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November 12, 2008

VIA ELECTRONIC MAIL

Ms. Dyan Whyte
Asst. Executive Officer
Regional Water Quality Control Board for the
San Francisco Region
1515 Clay Street, Suite 1400
Oakland, CA 94612

Re: Comments on ACL Complaint No. R2-2008-0066 and Draft CDO R2-2008-00XX
Client-Matter No. 39552.00000

Dear Ms. Whyte:

The Town of Hillsborough ("Hillsborough") submits the following comments on the draft Administrative Civil Liability ("ACL") Complaint and Cease and Desist Order ("CDO") issued by the Regional Water Quality Control Board for the San Francisco Region. Hillsborough's proposed SEP projects are included in Exhibit F.

COMMENTS ON PROPOSED ACL

(1) The Proposed Penalty Amount Should be Substantially Reduced.

A. The Penalty Should have Been Assessed on a Per Day Basis Instead of Per Gallon.

The ACL proposes to issue a penalty pursuant to California Water Code ("CWC") section 13350. For penalties based on this code section, an ACL may be imposed on a daily basis or on a per gallon basis, but not both. Civil liability on a daily basis may not exceed $5000 for each day in which a violation occurred, and the civil liability on a per gallon basis may not exceed $10 for each gallon of waste discharged. (CWC §13350(e)(1) and (2).) Nowhere does the code state that the Regional Board must select the *higher* of the two methods of imposing civil liability.

The ACL amount would be very different if based on a daily basis as many of the alleged sanitary sewer overflows ("SSOs) occurred on same dates during large storm events. For

example, on January 25, 2008, the SSO chart for Hillsborough attached to the ACL includes 8 SSOs, including 5 on the El Cerrito trunk, which were all at the same time for same surcharge event. Similarly, in earlier storm events, the chart includes 4 SSOs on El Cerrito on January 5, 2008, and 7 SSOs on January 4th, 2008, including 5 on El Cerrito.

A large percentage of the sewage flowing through Hillsborough comes from Crystal Springs and other unincorporated areas of the County. Without those additional flows, Hillsborough would not have these types and volumes of wet weather capacity related events and Hillsborough shouldn't be punished on a per gallon basis when much of the flow is not its own. *See* Exhibit A (flow data and charts). For this reason, Hillsborough respectfully requests that the ACL be recalculated on a daily basis and the current $750,000 penalty be **reduced to <u>$160,000</u>** (32 days times $5,000).

B. <u>The Penalty Should be Reduced Based on the CWC Factors</u>.

The imposition of any ACL penalty by the Regional Board requires the exercise of reasoned discretion concerning a number of factors under CWC §13327 and §13385(e). The proper application of the State Water Resources Control Board's ("SWRCB") Water Quality Enforcement Policy (" Enforcement Policy") requires a significant reduction in the proposed ACL of $750,000 against the Hillsborough. The Enforcement Policy, adopted on February 19, 2002 as SWRCB Resolution 2002-0040, represents a formalized state policy for water quality control that is binding on the Regional Board. (CWC §§13140, 13146.)

State law requires that the determination of the amount of an ACL include the consideration of a number of specific factors. (CWC §§13327, 13385(e); Enforcement Policy at pg. 34.) The Enforcement Policy specifies a step-wise approach to applying these factors and establishing the amount of liability. (Enforcement Policy at pg. 35.)

The first step is to set an "initial liability" based on factors related to the discharge: the nature, circumstances, extent, and gravity of the violation, the degree of toxicity of the discharge, and the susceptibility of the discharge to cleanup or abatement. The next step is to determine the beneficial use liability. This involves a review of the designated beneficial uses of the receiving water and a determination as to whether the violation resulted in any quantifiable impacts related to beneficial uses. The initial liability, together with the beneficial use liability, constitutes the "base amount" of the ACL. (Enforcement Policy at pg 37.)

The base amount must then be adjusted to reflect the various factors set forth in the law, including conduct of the discharger. These adjustments reflect factors such as the degree of culpability of the discharger, any voluntary cleanup efforts undertaken, and the discharger's history of violations. The economic benefit to the Discharger, if any, shall be added to the adjusted base amount unless the Regional Board determines that such an upward adjustment is not appropriate.

The record fails to establish that the Regional Board followed the requisite steps in preparing the ACL proposed in the Complaint. The ACL recommends a penalty of $750,000 even though this money would be better spent by Hillsborough on the millions of dollars needed for capital

projects to prevent future events, and even though there are several mitigating factors, as follows:

1. Nature, Circumstances, Extent, and Gravity of Alleged Violations.

The ACL Complaint included the following related to this factor:

> 2. **The nature, circumstances, extent, and gravity of the violation or violations**
>
> There were 70 SSOs that total approximately 3,000,000 gallons. The two most common causes of the Discharger's SSOs are root blockages and insufficient capacity.
>
> In general, the gravity of SSOs is high. Sanitary sewer overflows are discharges of raw untreated sewage, so they are a nuisance and adversely affect public health. Of the 70 SSOs, 55 reached surface waters. The combined volume of about 3,000,000 gallons of raw sewage is significant. These SSOs are especially grave because they reached surface waters and adversely impacted water contact recreation and aquatic life. The other SSOs, particularly those that were low in volume, are less significant because only a portion of each would have reached groundwater or surface waters and thus would have minimal adverse toxicity impact.

In considering the nature and circumstances in which an alleged violation occurs, the Regional Board must address several factors, including, but not limited to: (1) the number of violations; (2) the duration of noncompliance; (3) the significance of the violation (degree of exceedance and relative importance of the provision violated); and (4) the actual or potential harm to human health and the environment. (*Hawaii's Thousand Friends v. City and County of Honolulu,* 821 F. Supp. 1368, 1383 (D. HI 1993), citing EPA, "Clean Water Act Penalty Policy," Feb. 11, 1985, at 3-5.)

At issue here are alleged overflow events related predominantly to pipe blockages and pipe capacity. *See* ACL Complaint at pg. 4, para. 2. The Complaint goes back to December of 2004, yet fails to recognize that Hillsborough as a satellite collection system, was not subject to permitting or regulation until 2006 when the State Water Board imposed its first ever "Statewide General Waste Discharge Requirements for Sanitary Sewer Systems," Order No. 2006-0003-DWQ. Under that Order, Hillsborough was not even required to apply for coverage under that permit until November 2 of 2006 and its Sewer System Management Plan ("SSMP") was not required to be developed until May of 2007. After that, Hillsborough is required to have in place its overflow emergency response program, legal authority, operation and maintenance program and grease control program by November of 2008, which has just arrived. A final SSMP including a System Evaluation and Capacity Assurance Program ("SECAP") must be in place nine months later, by August of 2010. Many of these dates have not yet arrived, but Hillsborough is being held to meet standards of a municipality that has already completed and fully implemented an SSMP and a SECAP. There was no point to imposing a time schedule for compliance if enforcement actions enforce violations as if no schedule for action already exists.

Moreover, the ACL Complaint fails to consider each of the mandatory considerations laid out by the State Water Board to be considered "in any enforcement action." *See* Statewide Order No. 2006-0003-DWQ at pgs. 8-9, para. 6. These considerations must be undertaken before the ACL penalty is imposed.

Finally, the ACL Complaint does not directly acknowledge that one alleged SSO, included on the chart as 2290 Skyfarm on 1/25/08, accounts for 1,923,000 gallons or almost 64% of the total volume of the total spills alleged, and that this event was not caused by either insufficient capacity or root blockage. This event was caused by a large storm beginning on January 25, 2008, which caused flooding within a canyon that forced a large tree stump into the storm drain pipe, completely blocking the storm drainage and creating a lake of rainwater that submerged several manholes on a 6" main that serves a total of 152 upstream residential properties and 1 private school (no commercial or industrial properties).[1] *See* Exhibits B and D (text and photos). Hillsborough promptly reported this event and spent several days trying to drain the lake created by and remove the blockage. Hillsborough also created a new cage system to cover the storm drain inlet to avoid similar occurrences in the future.

Any spills occurring during this event were highly diluted. Based on the generally accepted engineering standard of 270 gallon per EDU, the properties upstream could have been expected to generate approximately 43,740 gallons per day in wastewater. Over the 5 days of this event, sewage from these residences may have been expected to account for about 218,700 gallons, meaning the stormwater to sewage ratio was substantially diluted with greater than a 10:1 stormwater to sewage ratio. *Id.*

2. Susceptibility to Clean Up or Abatement of the Discharge.

In establishing the initial liability under the Water Code, the Regional Board is also required to consider the susceptibility of the discharge to cleanup or abatement. The ACL Complaint included the following:

> **Insufficient capacity wet weather related SSOs may not be amenable to cleanup or containment because the storm drains and creeks are also flowing full at the time. However, for non-capacity related SSOs, either all or a portion of the SSO, can be contained and returned to the sanitary sewer for treatment. The Discharger recovered a very small percentage of these SSOs (less than 2 percent, by volume).**

[1] Although the CWA is a "strict liability" statute, several courts (including the 9th Circuit Court of Appeals) have ruled that some sort of upset defense must be provided at the very least for any technology-based effluent limitations, because technology is inherently fallible. (*See FMC Corp. v. Train*, 539 F.2d 973 (4th Cir.1976) and *Marathon Oil v. EPA*, 564 F.2d 1253 (9th Cir. 1977).) The federal regulations and the Standard Provisions define "upset" as an exceptional incident in which there is unintentional and temporary noncompliance because of factors beyond the reasonable control of the Discharger. *See* 40 C.F.R. §122.41(n)(1). "Upsets may be caused by external events, such as power failures or storms...." *Natural Resources Defense Council, Inc. v. U.S.E.P.A.*, 859 F.2d 156, 205 (1988)(emphasis added). In order to prove the existence of an "upset," properly signed, contemporaneous operating logs or other relevant evidence that: (a) an upset occurred and the Discharger can identify the cause(s) of the upset; (b) the permitted facility was being properly operated at the time of the upset; (c) notice of upset was timely submitted in accordance with Standard Provision V.E.2.b (24 hour reporting); and (d) the Discharger complied with any remedial measures required in Standard Provision I.C (duty to mitigate). *See* Standard Provision I.H.2; *see also* 40 C.F.R. §122.41 (n)(3)(i)-(iv). Hillsborough can meet these requirements for upset.

The Town modified its spill response plan in December 2007 to ensure better capture of sewage. Those revisions aided recovery such that, since December 2007, the recovery rate rose substantially. Thus, the Regional Board's percentage does not acknowledge recent improvements.

A 2,000 gallon capacity vacuum/jet truck is owned by the Town and operated by staff in order to capture sewer spills. In addition, in 2006, the Town signed an agreement with the City of Burlingame to hire their jet/vacuum truck on an as-needed basis and for emergency backup. Unfortunately, the topography near the location of many SSOs does not always lend itself to containment.

All 26 public works field staff, not just those assigned to sewer, attend annual training on SSO Response. This practice has been in place for at least 3 years. The Town has written procedures and a copy of the Sewer Response Plan remains in each vehicle for reference, which includes visual aids to estimate volume, testing procedures, and contact information to assist with gathering resources. Procedures require containment whenever practical. Town employees typically respond to SSOs within 20 minutes during working hours, and within an hour during after hours and weekends. One to four employees are available during nights and weekends to respond to sewer calls. On-call employees working after hours and weekends are authorized to request as much manpower assistance as needed to address and contain spills. It should be noted on minor spills where a few gallons are absorbed by soil, the Town's practice is to remove and properly dispose of the soil. *See* Exhibit C.

These facts demonstrate that Hillsborough undertook numerous activities to prevent, avoid, and lessen any overflows, where feasible. However, because no calculations or spreadsheets have been provided to show how or if adjustments to the maximum ACL amount were made, Hillsborough cannot determine how or by how much the ACL amount was adjusted under this or any other factor. The Regional Board should describe how much credit or reduction was provided under this factor and every other factor prescribed by law.

3. Degree of Toxicity of the Discharge

On this factor, the ACL Complaint alleged the following:

4. The degree of toxicity of the discharge

The degree of toxicity of SSOs cannot be accurately quantified. However, raw sewage, as compared to properly treated wastewater, typically has about ten times the concentrations of biochemical oxygen demand, trash, total suspended solids, oil and grease, ammonia, and thousands of times the levels of viruses and bacteria (measured in terms of total and fecal coliform). These pollutants exert varying levels of impact on water quality, and, as such, will adversely affect beneficial uses of receiving waters to different extents. Some possible adverse effects on water quality and beneficial uses as a result of SSOs include:

- Adverse impact to fish and other aquatic biota caused by bio-solid deposition, oil and grease, and toxic pollutants common in sewage (such as heavy metals, pesticides, personal care products, and pharmaceuticals);
- Creation of a localized toxic environment in the water column as a result of the discharge of oxygen-demanding pollutants that lower dissolved oxygen, and elevated ammonia concentration which is a demonstrated fish toxicant; and
- Impairment to water contact recreation and noncontact water recreation and harm to fish and wildlife as a result of elevated bacteria levels including pathogens.

Since storm related SSOs are diluted with storm water, they would not pose the same level of toxicity or impact as an equal volume of raw sewage during non-storm conditions. However, any large SSOs (>5,000 gallons) that occurred during dry weather are very significant because they are full strength and received no dilution. The Discharger reported one such SSO of 20,000 gallons due to root blockage on April 14, 2007. No portion of this SSO was recovered.

The alleged overflows from the collection system contained domestic sewage without any toxic industrial contaminants as Hillsborough is predominately a residential community. The ACL Complaint recognizes that "storm-related SSOs are diluted with storm water, [and] they would not pose the same level of toxicity or impact as an equal volume of raw sewage during non-storm conditions." (ACL Complaint at pg. 5, para. 4.) The Complaint only cited to one SSO of 20,000 gallons in dry weather conditions in 2007. *Id.* As explained above, since changes to the Town's procedures were made in December 2007, Hillsborough has had a much better track record of containment and recovery.

As stated above, the ACL Complaint provides no indication of how much the ACL amount was altered, if any, based on this factor. This failure of the Complaint to explain how the factors were used to adjust the ACL amount brings into question the validity of the entire ACL. The basis for any findings or conclusions in any Regional Board order must be clearly articulated, and this basis must be supported by evidence in the record. Orders not supported by the findings or findings not supported by the evidence constitute an abuse of discretion. (*See Topanga Assn for a Scenic Community v. County of Los Angeles*, 11 Cal. 3d 506, 515 (1974); *California Edison v. SWRCB*, 116 Cal. App. 751, 761 (1981); *see also* Enforcement Policy at pg. 35.)

4. Ability to Pay

Under CWC §13327 and §13385(e), the Regional Board must consider various mitigating factors when imposing an ACL. One of those factors is the alleged violator's "ability to pay." The Complaint incorrectly uses a $7.5 million annual operating budget for Hillsborough to determine "ability to pay." Hillsborough's FY 07/08 sewer budget was substantially less, at $6,326,760, and even lower for FY 08/09 at $6,209,464. *See* Exhibit E (CIP Budgets).

Moreover, for purposes of determining civil liabilities, the required ability-to-pay analysis must address the ability to pay of the party above and beyond its other existing financial obligations. Thus, Hillsborough is being required to spend $1/12^{th}$ of its entire budget on the proposed penalty, money already earmarked for other municipal services related to sewer operation and maintenance. The only funds that are relevant for this analysis are Hillsborough's sewer funds, which for 2008/09 are $6,209,464 and are currently budgeted for other projects and programs. A $750,000 is equivalent to the entire 2006/07 budget for salaries and benefits of all employees under the Sewer Fund, employees needed by the Town to ensure that the sewer system is operated and maintained properly. *Id.*

As acknowledged in the Enforcement Policy, the ability of a discharger to pay an ACL is limited by its revenues and assets. (Enforcement Policy at p. 41) "If there is strong evidence that an ACL would result in widespread hardship to the service population or undue hardship to the discharger, it may be reduced on the grounds of ability to pay." (*Ibid.)*

The Regional Board unduly relies upon the allegation that Hillsborough "has the authority to adjust its rate scale to provide for financial needs." (ACL Complaint at pg. 5, para. 5.) While this may be true, there is no guarantee that an effort to raise rates will be successful. Many communities around California are finding that rate increases are being protested under Proposition 218 and rate increases are made impossible or, at best, substantially delayed. If this were the case, then Hillsborough would not have enough capital to both fund the ACL fine and properly fund and operate its collection and stormwater systems, not to mention have no funding for *improvements* to collection and alarm systems to avoid similar occurrences in the future.

Finally, the ACL does not acknowledge that the Town has already approved rate increases through 2010, two of the four of which have yet to be implemented, or that Hillsborough's rates are one of the highest, if not the highest, in the Bay Area. In order to cover the costs associated with the ACL and CDO, the Town will need to go back to ratepayers to request even higher increases or will have to cut/eliminate its capital program, since the reserve amounts did not contemplate the rapid completion of projects mandated under the CDO.

a. The Regional Board Must Consider the Financial Impacts of the Proposed Penalty.

Any exercise by the Regional Board of its power to assess an ACL penalty against dischargers, particularly those that are public entities, must include consideration by the Regional Board of the impact of its assessments upon the constituents of the entity against which it is assessing liability. In this instance, the interests of the ratepayers within the Town, who have borne the

expense of the Town's remedial efforts with regard to past overflows and who will bear any administrative civil liability in addition to the cost of those efforts, must be considered by the Regional Board in connection with its ultimate determination of the level of liability assessed against Hillsborough. Moreover, the Regional Board must consider that Hillsborough's rates are already some of the highest in the Bay Area.

The police power of the State must be exercised with sufficient consideration for the interests of those affected by such exercise. Local agencies, for instance, before enacting ordinances, must consider any significant or adverse effects of their action on surrounding communities or regions, and such consideration may be determinative of the constitutionality of a proposed ordinance. (*Associated Homebuilders v. City of Livermore* (1976) 18 Cal.3d 582, 608-609.) In connection with a local ordinance regulating housing that may impact the region in which the municipality existed, the Supreme Court stated:

> "When we inquire whether an ordinance reasonably relates to the public welfare, inquiry should begin by asking whose welfare must the ordinance serve. In past cases, when discussing ordinances without significant effect beyond the municipal boundaries, we have been content to assume that the ordinance need only reasonably relate to the welfare of the enacting municipality and its residents. But municipalities are not isolated islands remote from the needs and problems of the area in which they are located; thus an ordinance, superficially reasonable from the limited viewpoint of the municipality, may be disclosed as unreasonable when viewed from a larger perspective. These considerations impel us to the conclusion that the proper constitutional test is one which inquires whether the ordinance reasonably relates to the welfare of those whom it significantly affects. . . . Having identified and weighed the competing interests, the final step is to determine whether the ordinance, in light of its probable impact, represents a reasonable accommodation of the competing interests."

(*Id.* at 608-609.) The Regional Board here, in its exercise of the police power of the State, must also consider the full impact of its potential assessment upon the interests of the constituents of the Hillsborough.

As a local public entity, Hillsborough will be forced to pay for improvements and programs required under the accompanying Cease and Desist Order and any liability penalties principally through the sewer fees and rates assessed upon the individuals and businesses within the Town. These constituents, who as the local residents would be most impacted by sewage overflows, already pay one of the highest sewer rates in the State, even without a publicly owned treatment works of its own. The penalty will merely go into the State's Cleanup and Abatement Account, with potentially some portion going to Supplemental Environmental Projects ("SEPs") approved by the Regional Board, and may not be used on compliance projects that directly benefit these ratepayers. Any benefit resulting to the people and entities most directly affected by the overflows that may result from an assessment of an ACL will be far outweighed by the multiplied penalty that would result from assessing a substantial liability penalty and capital project requirements under the proposed CDO against Hillsborough. Such an outcome is directly contrary to the consideration required for those directly affected by governmental action that is the underlying theme of the *Associated Homebuilders* case. Moreover, every dollar paid to the

Cleanup and Abatement Account is one less dollar that could fund staff, new pipes, and programs in Hillsborough to prevent spills in the future.

5. Ability to Continue in Business.

The ACL Complaint states that Hillsborough "has not provided information indicating that it would be unable to pay or continue in business." (ACL Complaint at 5, para. 5.) Hillsborough is not a business, it is a public entity, and therefore the assessment of a large ACL will not have an effect on its ability to "continue in business." (*Id.*) It must remain in business as a municipality. Nevertheless, the Complaint fails to recognize that a large ACL amount will adversely impact the operation and maintenance of Hillsborough's collection systems because the ACL will divert funds from Hillsborough's existing budget. *See* Exhibit E (CIP and Operation Budget).

