Joaquin River Delta, a water of the United States. The 22/23 June 2010 SSO discharged into a storm drain that is hydraulically connected to the Sacramento-San Joaquin River Delta. These discharges violated Prohibition III.B.

47. Order R5-2008-0179, Prohibition III.C states: *"Neither the discharge nor its treatment shall create a nuisance as defined in Section 13050 of the California Water Code."* As described in Finding 26, the 6 August 2009, 15 August 2009, and 22/23 June 2010 SSOs created a nuisance as defined in Water Code section 13050. Therefore, these discharges violated Prohibition III.C.

48. Order R5-2003-0067 Standard Provisions B.1 states:

In the event the Discharger does not comply or will be unable to comply for any reason, with any prohibition, daily maximum effluent limitation, or receiving water limitation of this Order, the Discharger shall notify the Board by telephone ... within 24 hours of having knowledge of such noncompliance, and shall confirm this notification in writing within five days, unless the Regional Board waives confirmation. The written notification shall state the nature, time, duration, and cause of noncompliance, and shall describe the measures being taken to remedy the current noncompliance and, prevent recurrence including, where applicable, a schedule of implementation. Other noncompliance requires written notification as above at the time of the normal monitoring report.

The Discharger did not comply with the requirement to submit a written report within five days of the 17/18 July 2008 spill. This is a violation of WDRs Standard Provision B.1. The report was not submitted until after Central Valley Regional Water Board staff required its submittal pursuant to the Water Code section 13267 Order dated 28 August 2008. The 13267 Order gave the Discharger a conditional reprieve from administrative civil liability, but in the 36 days between the 5-day report due date (23 July 2008) and the issuance of the 13267 Order (28 August 2008), the Discharger accrued violations of Standard Provision B.1.

49. Order 2006-0003-DWQ, Prohibition C.1 states: *"Any SSO that results in a discharge of untreated or partially treated wastewater to waters of the United States is prohibited."* The 17/18 July 2008, 6 August 2009, and 15 August 2009 SSOs discharged into a private lake that is hydraulically connected to the Sacramento-San Joaquin River Delta, a water of the United States. The 17 December 2008 SSO reached a reclamation ditch that drains to Old River, a water of the United States. The 10 November 2008 and 22/23 June 2010 SSOs discharged into storm drains that are hydraulically connected to the Sacramento-San Joaquin River Delta, a water of the United States. All of these discharges violated Prohibition C.1.

50. Order R5-2003-0067 Standard Provisions B.2.b. states:

Upon written request by the Board the Discharger shall submit a written description of safeguards. Such safeguards may include alternate power sources, standby generators, retention capacity, operating procedures, or other means. A description of the safeguards provided shall include an analysis of the frequency, duration, and impact of power failures experienced over the past five years on effluent quality and on the capability of the Discharger to comply with the terms and conditions of the Order. The adequacy of the safeguards is subject to the approval of the Board.

The Water Code section 13267 Order required that the Discharger submit the above information by 10 September 2008. The Discharger did not submit the information until after a second request from staff. The information was received 42 days late, on 22 October 2008, in violation of Water Code section 13267 and WDRs Standard Provisions B.2.b. The penalty that may be assessed for this violation has been addressed in Finding 35.

51. Water Code section 13385(e) states:

In determining the amount of any liability imposed under this section, the regional board, the state board, or the superior court, as the case may be, shall take into account the nature, circumstances, extent, and gravity of the violation or violations, whether the discharge is susceptible to cleanup or abatement, the degree of toxicity of the discharge, and, with respect to the violator, the ability to pay, the effect on its ability to continue its business, any voluntary cleanup efforts undertaken, any prior history of violations, the degree of culpability, economic benefit or savings, if any, resulting from the violation, and other matters that justice may require. At a minimum, liability shall be assessed at a level that recovers the economic benefits, if any, derived from the acts that constitute the violation.

