



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

SDLF Platinum-Level of Governance



PLATINUM LEVEL

President – Michael Callahan • Vice-President – Carolyn Graham • Director – Kevin Graves • Director – Bryon Gutow • Director – Ashley Porter

**NOTICE OF THE REGULAR MEETING
OF THE WATER AND WASTEWATER COMMITTEE
OF THE TOWN OF DISCOVERY BAY
Wednesday, October 2, 2024, 5:30 P.M.**

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

REMOTE TELECONFERENCE LOCATION:

JW Marriott Orlando, Great Lakes
4040 Central Florida Parkway
Orlando, FL 32837

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 Ashley Porter*

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 September 4, 2024.

D. UPDATES

E. DISCUSSION

1. Discussion and Possible Feedback Regarding Sewer System Modeling from Stantec Engineering Services Company.
2. Discussion and Possible Action/Feedback to Approve Contract with Harris & Associates.

F. FUTURE DISCUSSION/AGENDA ITEMS

G. ADJOURNMENT

1. Adjourn to the next Standing Water and Wastewater Committee meeting on November 6, 2024, at the Community Center located at 1601 Discovery Bay Boulevard.

"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

SDLF Platinum-Level of Governance



PLATINUM LEVEL

President – Michael Callahan • Vice-President – Carolyn Graham • Director – Kevin Graves • Director – Bryon Gutow • Director – Ashley Porter

**MINUTES OF THE REGULAR MEETING
OF THE WATER AND WASTEWATER COMMITTEE
OF THE TOWN OF DISCOVERY BAY
Wednesday, September 4, 2024, 5:30 P.M.**

Water and Wastewater Committee Members

Chair Kevin Graves

Vice-Chair Ashley Porter

A. ROLL CALL

1. Called 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 Water and Wastewater DRAFT Meeting Minutes of June 5, 2024.
2. Approve Water and Wastewater DRAFT Meeting Minutes of July 17, 2024.
3. Approve Water and Wastewater DRAFT Meeting Minutes of August 7, 2024.

Vice-Chair Porter made a Motion to Approve the June 5, 2024, July 17, 2024, and August 7, 2024, Draft Meeting Minutes.

Chair Graves seconded.

Vote: Motion Carried – AYES: 2, NOES: 0, ABSTAINED: 0, ABSENT: 0

D. UPDATES

None.

E. DISCUSSION

1. Discussion Regarding Execution of 25-Year License Agreement with Contra Costa Water District for Access to the Town's Wastewater Diffuser Site.

Presented by District Project Manager Mike Yeraka.

- The Town has been using Contra Costa Water District's (CCWD's) property from HWY 4 to access the wastewater diffuser site under a Temporary Encroachment Permit set to expire in December of this year.
- CCWD has prepared a 25-year license agreement with input from district counsel.
- The license agreement would provide the Town with access to the diffuser from HWY 4.
- The Town would pay \$250 a year for the entire 25-year term for a total of \$6,250.
- The Town will pay CCWs 20% of the cost of maintenance and repairs to the portion of the roadway used by the Town as those repairs become necessary.

The Committee recommends bringing this item to a future Board of Directors Meeting.

2. Discussion and Possible Feedback to Approve Change Order for Re-Paving Services with Syblon Reid as Completion of the Willow Treatment Filter Project.

Presented by Water & Wastewater Manager Aaron Goldsworthy.

- Staff has been re-evaluating the re-paving portion of the project with Syblon Reid.
- It has been determined that extending the paving area by removing the tree line would provide more useful space for parking staff and contractor vehicles, as well as for product and chemical deliveries.
- With the repaving modifications, there will be an additional cost of \$65,372.82. This includes repaving parking spots and a pedestrian walkway, removal of trees alongside the fence and grinding the stumps and installing 1" conduit from pull box near transformers to stub out by the office building.

The Committee recommends bringing this item to the September 4, 2024, Board of Directors Meeting.

F. FUTURE DISCUSSION/AGENDA ITEMS

None.