As noted by the District Court in refusing to impose a $10 million dollar penalty against the City of San Diego for years of alleged violations:

> "The City is not pleading poverty and has not stated that it is unable to pay the amount requested by plaintiffs. However, insofar as plaintiffs' request would represent a transfer of wealth from the residents of San Diego to the federal treasury, the court is concerned that the only victims in this case will be those residents."

(*United States v. San Diego*, 1991 U.S. Dist. LEXIS 5459, *15 (SD Cal. 1991).) Similarly, if the proposed ACL is imposed, the ratepayers in the Hillsborough service area will be unfairly economically penalized. The ACL Complaint looked only at the overall annual budget of Hillsborough, but failed to undertake an analysis of Hillsborough's budget and the impact a large ACL would have on continued levels of staffing, operation and maintenance. Every dollar spent on the ACL will be one less dollar available for continued operations and maintenance and for additional improvements to the system, and, as such, Hillsborough might suffer a corresponding budget shortfall.

6. Voluntary Clean Up Efforts Undertaken.

On this factor, the ACL Complaint alleged the following:

> **6. Any voluntary cleanup efforts undertaken**
>
> **Of the total 3,009,188 gallons of sewage spilled, the Discharger recovered 1,175 gallons. Approximately 3 million gallons were not recovered.**

The Complaint acknowledges that Hillsborough undertook voluntary clean up efforts and "recovered 1,175 gallons" (ACL Complaint at pg. 5, para. 6.), but does not give Hillsborough any credit for these activities. Since not all of the town's efforts to control and prevent spills were recognized in the discussion of this factor (*see* ACL Complaint at pg. 11, para. 6.), it is unclear whether a proper and reasonable reduction was given for Hillsborough's voluntary efforts.

As noted in the Complaint, it is not physically practical to contain capacity SSOs during wet weather, which account for 2,918,250 gallons of the total 3,009,188 gallons alleged. For example, the January 25, 2008 event at 2290 Skyfarm could not be contained within the 6" sewer main that serves that area and was too massive for mechanical collection.

The 1,175 gallons represents about 1% of the remaining SSOs since 2004, however it represents 52% of the 9 alleged SSOs since the Town adopted and implemented a more aggressive containment procedure in December 2007.

7. Prior History of Violations.

The Regional Board's Complaint purports to present, as required by Water Code section 13327, the "prior history of violations" in mitigation or aggravation of the liability amount to be assessed. Because the State Board has determined that this prior history is a "conduct factor" used to adjust the amount of administrative civil liability to be assessed, it appears calculated to help determine the level of culpability of the discharger regarding the discharge. (Enforcement Policy at Sec. VII.D., pg. 38.) As such, the ACL Complaint alleges the following:

> **The Regional Water Board's records regarding the discharger's history of violations prior to the timeframe for this Complaint are not complete or accurate; however, it is likely that the Discharger has had prior SSOs.**

Although SSOs were alleged to have occurred prior to 2004, as a satellite system, the Town was not obligated to report SSOs to the Regional Board prior to 2005. Nevertheless, the Town voluntarily began use of the RWQCB reporting system as soon as it became available in 2004.

Like any other municipality operating a sewer system that dates back to the turn of the century, the Town responded to calls of sewage leaks and backups prior to 2004. By the late 1980s, the Town realized that many repairs were needed within the sewer system due to chronic SSO conditions, and commissioned an inflow and infiltration ("I/I") study, which was completed by CH2M Hill in 1991. Projects to protect creeks and other waters of the state were given the highest priority.

Most of the recommendations for projects in the study have been completed. The Town has invested more than $19 million in its sewer infrastructure, and has an approved capital improvement program for $17 million in additional improvements, including the planned repair to the Crystal Springs/El Cerrito Sewer Trunk.

With the exception of the Crystal Springs/El Cerrito trunk, the Town can confidently state that it has no locations that experience chronic SSOs. The Town has implemented Smartcover technology at 18 manhole locations to monitor surcharging in sewer lines, that have been prone to fats, oils and grease ("FOG") and root intrusion. Additional covers are planned for installation in 2008, as these covers have proved useful in locating and preventing potential SSOs.

As of June 2008, although not required, the Town is voluntarily reporting all SSOs on private property to fully disclose all overflow events in the community. Nonetheless, the purported

history discussed in the Complaint ignores these facts and focuses on the allegation that "it is likely that the Discharger has had prior SSOs." (ACL Complaint at pg. 6, para. 7.) However, the Regional Board cites no other events. Thus, this "history" fails to recognize the relatively infrequent number of spill events from Hillsborough's 116 miles of sewer and, instead, appears calculated to maximize the Board's potential assessment rather than to serve the goals that purportedly underlie the concept of administrative civil liability pursuant to Water Code sections 13350 and 13385.

The Regional Board's assessment of administrative civil liability against public entities has been generally upheld by the Supreme Court because such liability is not always solely a punitive assessment, but may also fulfill a "legitimate and fully justified compensatory function of providing full compensation for all aspects, quantifiable and unquantifiable, of a spill as well as to impress upon the public the necessity of taking every precaution against releases." (*See People ex. rel. Younger v. Superior Court* (1976) 16 Cal. 3d 30 at 35-37.) Because this liability must be assessed following an adjudicative procedure based upon evidence in the record before the Regional Board (*see* Code Civ. Proc. §11513), the evidence introduced must be, at a minimum, relevant and reliable. (*Aengst v. Board of Medical Quality Assurance*,110 Cal. App. 3d 275, 283 (1980).)

Relevant evidence is that evidence which has "any tendency in reason to prove or disprove any disputed fact that is of consequence to the determination of the action." (Evid. Code §210.) Where evidence of prior offenses or acts is offered to prove another fact in the criminal law context, such evidence is only admissible to the extent that: (1) the evidence is material to the fact to be proved or disproved; (2) the evidence possesses sufficient probative value to prove or disprove the fact; and (3) no rule or policy exists requiring exclusion even if the evidence is relevant. (*People v. Daniels* (1991) 52 Cal. 3d 815, 856.) Such evidence may be admitted if there is a "direct relationship" between the prior offense and elements of the charged offense. (*Id.* at 857.)

The Regional Board failed to state that any other wastewater overflow events referenced were due to the same reasons stated as the cause of the overflows in the ACL Complaint. When considering the Hillsborough's compliance history, the Regional Board must take into account the seriousness and impact of any previous violations. Where there is a pattern of repeated similar violations or the violations were intentional, the assessed liability should consider aggregate impacts. (Enforcement Policy at p. 38.) Here, no such pattern of noncompliance exists. Furthermore, the prior overflows alluded to by the Regional Board have not been demonstrated to have happened or to have resulted in any specified adverse impacts.

The other previous purported "violations," which were presumably introduced in aggravation of the ACL amount by the Regional Board, do not constitute relevant or reliable evidence of negligent, intentional, or culpable conduct, or indicate that future similar releases are more likely. Moreover, despite the fact that the Regional Board has exercised its discretion over the past few decades to not assess administrative liability for these previous "violations," the Regional Board now asserts that the existence of these other overflows somehow makes it more likely that some misconduct by Hillsborough caused these overflows and that Hillsborough must

be deterred by a substantial penalty to avoid similar conduct in the future. This conclusion is not supported by any evidence.

The Regional Board's consideration of historic (pre-2004) overflows while failing to consider the relatively low incidence of such occurrences within the same system suggests that the object of compiling this "history" was to ignore the objective evidence of Hillsborough's overall performance and focus on specific, intermittent instances of lesser performance to inflate the amount of ACL. The existence of these past "violations" is neither probative of the facts asserted by the Regional Board nor consistent with the statutory goals of full compensation for injury and deterrence of future violations.

An example of a better-defined and more reasonable means for considering the real impact of previous conduct by a regulated entity is that applicable to applicants for issuance or renewal of a permit for non-vehicular air pollution sources. Air pollution control statutes provide for a review of the compliance history of an applicant for a permit or renewal of a permit, respectively, that takes into account "the size and complexity of the applicant's operations." (Cal. Health & Safety Code §§42331 and 42332, subd. (b).) The compliance history considered relates to a three-year period prior to the date of application, and also includes, among other things:

(1) whether a notice of violation was issued for each violation;

(2) whether the violations demonstrate a recurring pattern or noncompliance poses a significant risk to public health, safety or the environment;

(3) the severity of the violations;

(4) whether the emissions violations were the result of circumstances beyond the reasonable control of the applicant and could not have been prevented by reasonable care.

(*See* Cal. Health & Safety Code §42333(a)(2), (a)(4), (d)(1) and (d)(2).)

The Regional Board's consideration to date of the "prior history" factor plainly lacks the type of defined, rational approach manifested in the air quality permitting statutes. Rather than considering Hillsborough's overflow history within the context of its entire history of service, comparing Hillsborough's spill incidence to other similarly sized systems, or identifying the specific relationship between the alleged present overflows and these other incidents, the Regional Board appears to seek to consider past overflows only in the aggregate, without perspective or consideration of the relevance or materiality to the goals of ACL assessment. Thus, the Regional Board's analysis is inconsistent with the policy underlying the ACL statutes and with the proper use of the adjudicative function under California law.

8. Degree of Culpability

The Enforcement Policy specifies that, in considering the conduct of the discharger, higher ACL amounts should be set for intentional or negligent violations than for accidental, non-negligent violations. (Enforcement Policy at p. 38.) As a first step, the Regional Board should identify any performance standards (or, in their absence, prevailing industry practices) in the context of the violation. The test is what a reasonable and prudent person would have done or not done under similar circumstances. (*Ibid.*)

The Complaint concludes that, even though Hillsborough has a root control program, this program is not adequate because root blockage SSOs continue to occur. The ACL complaint fails to recognize that satellite collection system regulation is still in its infancy. The "proper operation and maintenance" requirements mandated for publicly owned treatment works (and collections systems under the same jurisdiction and NPDES permit) have not historically applied to satellite sewer systems. Thus, satellite systems should not be held to the same standard before 2006 when these systems were first regulated.

Since 2006, Hillsborough has been implementing a root control program, which is not even a delineated part of the Statewide Order's SSMP program, and this should be considered a mitigating, not an enhancing factor. The ACL Complaint, using 20/20 hindsight, alleges that spills may have been prevented if a different root control program had been in place prior to the discharge. (ACL Complaint at pg. 6, para. 8.) However, in a series of capital projects by Hillsborough to clean, video and line sewer mains, it has repeatedly been shown that root growth development in mains occur because of root intrusion that originates in privately owned sewer laterals, even in mains that have been recently lined. Until private sewer laterals are addressed, the Town's programs will remain hampered.

Similarly, the capacity projects undertaken by Hillsborough should be mitigating. But, instead, the Regional Board seems to focus on Hillsborough not increasing the pipe size in the trunk sewers even though the Regional Board admits the downstream pipes "would not be able to handle the increased sewage flow if the Discharger's Trunk Sewer is upgraded" and that "more SSOs would likely have started occurring from the City of San Mateo's collection system." (ACL Complaint at pg. 6, para. 8.) Hillsborough has every intention of correcting any necessary capacity issues in the trunk sewers, but, as recognized in the ACL itself, this action makes no sense until all the upstream and downstream entities also increase the sizes of their pipes. Hillsborough must not be penalized for its reasonable action to wait in this case. The ACL states the following regarding capacity:

Insufficient capacity. The second most common cause of the Discharger's SSOs is insufficient capacity especially during wet weather. Of the Discharger's 71 SSOs, insufficient collection system capacity caused 22 (or 31%).

This poor performance was demonstrated in January 2008 when 17 of the Discharger's 22 capacity-related SSOs occurred during heavy storm events (on January 4th, 5th, and 25th). Furthermore, 14 of those 17 SSOs occurred from manholes (on Crystal Springs Road and El Cerrito Avenue) along the Crystal Springs/El Cerrito Trunk Sewer (Trunk Sewer). This Trunk Sewer conveys sewage to the City of San Mateo's collection system. The large percentage of capacity-related SSOs reflects the Discharger's collection system's inability to properly convey sewage flows during large storm events. It also reflects a higher than acceptable inflow and infiltration rate into the Discharger's collection system.

In terms of collection system capacity, in 1997, the Discharger identified the Trunk Sewer as having insufficient capacity to convey peak wet weather flows. Subsequently, the Discharger replaced approximately 4,400 feet of the 15,800 linear feet of the Trunk Sewer thereby increasing its capacity. The Discharger lined an additional 4,500 feet of the Trunk Sewer to prevent inflow and infiltration and leaks. However, the Discharger determined that approximately 11,400 linear feet of the Trunk Sewer, measured from the City of San Mateo's city limit and going upstream, is still undersized to handle peak weather flows.

The Discharger secured funding in 2006 and was prepared to proceed with the remaining Trunk Sewer capacity expansion, but decided to wait until the City of San Mateo addresses downstream capacity issues. These include the City of San Mateo's downstream section of the trunk line and WWTP, which would not be able to handle the increased sewage flow if the Discharger's Trunk Sewer is upgraded. In other words, if the Discharger had proceeded, instead of capacity-related SSOs occurring from the Discharger's collection system, more SSOs would likely have started occurring from the City of San Mateo's collection system.

In terms of excessive inflow and infiltration, the Discharger's ratio of wet weather flow to dry weather flow, a measure of inflow and infiltration, varies from 5:1 to 10:1. A more reasonable ratio for a well maintained collection system is between 3:1 and 4:1. One of the main reasons for the Discharger's high wet to dry weather flow ratio is leaky private sewer laterals.

Currently, the Discharger requires inspection of private sewer laterals at the time of property sale. If the inspection identifies leaks in the lateral, the Discharger requests, but does not require, the property owner to repair of the private sewer lateral prior to property transfer. Moreover, properties do not sell frequently within the Town of Hillsborough. Therefore, locating and correcting all defective sewer laterals within the Town of Hillsborough will take many years if only based on inspections at time of sale. The Discharger can implement a more aggressive private lateral testing and repair program to effectively address its infiltration and inflow problem.

The Town does not have information that indicates I/I ratios are between 5:1 to 10:1 coming from the Crystal Springs/El Cerrito trunk. Instead, the data suggests the peak flows are in the 3:1 to 4:1 reasonable ratio range. The 9:1 ratio comes from an old Crystal Springs' 1999 study, and from CH2M Hill studies completed prior to Hillsborough's repair of the worst section of the pipe, which was located in the creek. The pipe is now out of the creek. San Mateo has not provided data for 2007 or 2008 that allows more accurate information to be charted. The previous years for which complete information is available suggests the peak is much lower than indicated in the ACL.

Hillsborough is an all residential community with the majority of mains sized at 6". Capacity is not an issue during dry weather anywhere else within the system. The only main that has known capacity issues is the Crystal Springs/El Cerrito sewer trunk. Most of the capacity upgrade is related to development upstream from the Town of Hillsborough in the Crystal Springs County Sewer District ("CSCSD") and the unincorporated County area that supports a jail and county offices. The Town's annual growth rate has been consistently under 1% for decades.

The Town implemented the first phase of the Crystal Springs/El Cerrito Trunk project to resolve chronic SSOs the Town was experiencing in and near San Mateo Creek. As the first phase was being constructed, the Town arranged for the design of Phases 2 and 3 to increase the capacity of the main downstream. This design was 90% complete in 2004, not 2006 as stated by the Regional Board in the ACL.

Since 2001, the Town has been meeting regularly with the City of San Mateo and representatives of the CSCSD to discuss the replacement of the Crystal Springs/El Cerrito trunk line, along with other issues of common concern. The Town has not been able to obtain CSCSD's agreement to reimburse the Town for its share of expenses, which will be approximately 40% of the project's 8 million dollar cost. The Town did not execute the project in the absence of an agreement because:

a. The improvements in Hillsborough would not resolve the SSOs until such time that the City of San Mateo increased capacity at the Dale Avenue Pump Station and wastewater treatment plant;
b. CSCSD has made virtually no effort to reduce contributions of I/I from its service area, having only completed one of the multiple projects identified from its I/I study;
c. CSCSD has a history of resistance to rate increases and has already experienced a Proposition 218 challenge such that Hillsborough is justified in its concern that reimbursement from CSCSD may never materialize;
d. If upstream I/I were adequately controlled, the El Cerrito trunk line project might prove unnecessary; and
e. The Town made a rational decision to apply available revenues to other projects that repaired mains and reduced inflow and infiltration city-wide, including locations upstream of the Crystal Springs/El Cerrito trunk.

Over the past 13 years, the Town has continuously designed and implemented capital improvement programs to reduce the incidences of SSOs. As recognized in the CDO, the Town "has completed seven phases of cleaning and inspection projects and eight rehabilitation projects since 1995." *See* CDO at pg. 10, para. 27. The Town has also completed many upgrades and improvements to its sewer systems. *Id.* at para. 29; *see also* Exhibit E (Completed CIP Projects).

The Town has required the inspection and testing of sewer laterals at the time of sale since 1989. If the lateral is found to have defects, repairs are required prior to sale. Since December 2007, the Town has required the complete replacement of the lateral if any defects were found.

Approximately 2% of properties are sold in any year, thus the 1989 ordinance may have affected approximately 40% of properties.

The City Council of the Town of Hillsborough is aggressively addressing the inflow and infiltration issue at laterals. In April 2008, the City Council reviewed the sewer capital improvement program, and invited Michael Chee, staff member of the Regional Board, to attend and comment on the program. At that time, implementing a lateral replacement program was set as a priority. On August 11, 2008, the Council approved the design of a pilot project to test the efficacy of replacing laterals to reduce I/I in the Crystal Spring/El Cerrito trunk, and allocated $100,000 for the same. At its September 8, 2008 meeting, the City Council reviewed a proposed ordinance to require replacement of laterals at the time sale, following an SSO or in coordination with capital improvement projects. This ordinance was introduced on October 13, 2008 and is scheduled for adoption on November 10, 2008.

9. Economic Benefit or Savings

No economic benefit or savings inured to Hillsborough as a result of the overflows alleged. Costs to replace the pipes in areas where capacity is limited will only increase over time. Moreover, the Town has completed over $14 million in capital projects since 1999. *See* Exhibit E. Therefore, the conclusion of the Complaint should have been that no economic benefit or savings were realized and, therefore, a reduction from the maximum civil liability was warranted.

10. Other Matters as Justice May Require

The Complaint reveals that, notwithstanding the fact that this is a very large fine for a relatively small town, the Regional Board has not proven that the unprecedented penalty amount proposed in this matter fits the circumstances of the overflows alleged. Instead, the Complaint states the following:

10. Other such matters as justice may require

> The Regional Water Board's Resolution No. R2-2005-0059 declares support of local programs that inspect and rehabilitate private sewer laterals. The Resolution also states that the Regional Water Board would consider the existence of such programs, especially those experiencing significant infiltration and inflow from private sewer laterals, as an important factor when considering enforcement actions for sanitary sewer overflows.
>
> Currently, the Discharger requires inspection of private sewer laterals at the time of property sale, but does not require repair of faulty private sewer lateral. Programs in a few other Bay Area communities are more effective than the Discharger's. Those programs include a testing requirement with any major building modification, and also require (not just request) repair or replacement of faulty laterals.

As noted above, the Town has required the inspection of sewer laterals at the time of sale since 1989. Approximately 2% of properties are sold annually in Hillsborough. This program has likely affected 40% of properties in Town since inception. Video inspection of laterals at time of sale has been the Town's practice since 2006.

The Complaint erroneously states that repairs are requested, not required. If the lateral is found to have defects during a video or pressure tests, repairs are required prior to sale. Since December 2007, the Town has required the complete replacement of the lateral if any defects were found.

The Town has also adopted a backflow protection ordinance in 2005 to help reduce the incidences of sewer overflows. Every property owner is required to maintain two elements of backflow protection, such as cleanouts or backflow control devices since January 2007.

As previously stated, Hillsborough is aggressively addressing I/I from laterals. In March 2008, Council identified the prevention of SSOs and I/I as top priorities in the sewer budget, and, on August 11 2008, approved the design of a pilot project to test the efficacy of replacing laterals to reduce I/I in the Crystal Spring/El Cerrito trunk, and allocated $100,000 for the same. At its September 8 2008 meeting, the City Council reviewed a proposed ordinance to require replacement of laterals at the time sale, following an SSO or in coordination with capital improvement projects. This ordinance was introduced on October 13, 2008 and is scheduled for adoption on November 10, 2008. Each of these actions should be taken into the Regional Board's factor analysis and all inaccuracies should be corrected.

a. <u>The Regional Board has not Proven the Alleged Violations Occurred</u>.