52. Pursuant to Water Code section 13385(e), at minimum, administrative civil liability charged under this section must be equivalent to the economic benefit accrued by the Discharger for not implementing management and physical improvements necessary to prevent the discharge. The severity of the discharges could have been prevented through adequate training of the wastewater treatment plant staff, appropriate redundant safeguards at the lift station and WWTPs, and having an overflow emergency response plan in place. Central Valley Water Board staff is unable to precisely calculate the economic benefit, but it is estimated to be at least \$25,000.

53. Findings 41 through 49 describe 61 violations (36 of which are described in Finding 48) of Order R5-2003-0067. At a maximum of \$10,000 per violation, these violations add up to \$610,000.
54. Pursuant to Water Code section 13385, the Board may assess additional administrative civil liability of \$10 for each unauthorized gallon discharged to surface water in excess of 1,000 gallons. The additional administrative civil liability that may be assessed pursuant to Water Code section 13385 for the unauthorized discharges to surface waters is as follows:
- The Discharger estimates that on 19-21 April 2008, 1.67 million gallons were discharged at an unauthorized location to surface water. Under Water Code section 13385, the maximum additional per-gallon civil liability assessment is \$16,690,000 (\$10 per gallon for every gallon over 1,000).
 - The Discharger estimates that on 17/18 July 2008, approximately 94,000 gallons of raw sewage was discharged to surface water. Under Water Code section 13385, the maximum additional per-gallon civil liability assessment is \$930,000 (\$10 per gallon for every gallon over 1,000).
 - The Discharger estimates that on 10 November 2008, approximately 20,000 gallons of raw sewage spilled, of which less than 1,000 gallons entered a storm drain. As the portion of the spill that reached surface waters was less than 1,000 gallons, no additional assessment under Water Code section 13385 will be imposed:
 - The Discharger estimates that on 17 December 2008, approximately 1,000 gallons of raw sewage entered surface waters. As the portion of the spill that reached surface waters was approximately 1,000 gallons, no additional assessment under Water Code section 13385 will be imposed.
 - The Discharger estimates that on 6 August 2009, approximately 1,500 gallons of raw sewage spilled, of which less than 500 gallons entered surface water. As the portion of the spill that reached surface waters was less than 1,000 gallons, no additional assessment under Water Code section 13385 will be imposed.
 - The Discharger estimates that during the 15 August 2009 SSO, 4,500 gallons of raw sewage spilled, of which 2,000 gallons was not recovered and entered surface water. Under Water Code section 13385, the maximum additional per-gallon civil liability assessment is \$10,000 (\$10 per gallon for every gallon over 1,000).
 - The Discharger estimates that during the 22/23 June 2010 SSO, 16,450 gallons were not recovered and entered surface water. Under Water Code section 13385, the maximum additional per-gallon civil liability assessment is \$154,500 (\$10 per gallon for every gallon over 1,000).

Adding the amounts above to the per-violation, per-day maximum assessment described in Finding No. 53, the total amount of civil liability that may be assessed pursuant to Water Code section 13385 is **eighteen million three hundred ninety-four thousand five hundred dollars (\$18,394,500)**. A table listing each violation and the associated penalty is included as Attachment A to this Order.

Total Civil Liability

55. Adding together the total maximum penalties that could be assessed under Water Code sections 13268, 13350 and 13385 (described in Findings 31, 35, and 54), the maximum penalty for the discharge and reporting violations is **eighteen million six hundred seventy-one thousand five hundred dollars (\$18,671,500)**. A table listing each violation and the associated penalty is included as Attachment A to this Order.
56. Water Code sections 13327 and 13385(e) contain substantially similar requirements regarding the considerations that the Board must make in arriving upon a final civil liability amount.² The Board hereby finds the following, with respect to the violations described above:

Nature of the Violations: The Discharger spilled approximately 94,000 gallons of raw sewage to surface waters from 17 July 2008 to 18 July 2008. For this incident the Discharger failed to: (a) properly implement remedial actions, (b) properly report the overflow, (c) comply with SSO reporting requirements of General Order 2006-0003-DWQ, and (d) fully comply with the requirements of the 13267 Order issued to the Discharger on 28 August 2008. In addition, since adoption of General Order 2006-0003-DWQ on 2 November 2006 and continuing through 9 September 2008, the Discharger failed to comply with CIWQS reporting requirements to complete a collection system questionnaire, did not report and certify any spills from its collection system, and failed to submit a monthly no-spill certification to CIWQS. On 10 September 2008, the Discharger completed the collection system questionnaire and started reporting and certifying SSOs.

