



# TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

SDLF Platinum-Level of Governance



PLATINUM LEVEL

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

**NOTICE OF THE SPECIAL MEETING  
OF THE WATER AND WASTEWATER COMMITTEE  
OF THE TOWN OF DISCOVERY BAY  
Wednesday, August 20, 2025, 5:30 P.M.**

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

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

**TO ATTEND BY ZOOM WEBINAR:** <https://us06web.zoom.us/j/81370654114>

**TO ATTEND BY PHONE:** +1 (669) 444 9171 or +1 (719) 359 4580 **WEBINAR ID:** 813 7065 4114

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

**Water and Wastewater Committee Members**

*Chair Kevin Graves*

*Vice-Chair Carolyn Graham*

**A. ROLL CALL**

1. Call business meeting to order 5:30 p.m.
2. 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 Committee on any issue within the District's jurisdiction which is not on the Agenda. The public may comment on any item on the Agenda at the time the item is before the Committee for consideration. Any person wishing to speak will have 3 minutes to make their comment. There will be no dialog between the Committee and the commenter as the law strictly limits the ability of Committee members to discuss matters not on the agenda. We ask that you refrain from personal attacks during comment, and that you address all comments to the Committee only. Any clarifying questions from the Committee must go through the Chair. Comments from the public do not necessarily reflect the viewpoint of the Committee members.

**C. DRAFT MINUTES TO BE APPROVED**

1. Approve Water and Wastewater DRAFT Meeting Minutes of August 6, 2025.

**D. UPDATES/PRESENTATIONS:**

1. Cross-Connection Prevention Proposed Ordinance Options.

**E. DISCUSSION**

1. Discussion and Possible Recommendation to Authorize the General Manager to Enter into a Contract with Herwit Engineering for 2025 Wastewater Capital Improvement Projects.

**F. FUTURE DISCUSSION/AGENDA ITEMS**

**G. ADJOURNMENT**

1. Adjourn to the next Standing Water and Wastewater Committee meeting at the Community Center located at 1601 Discovery Bay Boulevard, Discovery Bay, CA 94505.

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

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



# TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT



PLATINUM LEVEL

## SDLF Platinum-Level of Governance

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

### MINUTES OF THE REGULAR MEETING OF THE WATER AND WASTEWATER COMMITTEE OF THE TOWN OF DISCOVERY BAY Wednesday, August 6, 2025, 5:30 P.M.

#### Water and Wastewater Committee Members

Chair Kevin Graves

Vice-Chair Carolyn Graham

#### A. ROLL CALL

1. Call business meeting to order 5:30 p.m.
2. Roll Call was taken, and all members were present.

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

None.

#### C. DRAFT MINUTES TO BE APPROVED

1. Approve SPECIAL Water and Wastewater DRAFT Meeting Minutes of July 16, 2025.

Vice-Chair Graham made a motion to approve the DRAFT Meeting Minutes of July 16, 2025.

Chair Graves seconded.

Vote: Motion carried – AYES: 2, NOES: 0, ABSTAINED: 0, ABSENT: 0.

#### D. UPDATES

Presented by Water & Wastewater Manager Aaron Goldsworthy.

- Well 2 – Motor was replaced a few months ago. Staff will discuss the possibility of expanding Well 2.
- Newport Pointe Development – Access road was added to service manholes.
- Village 2 – Lift station is being rehabilitated.
- Solar Dryers – New roof added to solar dryers A and B.
- Well 8 – Filter, plumbing and electrical have been installed. PG&E still needs to remove their wires.

#### E. DISCUSSION

1. Discussion and Possible Feedback to Authorize the General Manager to Enter into a Contract with Herwit Engineering for Developer Project Engineering Review Services.

Presented by Water & Wastewater Manager Aaron Goldsworthy.

- Herwit Engineering currently serves as the Town of Discovery Bay's designated wastewater engineering consultant.
- As development activity within the district continues to increase, so does the need for consistent and technically sound engineering review of developer-initiated projects.