On pages 2 and 3 of the ACL Complaint, several "Allegations" and "Violations" are listed both the Basin Plan and the Statewide SSO Waste Discharge Requirements. No analysis or proof has been offered up by the Regional Board that each of these violations in fact reached waters of the state or are actionable.

For example, the Complaint alleges a violation of Basin Plan Prohibition 15, which states:

> *It shall be prohibited to discharge raw sewage or any waste failing to meet waste discharge requirements to any waters of the Basin.*

See San Francisco Bay Basin Plan at Table 4-1.

It is not clear that the prohibitions contained in Table 4-1 can be directly enforced absent incorporation into an NPDES or some other discharge permit. *See* 1995 Basin Plan at pg. 4-6 ("Acceptable control measures for point source discharges must ensure compliance with NPDES permit conditions, including the discharge prohibitions (Table 4-1) and the effluent limitations provided on the following pages.") Just as the effluent limitations in Tables 4-2 to 4-4 are not independently enforceable absent inclusion in an NPDES permit, the general prohibitions should not be independently enforceable either. These are merely implementation methodologies (*See* Chapter 4 of the Basin Plan) as opposed to water quality objectives (*Compare* Chapter 3 of the Basin Plan). Moreover, direct enforcement of this provision runs contrary to the Basin Plan's Conceptual Approach for controlling wet weather discharges, which advocates allowing "for the evaluation of costs and benefits" and exceptions to the general overflow requirements "where an

inordinate burden would be placed on the discharger relative to the beneficial uses protected, and when an equivalent level of environmental protection can be achieved by alternate means...." *See* 1995 Basin Plan at pg. 4-16.

The ACL also alleges that 2 spills "discharged to 'street/curb or gutter' which eventually washes into surface waters; and the remaining 15 reached groundwater because they discharged to 'yard/land' so a portion of each would have seeped through soil to groundwater." (*See* ACL Complaint at 4.) There is no evidence provided in support of these allegations that any of these 17 spills reached surface waters or ground water. Further, the ACL Complaint contains no evidence that the cited SSOs "adversely impacted water contact recreation and aquatic life." *Ibid.* All unproven allegations must be removed from the Complaint and no ACL amount must attach to those alleged violations.

b. Application of the ACL Statutes Must Serve Some Compensatory Purpose.

California Government Code section 818 provides that public entities shall not be liable for damages imposed primarily as punishment. As previously discussed, the Supreme Court has determined that the "civil penalties" contained in provisions of Water Code section 13350 dealing with oil overflows are not barred as punitive damages because these penalties are not "simply" or "solely" punitive and may fulfill a "legitimate and fully justified compensatory function" to impress upon the public the necessity of taking every precaution against such releases. (*People ex. rel. Younger v. Superior Court,* 16 Cal. 3d 30, 35 (1976).) The Court has also applied this reasoning to penalties assessed under Water Code section 13385. (*San Francisco Civil Service Assn. v. Superior Court,* 16 Cal.3d. 46, 51 (1976).) However, the liability assessed under these statutes is supposed to compensate the people of the state for the unquantifiable damage that an overflow causes and the money assessed is to be used to aid in cleaning up and abating pollution of state waters. (*People v. Alameda Co.,* 16 Cal.3d. 30 (1976); *San Francisco Civil Service Assn.* at 51.)

Given this legal backdrop, ACL assessments must be consistent with the goal of providing *compensation* for any actual harm caused. Where the amount of an assessment exceeds the amount necessary to achieve the goal of reasonable compensation for any actual harm, that assessment is punitive and improperly claimed from a public entity. Where there is evidence that quantifies the impact of a particular factor, no additional amount for "unquantifiable" impacts attributable to the same factor should be assessed. Otherwise, an ACL constructed in such manner would be the equivalent of "double-dipping," and would constitute an abuse of discretion.

Here, no basis exists in the record before the Regional Board on this matter that would justify the imposition of an ACL for punitive reasons. The overflows alleged in the Complaint did not result from intentional or malicious conduct, and Hillsborough has already begun the process of constructing upgrades to its collection system capacity and implementing SSO reduction programs.

The record similarly fails to demonstrate any "unquantified" damages that might also require compensation above and beyond the activities being undertaken by Hillsborough on its own and under the SSO WDR. The evidence in the record fails to support either an adequate basis for punishment or the need for compensation for unquantified damages.

c. The Burden of Proof for ACL Proceedings Must Be Met.

Burden of proof is an evidentiary concept, which obligates the prosecuting party to establish evidence to a requisite degree of belief. (*Fukuda v. City of Angels* (1999) 20 Cal.4th 805.) In administrative proceedings, the burden of proving charges or allegations of violation rests upon the party making the charges or asserting that violations occurred. (*Parker v. City of Fountain Valley* (1981) 127 Cal.App.3d 99, 113; *Cornell v. Reilly*, 127 Cal.App.2d 178, 183.) The obligation of a party with the burden of proof requires the production of evidence for that satisfies this purpose. (*Pipkin v. Board of Supervisors* (1978) 82 Cal.App.3d 652, 658.) For this ACL, the Regional Board is the prosecutor as well as the initial decision-maker and is, therefore, subject to the burden of proof requirement.

The agency has the burden of establishing that each of the elements needed to establish its case is supported by the weight of the evidence. (Cal. Evid. Code §115.) The weight of the evidence test is also called the preponderance of the evidence standard or the "51%" proof standard. Simply stated, "the scales of justice" must be tipped in favor of the agency's conclusions (*e.g.*, the evidence on one side outweighs or preponderates the evidence on the other side). (*People v. Miller* (1916) 171 Cal.649, 652.) The agency's decision must also contain adequate findings to bridge the analytical gap between the evidentiary record and the conclusion in the decision. (*Topanga Assn. v. City of Los Angeles* (1974) 11 Cal.3d 506, 515.)

Two orders of the SWRCB are relevant to the burden of proof issue. Both SWRCB orders cited below involve ACLs issued to the County of San Diego, San Marcos Landfill, by the San Diego Regional Board:

(1) In Order WQ 2001-01, the SWRCB remanded an ACL decision to the Regional Board for further consideration. The key issue was how many days the landfill had not been adequately covered. The State Board indicated (a) it would review an ACL decision that involved some abuse of discretion, (b) more specific findings were needed to justify what appeared to be an excessive assessment, and (c) a remand was appropriate where the Regional Board had not provided adequate justification for a calculation of the number of days of violations.

(2) After remand, another ACL was also petitioned to the SWRCB. In Order WQ 2002-0020, the SWRCB reduced the amount of the assessment attributable to the number of days of an inadequate cover, and stated (a) the Regional Board has the burden of proving each and every day of violation, (b) reliance on hearsay observation is not sufficient proof, and (c) an ACL must be supported by direct evidence, even though it is likely that more days of violations occurred than can be proven. Based on these factors, the State Board reduced the portion of the ACL attributable to the number of days of lack

of adequate cover from $136,500 to $60,600, finding that only 200 days of violations were proven, not the 455 days on which the Regional Board based its ACL.

These precedential decisions place upon the Regional Board the burden of proving all of the elements required to establish each offense or violation for which the issuance of an ACL is appropriate, to justify the amount of the ACL itself, and to disprove the applicability of any defenses raised. To the extent the Regional Board cannot meet this burden, no assessment can be legally justified.

(2) Hillsborough Requests a Higher Percentage of Any Penalty Go to SEPs.

Hillsborough also requests that a substantial portion of the fine (e.g., more than 50%) be put toward local Supplemental Environmental Projects (SEPs), such as a public education and lateral repair program (*see* Exhibit F). Unlike a fine, SEPs benefit the local community and environment by reducing sewer overflows, while at the same time creating a benefit to San Mateo's treatment plant by reducing influent flows during storm events.

(i) Increase SEP Percentage

The ACL Complaint currently limits the SEP amount to 50% (*see* ACL Complaint at pg. 2 (limiting SEP to an amount not to exceed $375,000). Hillsborough believes that this 50% limitation is unfair and not required.

No law or regulation requires limiting SEPs to 50%. In fact, on October 15, 2008, the State Water Board issued a draft policy in which one of the options is a 50% limitation, but that policy has not yet been vetted through a public hearing process and should not be imposed prematurely. Moreover, that is only one of the options out for public comment, with the other alternative being that a SEP percentage can be any amount so long as the State Water Board is notified and can review the percentage on its own motion. These policies are not due for consideration by the State Water Board until February of 2009, and should not be implemented as underground regulations prior to their adoption.

Moreover, holding SEPs to 50% is inconsistent with Regional Board precedent. Hillsborough was sent several SEP proposals by the Regional Board to be used as samples. The proposed SEP percentage for Hillsborough was not consistent with these previous cases. For example, South San Francisco's 2006 fine was set at $516,000, with $32,000 to be paid in cash to the Board and $484,000 to be satisfied through development and expense of a SEP. The SEP percentage in that case was almost **94%**. Rodeo's 2007 fine was set at $45,000, with $15,000 to be paid in cash to the State Water Pollution Cleanup and Abatement Account and $30,000 to be satisfied through SEP. The SEP percentage was **67%**. Sausalito's SEP project was for MMPs, so that percentage is set by statute. It should be noted, however, that even for SEPS under the MMP statute, SEPs are not limited to 50%, but may be 50% plus $15,000. *See* Water Code §13385(*l*)(1).

Principles of equal protection under the law require the Regional Board to treat similarly situated public entities similarly for similar violations. For these reasons, Hillsborough requests that its SEP percentage be set with 80% going to SEPs and the remaining 20% to be paid as penalties. To the extent that this request is not granted and the SEP and penalty amount remain at 50%

each, Hillsborough requests that the ACL be amended to allow Hillsborough to pay the penalty amount over 3 years, without interest being assessed.

COMMENTS ON THE PROPOSED CDO

(1) Hillsborough Requests Modification of Dates in the CDO.

Hillsborough points out that it is caught in a no-win situation in the middle of two other entities over which it has no real control – the downstream entity, San Mateo, which has undersized pipes and treatment plant capacity to carry current levels of wet weather flows, and – the upstream entities, CSCSD and the unincorporated portions of the County, which contribute far too much flow in wet weather, yet have failed to adequately address I/I problems. The CDO (and the ACL) appear to penalize Hillsborough for its unfortunate in between location that has been the recipient of SSOs, not because of its own flows but because of excess flows from outside its jurisdiction and the inadequately sized downstream pipes once the flows attempt to leave the jurisdiction. Hillsborough requests that the CDO be modified to avoid penalizing the Town for being caught in the middle.

A. I/I Improvements Should Precede Large Capacity Improvement Projects.

To aid this situation, Hillsborough requests that the Regional Board consider re-sequencing the events required under the CDO. The dates for large capital projects like increasing the capacity in the El Cerrito trunk sewer should be deferred until after the implementation of I/I reductions measures (CDO at pg. 13, para. I.B.3.) to make sure that capacity levels constructed are actually necessary after appropriate I/I controls are implemented. The CDO should recognize that additional improvements will be among the recommendations from the ongoing I/I study. The I/I study will likely be finished by late fall 2009 or early in 2010. The Dale Avenue pump design has not started, and in the best case with excellent engineers, it will likely take a year for design, – or through early 2011. While that leaves approximately 2 years for construction, the current plant may not have adequate capacity for the additional flows and this must be taken into account.

Thus, the CDO should consider delaying the El Cerrito trunk sewer project until CSCSD implements the tasks set forth in its I/I study as this work may decrease flows enough to make the trunk sewer improvements unnecessary. The $8 million cost of the trunk sewer project would likely be better spent on I/I controls to decrease volume of water through the pipes and to the treatment plant.

B. Modify or Defer Date for Completion of Crystal Springs/El Cerrito Trunk Sewer Until After Downstream Improvements Completed.

The current sequence of events in the CDO is also not workable because it requires Hillsborough to implement improvements on the Crystal Springs/El Cerrito trunk line before San Mateo has completed (or is near completion of) their improvements to the Dale Avenue pump station and downstream pipes, which is essentially the distance from Hillsborough to the treatment plant. Improperly sequencing the repairs will merely cause additional spills that are not caused by the Town's actions, but by inadequately sized pipes and operational decisions *downstream*. (*See*

CDO at pg. 7 (surcharging in the trunk sewer during wet weather "is a result of the way the City of San Mateo controls influent flow to the San Mateo WWTP to avoid discharge of blended wastewater."), and at pg. 8, 2nd para.)

Hillsborough fails to see the current benefit in improving the capacity in its pipes if the wastewater has no where to go once it reaches city limits, except to cause additional spills in Hillsborough's jurisdiction. Such a result should be avoided by having the CDO specify the timing of the downstream pump station and sewer pipe capacity improvements *before* the improvements on the upstream Crystal Springs/El Cerrito trunk sewer. Thus, at a minimum, the CDO at pg. 13, para. I.B.1. should be amended to a date after upgrades are made to the San Mateo pump stations, sewers, and treatment plant to increase capacity.

Another potential solution to this issue would be to treat the El Cerrito trunk sewer rehabilitations from Crystal Springs in Hillsborough to HWY 101 in San Mateo as one project since it consists of about 4 miles of continuous pipeline. If this project were approached as one project, there would be some economy of scale in that the municipalities involved could share the cost of the CEQA analysis and other environmental procedures that are required by the State Revolving Loan Fund ("SRF"). Likewise, if this is approached as one project, and bid at the same time (either jointly or separately), there will be more assurances that Hillsborough's improvements would be effective and that additional SSOs would be avoided.

C. Reconsider the Cleaning and Condition Assessment Schedule.

Hillsborough also asks that the Regional Board reconsider the timeframes included in the CDO. For example, the requirement to clean the whole sewer system in 3 years (CDO pg. 15, para. III.A.1.) will create difficulties both economic and procedural. Although a 3-year timeframe is technically possible, this compressed timeframe will significantly impact Hillsborough's operating costs. In addition, the cleaning crews will also be less productive on getting cleaning done because of the extensive recordkeeping they must also do during their work day in order to meet the requirements of the CDO.

In addition, the condition assessment will be difficult to complete by November 2010 (*See* CDO at pg. 17, para. IV.A.1.). Hillsborough has 2,500 manholes and 117 miles of pipe, which represents a great deal of infrastructure to assess. Hillsborough requests that the Regional Board extend this date until at least March 2012 (which would coincide with the 3 years given to clean 100% of the system or later if the previous request for additional cleaning time is provided) (*see* CDO at pg.15). This modification would be more efficient and economical by allowing staff to do a complete assessment as they are cleaning.

(2) Hillsborough Requests Consideration of the Costs of the CDO in addition to the Penalty Costs and Normal Operating and Compliance Costs.

The Regional Board should consider the costs of all of the work they are requiring on top of the proposed $750,000 in penalties and the Town's other existing financial commitments through 2013. These costs, as set forth below, are well beyond what Hillsborough's current rates can handle:

$8 million for Crystal Springs Trunk Sewer upgrades

$3 -$10 million contribution to San Mateo WWTP improvements

$1.4 million in additional staff costs to complete cleaning in 3 years

$6 million to undertake capacity assessment

$1 million in additional contributions to Burlingame WWTP improvements

Total: $19.4 – $26.4 million

This additional amount does not include rehabilitating, cleaning, or videoing any mains within Hillsborough. Hillsborough will not have any money left for that purpose and its bonding capacity will be effectively at its maximum, as the Town will be struggling to manage debt coverage for an $8 million SRF loan required for the Hillsborough section of the Crystal Springs/El Cerrito trunk sewer project alone.

At best, the CDO inherently assumes that San Mateo can issue bonds to cover construction, and that Foster City/Estero Municipal Service District, which owns part of the plant capacity, can do the same. To cover this kind of debt, they will need to double their rates during an economic downturn. If the rate increase is significant enough, the local governments could be facing Prop. 218 protests and additional delays, none of which is acknowledged in the CDO. All of these issues need to be considered.

Hillsborough respectfully requests that the above comments be given careful consideration and that the Regional Board make changes to the ACL and CDO prior to adoption based on the above requests and comments.

Thank you for your consideration of our requests.

Respectfully submitted,

Melissa Thorme

Special Counsel
Town of Hillsborough

966425.1

TOWN OF HILLSBOROUGH
FLOW METER DATA SHEET
15" TOWN HALL

Year: 2000

DATE	DAY OF WEEK	COMMENTS	AVERAGE DAILY FLOW (MGD)
1/1/2000	Saturday		0.184
1/2/2000	Sunday		0.188
1/3/2000	Monday		0.224
1/4/2000	Tuesday		0.220
1/5/2000	Wednesday		0.218
1/6/2000	Thursday		0.201
1/7/2000	Friday		0.204
1/8/2000	Saturday		0.187
1/9/2000	Sunday		0.195
1/10/2000	Monday		0.211
1/11/2000	Tuesday		0.431
1/12/2000	Wednesday		0.311
1/13/2000	Thursday		0.224
1/14/2000	Friday		0.213
1/15/2000	Saturday		0.204
1/16/2000	Sunday		0.458
1/17/2000	Monday		0.258
1/18/2000	Tuesday		0.590
1/19/2000	Wednesday		0.296
1/20/2000	Thursday		0.252
1/21/2000	Friday		0.230
1/22/2000	Saturday		0.228
1/23/2000	Sunday		0.788
1/24/2000	Monday		0.410
1/25/2000	Tuesday		0.735
1/26/2000	Wednesday		0.497
1/27/2000	Thursday		0.422
1/28/2000	Friday		0.393
1/29/2000	Saturday		0.377
1/30/2000	Sunday		0.445
1/31/2000	Monday		0.423
2/1/2000	Tuesday		0.399
2/2/2000	Wednesday		0.409
2/3/2000	Thursday		0.457
2/4/2000	Friday		0.418
2/5/2000	Saturday		0.478
2/6/2000	Sunday		0.443
2/7/2000	Monday		0.420
2/8/2000	Tuesday		0.397
2/9/2000	Wednesday		0.382
2/10/2000	Thursday		0.617

TOWN OF HILLSBOROUGH
FLOW METER DATA SHEET
8" NEW HALL

Year: 2000

DATE	DAY OF WEEK	COMMENTS	AVERAGE DAILY FLOW (MGD)
1/1/2000	Saturday		0.168
1/2/2000	Sunday		0.177
1/3/2000	Monday		0.193
1/4/2000	Tuesday		0.179
1/5/2000	Wednesday		0.179
1/6/2000	Thursday		0.185
1/7/2000	Friday		0.188
1/8/2000	Saturday		0.155
1/9/2000	Sunday		0.107
1/10/2000	Monday		0.110
1/11/2000	Tuesday		0.149
1/12/2000	Wednesday		0.115
1/13/2000	Thursday		0.162
1/14/2000	Friday		0.172
1/15/2000	Saturday		0.169
1/16/2000	Sunday		0.286
1/17/2000	Monday		0.202
1/18/2000	Tuesday		0.327
1/19/2000	Wednesday		0.239
1/20/2000	Thursday		0.213
1/21/2000	Friday		0.185
1/22/2000	Saturday		0.186
1/23/2000	Sunday		0.249
1/24/2000	Monday		0.300
1/25/2000	Tuesday		0.382
1/26/2000	Wednesday		0.268
1/27/2000	Thursday		0.218
1/28/2000	Friday		0.214
1/29/2000	Saturday		0.193
1/30/2000	Sunday		0.232
1/31/2000	Monday		0.224
2/1/2000	Tuesday		0.206
2/2/2000	Wednesday		0.193
2/3/2000	Thursday		0.248
2/4/2000	Friday		0.230
2/5/2000	Saturday		0.256
2/6/2000	Sunday		0.254
2/7/2000	Monday		0.225
2/8/2000	Tuesday		0.203
2/9/2000	Wednesday		0.191
2/10/2000	Thursday		0.308