G. ADJOURNMENT

1. Adjourned at 5:43p.m. to the next Standing Water and Wastewater Committee meeting on October 2, 2024, at the Community Center located at 1601 Discovery Bay Boulevard.



Town of Discovery Bay

“A Community Services District”

STAFF REPORT

Agenda Title: Discussion and Possible Feedback Regarding Sewer System Modeling from Stantec Engineering Services Company.

Meeting Date: October 2, 2024

Prepared By: Gregory Harris

Submitted By: Dina Breitstein, General Manager

RECOMMENDED ACTION:

Provide Feedback on Sewer System Modeling Proposal from Stantec Engineering Services Company (“Stantec”)/ V&A before proceeding to a future board meeting.

EXECUTIVE SUMMARY:

In April 2012, the Town authorized HERWIT Engineering to hire ECO:Logic (now Stantec Engineering Services Company) to prepare a sewer collection system model and capacity evaluation as required by the Regional Water Quality Control Board (RWQCB) at the time. Modeling was prepared with limited calibration to satisfy the RWQCB requirement that the Town have a capacity model of the sewer collection system. No new sewer projects came into the District for many years, so the model was never used to review sewer capacity of specific portions of the sewer collection system to support new developer projects.

Recently there have been several inquiries from potential developers for the Town to provide sewer service to their projects. In most cases the projects are mixed use and different than was historically planned for the property. HERWIT has worked with Stantec to revive the original sewer system modeling to answer fundamental questions about the Town’s ability to provide sewer service to specific properties with specific uses now identified. As part of this effort, it has become readily apparent that the sewer model must be properly calibrated to real world conditions, especially the impact of rainfall events on the collection system and pump stations.

In addition, the Pantages and Newport Point developments are nearing completion, and these projects are currently not included in the sewer system collection model.

HERWIT Engineering has reached out to Stantec to provide a proposal to update the sewer collection system model to include all missing developments and to properly calibrate the model for wet weather events. As part of this effort, Stantec will work with V&A to install monitoring equipment in manholes during the upcoming wet weather season and take real world data to calibrate the model. Without updating and calibrating the existing model, HERWIT and Town staff are unable to properly confirm if individual developer requests for sewer service can be provided.

The formal proposal from Stantec was not available at the time this staff report was submitted. However, the proposal will be provided to all participants in the upcoming wastewater committee meeting and discussed.

Staff is looking for any comments from the Wastewater Committee before going to the Town Board for approval.

FISCAL IMPACT: TBD – Funding to be reimbursed from developer fee accounts.

PREVIOUS RELEVANT BOARD ACTIONS FOR THIS ITEM:

Board approved the original sewer system modeling in April 2012. Original sewer modeling was prepared by Stantec Consulting Engineers formally known as ECOLogic Engineers.

ATTACHMENTS:

1. Stantec/V&A Proposal (to be provided as additional materials at the WW Committee Meeting).



Town of Discovery Bay

“A Community Services District”

STAFF REPORT

Agenda Title: Discussion and Possible Action/Feedback to Approve Contract with Harris & Associates, Inc.

Meeting Date: October 2, 2024

Prepared By: Dina Breitstein, General Manager

Submitted By: Dina Breitstein, General Manager

RECOMMENDED ACTION:

It is recommended that the Committee bring Harris & Associates, Inc.’s proposal to a future Board of Directors meeting for approval of the following Actions:

- a. Approve the agreement with Harris & Associates, Inc. to provide a CEQA report determination for \$46,320.
- b. Authorize the General Manager to execute a Contract with Harris and Associates, Inc. to provide a CEQA determination for the Administration Office Building Project.
- c. Authorize the General Manager to execute any additional change orders for Haris & Associates, Inc. up to 15% of the Contract value.

EXECUTIVE SUMMARY:

The Town of Discovery Bay is planning to construct a new administrative office building at the Discovery Bay Community Center, located at 1601 Discovery Bay Boulevard. The proposed 7,000 approximate square foot office building will be situated on the existing lawn/turf area and will be surrounded by other Community Center facilities such as a building for community gatherings, a swimming pool, tennis and pickleball courts, and parking.