From 19 April 2008 to 21 April 2008, the Discharger spilled approximately 1.67 million gallons of treated effluent to Reclamation District 800 drainage ditch in violation of Order R5-2003-0067 Discharge Prohibition A.2. The spill was attributed to operator inattention.

On 10 November 2008, the Discharger spilled approximately 20,000 gallons of sewage to the ground. An estimated 1,000 gallons reached a private lake hydraulically connected to the Delta.

² Water Code section 13385(e) contains the additional requirement that the civil liability be at least greater than the economic benefit of the violations. This amount is discussed in Finding No. 52.

On 17 December 2008, the Discharger's actions caused approximately 1,000 gallons of raw sewage to spill from the collection system and flow into Reclamation District 800 drainage ditch, which is hydraulically connected to Old River.

On 6 August 2009, a blockage in a force main caused a discharge of approximately 1,500 gallons of raw sewage and an estimated 500 gallons reached a storm drain which enters a private lake, which is hydraulically connected to the Delta.

On 15 August 2009, an air relief valve was broken off of a force main under a bridge causing an estimated 4,500 gallons of raw sewage to be spilled, of which approximately 2,000 gallons reached a private lake which is hydraulically connected to the Delta.

On 22/23 June 2010, approximately 16,450 gallons of untreated sewage overflowed from a faulty air relief valve on a force main. All 16,450 gallons of untreated sewage flowed into a storm drain and reached surface waters of Discovery Bay, which are hydraulically connected to the Delta.

Circumstances Surrounding the Violations: The 17/18 July 2008 Lakeshore Lake spill was a result of a power outage and pump station failure. The Discharger failed to recognize the pump station failure in a timely manner, which caused the SSO to continue for approximately 11 hours and 20 minutes, discharging approximately 94,000 gallons of raw sewage to a man-made lake adjacent and hydraulically connected to the Delta. After discovering the violation, the Discharger did not properly contain the spill, implement adequate remedial actions, or properly report the overflow. The Discharger failed to provide safeguards to prevent overflows of raw sewage, including safeguards for the collection system in case it experiences a reduction, loss, or failure of electric power.

The 19/20/21 April 2008 spill was a result of a power outage at the WWTP No. 2 effluent pump station. An unsupervised Southwest Water operator-in-training responded to the power outage at the plant and failed to properly restart the effluent pump station, allowing a discharge of approximately 1.67 million gallons of treated effluent to Reclamation District 800 drainage ditch, which is hydraulically connected to Old River.

The 10 November 2008 spill was a result of a sewer force main cleanout joint failure, allowing the sewage release. On the day of the spill, Southwest Water staff filled up both of the Newport lift station wet wells with potable water from a nearby fire hydrant. Southwest Water staff then loaded the force main by using all four pumps at the lift station, each rated at 2,300 gallons per minute (gpm). The flow ruptured a cleanout glued joint on the force main. The Discharger estimates that 1,000 gallons reached surface waters.

The 17 December 2008 spill was a result of a controlled power supply interruption during a compliance inspection. During the inspection, the Chief Plant Operator was

asked to cut the power off at WWTP No. 1 to simulate a power failure and test the plant's generator. After cutting the power to the plant, the generator started within approximately 10 seconds. Immediately after the generator started powering the plant, the inspectors noticed the SCADA system reporting several alarms. Several of these alarms were acknowledged by the Chief Operator while the inspectors were still at the plant. From SCADA reports, it is apparent that a fault at the influent pump station was reported repeatedly and it was repeatedly acknowledged by Southwest Water operators. The spill was estimated by the Discharger at 1,000 gallons and was caused by operator inattention. Raw sewage reached storm drains which drain to Reclamation District 800 drainage ditch. The drainage ditch is hydraulically connected to Old River by a pump station.