2/11/2000	Friday	0.595	2/11/2000	Friday	0.205
2/12/2000	Saturday	0.985	2/12/2000	Saturday	0.363
2/13/2000	Sunday	0.371	2/13/2000	Sunday	0.103
2/14/2000	Monday	0.683	2/14/2000	Monday	0.106
2/15/2000	Tuesday	0.375	2/15/2000	Tuesday	0.384
2/16/2000	Wednesday	0.511	2/16/2000	Wednesday	0.300
2/17/2000	Thursday	0.431	2/17/2000	Thursday	0.251
2/18/2000	Friday	0.358	2/18/2000	Friday	0.234
2/19/2000	Saturday	0.307	2/19/2000	Saturday	0.208
2/20/2000	Sunday	0.330	2/20/2000	Sunday	0.217
2/21/2000	Monday	0.414	2/21/2000	Monday	0.260
2/22/2000	Tuesday	0.437	2/22/2000	Tuesday	0.231
2/23/2000	Wednesday	0.829	2/23/2000	Wednesday	0.353
2/24/2000	Thursday	0.527	2/24/2000	Thursday	0.292
2/25/2000	Friday	0.465	2/25/2000	Friday	0.254
2/26/2000	Saturday	0.441	2/26/2000	Saturday	0.261
2/27/2000	Sunday	1.006	2/27/2000	Sunday	0.205
2/28/2000	Monday	0.575	2/28/2000	Monday	0.339
2/29/2000	Tuesday	0.630	2/29/2000	Tuesday	0.323
3/1/2000	Wednesday	0.541	3/1/2000	Wednesday	0.330
3/2/2000	Thursday	0.444	3/2/2000	Thursday	0.273
3/3/2000	Friday	0.440	3/3/2000	Friday	0.278
3/4/2000	Saturday	0.369	3/4/2000	Saturday	0.227
3/5/2000	Sunday	0.567	3/5/2000	Sunday	0.313
3/6/2000	Monday	0.483	3/6/2000	Monday	0.289
3/7/2000	Tuesday	0.378	3/7/2000	Tuesday	0.238
3/8/2000	Wednesday	0.599	3/8/2000	Wednesday	0.343
3/9/2000	Thursday	0.748	3/9/2000	Thursday	0.393
3/10/2000	Friday	0.554	3/10/2000	Friday	0.364
3/11/2000	Saturday	0.399	3/11/2000	Saturday	0.268
3/12/2000	Sunday	0.341	3/12/2000	Sunday	0.204
3/13/2000	Monday	0.334	3/13/2000	Monday	0.251
3/14/2000	Tuesday	0.314	3/14/2000	Tuesday	0.220
3/15/2000	Wednesday	0.300	3/15/2000	Wednesday	0.215
3/16/2000	Thursday	0.277	3/16/2000	Thursday	0.205
3/17/2000	Friday	0.280	3/17/2000	Friday	0.205
3/18/2000	Saturday	0.237	3/18/2000	Saturday	0.191
3/19/2000	Sunday	0.226	3/19/2000	Sunday	0.190
3/20/2000	Monday	0.247	3/20/2000	Monday	0.212
3/21/2000	Tuesday	0.236	3/21/2000	Tuesday	0.194
3/22/2000	Wednesday	0.239	3/22/2000	Wednesday	0.189
3/23/2000	Thursday	0.241	3/23/2000	Thursday	0.190
3/24/2000	Friday	0.274	3/24/2000	Friday	0.193
3/25/2000	Saturday	0.229	3/25/2000	Saturday	0.185
3/26/2000	Sunday	0.222	3/26/2000	Sunday	0.188
3/27/2000	Monday	0.251	3/27/2000	Monday	0.206
3/28/2000	Tuesday	0.284	3/28/2000	Tuesday	0.189
3/29/2000	Wednesday	0.239	3/29/2000	Wednesday	0.188
3/30/2000	Thursday	0.234	3/30/2000	Thursday	0.180
3/31/2000	Friday	0.232	3/31/2000	Friday	0.185
4/1/2000	Saturday	0.239	4/1/2000	Saturday	0.174

4/2/2000	Sunday	0.220	4/2/2000	Sunday	0.174
4/3/2000	Monday	0.247	4/3/2000	Monday	0.191
4/4/2000	Tuesday	0.238	4/4/2000	Tuesday	0.178
4/5/2000	Wednesday	0.233	4/5/2000	Wednesday	0.190
4/6/2000	Thursday	0.240	4/6/2000	Thursday	0.196
4/7/2000	Friday	0.246	4/7/2000	Friday	0.204
4/8/2000	Saturday	0.204	4/8/2000	Saturday	0.167
4/9/2000	Sunday	0.191	4/9/2000	Sunday	0.176
4/10/2000	Monday	0.209	4/10/2000	Monday	0.190
4/11/2000	Tuesday	0.224	4/11/2000	Tuesday	0.179
4/12/2000	Wednesday	0.238	4/12/2000	Wednesday	0.178
4/13/2000	Thursday	0.284	4/13/2000	Thursday	0.204
4/14/2000	Friday	0.257	4/14/2000	Friday	0.188
4/15/2000	Saturday	0.222	4/15/2000	Saturday	0.167
4/16/2000	Sunday	0.197	4/16/2000	Sunday	0.165
4/17/2000	Monday	0.476	4/17/2000	Monday	0.259
4/18/2000	Tuesday	0.278	4/18/2000	Tuesday	0.190
4/19/2000	Wednesday	0.256	4/19/2000	Wednesday	0.182
4/20/2000	Thursday	0.242	4/20/2000	Thursday	0.177
4/21/2000	Friday	0.229	4/21/2000	Friday	0.183
4/22/2000	Saturday	0.217	4/22/2000	Saturday	0.175
4/23/2000	Sunday	0.217	4/23/2000	Sunday	0.190
4/24/2000	Monday	0.244	4/24/2000	Monday	0.201
4/25/2000	Tuesday	0.236	4/25/2000	Tuesday	0.183
4/26/2000	Wednesday	0.228	4/26/2000	Wednesday	0.214
4/27/2000	Thursday	0.223	4/27/2000	Thursday	0.180
4/28/2000	Friday	0.224	4/28/2000	Friday	0.192
4/29/2000	Saturday	0.200	4/29/2000	Saturday	0.176
4/30/2000	Sunday	0.196	4/30/2000	Sunday	0.177
5/1/2000	Monday	0.228	5/1/2000	Monday	0.200
5/2/2000	Tuesday	0.225	5/2/2000	Tuesday	0.188
5/3/2000	Wednesday	0.216	5/3/2000	Wednesday	0.184
5/4/2000	Thursday	0.211	5/4/2000	Thursday	0.183
5/5/2000	Friday	0.228	5/5/2000	Friday	0.190
5/6/2000	Saturday	0.197	5/6/2000	Saturday	0.172
5/7/2000	Sunday	0.211	5/7/2000	Sunday	0.148
5/8/2000	Monday	0.288	5/8/2000	Monday	0.176
5/9/2000	Tuesday	0.230	5/9/2000	Tuesday	0.159
5/10/2000	Wednesday	0.232	5/10/2000	Wednesday	0.186
5/11/2000	Thursday	0.219	5/11/2000	Thursday	0.198
5/12/2000	Friday	0.211	5/12/2000	Friday	0.192
5/13/2000	Saturday	0.189	5/13/2000	Saturday	0.159
5/14/2000	Sunday	0.188	5/14/2000	Sunday	0.165
5/15/2000	Monday	0.252	5/15/2000	Monday	0.182
5/16/2000	Tuesday	0.232	5/16/2000	Tuesday	0.177
5/17/2000	Wednesday	0.234	5/17/2000	Wednesday	0.165
5/18/2000	Thursday	0.261	5/18/2000	Thursday	0.169
5/19/2000	Friday	0.215	5/19/2000	Friday	0.167
5/20/2000	Saturday	0.191	5/20/2000	Saturday	0.158
5/21/2000	Sunday	0.193	5/21/2000	Sunday	0.161
5/22/2000	Monday	0.228	5/22/2000	Monday	0.179

5/23/2000	Tuesday	0.211	5/23/2000	Tuesday	0.163
5/24/2000	Wednesday	0.203	5/24/2000	Wednesday	0.167
5/25/2000	Thursday	0.234	5/25/2000	Thursday	0.164
5/26/2000	Friday	0.245	5/26/2000	Friday	0.167
5/27/2000	Saturday	0.220	5/27/2000	Saturday	0.149
5/28/2000	Sunday	0.330	5/28/2000	Sunday	0.147
5/29/2000	Monday	0.299	5/29/2000	Monday	0.156
5/30/2000	Tuesday	0.263	5/30/2000	Tuesday	0.173
5/31/2000	Wednesday	0.233	5/31/2000	Wednesday	0.169
6/1/2000	Thursday	0.226	6/1/2000	Thursday	0.181
6/2/2000	Friday	0.224	6/2/2000	Friday	0.149
6/3/2000	Saturday	0.203	6/3/2000	Saturday	0.172
6/4/2000	Sunday	0.200	6/4/2000	Sunday	0.137
6/5/2000	Monday	0.195	6/5/2000	Monday	0.110
6/6/2000	Tuesday	0.220	6/6/2000	Tuesday	0.149
6/7/2000	Wednesday	0.216	6/7/2000	Wednesday	0.164
6/8/2000	Thursday	0.214	6/8/2000	Thursday	0.160
6/9/2000	Friday	0.235	6/9/2000	Friday	0.165
6/10/2000	Saturday	0.206	6/10/2000	Saturday	0.164
6/11/2000	Sunday	0.189	6/11/2000	Sunday	0.164
6/12/2000	Monday	0.189	6/12/2000	Monday	0.169
6/13/2000	Tuesday	0.213	6/13/2000	Tuesday	0.167
6/14/2000	Wednesday	0.201	6/14/2000	Wednesday	0.164
6/15/2000	Thursday	0.191	6/15/2000	Thursday	0.159
6/16/2000	Friday	0.203	6/16/2000	Friday	0.156
6/17/2000	Saturday	0.199	6/17/2000	Saturday	0.164
6/18/2000	Sunday	0.181	6/18/2000	Sunday	0.165
6/19/2000	Monday	0.186	6/19/2000	Monday	0.161
6/20/2000	Tuesday	0.207	6/20/2000	Tuesday	0.163
6/21/2000	Wednesday	0.194	6/21/2000	Wednesday	0.161
6/22/2000	Thursday	0.192	6/22/2000	Thursday	0.165
6/23/2000	Friday	0.198	6/23/2000	Friday	0.162
6/24/2000	Saturday	0.197	6/24/2000	Saturday	0.165
6/25/2000	Sunday	0.183	6/25/2000	Sunday	0.161
6/26/2000	Monday	0.179	6/26/2000	Monday	0.152
6/27/2000	Tuesday	0.205	6/27/2000	Tuesday	0.153
6/28/2000	Wednesday	0.198	6/28/2000	Wednesday	0.152
6/29/2000	Thursday	0.189	6/29/2000	Thursday	0.173
6/30/2000	Friday	0.203	6/30/2000	Friday	0.173
7/1/2000	Saturday	0.190	7/1/2000	Saturday	0.147
7/2/2000	Sunday	0.172	7/2/2000	Sunday	0.142
7/3/2000	Monday	0.173	7/3/2000	Monday	0.157
7/4/2000	Tuesday	0.165	7/4/2000	Tuesday	0.155
7/5/2000	Wednesday	0.195	7/5/2000	Wednesday	0.166
7/6/2000	Thursday	0.248	7/6/2000	Thursday	0.181
7/7/2000	Friday	0.215	7/7/2000	Friday	0.185
7/8/2000	Saturday	0.190	7/8/2000	Saturday	0.174
7/9/2000	Sunday	0.180	7/9/2000	Sunday	0.171
7/10/2000	Monday	0.207	7/10/2000	Monday	0.192
7/11/2000	Tuesday	0.209	7/11/2000	Tuesday	0.190
7/12/2000	Wednesday	0.202	7/12/2000	Wednesday	0.187

7/13/2000	Thursday	0.192	7/13/2000	Thursday	0.184
7/14/2000	Friday	0.194	7/14/2000	Friday	0.188
7/15/2000	Saturday	0.182	7/15/2000	Saturday	0.178
7/16/2000	Sunday	0.179	7/16/2000	Sunday	0.170
7/17/2000	Monday	0.202	7/17/2000	Monday	0.188
7/18/2000	Tuesday	0.210	7/18/2000	Tuesday	0.186
7/19/2000	Wednesday	0.201	7/19/2000	Wednesday	0.188
7/20/2000	Thursday	0.202	7/20/2000	Thursday	0.185
7/21/2000	Friday	0.193	7/21/2000	Friday	0.187
7/22/2000	Saturday	0.176	7/22/2000	Saturday	0.197
7/23/2000	Sunday	0.168	7/23/2000	Sunday	0.192
7/24/2000	Monday	0.187	7/24/2000	Monday	0.188
7/25/2000	Tuesday	0.195	7/25/2000	Tuesday	0.178
7/26/2000	Wednesday	0.191	7/26/2000	Wednesday	0.183
7/27/2000	Thursday	0.182	7/27/2000	Thursday	0.181
7/28/2000	Friday	0.191	7/28/2000	Friday	0.173
7/29/2000	Saturday	0.181	7/29/2000	Saturday	0.167
7/30/2000	Sunday	0.167	7/30/2000	Sunday	0.158
7/31/2000	Monday	0.200	7/31/2000	Monday	0.179
8/1/2000	Tuesday	0.204	8/1/2000	Tuesday	0.176
8/2/2000	Wednesday	0.191	8/2/2000	Wednesday	0.171
8/3/2000	Thursday	0.191	8/3/2000	Thursday	0.179
8/4/2000	Friday	0.191	8/4/2000	Friday	0.177
8/5/2000	Saturday	0.177	8/5/2000	Saturday	0.165
8/6/2000	Sunday	0.177	8/6/2000	Sunday	0.171
8/7/2000	Monday	0.201	8/7/2000	Monday	0.182
8/8/2000	Tuesday	0.220	8/8/2000	Tuesday	0.179
8/9/2000	Wednesday	0.199	8/9/2000	Wednesday	0.181
8/10/2000	Thursday	0.191	8/10/2000	Thursday	0.185
8/11/2000	Friday	0.188	8/11/2000	Friday	0.205
8/12/2000	Saturday	0.170	8/12/2000	Saturday	0.172
8/13/2000	Sunday	0.170	8/13/2000	Sunday	0.175
8/14/2000	Monday	0.198	8/14/2000	Monday	0.187
8/15/2000	Tuesday	0.195	8/15/2000	Tuesday	0.178
8/16/2000	Wednesday	0.196	8/16/2000	Wednesday	0.179
8/17/2000	Thursday	0.190	8/17/2000	Thursday	0.180
8/18/2000	Friday	0.184	8/18/2000	Friday	0.176
8/19/2000	Saturday	0.169	8/19/2000	Saturday	0.169
8/20/2000	Sunday	0.163	8/20/2000	Sunday	0.172
8/21/2000	Monday	0.191	8/21/2000	Monday	0.179
8/22/2000	Tuesday	0.191	8/22/2000	Tuesday	0.148
8/23/2000	Wednesday	0.181	8/23/2000	Wednesday	0.173
8/24/2000	Thursday	0.188	8/24/2000	Thursday	0.181
8/25/2000	Friday	0.197	8/25/2000	Friday	0.170
8/26/2000	Saturday	0.180	8/26/2000	Saturday	0.169
8/27/2000	Sunday	0.176	8/27/2000	Sunday	0.162
8/28/2000	Monday	0.199	8/28/2000	Monday	0.181
8/29/2000	Tuesday	0.207	8/29/2000	Tuesday	0.175
8/30/2000	Wednesday	0.199	8/30/2000	Wednesday	0.174
8/31/2000	Thursday	0.214	8/31/2000	Thursday	0.178
9/1/2000	Friday	0.201	9/1/2000	Friday	0.178

9/2/2000	Saturday	0.213	9/2/2000	Saturday	0.175
9/3/2000	Sunday	0.206	9/3/2000	Sunday	0.164
9/4/2000	Monday	0.195	9/4/2000	Monday	0.168
9/5/2000	Tuesday	0.172	9/5/2000	Tuesday	0.162
9/6/2000	Wednesday	0.173	9/6/2000	Wednesday	0.176
9/7/2000	Thursday	0.227	9/7/2000	Thursday	0.165
9/8/2000	Friday	0.214	9/8/2000	Friday	0.154
9/9/2000	Saturday	0.204	9/9/2000	Saturday	0.173
9/10/2000	Sunday	0.201	9/10/2000	Sunday	0.162
9/11/2000	Monday	0.178	9/11/2000	Monday	0.163
9/12/2000	Tuesday	0.173	9/12/2000	Tuesday	0.177
9/13/2000	Wednesday	0.207	9/13/2000	Wednesday	0.175
9/14/2000	Thursday	0.206	9/14/2000	Thursday	0.163
9/15/2000	Friday	0.192	9/15/2000	Friday	0.160
9/16/2000	Saturday	0.201	9/16/2000	Saturday	0.165
9/17/2000	Sunday	0.200	9/17/2000	Sunday	0.167
9/18/2000	Monday	0.185	9/18/2000	Monday	0.167
9/19/2000	Tuesday	0.176	9/19/2000	Tuesday	0.158
9/20/2000	Wednesday	0.204	9/20/2000	Wednesday	0.142
9/21/2000	Thursday	0.193	9/21/2000	Thursday	0.137
9/22/2000	Friday	0.185	9/22/2000	Friday	0.133
9/23/2000	Saturday	0.181	9/23/2000	Saturday	0.145
9/24/2000	Sunday	0.251	9/24/2000	Sunday	0.137
9/25/2000	Monday	0.264	9/25/2000	Monday	0.129
9/26/2000	Tuesday	0.176	9/26/2000	Tuesday	0.141
9/27/2000	Wednesday	0.217	9/27/2000	Wednesday	0.129
9/28/2000	Thursday	0.216	9/28/2000	Thursday	0.108
9/29/2000	Friday	0.206	9/29/2000	Friday	0.101
9/30/2000	Saturday	0.200	9/30/2000	Saturday	0.097
10/1/2000	Sunday	0.202	10/1/2000	Sunday	0.106
10/2/2000	Monday	0.221	10/2/2000	Monday	0.131
10/3/2000	Tuesday	0.203	10/3/2000	Tuesday	0.166
10/4/2000	Wednesday	0.192	10/4/2000	Wednesday	0.170
10/5/2000	Thursday	0.221	10/5/2000	Thursday	0.153
10/6/2000	Friday	0.357	10/6/2000	Friday	0.155
10/7/2000	Saturday	0.325	10/7/2000	Saturday	0.163
10/8/2000	Sunday	0.298	10/8/2000	Sunday	0.163
10/9/2000	Monday	0.467	10/9/2000	Monday	0.171
10/10/2000	Tuesday	0.554	10/10/2000	Tuesday	0.161
10/11/2000	Wednesday	0.489	10/11/2000	Wednesday	0.157
10/12/2000	Thursday	0.422	10/12/2000	Thursday	0.156
10/13/2000	Friday	0.378	10/13/2000	Friday	0.158
10/14/2000	Saturday	0.334	10/14/2000	Saturday	0.171
10/15/2000	Sunday	0.311	10/15/2000	Sunday	0.173
10/16/2000	Monday	0.282	10/16/2000	Monday	0.173
10/17/2000	Tuesday	0.267	10/17/2000	Tuesday	0.159
10/18/2000	Wednesday	0.181	10/18/2000	Wednesday	0.165
10/19/2000	Thursday	0.189	10/19/2000	Thursday	0.161
10/20/2000	Friday	0.213	10/20/2000	Friday	0.164
10/21/2000	Saturday	0.176	10/21/2000	Saturday	0.162
10/22/2000	Sunday	0.183	10/22/2000	Sunday	0.162