Proposal

The proposed administrative office building is a discretionary action that falls under the definition of a project under CEQA. As a result, the Town is required to comply with CEQA and determine the appropriate CEQA documentation. The scope of work for the proposed project includes developing a project description and then determining the appropriate CEQA documentation. The consulting firm, Harris & Associates, Inc., has proposed preparing the CEQA documentation for the new administrative office building at the Discovery Bay Community Center.

Scope of Work

The scope of work for the proposed project includes the following tasks:

1. Project initiation and a virtual kick-off meeting with the Town to gather more information about the project.
2. Preparation of a draft Project Description for Town review to ensure an accurate understanding of the project.
3. Exploration of the use of a Categorical Exemption in consultation with an in-house CEQA attorney.

If the project meets the criteria for a Categorical Exemption, Harris & Associates, Inc. will proceed with preparing

the Notice of Exemption and a supporting memorandum. If the project does not meet the criteria for a Categorical Exemption, they will proceed with preparing a CEQA Initial Study/Mitigated Negative Declaration.

Recommendation

It is recommended that the committee move forward the proposal to a future board of Directors meeting for Board approval of Harris & Associates, Inc.'s proposal to prepare the CEQA documentation for the new administrative office building at the Discovery Bay Community Center. This will ensure compliance with CEQA requirements and facilitate the successful completion of the proposed project.

FISCAL IMPACT: \$46,320 plus 15% contingency.

PREVIOUS RELEVANT BOARD ACTIONS FOR THIS ITEM: N/A

ATTACHMENTS:

1. Harris & Associates, Inc. Proposal.



September 23, 2024

Dina Breitstein
General Manager
Town of Discovery Bay
1800 Willow Lake Road
Discovery Bay, CA 94505
dbreitstein@todb.ca.gov

PROPOSAL TO PREPARE CEQA DOCUMENTATION FOR NEW ADMINISTRATIVE OFFICE BUILDING AT THE DISCOVERY BAY COMMUNITY CENTER

Hi, Dina

Harris & Associates (Harris) appreciates the opportunity to support the Town of Discovery Bay in preparing documentation to comply with the California Environmental Quality Act (CEQA) for the Town's new administrative office building at the Discovery Bay Community Center. The proposed scope of work and fee estimate is based on our conversation, as well as the aerial photograph of the project location you provided, on September 19, 2024.

PROJECT UNDERSTANDING

The Town of Discovery Bay is planning to construct a new administrative office building at the Discovery Bay Community Center, located at 1601 Discovery Bay Boulevard. The approximately 7,000 square foot (SF) office building would be located on a site that is covered with lawn/turf and surrounded by other Community Center facilities. Existing development at the Community Center includes building for community gatherings, swimming pool, tennis and pickleball courts, and parking. There is also an undeveloped area south of the Project site, as well as on the west side of Discovery Bay Boulevard.

The Town's planned administrative office building is a discretionary action that meets the definition of a project under CEQA; therefore, the Town is required to comply with CEQA. The appropriate CEQA documentation will be determined as part of the proposed scope of work.

The Town does not currently have a general plan, general plan environmental impact report (EIR), or other programmatic EIR that has been prepared for development that includes the Project site or Discovery Bay Community Center area.

SCOPE OF WORK

This scope of work for the Town of Discovery Bay (Town) New Administrative Office Building at the Discovery Bay Community Center (Project) includes developing a project description and then determining the appropriate CEQA documentation. We will first explore the use of a Categorical Exemption from CEQA. If use of a Categorical Exemption can be supported, we will prepare a Notice of Exemption with supporting memorandum. If use of a Categorical Exemption cannot be supported, we will prepare an Initial Study/Mitigated Negative Declaration in compliance with the State CEQA Guidelines.