- This new contract with Herwit Engineering will segregate developer project-related services from general services and allows for direct billing to developers.

Director Graham asked clarifying questions on developer costs and connection fees.

Committee recommends bringing item to the full Board of Directors.

**F. FUTURE DISCUSSION/AGENDA ITEMS**

None.

**G. ADJOURNMENT**

1. Adjourned at 5:58p.m. to the next Standing Water and Wastewater Committee meeting at the Community Center located at 1601 Discovery Bay Boulevard, Discovery Bay, CA 94505.

DRAFT



# Cross-Connection Prevention Proposed Ordinance Options

**CALIFORNIA STATE MANDATED PROJECT**

August 20, 2025

## **What is the State Mandated Cross- Connection and Backflow Prevention?**

The State Water Resources Control Board (SWRCB) adopted the Cross-Connection Control Policy Handbook (CCCPH) in 2024, establishing updated, enforceable standards for cross-connection control and backflow prevention for all public water systems (PWS) in California. The mandate requires every PWS, including the Town of Discovery Bay, to develop and implement a comprehensive cross-connection control plan to protect public health and comply with state law.

## Legal Requirements

- **Mandatory Compliance:** The CCCPH and its standards are legally binding for all California public water systems, as defined in the Health and Safety Code section 116275 (h).
- **Authority:** Under the California Safe Drinking Water Act (SDWA), the SWRCB is required to adopt regulations ensuring PWSs distribute a reliable and adequate supply of pure, wholesome, potable, and healthy water (Health and Safety Code section 116375(c)).
- **Obligations:** All PWS owners must ensure their distribution systems are not subject to backflow under normal operating conditions (Health and Safety Code section 116555(a)(2)).
- **Plan Submission:** Each existing PWS must submit a written Cross-Connection Control Plan to the SWRCB for review and approval by July 1, 2025. This plan must outline procedures for hazard assessment, backflow prevention, enforcement, public outreach, and corrective actions.

## Public Health Rationale

- **Contamination Prevention:** Cross-connections are points where potable water can be contaminated by non-potable sources through backflow, which can occur due to back siphonage or back pressure. Such contamination events can quickly spread through the distribution system, posing significant health risks to the community.
- **Proactive Risk Management:** A robust cross-connection control program, including regular hazard assessments, certified testing of backflow prevention devices, and prompt corrective actions, is critical to minimizing the risk of waterborne disease outbreaks and ensuring the continued delivery of safe drinking water.
- **Community Protection:** The mandate aims to build awareness and shared responsibility among water suppliers and customers, ensuring that everyone understands the importance of maintaining backflow preventers and adhering to regulations.

# Regulatory and Operational Consequences

- **Enforcement:** Failure to comply with the CCCPH may result in regulatory enforcement actions, including fines and potential discontinuation of water service to non-compliant customers or facilities.
- **Service Disruption:** Water service may be discontinued if a cross-connection hazard is identified and not promptly corrected, immediately in high-hazard situations.
- **Local Ordinance Alignment:** The Town of Discovery Bay must align its local ordinances and operational procedures with state requirements to ensure legal defensibility and avoid penalties.

# Local Implementation

- The Town of Discovery Bay is already required to create and implement a cross-connection and backflow prevention program, as outlined in its ordinances and response to state mandates. This includes requiring its identified customers to install approved backflow prevention devices to prevent contaminants from entering the public water supply.
- The program must include public outreach, regular inspections, and certified testing, with clear enforcement mechanisms for non-compliance

## Ordinance Background

- Backflow prevention devices are critical components in public water systems, preventing the reverse flow of water that could contaminate potable supplies.
- Community Service Districts have **regulatory requirements** to ensure adequate backflow protection **under state and local codes**.
- Decision points for the District include determining who will own, install, maintain, and finance these devices—either the public agency (district-owned) or private property owners (property-owned).