10/23/2000	Monday	0.213	10/23/2000	Monday	0.164
10/24/2000	Tuesday	0.200	10/24/2000	Tuesday	0.160
10/25/2000	Wednesday	0.348	10/25/2000	Wednesday	0.213
10/26/2000	Thursday	0.601	10/26/2000	Thursday	0.259
10/27/2000	Friday	0.235	10/27/2000	Friday	0.169
10/28/2000	Saturday	0.342	10/28/2000	Saturday	0.221
10/29/2000	Sunday	0.269	10/29/2000	Sunday	0.215
10/30/2000	Monday	0.297	10/30/2000	Monday	0.211
10/31/2000	Tuesday	0.245	10/31/2000	Tuesday	0.183
11/1/2000	Wednesday	0.238	11/1/2000	Wednesday	0.178
11/2/2000	Thursday	0.217	11/2/2000	Thursday	0.180
11/3/2000	Friday	0.197	11/3/2000	Friday	0.165
11/4/2000	Saturday	0.186	11/4/2000	Saturday	0.169
11/5/2000	Sunday	0.217	11/5/2000	Sunday	0.182
11/6/2000	Monday	0.226	11/6/2000	Monday	0.172
11/7/2000	Tuesday	0.206	11/7/2000	Tuesday	0.167
11/8/2000	Wednesday	0.231	11/8/2000	Wednesday	0.177
11/9/2000	Thursday	0.208	11/9/2000	Thursday	0.179
11/10/2000	Friday	0.182	11/10/2000	Friday	0.171
11/11/2000	Saturday	0.177	11/11/2000	Saturday	0.176
11/12/2000	Sunday	0.202	11/12/2000	Sunday	0.196
11/13/2000	Monday	0.224	11/13/2000	Monday	0.190
11/14/2000	Tuesday	0.203	11/14/2000	Tuesday	0.180
11/15/2000	Wednesday	0.245	11/15/2000	Wednesday	0.188
11/16/2000	Thursday	0.218	11/16/2000	Thursday	0.187
11/17/2000	Friday	0.195	11/17/2000	Friday	0.185
11/18/2000	Saturday	0.190	11/18/2000	Saturday	0.171
11/19/2000	Sunday	0.220	11/19/2000	Sunday	0.195
11/20/2000	Monday	0.238	11/20/2000	Monday	0.186
11/21/2000	Tuesday	0.233	11/21/2000	Tuesday	0.179
11/22/2000	Wednesday	0.228	11/22/2000	Wednesday	0.198
11/23/2000	Thursday	0.251	11/23/2000	Thursday	0.220
11/24/2000	Friday	0.210	11/24/2000	Friday	0.185
11/25/2000	Saturday	0.209	11/25/2000	Saturday	0.178
11/26/2000	Sunday	0.234	11/26/2000	Sunday	0.201
11/27/2000	Monday	0.221	11/27/2000	Monday	0.184
11/28/2000	Tuesday	0.294	11/28/2000	Tuesday	0.205
11/29/2000	Wednesday	0.333	11/29/2000	Wednesday	0.194
11/30/2000	Thursday	0.243	11/30/2000	Thursday	0.193
12/1/2000	Friday	0.237	12/1/2000	Friday	0.192
12/2/2000	Saturday	0.207	12/2/2000	Saturday	0.177
12/3/2000	Sunday	0.175	12/3/2000	Sunday	0.178
12/4/2000	Monday	0.207	12/4/2000	Monday	0.195
12/5/2000	Tuesday	0.219	12/5/2000	Tuesday	0.185
12/6/2000	Wednesday	0.229	12/6/2000	Wednesday	0.181
12/7/2000	Thursday	0.215	12/7/2000	Thursday	0.180
12/8/2000	Friday	0.206	12/8/2000	Friday	0.183
12/9/2000	Saturday	0.198	12/9/2000	Saturday	0.167
12/10/2000	Sunday	0.187	12/10/2000	Sunday	0.143
12/11/2000	Monday	0.198	12/11/2000	Monday	0.156
12/12/2000	Tuesday	0.238	12/12/2000	Tuesday	0.157

12/13/2000	Wednesday	0.259	12/13/2000	Wednesday	0.163
12/14/2000	Thursday	0.278	12/14/2000	Thursday	0.178
12/15/2000	Friday	0.333	12/15/2000	Friday	0.181
12/16/2000	Saturday	0.227	12/16/2000	Saturday	0.158
12/17/2000	Sunday	0.219	12/17/2000	Sunday	0.160
12/18/2000	Monday	0.211	12/18/2000	Monday	0.164
12/19/2000	Tuesday	0.219	12/19/2000	Tuesday	0.155
12/20/2000	Wednesday	0.227	12/20/2000	Wednesday	0.184
12/21/2000	Thursday	0.207	12/21/2000	Thursday	0.178
12/22/2000	Friday	0.208	12/22/2000	Friday	0.176
12/23/2000	Saturday	0.197	12/23/2000	Saturday	0.179
12/24/2000	Sunday	0.196	12/24/2000	Sunday	0.176
12/25/2000	Monday	0.207	12/25/2000	Monday	0.180
12/26/2000	Tuesday	0.214	12/26/2000	Tuesday	0.190
12/27/2000	Wednesday	0.205	12/27/2000	Wednesday	0.184
12/28/2000	Thursday	0.196	12/28/2000	Thursday	0.176
12/29/2000	Friday	0.192	12/29/2000	Friday	0.171
12/30/2000	Saturday	0.185	12/30/2000	Saturday	0.166
12/31/2000	Sunday	0.168	12/31/2000	Sunday	0.158

CRYSTAL SPRINGS
FLOW METER DATA SHEET
PULHEMUS ROAD

Year: 2000

DATE	DAY OF WEEK	COMMENTS	AVERAGE DAILY FLOW (MGD)
1/1/2000	Saturday	Holiday	0.740
1/2/2000	Sunday		0.740
1/3/2000	Monday		0.710
1/4/2000	Tuesday	Light Shower	0.687
1/5/2000	Wednesday		0.723
1/6/2000	Thursday		0.679
1/7/2000	Friday	Lt overnight rain	0.723
1/8/2000	Saturday		0.723
1/9/2000	Sunday		0.723
1/10/2000	Monday		0.691
1/11/2000	Tuesday	Light rain	0.908
1/12/2000	Wednesday		0.761
1/13/2000	Thursday		0.723
1/14/2000	Friday		1.030
1/15/2000	Saturday		1.030
1/16/2000	Sunday		1.030
1/17/2000	Monday	Holiday	1.030
1/18/2000	Tuesday	Overnight rain	1.148
1/19/2000	Wednesday	Rain	0.943
1/20/2000	Thursday		0.853
1/21/2000	Friday		1.590
1/22/2000	Saturday	Wet Weekend	1.590
1/23/2000	Sunday		1.590
1/24/2000	Monday	Rain	2.707
1/25/2000	Tuesday	Light Rain	1.543
1/26/2000	Wednesday		1.165
1/27/2000	Thursday		0.890
1/28/2000	Friday		0.943
1/29/2000	Saturday		0.943
1/30/2000	Sunday	Rain	0.943
1/31/2000	Monday	Light Rain	0.913
2/1/2000	Tuesday		0.885
2/2/2000	Wednesday		0.843
2/3/2000	Thursday	PM Light Rain	1.181
2/4/2000	Friday		1.001
2/5/2000	Saturday	Rain	1.001
2/6/2000	Sunday		1.001
2/7/2000	Monday		0.883
2/8/2000	Tuesday		0.847
2/9/2000	Wednesday	PM Light Rain	0.911
2/10/2000	Thursday	Rain	1.334

TOWN OF HILLSBOROUGH
FLOW METER DATA SHEET
55 EL CERRITO AVENUE

Year: 2000

DATE	DAY OF WEEK	COMMENTS	AVERAGE DAILY FLOW (MGD)
1/1/2000	Saturday		0
1/2/2000	Sunday		0
1/3/2000	Monday		0
1/4/2000	Tuesday		0
1/5/2000	Wednesday		0
1/6/2000	Thursday		0
1/7/2000	Friday		0
1/8/2000	Saturday		0
1/9/2000	Sunday		0
1/10/2000	Monday		0
1/11/2000	Tuesday		0
1/12/2000	Wednesday		0
1/13/2000	Thursday		0
1/14/2000	Friday		0
1/15/2000	Saturday		0
1/16/2000	Sunday		0
1/17/2000	Monday		0
1/18/2000	Tuesday		0
1/19/2000	Wednesday		0
1/20/2000	Thursday		0
1/21/2000	Friday		0
1/22/2000	Saturday		0
1/23/2000	Sunday		0
1/24/2000	Monday		0
1/25/2000	Tuesday		0
1/26/2000	Wednesday		0
1/27/2000	Thursday		0
1/28/2000	Friday		0
1/29/2000	Saturday		0
1/30/2000	Sunday		0
1/31/2000	Monday		0
2/1/2000	Tuesday		0
2/2/2000	Wednesday		0
2/3/2000	Thursday		0
2/4/2000	Friday		0
2/5/2000	Saturday		0
2/6/2000	Sunday		0
2/7/2000	Monday		0
2/8/2000	Tuesday		0
2/9/2000	Wednesday		0
2/10/2000	Thursday		0

2/11/2000	Friday	Rain	2.454	2/11/2000	Friday	0
2/12/2000	Saturday	Rain	2.454	2/12/2000	Saturday	0
2/13/2000	Sunday	Rain	2.454	2/13/2000	Sunday	0
2/14/2000	Monday	Showers	2.475	2/14/2000	Monday	0
2/15/2000	Tuesday		1.631	2/15/2000	Tuesday	0
2/16/2000	Wednesday	Light Rain	1.322	2/16/2000	Wednesday	0
2/17/2000	Thursday		1.140	2/17/2000	Thursday	0
2/18/2000	Friday		1.113	2/18/2000	Friday	0
2/19/2000	Saturday		1.113	2/19/2000	Saturday	0
2/20/2000	Sunday	Rain	1.113	2/20/2000	Sunday	0
2/21/2000	Monday	Partial Rain	1.113	2/21/2000	Monday	0
2/22/2000	Tuesday	Rain	2.199	2/22/2000	Tuesday	0
2/23/2000	Wednesday	Showers	1.678	2/23/2000	Wednesday	0
2/24/2000	Thursday	PM Light Rain	1.217	2/24/2000	Thursday	0
2/25/2000	Friday		1.330	2/25/2000	Friday	0
2/26/2000	Saturday	Showers	1.330	2/26/2000	Saturday	0
2/27/2000	Sunday	Showers	1.330	2/27/2000	Sunday	0
2/28/2000	Monday	Rain	1.259	2/28/2000	Monday	0
2/29/2000	Tuesday	Light Rain	1.336	2/29/2000	Tuesday	0
3/1/2000	Wednesday	Overnight Rain	1.123	3/1/2000	Wednesday	0
3/2/2000	Thursday		1.109	3/2/2000	Thursday	0
3/3/2000	Friday		1.157	3/3/2000	Friday	0
3/4/2000	Saturday	Overnight Rain	1.157	3/4/2000	Saturday	0
3/5/2000	Sunday		1.157	3/5/2000	Sunday	0
3/6/2000	Monday		0.977	3/6/2000	Monday	0
3/7/2000	Tuesday	Overnight Rain	1.319	3/7/2000	Tuesday	0
3/8/2000	Wednesday	Rain	1.315	3/8/2000	Wednesday	0
3/9/2000	Thursday	Rain	1.247	3/9/2000	Thursday	0
3/10/2000	Friday		1.045	3/10/2000	Friday	0
3/11/2000	Saturday		1.045	3/11/2000	Saturday	0
3/12/2000	Sunday		1.045	3/12/2000	Sunday	0
3/13/2000	Monday		0.801	3/13/2000	Monday	0
3/14/2000	Tuesday		0.845	3/14/2000	Tuesday	0
3/15/2000	Wednesday		0.744	3/15/2000	Wednesday	0
3/16/2000	Thursday		0.771	3/16/2000	Thursday	0
3/17/2000	Friday		0.755	3/17/2000	Friday	0
3/18/2000	Saturday		0.755	3/18/2000	Saturday	0
3/19/2000	Sunday		0.755	3/19/2000	Sunday	0
3/20/2000	Monday		0.727	3/20/2000	Monday	0
3/21/2000	Tuesday		0.809	3/21/2000	Tuesday	0
3/22/2000	Wednesday		0.798	3/22/2000	Wednesday	0
3/23/2000	Thursday		0.795	3/23/2000	Thursday	0
3/24/2000	Friday		0.807	3/24/2000	Friday	0
3/25/2000	Saturday		0.807	3/25/2000	Saturday	0
3/26/2000	Sunday		0.807	3/26/2000	Sunday	0
3/27/2000	Monday		0.851	3/27/2000	Monday	0
3/28/2000	Tuesday		0.747	3/28/2000	Tuesday	0
3/29/2000	Wednesday		0.781	3/29/2000	Wednesday	0
3/30/2000	Thursday		0.723	3/30/2000	Thursday	0
3/31/2000	Friday		0.766	3/31/2000	Friday	0
4/1/2000	Saturday		0.766	4/1/2000	Saturday	0

4/2/2000	Sunday		0.766	4/2/2000	Sunday	0
4/3/2000	Monday		0.781	4/3/2000	Monday	0
4/4/2000	Tuesday		0.722	4/4/2000	Tuesday	0
4/5/2000	Wednesday		0.739	4/5/2000	Wednesday	0
4/6/2000	Thursday		0.761	4/6/2000	Thursday	0
4/7/2000	Friday		0.766	4/7/2000	Friday	0
4/8/2000	Saturday		0.766	4/8/2000	Saturday	0
4/9/2000	Sunday		0.766	4/9/2000	Sunday	0
4/10/2000	Monday		0.763	4/10/2000	Monday	0
4/11/2000	Tuesday		0.733	4/11/2000	Tuesday	0
4/12/2000	Wednesday	Overnight Rain	0.810	4/12/2000	Wednesday	0
4/13/2000	Thursday	Light Showers	0.782	4/13/2000	Thursday	0
4/14/2000	Friday		0.888	4/14/2000	Friday	0
4/15/2000	Saturday		0.888	4/15/2000	Saturday	0
4/16/2000	Sunday	Moderate Rain	0.888	4/16/2000	Sunday	0
4/17/2000	Monday	Light Rain	0.985	4/17/2000	Monday	0
4/18/2000	Tuesday		0.805	4/18/2000	Tuesday	0
4/19/2000	Wednesday		0.777	4/19/2000	Wednesday	0
4/20/2000	Thursday		0.758	4/20/2000	Thursday	0
4/21/2000	Friday		0.805	4/21/2000	Friday	0
4/22/2000	Saturday	Light Rain	0.805	4/22/2000	Saturday	0
4/23/2000	Sunday		0.805	4/23/2000	Sunday	0
4/24/2000	Monday		0.805	4/24/2000	Monday	0
4/25/2000	Tuesday		0.763	4/25/2000	Tuesday	0
4/26/2000	Wednesday		0.747	4/26/2000	Wednesday	0
4/27/2000	Thursday		0.739	4/27/2000	Thursday	0
4/28/2000	Friday		0.768	4/28/2000	Friday	0
4/29/2000	Saturday		0.768	4/29/2000	Saturday	0
4/30/2000	Sunday		0.768	4/30/2000	Sunday	0
5/1/2000	Monday		0.732	5/1/2000	Monday	0
5/2/2000	Tuesday		0.735	5/2/2000	Tuesday	0
5/3/2000	Wednesday		0.746	5/3/2000	Wednesday	0
5/4/2000	Thursday		0.711	5/4/2000	Thursday	0
5/5/2000	Friday		0.806	5/5/2000	Friday	0
5/6/2000	Saturday		0.806	5/6/2000	Saturday	0
5/7/2000	Sunday		0.806	5/7/2000	Sunday	0
5/8/2000	Monday	Rain	0.851	5/8/2000	Monday	0
5/9/2000	Tuesday	Light Rain	0.742	5/9/2000	Tuesday	0
5/10/2000	Wednesday		0.722	5/10/2000	Wednesday	0
5/11/2000	Thursday		0.716	5/11/2000	Thursday	0
5/12/2000	Friday		0.758	5/12/2000	Friday	0
5/13/2000	Saturday		0.758	5/13/2000	Saturday	0
5/14/2000	Sunday		0.758	5/14/2000	Sunday	0
5/15/2000	Monday	Light Rain	0.765	5/15/2000	Monday	0
5/16/2000	Tuesday		0.735	5/16/2000	Tuesday	0
5/17/2000	Wednesday		0.710	5/17/2000	Wednesday	0
5/18/2000	Thursday		0.746	5/18/2000	Thursday	0
5/19/2000	Friday		0.748	5/19/2000	Friday	0
5/20/2000	Saturday		0.748	5/20/2000	Saturday	0
5/21/2000	Sunday		0.748	5/21/2000	Sunday	0
5/22/2000	Monday		0.735	5/22/2000	Monday	0

5/23/2000	Tuesday		0.727	5/23/2000	Tuesday	0
5/24/2000	Wednesday		0.728	5/24/2000	Wednesday	0
5/25/2000	Thursday		0.723	5/25/2000	Thursday	0
5/26/2000	Friday		0.744	5/26/2000	Friday	0
5/27/2000	Saturday		0.744	5/27/2000	Saturday	0
5/28/2000	Sunday		0.744	5/28/2000	Sunday	0
5/29/2000	Monday	Holiday	0.744	5/29/2000	Monday	0
5/30/2000	Tuesday		0.743	5/30/2000	Tuesday	0
5/31/2000	Wednesday		0.713	5/31/2000	Wednesday	0
6/1/2000	Thursday		0.712	6/1/2000	Thursday	0
6/2/2000	Friday		0.718	6/2/2000	Friday	0
6/3/2000	Saturday		0.718	6/3/2000	Saturday	0
6/4/2000	Sunday		0.718	6/4/2000	Sunday	0
6/5/2000	Monday		0.740	6/5/2000	Monday	0
6/6/2000	Tuesday		0.726	6/6/2000	Tuesday	0
6/7/2000	Wednesday	Light rain	0.729	6/7/2000	Wednesday	0
6/8/2000	Thursday		0.743	6/8/2000	Thursday	0
6/9/2000	Friday		0.743	6/9/2000	Friday	0
6/10/2000	Saturday		0.743	6/10/2000	Saturday	0
6/11/2000	Sunday		0.743	6/11/2000	Sunday	0
6/12/2000	Monday		0.707	6/12/2000	Monday	0
6/13/2000	Tuesday		0.711	6/13/2000	Tuesday	0
6/14/2000	Wednesday		0.720	6/14/2000	Wednesday	0
6/15/2000	Thursday		0.725	6/15/2000	Thursday	0
6/16/2000	Friday		0.714	6/16/2000	Friday	0
6/17/2000	Saturday		0.714	6/17/2000	Saturday	0
6/18/2000	Sunday		0.714	6/18/2000	Sunday	0
6/19/2000	Monday		0.733	6/19/2000	Monday	0
6/20/2000	Tuesday		0.739	6/20/2000	Tuesday	0
6/21/2000	Wednesday		0.685	6/21/2000	Wednesday	0
6/22/2000	Thursday		0.695	6/22/2000	Thursday	0
6/23/2000	Friday		0.706	6/23/2000	Friday	0
6/24/2000	Saturday		0.706	6/24/2000	Saturday	0
6/25/2000	Sunday		0.706	6/25/2000	Sunday	0
6/26/2000	Monday		0.710	6/26/2000	Monday	0
6/27/2000	Tuesday		0.711	6/27/2000	Tuesday	0
6/28/2000	Wednesday		0.705	6/28/2000	Wednesday	0
6/29/2000	Thursday		0.721	6/29/2000	Thursday	0
6/30/2000	Friday		0.698	6/30/2000	Friday	0
7/1/2000	Saturday		0.698	7/1/2000	Saturday	0
7/2/2000	Sunday		0.698	7/2/2000	Sunday	0
7/3/2000	Monday		0.732	7/3/2000	Monday	0
7/4/2000	Tuesday	Holiday	0.732	7/4/2000	Tuesday	0
7/5/2000	Wednesday		0.726	7/5/2000	Wednesday	0
7/6/2000	Thursday		0.741	7/6/2000	Thursday	0
7/7/2000	Friday		0.707	7/7/2000	Friday	0
7/8/2000	Saturday		0.707	7/8/2000	Saturday	0
7/9/2000	Sunday		0.707	7/9/2000	Sunday	0
7/10/2000	Monday		0.695	7/10/2000	Monday	0
7/11/2000	Tuesday		0.690	7/11/2000	Tuesday	0
7/12/2000	Wednesday		0.703	7/12/2000	Wednesday	0