Task 1. Project Description and CEQA Determination

This task includes project initiation (set up) and a virtual kick-off meeting with the Town to gather more information about the project. Harris will then prepare a draft Project Description for Town review to ensure we have an accurate understanding of the project.

As part of this task, we will explore use of a Categorical Exemption in consultation with our in-house CEQA attorney. The Project may qualify for a Categorical Exemption from CEQA under CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures (Class 3). This exemption applies to new office construction up to 2,500 SF and up to 10,000 SF in an urbanized area on a site zoned for such use. As part of this effort, we will explore the definition for urban infill.

If the Project meets the criteria for a Categorical Exemption, Harris will proceed with Task 2 and prepare the Notice of Exemption and a supporting memorandum. If the Project does not meet the criteria for a Categorical Exemption, Harris will proceed with Task 3 and prepare a CEQA Initial Study/Mitigated Negative Declaration. Harris will proceed with Task 2 or 3 upon approval from the Town.

Deliverables:

- *Project Description (electronic)*

Task 2. Notice of Exemption and Supporting Memorandum

Harris will prepare the Notice of Exemption (NOE) form and a supporting memorandum that explains 1) why the project qualifies for a Categorical Exemption and 2) why none of the six (6) exceptions to using a categorical exemption apply to the project (CEQA Guidelines 15300.2). This scope includes providing one draft memo and one final memo. This scope also assumes Harris will file the NOE with the State Clearinghouse and the Town will file the NOE with the Contra Costa County Clerk, which may require a \$50 filing fee to be paid by the Town.

Task 3. Initial Study/Mitigated Negative Declaration

Harris will prepare an Initial Study/Mitigated Negative Declaration (IS/MND) in compliance with the State CEQA Guidelines. To support this analysis, our in-house team will conduct a site visit and prepare a cultural resources technical memoranda to support the IS/MND analysis. This scope assumes that additional information required for the analysis, such as assumptions regarding construction methodology, onsite drainage, utility extensions, and anticipated use of the facility (i.e., staffing, visitors) will be provided by the Town.

a. Field Visit. Harris staff, including an archaeologist and biologist, will conduct a field visit of the site to obtain information necessary to prepare the cultural resources letter report and the IS/MND analyses.

b. Cultural Resources Letter Report. A stand-alone cultural resources report has been included to meet industry protocol and regulatory requirements. Harris' professionally qualified staff will conduct background research and a pedestrian survey of the project site, prepare an area of potential effect (APE) map, and prepare a Cultural Resources Letter Report, focusing on archaeological and Tribal Cultural Resources. This scope assumes that there are no existing structures or other features on site requiring historical evaluation. The project requires a cultural resources study to complete the regulatory requirements of CEQA.

Background research will include a records search at the Southern San Joaquin Information Center of the California Historical Resources Information System (CHRIS) for information on known cultural resources and previous studies within a quarter mile of the APE, including resources listed on national, state, and local heritage inventories. Harris will also conduct background historical research and will examine archival maps and photos for evidence of prior development on site. A Sacred Lands File search from the Native American Heritage Commission will be requested. Harris will draft and mail, via email and regular mail, a project information letter to the recommended Native American individuals, groups, or Tribes provided by the Native American Heritage Commission. Harris will respond to any responses received.

Based on the results of the aforementioned tasks, Harris will prepare a Cultural Resources Letter Report, which will meet the Secretary of the Interior's Standards for Archaeological Documentation and will contain sufficient detail for preparation of the IS/MND. This letter report will include a detailed description and map of the project APE, historical context and other

background research, field methods, results, descriptions of all identified cultural resources in and adjacent to the APE, a determination of potential effects on cultural resources, and recommendations for any further cultural resource studies.

To maximize the efficiency of this process, which requires several steps, Harris will conduct each of these steps in a carefully orchestrated sequence. The records search, which takes at least 4 weeks to complete, can be initiated immediately upon notice to proceed and definition of the APE. Historical research and the Sacred Lands File search can be conducted concurrent with the records search, and the pedestrian survey can take place once the records search is completed. Both the records search and historical research are needed to guide and inform the fieldwork. The report can be drafted following the survey.