## Ordinance Purpose

- To comply with the California State Mandate
- Provide an analysis and comparison of two proposed ordinances related to ownership and responsibility for backflow prevention devices.
- Option A: Property-Owned Backflow Devices.
- Option B: District-Owned Backflow Devices.

## Proposal Summary

Ordinance	Description	Responsibility
Option A	Property owners purchase, install, and maintain backflow devices at their premises	Property Owner
Option B	District purchases, installs, and maintains all required backflow devices at service connections	District

## Ordinance Option A: Property-Owned Backflow Devices

### Advantages

Cost Distribution	Shifts Financial responsibility to property owners, lowering District expenditures.
Encourages Awareness	Increases property owner understanding and engagement with backflow prevention.
Resource Efficiency	Reduces operational burden on District personnel.

### Challenges

Enforcement Complexity	Requires robust inspection and tracking to ensure property owner compliance.
Variable Quality	Risk of inconsistent installation, maintenance, and testing.
Public Relations	Possible pushback from residents on new requirements and costs.

## Ordinance Option A: Property-Owned Backflow Devices (continued)

### Implementation Considerations

Development of Permitting/Inspections	Development of permitting and inspection program.
Establishment of Penalties and Enforcement	Establishment of penalties or enforcement actions for non-compliance.
Communication and Outreach Strategy	Communication and outreach strategy to inform property owners.

### Risks & Liabilities

Direct Legal Liability	Owner responsible
Compliance	Compliance or water supply is shut off.
Device Failure	Cost and Responsibility are on the owner, faster response time.
Testing and Maintenance	The owner is responsible for compliance. Non-compliance results in the water supply being shut off until compliance is met.

## Ordinance Option B: District-Owned Backflow Devices

### Advantages

Consistency	Ensures standardized installation and maintenance practices across the District.
Quality Control	District maintains greater oversight of testing, repair, and replacement.
Administrative Strategy	Streamlines compliance and documentation.

## Ordinance Option B: District-Owned Backflow Devices

### Challenges

Cost	All capital, maintenance, and replacement expenses fall to the District, potentially requiring rate increases or reallocating budget.
Operational Demand & Maintenance Burden ( <i>increased staffing or contractor resources will be necessary</i> ).	Dedicate resources to manage test and certify each device on a recurring basis. This adds operational complexity, requires specialized personnel and increased administrative workload.
Liability	District holds primary liability for device failure or non-compliance, contamination occurs, and is legally responsible for damages, health risks, and penalties.
Logistical Challenges & Security Access	Managing access to private property to service devices may pose difficulties. Coordinating inspections, repairs, and replacements on private properties requires permission. Encounter resistance and delays.
Enforcement Issues & Potential slower Response:	The district must ensure compliance with regulatory requirements. This increase in monitoring obligations will necessitate additional enforcement staff and programs. Centralized maintenance typically has slower response times due to other working issues. This leads to devices being out of service longer and increases the risks to the water supply and public health.

## Ordinance Option B: District-Owned Backflow Devices (continued)

### Challenges

All Homes Receive a Backflow Device at the Meter	Placed after the meter, with a cage to protect it. This reduces customers water pressure 10+ psi effecting entire property.
Costly Relocation of Meters	All meters in driveways or unsatisfactory locations will be moved. An expensive added cost.
Backflow Device Leakage	A customer may seek reimbursement for water usage costs, potentially involving multiple claims or lawsuits.
Installation Costs	Contractor installation times may vary widely depending on availability.

### Implementation Considerations

Budgeting	Budgeting for upfront installation and life-cycle maintenance.
Process	Process for devices access on private property.
Inclusion	Inclusion of capital improvement and asset management plans.