7/13/2000	Thursday	0.706	7/13/2000	Thursday	0
7/14/2000	Friday	0.705	7/14/2000	Friday	0
7/15/2000	Saturday	0.705	7/15/2000	Saturday	0
7/16/2000	Sunday	0.705	7/16/2000	Sunday	0
7/17/2000	Monday	0.714	7/17/2000	Monday	0
7/18/2000	Tuesday	0.712	7/18/2000	Tuesday	0
7/19/2000	Wednesday	0.711	7/19/2000	Wednesday	0
7/20/2000	Thursday	0.712	7/20/2000	Thursday	0
7/21/2000	Friday	0.717	7/21/2000	Friday	0
7/22/2000	Saturday	0.717	7/22/2000	Saturday	0
7/23/2000	Sunday	0.717	7/23/2000	Sunday	0
7/24/2000	Monday	0.702	7/24/2000	Monday	0
7/25/2000	Tuesday	0.709	7/25/2000	Tuesday	0
7/26/2000	Wednesday	0.702	7/26/2000	Wednesday	0
7/27/2000	Thursday	0.707	7/27/2000	Thursday	0
7/28/2000	Friday	0.712	7/28/2000	Friday	0
7/29/2000	Saturday	0.712	7/29/2000	Saturday	0
7/30/2000	Sunday	0.712	7/30/2000	Sunday	0
7/31/2000	Monday	0.707	7/31/2000	Monday	0
8/1/2000	Tuesday	0.699	8/1/2000	Tuesday	0
8/2/2000	Wednesday	0.688	8/2/2000	Wednesday	0
8/3/2000	Thursday	0.689	8/3/2000	Thursday	0
8/4/2000	Friday	0.694	8/4/2000	Friday	0
8/5/2000	Saturday	0.694	8/5/2000	Saturday	0
8/6/2000	Sunday	0.694	8/6/2000	Sunday	0
8/7/2000	Monday	0.690	8/7/2000	Monday	0
8/8/2000	Tuesday	0.684	8/8/2000	Tuesday	0
8/9/2000	Wednesday	0.677	8/9/2000	Wednesday	0
8/10/2000	Thursday	0.692	8/10/2000	Thursday	0
8/11/2000	Friday	0.694	8/11/2000	Friday	0
8/12/2000	Saturday	0.694	8/12/2000	Saturday	0
8/13/2000	Sunday	0.694	8/13/2000	Sunday	0
8/14/2000	Monday	0.676	8/14/2000	Monday	0
8/15/2000	Tuesday	0.670	8/15/2000	Tuesday	0
8/16/2000	Wednesday	0.676	8/16/2000	Wednesday	0
8/17/2000	Thursday	0.699	8/17/2000	Thursday	0
8/18/2000	Friday	0.701	8/18/2000	Friday	0
8/19/2000	Saturday	0.701	8/19/2000	Saturday	0
8/20/2000	Sunday	0.701	8/20/2000	Sunday	0
8/21/2000	Monday	0.686	8/21/2000	Monday	0
8/22/2000	Tuesday	0.671	8/22/2000	Tuesday	0
8/23/2000	Wednesday	0.682	8/23/2000	Wednesday	0
8/24/2000	Thursday	0.630	8/24/2000	Thursday	0
8/25/2000	Friday	0.688	8/25/2000	Friday	0
8/26/2000	Saturday	0.688	8/26/2000	Saturday	0
8/27/2000	Sunday	0.688	8/27/2000	Sunday	0
8/28/2000	Monday	0.667	8/28/2000	Monday	0
8/29/2000	Tuesday	0.684	8/29/2000	Tuesday	0
8/30/2000	Wednesday	0.686	8/30/2000	Wednesday	0
8/31/2000	Thursday	0.691	8/31/2000	Thursday	0
9/1/2000	Friday	0.718	9/1/2000	Friday	0

9/2/2000	Saturday		0.718	9/2/2000	Saturday	0
9/3/2000	Sunday		0.718	9/3/2000	Sunday	0
9/4/2000	Monday	Holiday	0.718	9/4/2000	Monday	0
9/5/2000	Tuesday		0.709	9/5/2000	Tuesday	0
9/6/2000	Wednesday		0.704	9/6/2000	Wednesday	0
9/7/2000	Thursday		0.692	9/7/2000	Thursday	0
9/8/2000	Friday		0.714	9/8/2000	Friday	0
9/9/2000	Saturday		0.714	9/9/2000	Saturday	0
9/10/2000	Sunday		0.714	9/10/2000	Sunday	0
9/11/2000	Monday		0.699	9/11/2000	Monday	0
9/12/2000	Tuesday		0.671	9/12/2000	Tuesday	0
9/13/2000	Wednesday		0.652	9/13/2000	Wednesday	0
9/14/2000	Thursday		0.680	9/14/2000	Thursday	0
9/15/2000	Friday		0.701	9/15/2000	Friday	0
9/16/2000	Saturday		0.701	9/16/2000	Saturday	0
9/17/2000	Sunday		0.701	9/17/2000	Sunday	0
9/18/2000	Monday		0.699	9/18/2000	Monday	0
9/19/2000	Tuesday		0.710	9/19/2000	Tuesday	0
9/20/2000	Wednesday		0.689	9/20/2000	Wednesday	0
9/21/2000	Thursday		0.678	9/21/2000	Thursday	0
9/22/2000	Friday		0.744	9/22/2000	Friday	0
9/23/2000	Saturday		0.744	9/23/2000	Saturday	0
9/24/2000	Sunday		0.744	9/24/2000	Sunday	0
9/25/2000	Monday		0.672	9/25/2000	Monday	0
9/26/2000	Tuesday		0.660	9/26/2000	Tuesday	0
9/27/2000	Wednesday		0.693	9/27/2000	Wednesday	0
9/28/2000	Thursday		0.682	9/28/2000	Thursday	0
9/29/2000	Friday		0.715	9/29/2000	Friday	0
9/30/2000	Saturday		0.715	9/30/2000	Saturday	0
10/1/2000	Sunday		0.715	10/1/2000	Sunday	0
10/2/2000	Monday		0.690	10/2/2000	Monday	0
10/3/2000	Tuesday		0.685	10/3/2000	Tuesday	0
10/4/2000	Wednesday		0.685	10/4/2000	Wednesday	0
10/5/2000	Thursday		0.690	10/5/2000	Thursday	0
10/6/2000	Friday		0.723	10/6/2000	Friday	0
10/7/2000	Saturday		0.723	10/7/2000	Saturday	0
10/8/2000	Sunday		0.723	10/8/2000	Sunday	0
10/9/2000	Monday	Holiday	0.723	10/9/2000	Monday	0
10/10/2000	Tuesday	Light Rain	0.735	10/10/2000	Tuesday	0
10/11/2000	Wednesday	Light Rain	0.713	10/11/2000	Wednesday	0
10/12/2000	Thursday		0.572	10/12/2000	Thursday	0
10/13/2000	Friday		0.763	10/13/2000	Friday	0
10/14/2000	Saturday		0.763	10/14/2000	Saturday	0
10/15/2000	Sunday		0.763	10/15/2000	Sunday	0
10/16/2000	Monday		0.717	10/16/2000	Monday	0
10/17/2000	Tuesday		0.670	10/17/2000	Tuesday	0
10/18/2000	Wednesday		0.683	10/18/2000	Wednesday	0
10/19/2000	Thursday		0.699	10/19/2000	Thursday	0
10/20/2000	Friday		0.720	10/20/2000	Friday	0
10/21/2000	Saturday	Light Drizzle	0.720	10/21/2000	Saturday	0
10/22/2000	Sunday		0.720	10/22/2000	Sunday	0

10/23/2000	Monday		0.693	10/23/2000	Monday	0
10/24/2000	Tuesday		0.678	10/24/2000	Tuesday	0
10/25/2000	Wednesday		0.860	10/25/2000	Wednesday	0
10/26/2000	Thursday	Light Rain	1.414	10/26/2000	Thursday	0
10/27/2000	Friday	Rain	1.608	10/27/2000	Friday	0
10/28/2000	Saturday		1.608	10/28/2000	Saturday	0
10/29/2000	Sunday	Rain	1.608	10/29/2000	Sunday	0
10/30/2000	Monday		0.720	10/30/2000	Monday	0
10/31/2000	Tuesday		0.792	10/31/2000	Tuesday	0
11/1/2000	Wednesday		0.768	11/1/2000	Wednesday	0
11/2/2000	Thursday		0.780	11/2/2000	Thursday	0
11/3/2000	Friday		0.736	11/3/2000	Friday	0
11/4/2000	Saturday		0.736	11/4/2000	Saturday	0
11/5/2000	Sunday		0.736	11/5/2000	Sunday	0
11/6/2000	Monday		0.669	11/6/2000	Monday	0
11/7/2000	Tuesday		0.674	11/7/2000	Tuesday	0
11/8/2000	Wednesday		0.655	11/8/2000	Wednesday	0
11/9/2000	Thursday		0.648	11/9/2000	Thursday	0
11/10/2000	Friday		0.742	11/10/2000	Friday	0
11/11/2000	Saturday	Rain	0.742	11/11/2000	Saturday	0
11/12/2000	Sunday		0.742	11/12/2000	Sunday	0
11/13/2000	Monday		0.703	11/13/2000	Monday	0
11/14/2000	Tuesday		0.696	11/14/2000	Tuesday	0
11/15/2000	Wednesday		0.697	11/15/2000	Wednesday	0
11/16/2000	Thursday		0.684	11/16/2000	Thursday	0
11/17/2000	Friday		0.781	11/17/2000	Friday	0
11/18/2000	Saturday		0.781	11/18/2000	Saturday	0
11/19/2000	Sunday		0.781	11/19/2000	Sunday	0
11/20/2000	Monday		0.708	11/20/2000	Monday	0
11/21/2000	Tuesday		0.734	11/21/2000	Tuesday	0
11/22/2000	Wednesday		0.653	11/22/2000	Wednesday	0
11/23/2000	Thursday	Holiday	0.653	11/23/2000	Thursday	0
11/24/2000	Friday	Holiday	0.653	11/24/2000	Friday	0
11/25/2000	Saturday		0.653	11/25/2000	Saturday	0
11/26/2000	Sunday		0.653	11/26/2000	Sunday	0
11/27/2000	Monday		0.614	11/27/2000	Monday	0
11/28/2000	Tuesday		0.621	11/28/2000	Tuesday	0
11/29/2000	Wednesday		0.648	11/29/2000	Wednesday	0
11/30/2000	Thursday	Rain	0.650	11/30/2000	Thursday	0
12/1/2000	Friday		0.595	12/1/2000	Friday	0
12/2/2000	Saturday		0.595	12/2/2000	Saturday	0
12/3/2000	Sunday		0.595	12/3/2000	Sunday	0
12/4/2000	Monday		0.596	12/4/2000	Monday	0
12/5/2000	Tuesday		0.534	12/5/2000	Tuesday	0
12/6/2000	Wednesday		0.598	12/6/2000	Wednesday	0
12/7/2000	Thursday		0.603	12/7/2000	Thursday	0
12/8/2000	Friday		0.610	12/8/2000	Friday	0
12/9/2000	Saturday		0.610	12/9/2000	Saturday	0
12/10/2000	Sunday		0.610	12/10/2000	Sunday	0
12/11/2000	Monday		0.595	12/11/2000	Monday	0
12/12/2000	Tuesday	Rain	0.685	12/12/2000	Tuesday	0

12/13/2000	Wednesday	Light Rain	0.620		12/13/2000	Wednesday	0
12/14/2000	Thursday		0.710		12/14/2000	Thursday	0
12/15/2000	Friday		0.747		12/15/2000	Friday	0
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12/17/2000	Sunday		0.747		12/17/2000	Sunday	0
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Hillsborough
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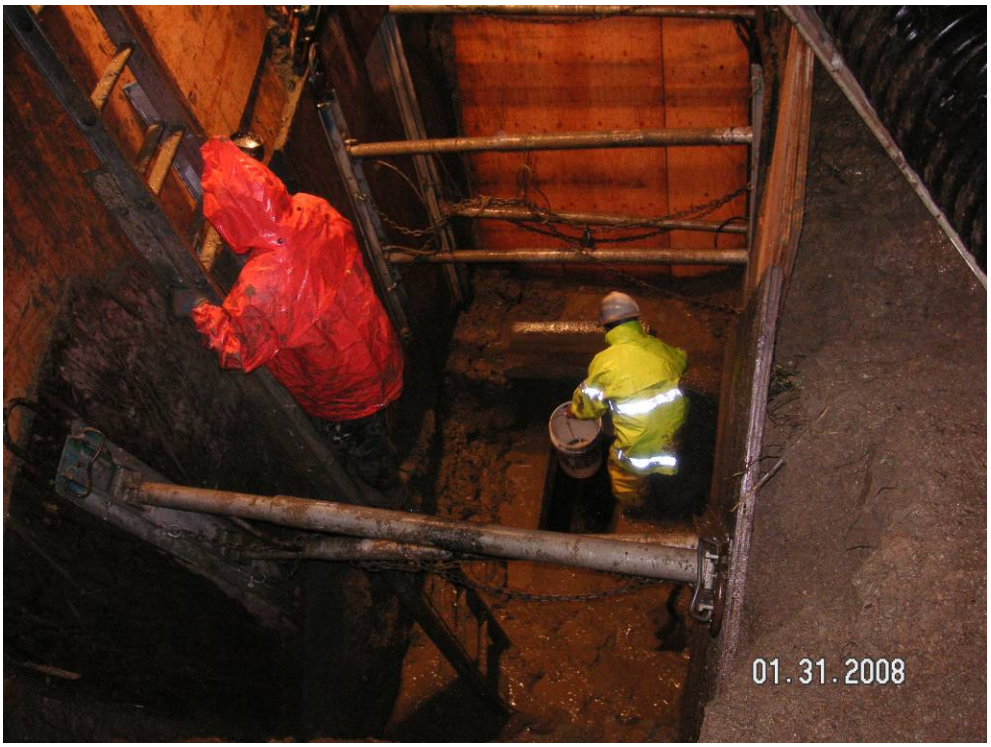
EXHIBIT B

Macadamia Flooding Event

During the late January 2008 storm event, management staff was informed of a lake that had formed upstream of Macadamia Road. The Town's on-call crews originally responded to the area to investigate, contain and free the 6-inch sanitary sewer line. The crews identified quickly that this was not an ordinary SSO, and proceeded downstream to find the source of the problem. Town staff eventually found the problem was upstream and called in all resources to address the issue. The problem was caused by a large wood log that had blocked the flow of water into the inlet structure in the Town's storm drain pipe that runs beneath Macadamia Road. Macadamia Road is a high embankment fill over a deep ravine. Staff understood the seriousness of the issue and called in additional resources from private contractors to assist Public Works crews. Staff also called rental companies to obtain high flow pumps to start pumping the storm water out of the canyon. Within hours staff had started pumping the water over the roadway to an alternate storm drain system. Three large high flow pumps were used continuously until all the water was removed. Staff also called in a video crew to inspect the storm drain line from the bottom up. Staff found that the obstruction in the pipe was located under the Macadamia Road embankment fill approximately 20 feet deep on a steep slope (very difficult access). Work was then started immediately to remove the obstruction. On January 31st at 10pm, the obstruction was finally removed. Public Works crews and private contractors worked continuously for days and nights until the obstruction was removed and the water subsided.

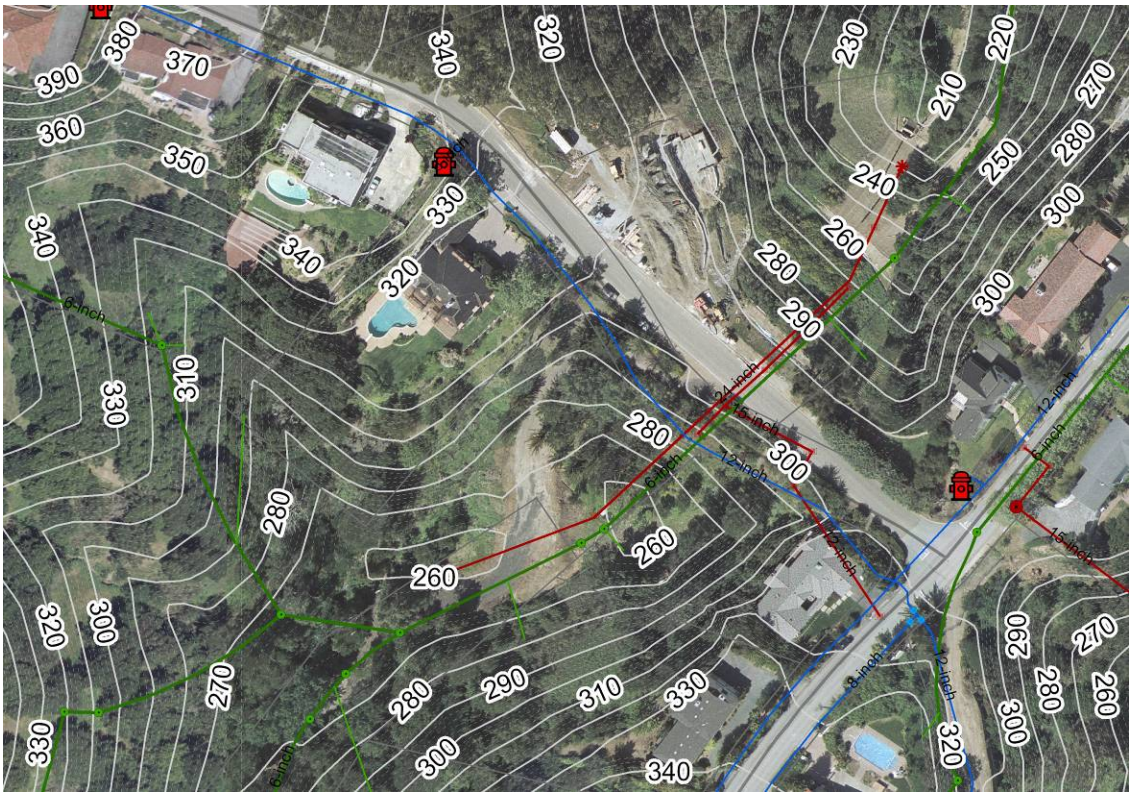

TARALLON CO.
01. 31. 2008
Blade
Runner


01.31.2008

Following the incident, staff found that five sanitary sewer manholes were below the surface of the water and the cause of the SSOs found downstream. The depth of the water at its peak was approximately 20 feet deep. Staff had a custom cage built to prevent large debris from entering the storm drain system at the creek inlet/headwall structure.

Staff calculated the normal flow in the sanitary sewer pipe by using the number of houses and the average water use for Hillsborough homes. There are 152 homes above this area and the Town has an average of 270 gallons per household per day. This calculates to 43,740 gallons per day for a total of five days which equals 218,700 gallons total. The total reported overflow amount was 1,923,000 gallons. The ratio of raw sewage to creek water is equal to 218,700 /1,923,000 = 11.4%.

Aerial Photo of Macadamia Road with topo



BUILDING HISTORY FORM 4E

PLEASE COMPLETE AS THOROUGHLY AS POSSIBLE

PERSON COMPLETING THIS FORM: DATE:
PHONE:

RESIDENT NAME:

OF RESIDENTS AT THIS ADDRESS:
APPROXIMATE AGES:

DATE OF OVERFLOW:

APPROXIMATE GALLONS SPILLED:

IS RESIDENT THE OWNER? ❒ Yes ❒ No
If "NO", provide following for property owner:
STREET ADDRESS:

CITY, STATE AND ZIP:

PHONE:

AFFECTED PROPERTY STREET ADDRESS:

CITY, STATE AND ZIP:

PHONE:

NAME OF EMPLOYEE(S) RESPONDING TO SPILL:

NAME OF CLEANING CONTRACTOR::

YEAR HOME BUILT: # OF BATHROOMS:

OF ROOMS AFFECTED:

APPROXIMATE TIME SEWAGE WAS SITTING:

IS PROPERTY BELOW NEAREST UPSTREAM MANHOLE? ❒ Yes ❒ No
If YES, By How Much *(approx)*: _____

WAS A BPD INSTALLED ON PROPERTY? ❒ Yes ❒ No

WAS BPD FUNCTIONING? ❒ Yes ❒ No

WAS LATERAL TV'd? ❒ Yes ❒ No *If YES, please include copy of Lateral TV report*

WHICH SEWER USE ORDINANCE APPLIES TO THIS PROPERTY (*please enclose a copy)*?

IS THIS PROPERTY REQUIRED TO HAVE A BPD INSTALLED BY ORDINANCE? ❒ Yes ❒ No

ANY PLUMBING PERMITS W/IN LAST 3 YEARS? ❒Yes ❒ No If "YES", please describe:

ANY ACTIVE PLUMBING PROJECTS OBSERVED: ❒ Yes ❒ No *If YES, please describe:*

ANY INDICATION THE BATHROOM OR GARAGE HAS BEEN REMODELED? *If YES, please describe:*

WHEN WAS THIS LINE SEGMENT LAST CLEANED?