The 6 August 2009 spill was the result of a blockage in a gravity main which caused approximately 1,500 gallons of raw sewage to discharge to the ground. The Discharger was able to recover and return approximately 1,000 gallons to the collection system. The Discharger estimates that approximately 500 gallons was not recovered and reached surface waters.

The 15 August 2009 spill was the result of an air relief valve that was broken off of a force main which caused approximately 4,500 gallons of raw sewage to be spilled. According to the Discharger, vandalism was suspected as the cause of this spill. The Discharger estimates that approximately 2,000 gallons reached surface waters.

The 22/23 June 2010 spill was the result of a faulty air relief valve on a force main causing an estimated 16,450 gallons of raw sewage to be spilled. Inadequate inspection and maintenance of the collection system may have contributed to this spill. The Discharger estimates that all 16,450 gallons reached surface waters.

Extent of the Violations: Between April 2008 and June 2010, the Discharger had ten sanitary sewer overflows from its collection system releasing approximately 151,150 gallons of raw sewage. In addition, approximately 1,670,000 gallons of secondary treated wastewater was discharged at an unauthorized location in violation of WDRs Order R5-2003-0067. The Discharger also had several reporting violations of both WDRs Order R5-2003-0067 and the Sanitary Sewer General Order associated with these spills.

Gravity of the Violations: The Sacramento-San Joaquin River Delta is designated as suitable for numerous beneficial uses, including domestic water supply and contact recreation. Potential health risks from exposure to bacteria and viruses from raw sewage are a serious concern for humans. Ammonia in sewage is toxic to aquatic life, and sewage depletes dissolved oxygen in receiving waters. Due to the proximity of homes, and the possible human exposure to raw sewage in surface waters, the 17/18 July 2008 overflow created a nuisance as defined in Section 13050 of the Water Code.

The Discharger failed to fully contain the 17/18 July 2008 spill by allowing the lake fountains which sprayed mist into the air to continue to operate while elevated levels of fecal coliform were present in lake water.

The Discharger has reported at least one previous SSO, estimated at 8,600 gallons, from pipelines located near Lakeshore Lake. However, for the 17/18 July 2008 SSO, the Discharger failed to submit the initial report and final certification for all SSOs, from 2 November 2006 to 9 September 2008, to CIWQS as required by General Order 2006-0003-DWQ. Between 2 November 2006 and 9 September 2008, the Discharger failed to submit SSO reports to CIWQS as required by General Order 2006-0003-DWQ. The Discharger also failed to submit the five-day non-compliance report required by WDRs R5-2003-0067 on time. The report was submitted on 9 September 2008. Failure to properly report SSOs prevents regulatory agencies and the public from being aware of the incidents in a timely manner, such that public exposure may be prevented, and regulatory agencies can investigate the incident in a timely manner.

The 19/20/21 April 2008 discharge consisted of 1.67 million gallons of secondary treated effluent. However, it was discharged to Reclamation District 800 drainage ditch, a location prohibited in the Order.

The 10 November 2008, 6 August 2009, 15 August 2009, and 22/23 July 2010 spills allowed approximately 19,950 gallons to reach surface waters, with potential risks to human health, aquatic life, and surface waters quality.

The 17 November 2008 spill caused by operator inattention resulted in approximately 1,000 gallons of raw sewage reaching the Reclamation District 800 drainage ditch, which is hydraulically connected to Old River.

Whether the Discharge is Susceptible to Cleanup or Abatement: Due to the circumstances of the 17/18 July 2008 spill, once the sewage entered lake waters, there was no practical way to clean up to avoid water quality impacts or impacts to beneficial uses. The Discharger did not attempt to remove any sewage that entered the Lakeshore Lake and failed to fully contain the spill by allowing the lake fountains to continue to operate.