## Ordinance Option B: District-Owned Backflow Devices (continued)

### Risks and Liabilities

Direct Legal Responsibility	If a device fails and allows contaminants to backflow into the public water supply, the District, as the owner and operator, assumes direct legal liability. This can result in lawsuits, regulatory penalties, and significant financial exposure.
Sole Party at Fault	Property owners can claim that all maintenance and oversight fell under the District's responsibility. The burden of proof and potential damages in the event of failure rests primarily with the municipality.
Risk of Non-Compliance	If any devices are missing in testing, fail inspection, or are not serviced in time, the District can be cited by state regulatory agencies. Fines, loss of permits, and enhanced regulatory scrutiny are possible consequences.
Increased Exposure in Widespread Events	A systemic failure or series of missed inspections affecting several devices can lead to class-action lawsuits or extensive claims, multiplying the District's financial and reputational risk.
Public Health Accountability	In the event of illnesses or environmental damage stemming from device failure, the District is likely to be held accountable in the court of public opinion and responsible for crisis response, potentially including expensive remediation efforts and legal settlements.

*Holding ownership centralizes legal responsibility and risk with the municipality, increasing its exposure to litigation, regulatory action, and financial penalties*

## Option Comparison Table

Feature	Option A: Property-Owned	Option B: District-Owned
Initial Cost	Property owner responsible	District funds devices
Ongoing Maintenance	Property owner	District
Compliance Oversight	Decentralized (District monitors)	Centralized (District)
Liability for Failure	Property owner	District
Enforcement Effort	High	Low-Moderate

## Surrounding Cities, Towns, Special Districts

- What are other local government agencies doing?

Government Agency	Process
Diablo Water District (Oakley & Bethel Island)	District: Installation, Inspection, and Maintenance Resident: Pays upfront/monthly bill charge
Contra Costa Water District	District: Installation, Inspection, and Maintenance Resident: Pays upfront/monthly bill charge
East Bay Municipal Utility District	Resident :Installation, testing, and maintenance
City of Brentwood	Resident: Installation, testing and maintenance
City of Tracy:	Resident: Installation, testing and maintenance
City of Rio Vista	Resident: Installation, testing and maintenance
City of Antioch	City: Testing Resident: Installation and maintenance

## Discussion

- Both options present approaches to backflow prevention.
- The decision should reflect District priorities regarding customer service, budgetary constraints, risk tolerance, and operational capacity.
- If cost minimization to the District and broad stakeholder responsibility are priorities, Option A is preferred.
- If a uniform standard and direct oversight are top priorities, then select Option B.

## Discussion - Discovery Bay Options

Town of Discovery Bay (TODB)	Proposed Process Suggestion
TODB Proposed Option A	Resident: Installation, inspection, testing, and maintenance
TODB Proposed Option B	District: Installation, Inspection, testing, and maintenance Resident: Pays for the device upfront or by a monthly bill charge on the utility bill
All Options included the following	Submit inspection and testing records to the District annually.

# Backflow Installed



# Backflow with Concrete



# Backflow in Cage



# Backflow in Driveway





# Town of Discovery Bay

*“A Community Services District”*

## STAFF REPORT

**Agenda Title:** Discussion and Possible Recommendation to Authorize the General Manager to Enter into a Contract with Herwit Engineering for 2025 Wastewater Capital Improvement Projects.

**Meeting Date:** August 20, 2025

**Prepared By:** Aaron Goldsworthy, Water & Wastewater Manager

**Submitted By:** Dina Breitstein, General Manager

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### RECOMMENDED ACTION:

Staff recommends that the Water & Wastewater Committee discuss and provide a recommendation to the Board of Directors to take the following Action:

- Authorize the General Manager to execute a contract with Herwit Engineering, in the amount of \$288,600, for the Design, Bid Documents, and Engineering Services as outlined in the scope of work for the Capital Improvement Projects listed below, and a 10% contingency for a total amount not-to-exceed \$317,460.

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### EXECUTIVE SUMMARY:

The Town of Discovery Bay’s wastewater facilities require targeted capital improvements to ensure ongoing compliance, efficiency, and safety. The Fiscal Year 2025 Capital Improvement Program (CIP) identifies essential upgrades for which professional engineering expertise is required to develop bid-ready design documents and manage implementation.