REPAIRED (*date & describe repairs):*

SUSPECTED CAUSE OF OVERFLOW:

HAVE THERE EVER BEEN ANY OTHER SPILLS AT THIS LOCATION? *If so, when?*

LATERAL TV REPORT 4F

PLEASE COMPLETE AS THOROUGHLY AS POSSIBLE

PERSON COMPLETING THIS FORM: DATE:

PHONE:

CAMERA TYPE:

AFFECTED PROPERTY STREET ADDRESS:

CITY, STATE AND ZIP:

PHONE

LOCATION OF CAMERA ENTRY:

LOCATION OF CAMERA STOP:

DESCRIBE AREA TV'd:

UPSTREAM MANHOLE LOCATION:

DOWNSTREAM MANHOLE LOCATION:

PLEASE CHECK ALL THAT WERE DISCOVERED – *Describe Extent & Location Using Camera Entry Point As Reference*:

❒Broken Lateral – Describe:

❒Roots – Describe:

❒Grease – Describe:

❒Sag – Describe:

❒BPD – Describe:

❒Cleanout – Describe:

❒Joint/Junction – Describe:

❒Grade – Describe:

❒Grit – Describe:

❒Other – Describe

TIME OF OVERFLOW:

TIME BLOCKAGE RELIEVED:

TIME LATERAL TV'd:

NOTES/COMMENTS:

SIGNATURE OF EMPLOYEE PERFORMING TV WORK:

DATE

CLAIMS SUBMITTAL CHECKLIST 4G

PLEASE ASSEMBLE THE ITEMS LISTED BELOW AND SEND AS SOON AS POSSIBLE TO:

For ABAG PLAN Members → Bruce Carey, Claims Examiner 510-464-7946

PERSON COMPLING THIS INFORMATION: DATE:

PHONE:

- ❑ Form 4B - Customer Information Letter, Signed Original
- ❑ Form 4C - First Responder Form
- ❑ Form 4E - Building History Form
- ❑ Form 4F - Lateral TV Report *(If applicable)*
- ❑ All Photos Taken *(hardcopy or electronic)*
- ❑ BPD/Sewer Use Ordinance Governing Affected Property
- ❑ Any Other Information You Feel Is Important In This Claim

FIELD FORMS PACKET - ASSEMBLY INSTRUCTIONS

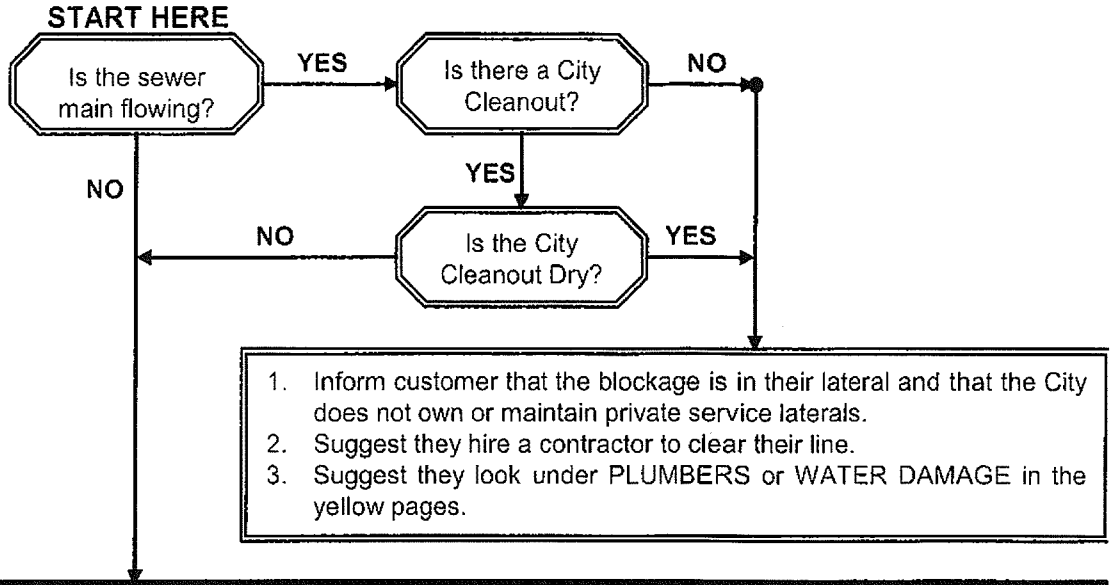
4H

In order to properly gather and distribute all the necessary information at the scene of a sewer backup, it is recommended the Field Forms Packets be created and placed in all field vehicles that may be used to respond to a sewer backup. The following instructions will guide you through the assembly of the Filed Forms Packet using the forms contained in Section 4 – Sewer Backups.

STEP	ACTION
1	Determine how many packets you wish to assemble.
2	Obtain the same number of Tyvek (*water & tear resistant)* envelopes.
3	Place 1 copy of each of the following in each Tyvek envelope. ❑ Form 4B - Customer Information Letter ***NOTE THIS IS A 3-COPY NCR FORM*** ❑ Form 4C - First Responder Form ❑ Form 4D – Your City Claim Form ❑ Form 4E - Building History Form ❑ Form 4F - Lateral TV Report *(If applicable)* ❑ Form 4G – Claims Submittal Checklist
4	Tape or otherwise secure to the front of each envelope a copy of the Field Forms Packet Instructions (*Master is located behind this page)*
5	Place at least 1 complete Field Forms Packet in each field vehicle that may be used to respond to a sewer backup.

IN THE EVENT OF A SEWER BACKUP INTO A HOME OR BUSINESS

READ ME FIRST



This Packet Contains All The Forms You Must Complete

1st Make sure the blockage has been cleared

2nd Open this packet and:

- ❑ **REVIEW** with the Customer the **CUSTOMER INFORMATION LETTER - Customer Information Regarding Sewer Backup Claims** ***(form 4B)***
  - ❑ Have them sign the form and give them the bottom copy
- ❑ **GIVE** the Customer the **CLAIM FORM**
- ❑ **COMPLETE** the **FIRST RESPONDER FORM** ***(form 4C)***

3rd Look for a backflow prevention device on the building service lateral. If you can't locate one, call your Supervisor to determine if they want the lateral TV'd. If they do, **COMPLETE** the **LATERAL TV REPORT** ***(form 4F)***

4th **PLACE THE FOLLOWING IN THIS ENVELOPE AND FORWARD TO YOUR SUPERVISOR**

- ❑ Signed copies of:
  - ❑ Customer Information Letter
  - ❑ First Responder form
- ❑ Lateral TV Report, if applicable
- ❑ All photos (place digital or disposable camera in this envelope)

SUPERVISOR INSTRUCTIONS

1. Notify the ABAG Plan Claims Manager, Bruce Carey, Claims Manager 510-464-7946 of the incident.
2. Complete the **Building History Form** ***(form 4E)***
3. Gather everything listed on the **Claims Submittal Checklist** ***(form 4G)*** and forward to ABAG Plan Claims Examiner, Bruce Carey (510-464-7946).

SANITARY SEWER OVERFLOWS 5

The Responder's Role

Responders to Sanitary Sewer Overflows are required to take the appropriate action to secure the wastewater overflow area, relieve the cause of the overflow, and ensure that the affected area is cleaned as soon as possible to minimize health hazards to the public and to protect the environment.

The Responder's Role:

→To protect public health, environment & property from sewage spill events & to make every feasible effort to restore affected areas to normal as soon as possible.

→To establish perimeters and control zones with cones, barricades, vehicles or by using the terrain.

→To contain sewage discharged to the maximum extent possible.

Prepared by David Patzer, 707.373.9709

Water Quality Sampling and Testing

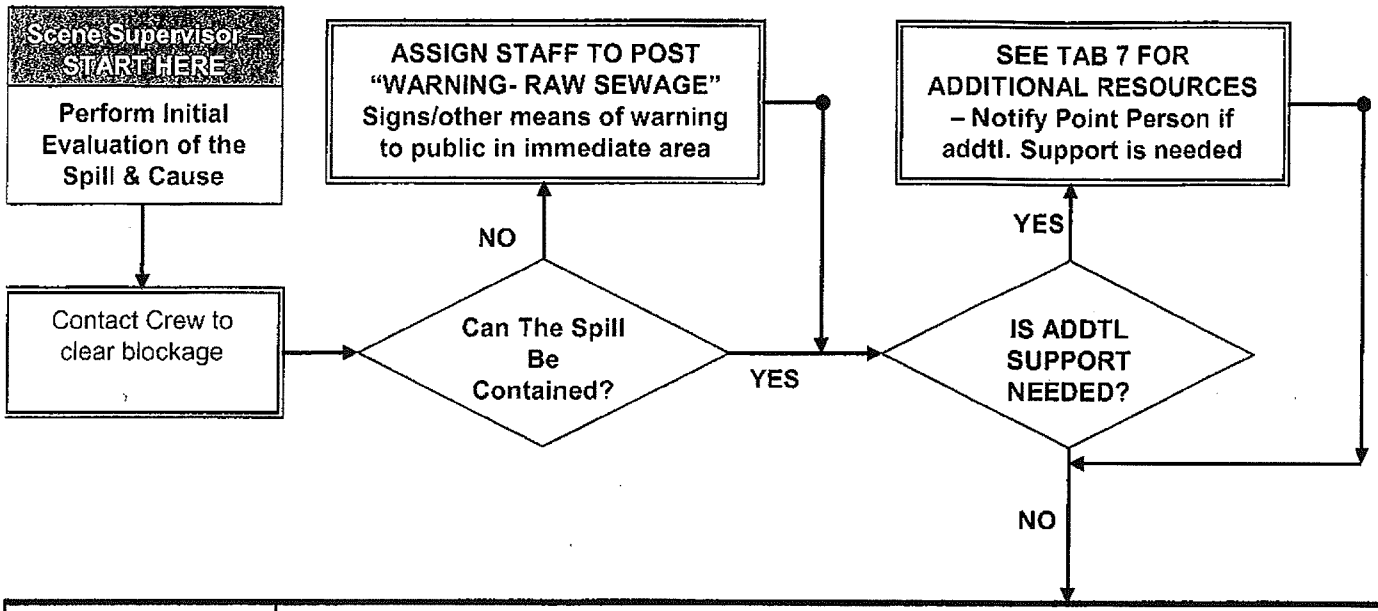
Water quality sampling and testing is required whenever 100 gallons or more of spilled sewage enters a water body to determine the extent and impact of the SSO. The water quality sampling procedures are:

1. Samples should be collected as soon as possible after the discovery of the SSO event.
2. Sample designee may need assistance from other dept. personnel in taking samples in situations where there is difficult terrain, inclement weather, heavy equipment and/or safety equipment is needed to access the area, or as the situation warrants.
3. The water quality samples should be collected from upstream of the spill, from the spill area, and downstream of the spill in flowing water (e.g. creeks). The water quality samples should be collected near the point of entry of the spilled sewage and every 100 feet along the shore on impoundments (e.g. ponds).
4. Inspector will analyze the results to determine the nature and impact of the discharge. Additional samples will be taken to determine when posting of warning signs can be discontinued. The basic analyses should include total coli form, fecal coli form, biochemical oxygen demand (BOD), dissolved oxygen, and ammonia.

SANITARY SEWER OVERFLOW RESPONSE 5A

Point Person Responsibilities	Scene Supervisor Responsibilities

Point Person – Dispatch Crew & Appropriate Equipment (Vactor, Outdoor Sewage Spill Response Materials (*storm drain mats, diversionary booms, camera, Sewage Overflow Report)*)



STEP	ACTIONS
1st – Diversion & Containment	**1. DIVERT AWAY FROM SENSITIVE AREAS** a. UNPLUGGED STORM DRAINS, SCHOOLS, DAYCARES, PLAYGROUNDS, INTERSECTIONS, ETC. → Cover unplugged storm drains with mats or use dirt or other diking material to divert away from sensitive areas b. ENSURE PUBLIC CONTACT DOES NOT OCCUR. Use cones/barricades for lane closures until spill can be completely removed **2. CONTAIN SPILL & RETURN TO SYSTEM, IF POSSIBLE → Techniques:** → Install air plugs in storm drain catch basins & divert flow to catch basin → Build berm to channel flow to downstream manhole (*barricade if you leave it open)* → Use bypass pumps to pump around blockage until it can be removed → Divert to low area of ground where it can be collected later
2nd – Blockage Clearing	SEE TAB 6 FOR HYDROFLUSHING SOP
3rd – Area Cleanup	**ASSIGN STAFF TO BEGIN CLEANUP** 1. Remove all signs of gross pollution (toilet paper, solids, grease, etc.) 2. Flush area w/metered water – Unless raining (*3 times the amount of the spill, if possible)* a. Setup a berm or other means to contain all chlorinated flush water so that it can be delivered to the sewer or removed with the vactor b. DO NOT USE ANY DISINFECTANT THAT MAY ENTER THE STORM DRAIN OR OTHER WATER SUPPLY!
4th – Document & Report	1. Photograph the spill location and the area affected 2. Complete the Sewage Overflow Report (*Tab 5H)* 3. Go To Side 2 and follow the instructions

EXHIBIT C

Spill Cleanup Recommendations for Spills on Land

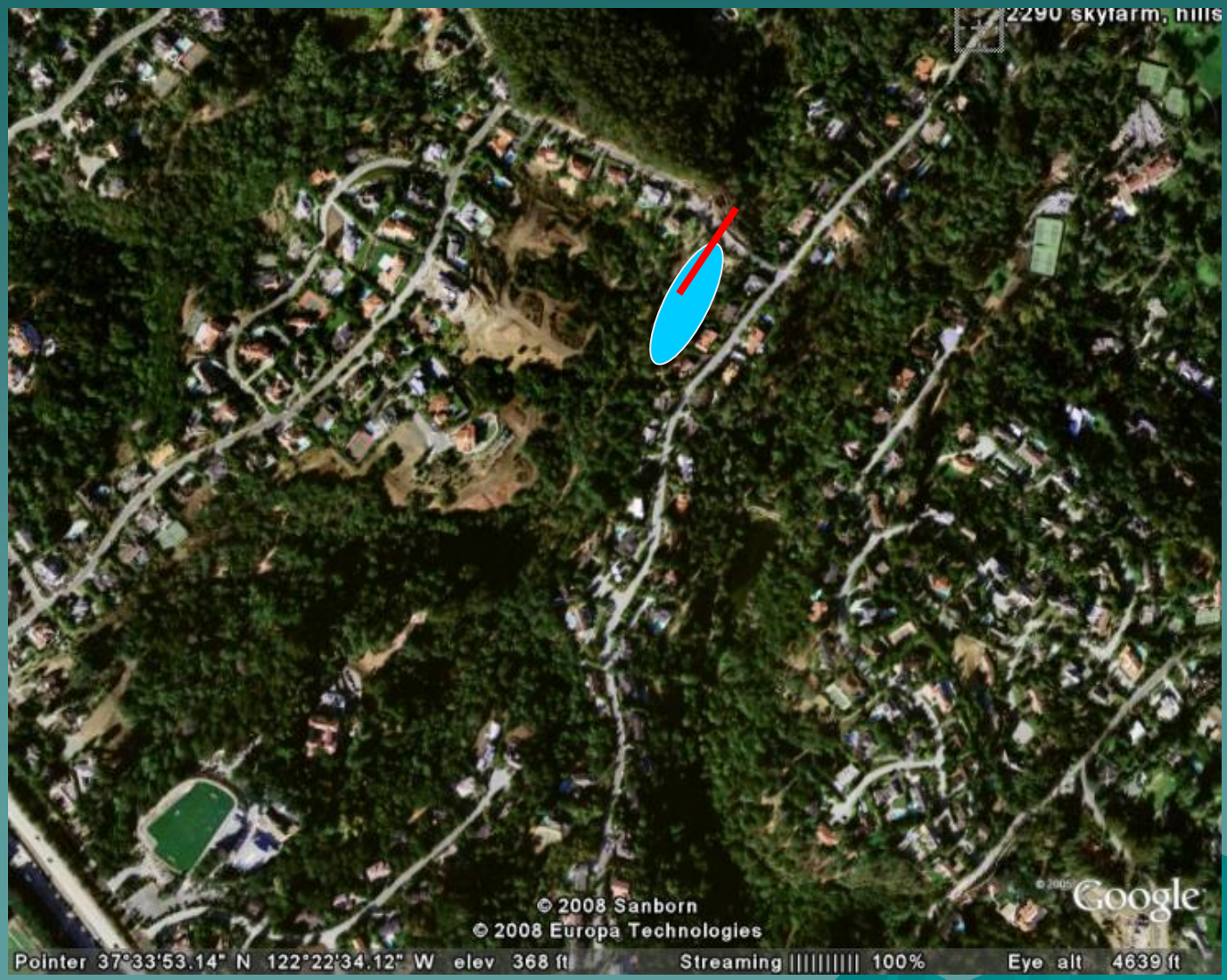
For spills on land, the collection system personnel shall vactor and/or rake up as much of the spill as possible, including scraping off the top two inches of top soil if the ground is heavily saturated in sewage, and applying a layer of lime to the affected area when it is safe to do so. The lime raises the pH and is effective in reducing pathogen levels. Lime application may also assist with raking up the remaining residue of the spill. However, lime application shall be limited to quantities sufficient to absorb the liquid present, and may not be applied directly into surface waters. When lime needs to be applied close to surface waters, an appropriate buffer zone should be maintained between the limed areas and the surface waters.