During a SSO follow-up inspection by Board staff on 14 August 2008, it was observed that the Discharger had failed to properly clean up the area where the spill originated. Rags and debris were visible on the ground and there were no warning signs posted. The Discharger should have provided more cleanup of the area immediately following the incident.

Due to the circumstances of the 19/20/21 April 2008 spill, it may have been feasible to cleanup the ditch where treated effluent was discharged since the wastewater had to be pumped from the drainage ditch to Old River. However, the illegal discharge was found more than twenty four hours after it had started.

During the 10 November 2008 incident, once the sewage reached surface waters, there was no practical way to clean up the spill.

Due to the circumstances of the 17 December 2008 spill, the 1,000 gallons of raw sewage spilled were not recovered and cleanup efforts were limited to the area where the spill originated.

Following the 6 August 2009 spill, approximately 1,000 gallons of raw sewage were recovered and the area of the spill was cleaned-up. For the 500 gallons that reached surface waters, there was no practical way to clean up the spill.

Due to the circumstances of the 15 August 2009 spill, none of the 4,500 gallons that spilled were recovered, and an estimated 2,000 gallons reaching surface waters. The remainder of the spill soaked into the ground, and cleanup efforts were limited to mitigating the effects of the spill on the ground surface in the area where the spill originated.

Due to the circumstances of the 22/23 August 2010 spill, none of the spill was recovered with an estimated 16,450 gallons reaching surface waters. Once the spill reached surface waters, there was no practical way to clean up the spill.

The Degree of Toxicity of the Discharges: The degree of toxicity from the spills is unknown. However, sewage discharges can be toxic to human beings and aquatic life. There were no reported fish kills subsequent to any of the spills to surface waters. A resident living next to Lakeshore Lake reported that they experienced illness following the 17/18 July 2008 incident, and suggested that sewage mist from the fountain operation was the cause. This has not been verified or validated by the Contra Costa Environmental Health Department.

The Effect of the Civil Liability upon the Discharger's Ability to Stay in Business: The median family household income for the Discovery Bay, as reported in the 2000 census, was approximately \$90,272.

Voluntary Cleanup Efforts Undertaken: The Discharger has improved its reporting of SSOs and now correctly reports spills in compliance with its current WDRs and the Sanitary Sewer General Order. The Discharger has also implemented a preventative maintenance program on its collection system to reduce the number of SSOs. This has resulted in a decrease in SSOs with only two occurring between 1 July 2010 and 31 December 2011, with a total volume of 120 gallons spilled.

Prior History of Violations: At least one previous spill, estimated at 8,600 gallons, occurred in the Lakeshore community and reached the lake. Implementation of an inspection and maintenance program would prevent impacts to surface waters from pipeline failures.

Degree of Culpability: The Discharger was required to be aware of the prohibitions against discharges to surface waters included in General Order 2006-0003-DWQ, WDRs Order R5-2003-0067, and WDRs Order R5-2008-0179. The Discharger did not maintain its collection system in a manner that would prevent discharges of untreated sewage. The Discharger did not train the operators to properly respond to sewage spills.

The Central Valley Water Board finds that, after considering the above factors, that a civil liability assessment of **two hundred forty-one thousand dollars (\$241,000)** is appropriate for the violations.

57. Funds generated by civil liability assessments made pursuant to Water Code sections 13268 and 13350 are to be deposited into the Waste Discharge Permit Fund. Funds generated by civil liability assessments made pursuant to Water Code section 13385 are to be deposited into the State Water Pollution Cleanup and Abatement Account. The Board finds, in light of the above considerations, that it is reasonable that \$21,000 be directed to the Waste Discharge Permit Fund and the remainder be directed to the State Water Pollution Cleanup and Abatement Account.

THE TOWN OF DISCOVERY BAY CSD IS HEREBY GIVEN NOTICE THAT:

1. The Discharger shall be assessed an Administrative Civil Liability in the amount of **two hundred forty-one thousand dollars (\$241,000)**.
2. By **XX May 2012**, the Town of Discovery Bay Community Services District shall pay **two hundred twenty thousand dollars (\$220,000)** to the State Water Board's Cleanup and Abatement Account. Payment shall be in the form of a check made payable to the *Cleanup and Abatement Account* and shall reference this ACL Order.