### SCOPE OF WORK:

Herwit Engineering will prepare full plans and specifications for each of the following elements to be bid and constructed under the 2025 CIP Miscellaneous Improvements Project:

- 1. Vacuum Truck Dump Station Improvements:**
  - Design a new Vacuum Truck Dump Station, including associated drain piping and upgrades to the existing Decant Pump Station for improved solids handling and operational safety.
- 2. Belt Press No. 1 Replacement:**
  - Replace the existing Belt Press No.1 with a modern unit, including all necessary piping and electrical modifications to facilitate installation and reliable operation.
- 3. Electrical Cable Tray Installation in Solar Dryers A & B:**
  - Replace outdated conduit systems with new cable trays in both Solar Dryers, enhancing electrical safety, maintenance, and reliability.
- 4. Replacement of Solids Dredge Anchor Blocks:**

- Replace anchor blocks at the sludge lagoons to improve dredge system effectiveness and ensure structural security.
5. **Rehabilitation of Solar Circulators in Sludge Lagoon No.2:**
    - Rehabilitate the existing solar mixers in Lagoon No.2, extending asset life and supporting optimal lagoon performance.
  6. **Vacuum Truck Metal Building Cover:**
    - Design a new metal building cover to protect the vacuum truck, extending equipment life and meeting workplace safety standards.
  7. **Pipe Leak Repairs at Mixed Liquor Pump Stations:**
    - Identify and repair piping leaks at the mixed liquor pump stations to maintain pumping efficiency and reduce maintenance.
  8. **Dewatering Return Settling Box at Lagoon No.2:**
    - Design a Dewatering Return Settling Box at Sludge Lagoon No.2, including incorporation of bypass and drain piping for improved solids settling and operational flexibility.

These improvements—previously identified and approved by the Board in the FY25 budget—are critical to the long-term performance of the Town’s wastewater infrastructure. Awarding this contract ensures the Town will receive expert engineering services for successful project delivery.

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**FISCAL IMPACT:**

All project costs are budgeted within the adopted FY 2025 Wastewater CIP.  
Base Contract: \$288,600 + 10% Contingency (\$28,860) = \$317,460

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**PREVIOUS RELEVANT BOARD ACTIONS FOR THIS ITEM:**

None.

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**ATTACHMENTS:**

1. 2025 Wastewater CIP Miscellaneous Improvement Projects.

DBCSD 2025 CIP Miscellaneous Improvements Project  
HERWIT Engineering Cost Estimate

		Staff Hours at Indicated Rate											
Design Services - 2025 CIP Miscellaneous		Process Model Engineer	Supervising Engineer	Senior Engineer	Associate Engineer	Engineer	Supervising Designer	Designer 2	Administrative Assistant	HERWIT Labor Cost	Other Subs	Expenses	Total Cost
Task 1	Improvements Project			250				125					
<b>Design Services</b>													
	1 Civil & Mechanical Design, Coordination, etc.			280				320	110,000		300	\$ 110,300	
	2 Structural Design			24				24	9,000	45,000		\$ 54,000	
	3 Electrical Design			80				120	35,000	20,000		\$ 55,000	
	4 Process & Instrumentation Design			80				80	30,000	5,000		\$ 35,000	
	7 Prepare and Print 30% and 90% Submittals			24				24	9,000			\$ 9,000	
	8 Final Printing			16				16	6,000			\$ 6,000	
	9 Meetings (Total of 4)			16					4,000		300	\$ 4,300	
	10 Bidding & Conformed Drawings			32					8,000			\$ 8,000	
	Markup on Subs									7,000		\$ 7,000	
<b>Subtotal</b>	<b>Design Services</b>			<b>552</b>				<b>584</b>	<b>211,000</b>	<b>77,000</b>	<b>600</b>	<b>\$ 288,600</b>	