This scope does not include Native American consultation in compliance with Assembly Bill 52 because this is required when a lead agency receives a request for consultation by Native American Tribes, and we do not yet know if the Town has received a request for consultation. The scope and cost can be revised to include Native American consultation.

Deliverables

- *Draft and Final APE Map*
- *Draft and Final Cultural Resources Letter Report, including Confidential Appendices*

c. Draft and Public Initial Study/Mitigated Negative Declaration. The IS/MND will evaluate the following 20 environmental topics in accordance with State CEQA Guidelines, Appendix G, and relevant regulations. For biological resources, the analysis will be based on existing database/document review, field survey and habitat assessment for any special-status wildlife and plants. For cultural resources, the analysis will be based on the scope of work described above (Task 3b), and a stand-alone letter report is included in accordance with regulatory requirements. The analysis will also include brief discussions for the other environmental topics, explaining why there is no impact or a less than significant impact. This scope assumes that all potential impacts would be less than significant or reduced to less than significant with mitigation, thus not requiring the more robust environmental impact report.

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

This scope includes preparation of one **Draft IS/MND** for Town review and comment in electronic format. This scope assumes that the Town comments will not require substantial changes or additional analyses. Once revisions are incorporated, we will prepare the **Public IS/MND** for public review.

Deliverables:

- *Draft IS/MND and Public IS/MND (electronic)*

d. Notice of Intent. Once the Public IS/MND is complete, Harris will prepare the **Notice of Intent (NOI)** to adopt an MND for filing with the Contra Costa County Clerk. For cost savings, this scope assumes Town staff will file the NOI with the County Clerk, mail it to any organizations and individuals who have requested such notice in writing, and give public notice by: 1) publication in a newspaper of general circulation, 2) posting on and offsite in the area where the project is to be located, or 3) direct mailing to owners and occupants of property contiguous to the property. This scope also assumes that State agency approvals are not required and that the project is not of statewide, regional or areawide significance.

Deliverables:

- *Notice of Intent (electronic)*

e. Responses, Final IS/MND, MMRP, NOD. Following the public review period, Harris will review and respond to comments received on the IS/MND in memorandum format. The responses memorandum would be used by the decision-makers and sent to commenting agencies, along with notification of when any public hearing is held to approve the project. This scope assumes preparation of one draft of the responses for Town review and a final version in electronic format.

If comments identify errors or other necessary changes to the IS, we will prepare a revised IS, along with the final MND. This scope assumes that any revisions to the IS would be minor and not require additional analysis. CEQA does not require formal responses to comments, preparation of a final document with comments/ responses, or a public hearing during the public review period.

Additionally, we will prepare the Mitigation Monitoring and Reporting Program (MMRP) in tabular format and seek Town input to determine appropriate monitoring/reporting responsibilities.

Once the Town has approved the MND and MMRP and made a decision on the project, we will prepare the Notice of Determination (NOD) for submittal the State Clearinghouse (by Harris) and the County Clerk (by the Town). The NOD must be filed within 5 working days of City approval to start the 30-day statute of limitations. This scope assumes that the Town will pay required filing fees with the County Clerk. Effective January 1, 2024, the filing fee with Contra Costa County is \$2,966.75 (\$2,916.75 + \$50 County fee).

Deliverables

- *Draft and Final Responses Memorandum*
- *Final IS/MND, with revisions (if required)*
- *Draft and Final MMRP*
- *NOD*

COST ESTIMATE

The cost estimate is **\$46,320.00** for the Scope of Work described above, with the task breakdown as follows.

- Task 1. Project Description and CEQA Determination **\$2,400**
- Task 2. Notice of Exemption and Supporting Memorandum **\$3,040**
- Task 3. Initial Study/Mitigated Negative Declaration **\$40,880**

Please do not hesitate to contact me with questions.

Sincerely,



Kate Elliott
Director, Environmental Planning + Compliance
Kate.Elliott@WeAreHarris.com