By **XX May 2012**, the Town of Discovery Bay Community Services District shall also pay **twenty-one thousand dollars (\$21,000)** to the Waste Discharge Permit Fund. Payment shall be in the form of a check made payable to the *Waste Discharge Permit Fund* and shall reference this ACL Order.

The checks shall be mailed to the Central Valley Regional Board located at 11020 Sun Center Drive, Suite 200, Rancho Cordova, California.

3. Payment of the \$241,000 shall resolve the violations charged in ACL Complaint R5-2008-0627 and the other violations charged in this Order.
4. If the Discharger fails to make the payment, the Assistant Executive Officer may refer the matter to the State Attorney General for enforcement of the terms of this Order.
5. The payment of administrative civil liability in accordance with the terms of this Order is not a substitute for compliance with applicable laws, and continuing violations of the type alleged herein may subject the Discharger to further enforcement, including but not limited to additional administrative civil liability.

6. This Order is final, and shall be effective immediately upon signature.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality
or will be provided upon request.

Kenneth D. Landau, Assistant Executive Officer

DATE

Attachment A: Violation List and Total Maximum Penalty Summary

Attachment A - Violation List and Total Maximum Penalty Summary

Section	Spill Date	Order and Provision Violated	Finding # in ACLO	# of Violations or Gallons	\$/Violation	Total Maximum Penalty	
13350	17/18 July 2008	Order 2006-0003-DWQ C.2 Nuisance	27	1	\$5,000	\$5,000	
	10-Nov-08	Order 2006-0003-DWQ C.2 Nuisance	27	1	\$5,000	\$5,000	
	17-Dec-08	Order 2006-0003-DWQ C.2 Nuisance	27	1	\$5,000	\$5,000	
	6-Aug-09	Order 2006-0003-DWQ C.2 Nuisance	27	1	\$5,000	\$5,000	
	15-Aug-09	Order 2006-0003-DWQ C.2 Nuisance	27	1	\$5,000	\$5,000	
	22/23 June 2010	Order 2006-0003-DWQ C.2 Nuisance	27	1	\$5,000	\$5,000	
	17/18 July 2008	Order 2006-0003-DWQ D.5 Reporting (reporting 39 days late)	28	39	\$5,000	\$195,000	
	17/18 July 2008	Order 2006-0003-DWQ D.7 Proper Cleanup	28	1	\$5,000	\$5,000	
		Order 2006-0003-DWQ G.3 CIWQS Collection System Questionnaire	30	1	\$5,000	\$5,000	
	13268		CWC 13267 Order - Deficient response and 42 days late	35	42	\$1,000	\$42,000
	13385	19-21 April 2008	Order R5-2003-0067 A.2 Unauthorized Spill Violation penalty	42	1	\$10,000	\$10,000
		17/18 July 2008	Order R5-2003-0067 A.1 Unauthorized Spill Violation penalty	41	1	\$10,000	\$10,000
		10-Nov-08	Order R5-2003-0067 A.1 Unauthorized Spill Violation penalty	41	1	\$10,000	\$10,000
17-Dec-08		Order R5-2003-0067 A.1 Unauthorized Spill Violation penalty	41	1	\$10,000	\$10,000	
6-Aug-09		Order R5-2003-0067 A.1 Unauthorized Spill Violation penalty	41	1	\$10,000	\$10,000	
15-Aug-09		Order R5-2008-0179 III.A. Unauthorized Spill Violation penalty	45	1	\$10,000	\$10,000	
22/23 June 2010		Order R5-2008-0179 III.A. Unauthorized Spill Violation penalty	45	1	\$10,000	\$10,000	
15-Aug-09		Order R5-2003-0067 A.2 Unauthorized Spill Violation penalty	45	1	\$10,000	\$10,000	
19-21 April 2008		Order R5-2003-0067 A.2 Unauthorized spill (1,670,000 gal) volume penalty	54	1,670,000	\$10/gal over 1,000 gallons	\$16,990,000	
17/18 July 2008		Order R5-2008-0179 III.A. Unauthorized spill (94,000 gal) volume penalty	54	94,000	\$10/gal over 1,000 gallons	\$930,000	
15-Aug-09		Order R5-2008-0179 III.A. Unauthorized spill (2,000) volume penalty	54	2,000	\$10/gal over 1,000 gallons	\$10,000	
22/23 June 2010		Order R5-2008-0179 III.A. Unauthorized spill (16,450 gal) volume penalty	54	16,450	\$10/gal over 1,000 gallons	\$154,500	
17/18 July 2008		Order R5-2003-0067 A.4 Nuisance Violation Penalty	44	1	\$10,000	\$10,000	
10-Nov-08		Order R5-2003-0067 A.4 Nuisance Violation Penalty	44	1	\$10,000	\$10,000	
17-Dec-08		Order R5-2003-0067 A.4 Nuisance Violation Penalty	44	1	\$10,000	\$10,000	
6-Aug-09		Order R5-2008-0179 III.C Nuisance Violation Penalty	44	1	\$10,000	\$10,000	
15-Aug-09		Order R5-2008-0179 III.C Nuisance Violation Penalty	47	1	\$10,000	\$10,000	
22/23 June 2010		Order R5-2008-0179 III.C Nuisance Violation Penalty	47	1	\$10,000	\$10,000	
17/18 July 2008		Order R5-2003-0067 A.3 Partially Treated or Untreated Water Spill Violation Penalty	47	1	\$10,000	\$10,000	
10-Nov-08		Order R5-2003-0067 A.3 Partially Treated or Untreated Water Spill Violation Penalty	47	1	\$10,000	\$10,000	
17-Dec-08		Order R5-2003-0067 A.3 Partially Treated or Untreated Water Spill Violation Penalty	43	1	\$10,000	\$10,000	
6-Aug-09		Order R5-2003-0067 A.3 Partially Treated or Untreated Water Spill Violation Penalty	43	1	\$10,000	\$10,000	
15-Aug-09		Order R5-2008-0179 III.B. Partially Treated or Untreated Water Spill Violation Penalty	43	1	\$10,000	\$10,000	
22/23 June 2010		Order R5-2008-0179 III.B. Partially Treated or Untreated Water Spill Violation Penalty	46	1	\$10,000	\$10,000	
17/18 July 2008		Order 2006-0003-DWQ C.1 Partially Treated or Untreated Water Spill Violation Penalty	46	1	\$10,000	\$10,000	
15-Aug-09		Order 2006-0003-DWQ C.1 Partially Treated or Untreated Water Spill Violation Penalty	46	1	\$10,000	\$10,000	
6-Aug-09		Order 2006-0003-DWQ C.1 Partially Treated or Untreated Water Spill Violation Penalty	49	1	\$10,000	\$10,000	
15-Aug-09	Order 2006-0003-DWQ C.1 Partially Treated or Untreated Water Spill Violation Penalty	49	1	\$10,000	\$10,000		
17-Dec-08	Order 2006-0003-DWQ C.1 Partially Treated or Untreated Water Spill Violation Penalty	49	1	\$10,000	\$10,000		
10-Nov-08	Order 2006-0003-DWQ C.1 Partially Treated or Untreated Water Spill Violation Penalty	49	1	\$10,000	\$10,000		
22/23 June 2010	Order 2006-0003-DWQ C.1 Partially Treated or Untreated Water Spill Violation Penalty	49	1	\$10,000	\$10,000		
17/18 July 2008	Order R5-2003-0067 B.1 Notification Penalty	49	1	\$10,000	\$10,000		
			48	36	\$10,000	\$360,000	

13350 Total Maximum Penalty \$235,000
 13268 Total Maximum Penalty \$42,000
 13385 Total Maximum Penalty \$18,394,500
Total Maximum Penalty \$18,671,500