Macadamia Storm Repair

City Council

February 11, 2008

Macadamia Open Space



Sunday 1/27

Sunday 1/27

Sunday 1/27

Pumping Set Up

(Rented equipment)

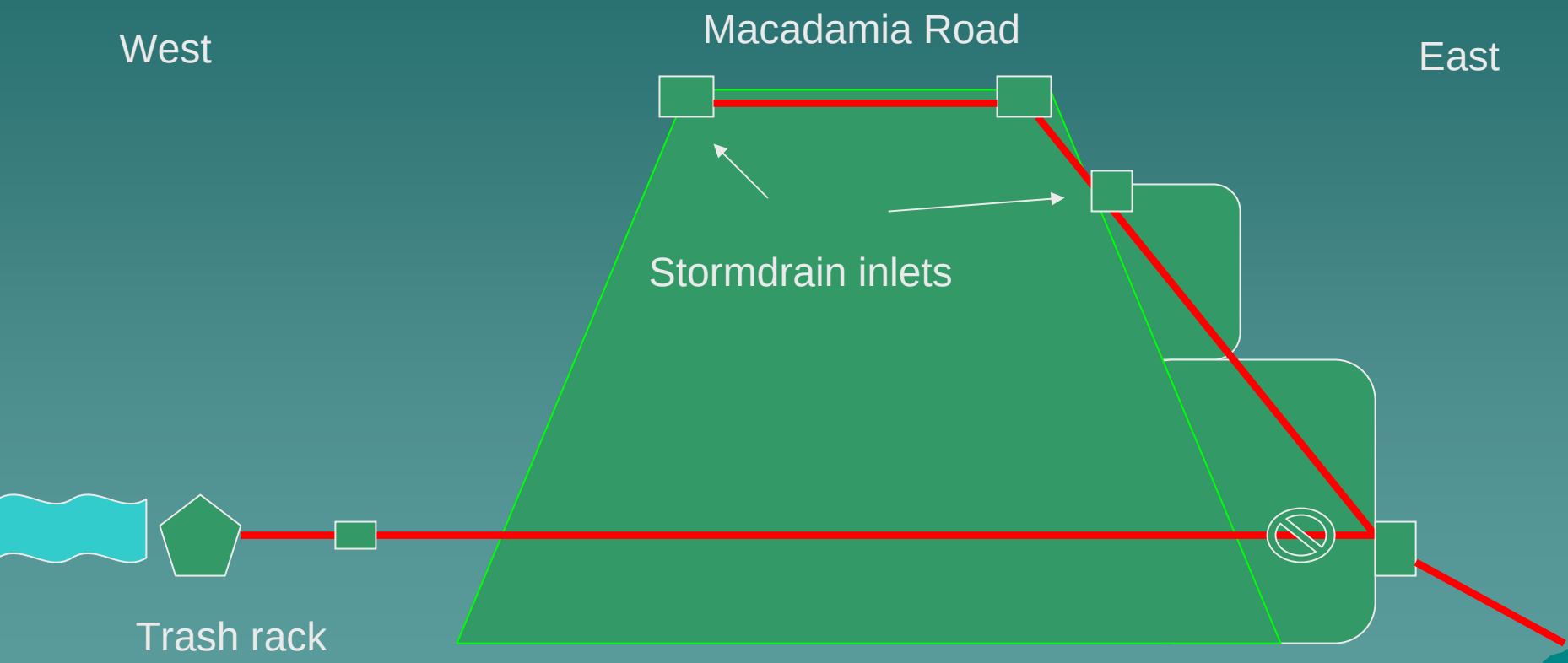
Pumping into street

Monday 1/28

Tuesday

Trash Rack

Obstruction



Obstruction

Video by Pacific Liners

Excavation (rerouting of 12” line)

Cut into pipe

After removal

Removed log

Friday

Costs

- Equipment Rental (Baker Pump, Cresco, Farralon) $10,000
- Excavation Work (Farralon) $65,000
- Video (Pacific Liners) $ 5,000
- Storm drain fabrication (Artistic Iron) $ 5,000
- Engineering (CSG) $ 8,000*

* CSG is different from resolution

EXHIBIT E

Project Name	Award Date	Contractor Name	Date of Acceptance	Acceptance Resolution #	Contract Amount (final if accepted by the Council)	Location of Work	General Statement of Work
Crystal Springs Sewer Test Project, SS-214A	10/18/1999				$ 300,000.00	Crystal Springs Road	sewer test
Roblar and El Cerrito Road SD and SS improvement Project, SS-225	5/8/2000	K. J. Woods Construction	4/16/2001	01-15	$ 922,234.00	Roblar Ave between Richmond Rd and El Cerrito Rd	Replacement of 2590 LF of Sewer Mains
Emergency Pump and Motor Repairs for the Brooks Court Lift Station	7/10/2000	Pump Service Repair Co			$ 19,200.00	Brooks Court Lift Station	pump and motor repairs
Underground Utility Investigation for Crystal Springs Road Sewer Rehabilitation Project	12/11/2000	L.R. Paulsell Consulting			$ 31,200.00	Crystal Springs Road	underground utility investigation
Replacement of Sewerjet/Vacuum Truck	2/12/2001	3T Equipment Co, Inc.			$ 178,000.00	Corp Yard	Sewerjet replacement
2002 Sanitary Sewer Cleaning & Lining, Phase I, SS-206	3/11/2002	Gelco Services	2/10/2003	03-93	$ 871,631.00	various locations	Cleaning and lining of 14,290 linear feet of 6 & 8-inch sanitary sewer mains
Laurent Slide Water/Sewer/Storm Drain Project	4/8/2002	Casey Construction	8/12/2002	02-61	$ 105,730.00	570 Laurent	Emergency repair of the underground utilities
2002 Sanitary Sewer Upgrade Project By Pipe Bursting, SS-208	4/8/2002	Darcy and Harty Construction, Inc.	10/14/2002	02-79	$ 1,204,150.00	various locations	Pipe Bursting of 11,077 LF of 6" sanitary sewer mains to 8" HDPE.
2002 Sanitary Sewer Cleaning and Lining Project, Phase II, SS 207	4/8/2002	JF Pacific Liners	3/10/2003	03-104	$ 848,777.00	various locations	Cleaning and lining of 10,353 linear feet of 6, 8, & 10-inch sanitary sewer mains
Crystal Springs Phase I Sewer Improvement Project, SS-214	8/12/2002	Kinsel Industries, Inc.	5/10/2004	4-29	$ 1,138,359.00	Crystal Springs Rd	Replacement of 3700 LF of 8" & 15" trunk sewer mains with 14" & 28" HPPE pipe
2003 Sanitary Sewer Manhole Rehabilitation Project, SS-207	3/10/2003	Gelco Services	6/9/2003	03-142	$ 62,450.00	Various locations	Manhole repairs

2003 Emergency Sanitary Sewer Repair Project / Pipe Bursting at 1505 Black Mountain Road	4/14/2003	Darcy and Harty Construction, Inc.	6/9/2003	03-141	$ 17,628.69	1505 Black Mountain Rd	Replacement of 175 LF of 6" SS mains
2003 Emergency Sanitary Sewer Cleaning & Lining Project at 165 Bella Vista Dr	4/14/2003	JF Pacific Liners	7/14/2003	03-151	$ 11,994.00	165 Bella Vista Dr	Replacement of 208 LF of 6" SS mains
Emergency Sanitary Sewer Line Repairs at 751 Endfield	5/12/2003	Lindstrom			$ 27,371.00	751 Endfield	Replacement of 275 LF of SS mains
Crystal Springs Terrace Sewer Main Repair	8/11/2003	Darcy and Harty Construction, Inc.	11/10/2003	03-174	$ 70,642.26	Crystal Springs Terrace	Sanitary sewer repair
2003 Sanitary Sewer Mains Cleaning and Inspection Phase I Project	9/8/2003	JF Pacific Liners	5/10/2004	4-28	$ 471,237.56	Various locations	Cleaning and TV inspection of 22,770 LF of 6, 8, 12, & 15-inch sanitary sewer mains
Crystal Springs Revegetation Project SS803.07 for SS-214	2/9/2004	Rana Creek Habitat Restoration	10/9/2006	06-88	$ 44,696.38	Crystal Springs Rd	Rehabilitation of Creek Habitat along Crystal Springs Trunk Sewer Mains
Ralston Easement Sanitary Sewer Replacement (Open Trench) Project	2/9/2004	Darcy and Harty Construction, Inc.	6/14/2004	4-38	$ 56,270.00	Ralston easement	Lining of 810 LF and replacement of 95 LF of saniatry sewer mains
El Cerrito/Crystal Springs Sewer Flow Monitoring	2/9/2004	E2 Consulting Engineers			$ 30,421.00	Crystal Springs/El Cerrito	Sewer flow monitoring
Relacement of the Town Hall and Newhall Sewer Flow Meters	2/9/2004	E2 Consulting Engineers			$ 15,286.00	Town Hall & Newhall	Replacement of sewer flow meters
2004 Sanitary Sewer Cleaning and Video Inspection Project, Phase II	4/12/2004	National Plant Services, Inc.	7/11/2005	05-45	$ 280,695.36	various locations	Cleaning and TV inspection of 9,931 linear feet of 6, 8, 10, & 15-inch sanitary sewer mains and replacement of 400 LF of sewer pipe
Melrose Easement Sanitary Sewer Replacement (Slip Lining and Open Trench) Project	4/12/2004	Darcy and Harty Construction, Inc.	6/14/2004	4-37	$ 29,110.00	Melrose easement	Replacement of 340 LF of ss mains
2004 Sanitary Sewer Mains Lining Project, Phase I	5/10/2004	Insituform Technologies, Inc.	1/10/2005	5-02	$ 351,874.00	various locations	6,188 linear feet of 6 and 8-inch sanitary sewer mains and 909 linear feet of 12, 15, 24 and 30-inch storm drains were rehabilitated.

Pinehill Easement Sanitary Sewer Replacement (Slip Lining and Open Trench) Project	9/13/2004	Darcy and Harty Construction, Inc.			$ 57,431.00	Pinehill SS easement	replacement of 450 LF of 6" and 175 LF of 4" sanitary sewer mains
Purchase of an Automated Rodding Machine	10/11/2004	Weco			$ 84,096.00	Various locations	sewer line maintenance
Replacement of Sanitary Sewer Main on Hayne Road	2/14/2005	Darcy and Harty Construction, Inc.	6/13/2005	05-36	$ 28,545.00	Hayne Road	Installation of 325 LF of 6" sewer main
Ralston/Pinehill Sewer Main Relocation Project	3/14/2005	J. Flores Construction, Inc.	10/10/2005	05-73	$ 905,291.46	Ralston and Pinehaill	Construction of 3200 LF of 8-inch sewer mains
2005 Sanitary Sewer Mains Cleaning and Video Inspection, Ph III Project	5/9/2005	J F Pacific Liners, Inc.	3/13/2006	06-21	$ 485,460.00	various locations	Cleaning and TV inspection of 20,000 linear feet of 6-inch sanitary sewer mains and replacement of 1150 LF of pipe
2005 Sanitary Sewer Mains Cleaning and Inspection, Ph IV-Cherry Creek Project	6/13/2005	J F Pacific Liners, Inc.	3/13/2006	06-22	$ 395,404.00	various locations	Cleaning and TV inspection of 14,697 linear feet of 6, 8, 10, and 15-inch sanitary sewer mains
2005 Sanitary Sewer Mains Lining Project Phase II	6/13/2005	Gelco Services	2/12/2007	07-11	$ 576,412.50	various locations	rehabilitating 8,747 LF of 6", 2,837 LF of 8", 553 LF of 10", and 1797 LF of 15" of Sanitary Sewer Mains
2005 Sanitary Sewer Mains Smoke Testing Project	7/11/2005	Gelco Services	3/13/2006	06-23	$ 102,155.00	various locations	Smoke testing on 262,000 LF of pipe for infiltration/inflow and cross-connection
Emergency Sanitary Sewer Main Repair adjacent to Rowan Tree Lane	12/12/2005	Pacific Trenchless Inc.	2/13/2006	06-13	$ 18,932.00	Rowan Tree Lane	repair of 175 LF of sanitary sewer main
Emergency Sanitary Sewer Main Repair at 60 Lookout Road	3/13/2006	Sewer Rat Plumbing	6/12/2006	06-50	$ 11,000.00	60 Lookout Rd	repair of 260 LF of 4" & 6" sewer mains
2006 Sanitary Sewer Mains Lining Project Phase III	5/8/2006	Insituform Technologies, Inc.	3/10/2008	8-20	$ 811,914.00	various locations	rehabiltation of 17,200 linear feet of damaged 6-inch sanitary sewer pipe

Reimbursement of Costs to the City of Burlingame for the Easton Dr/Easton Creek Sewer Rehbilitation Project and Burlingame Park Rehbilitation	6/12/2006	City of Burlingame			$ 550,127.00	Easton Drive	Rehabilitation of sewer mains
Sanitary Sewer Cleaning and TV Inspection Services	12/11/2006	City of Burlingame			$ 50,000.00	Various locations	Cleaning and TV inspection of sewer mains
3333 Ralston Avenue Storm Drain Easement Repair Project	12/11/2006	Pacific Trenchless Inc.	2/12/2007	7-10	$ 23,594.00	3333 Ralston Ave to Pinehill	construction of 380 LF of 10" PVC storm drain
2007 Sanitary Sewer Mains Cleaning and Inspection, Ph V Project	3/12/2007	J.F. Pacific Liners, Inc.			$ 1,888,635.00	Rowan Tree, Skyfarm Drive, Geri Lane, Edgecourt, Silk Tree Pl., Butternut Dr, Eugenia, Hillsborough Blvd, Endfield – Bowhill, and Marlborough Easements.	cleaning and TV inspection of 34,546 linear feet of 6, 8, 10, and 12-inch sanitary sewer mains
Chemical root Control Services	2/12/2007	Duke's Root Control, Inc.	4/14/2008		$ 102,900.71	various locations	chemical root foaming treatment for 73745 LF of sewer mains
Sanitary Sewer Rehabilitation Project Phase IV-Cherry Creek Easement (Open Trench)	6/9/2008	California Trenchless, Inc.			$ 281,856.00	various locations	installation of 540 LF of 10-inch sewer main
Sanitary Sewer Rehabilitation Project Phase IV-Cherry Creek Easement	6/9/2008	Insituform Technologies, Inc.			$ 658,688.00	various locations	rehabiltation of 6830 linear feet of damaged 6, 8, 10, 12-inch sanitary sewer pipe
Total					**$ 14,121,398.92**		

CIP & OPERATION BUDGET
FISCAL YEAR 2007-2008

PUBLIC UTILITIES

OPERATION: Wastewater Collection
DEPARTMENT: Public Works
FUND: Wastewater Fund

OPERATIONAL COSTS	Actual 2004/05	Actual 2005/06	Revised 2006/07	Proposed 2007/08	Preliminary 2008/09	Preliminary 2009/10
Personnel Services	$589,460	$751,715	$755,727	$806,684	$918,506	$970,377
Contract Services	1,075,145	1,141,488	1,570,000	1,380,000	1,411,500	1,477,675
Materials & Services	470,865	620,895	540,710	458,688	450,370	458,042
Charges (Credits) - Other Programs	692,760	771,225	753,750	816,629	850,077	888,700
Transfers to Internal Service	48,340	48,340	45,000	92,250	94,250	96,250
Total	$2,876,570	$3,333,663	$3,665,187	$3,554,251	$3,724,703	$3,891,044

DESCRIPTION

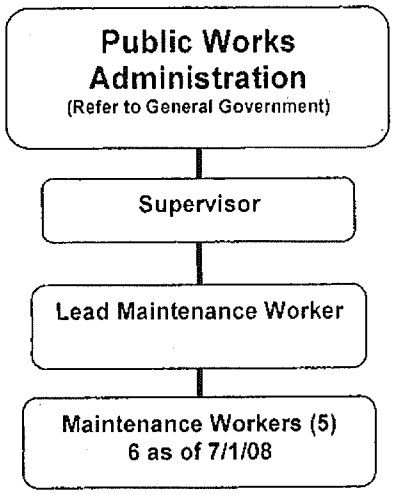
The Town's wastewater collection system consists of approximately 94 miles of pipes ranging in size from 4 to 18 inches in diameter. This system provides for a population of approximately 10,965 contained in an area of approximately 6.25 square miles. Wastewater from the area north of Hayne Road and West Santa Inez Avenue is transported primarily by gravity pipelines to the Town limits where it is routed to the City of Burlingame wastewater treatment plant. Wastewater from the remaining areas is transported primarily by gravity pipelines to the City of San Mateo wastewater treatment plant. Town has wastewater contracts with both cities that have been in place for approximately 50 years and by their terms remain in effect until amended or terminated.

Together with the water and streets operations, administration for the operations and long-term planning for design, repair and maintenance of the wastewater systems are the responsibilities of the Public Works Director, who is assisted by a contract City Engineer. The Administrative Division is discussed in details under the General Government-Public Works Administration Section presented on page 70 of this budget document. Program costs from the Administrative Division and other departments providing support services are allocated to this operation based on a cost allocation program included in Appendix B of this document.

The capital projects undertaken by the department are fully discussed in the Capital Improvement Plan (CIP) section of this budget document.

STAFFING SUMMARY	Actual 2004/05	Actual 2005/06	Revised 2006/07	Proposed 2007/08	Preliminary 2008/09	Preliminary 2009/10
Supervisor	1	1	1	1	1	1
Lead Maintenance Worker	1	1	1	1	1	1
Maintenance Workers	5	5	5	5	6	6
Total	7	7	7	7	8	8

OPERATION: Wastewater Collection
DEPARTMENT: Public Works
FUND: Wastewater Fund



SIGNIFICANT PROGRAM CHANGE

Both the Cities of San Mateo and Burlingame have initiated capital improvement programs to expand their respective wastewater treatment facilities. These improvement programs have been financed through bonds which currently do not mature until 2028 for the City of San Mateo and 2018 for the City of Burlingame. The two cities use the payments received from the Town under their respective contracts to support a portion of their respective bonded indebtedness and maintenance and operation costs.

State Water Quality Control Board requirements have increased the reporting requirements for sanitary sewer overspills. The Town has successfully met all reporting requirements on time.

Implemented ICOMMM sewer management system to record maintenance data and predict capital needs.

Contract with City of Burlingame for video inspection services.

Staff proposes to add 1 additional maintenance worker as of July 2008.

Pursuant to the recommendations from the comprehensive sewer rates study conducted during the fall of 2006, Town authorized a 3% increase each year in sewer rates to maintain a stable revenue stream for the sewer operations. The rates changes are to take effect on July 1 of each year for the next 4 years.

KEY PLANS FOR THE NEXT PERIOD

- Continue to maintain the sanitary sewer system in an efficient manner to prevent sanitary sewer system overspills (City Goals 2 and 3).
- Update Sanitary Sewer Master Plan per State and Regional Water Quality Control Board Standards (City Goal 2).

OPERATION: Wastewater Collection
DEPARTMENT: Public Works
FUND: Wastewater Fund

- Negotiate cost sharing agreement for Crystal Springs Sewer trunk Phase 2 and 3 with the City of San Mateo and Crystal Springs County Sewer District (City Goal 6).
- Expand root foaming program (City Goal 5).
- Eliminate the Hayne pump station reducing long term maintenance costs (City Goal 4).
- Improve training program regarding sewer collection system certifications (City Goal 8).

PRODUCTIVITY MEASURES	2004/05	2005/06	2006/07
Sanitary wastewater overflows over 100 gals		8	8
Sanitary wastewater overflows under 100 gals		10	6
Miles of wastewater main on chemical root control		4.7	6.6
Feet of storm pipes lined (in feet)	220	585	408
Feet of storm pipes replaced (in feet)		525	1331

PRIOR PERIOD'S MAJOR ACCOMPLISHMENTS

- Expanded root foaming program to minimize the effects of root intrusion in wastewater pipes and reduce the maintenance burden (City Goal 3).
- Administered wastewater backflow protection device reimbursement program and expanded inspection program to assist residents with identifying need for devices (City Goals 2 and 5).
- Implemented wastewater system management software (ICOM3) to enhance data collection and reporting that will serve a significant role to implement a Sanitary Sewer Master Plan (SSMP) as mandated by the State Water Resources Control Board (City Goal 8).
- Negotiated long-term agreement with City of Burlingame for cleaning and video inspection services (City Goal 6).
- The sewer staff members have successfully performed work without incurring any injuries for over a year (City Goals 4 and 8).

SEWER FUND

		Account Number	Actual 2004-2005	Actual 2005-2006	Revised Budget 2006-2007	Proposed Budget 2007-2008	Preliminary Budget 2008-2009	Preliminary Budget 2009-2010
	REVENUES:	505-000.00-						
1	Sewer Services Charges	47.531.000	$ 4,960,583	$ 5,126,141	$ 5,698,000	$ 5,895,000	$ 6,073,000	$ 6,256,000
2	Sewer Connection Fees	47.531.000	15,767	23,228	5,000	5,000	5,000	5,000
3	Storm Drainage	40.414.000	29,500	29,486	28,000	28,000	28,000	28,000
4	Weed Abatement	40.415.000	35,136	45,330	52,000	52,000	52,000	52,000
5	Other Service Charges	47.525.000						
6	Miscellaneous Income	48.555.000	695,278		500	-	-	
7	Total		5,736,264	5,224,185	5,783,500	5,980,000	6,158,000	6,341,000
8	NON-OPERATING INCOME:							
9	Capital Contributions		480,325	88,206				
10	Transfer from Cap Project							
11	Interest Income	46.475.000	111,521	349,156	150,000	197,000	242,000	287,000
12			591,846	437,362	150,000	197,000	242,000	287,000
13	OTHER FUNDING SOURCES:							
14	Fund Balance		26,446					
15	Proceeds from borrowing		1,828,389	3,238,621	3,160,000	1,365,000	1,601,000	
16			1,854,835	3,238,621	3,160,000	1,365,000	1,601,000	-
17	TOTAL FUNDING SOURCES		8,182,945	8,900,168	9,093,500	7,542,000	8,001,000	6,628,000
18								
19	OPERATING EXPENSES:	505-000.00-						
20	SALARIES & BENEFITS							
21	Salary	71.701.001	340,555	398,886	433,802	447,539	517,127	542,983
22	Overtime	71.701.002	14,581	28,751	20,000	25,000	25,000	25,000
23	Salary-Temporary	71.701.003	27,918	75,437	35,000	35,000	15,000	15,000
24	Retirement Costs	71.703.000	63,368	90,583	108,849	113,937	135,415	146,248
25	Medicare/FICA	71.703.002	29,782	35,134	32,341	34,236	39,183	40,750
26	Health, Life & Dental	71.704.001	71,487	90,474	87,981	103,181	131,993	142,552
27	Retired Employee Benefit	71.704.005	4,377	6,212	5,490	8,950	10,566	11,411
28	Workers Comp Ins	71.705.000	16,302	23,842	31,594	32,595	37,664	39,547
29	Leave at Retirement	71.706.001	21,090	-	-	-	-	
30	Vac/Sick Leave Payout	71.706.002	-	2,396	670	6,246	6,558	6,886
31	Total		589,460	751,715	755,727	806,684	918,506	970,377
32	MATERIALS & SERVICES	505-201.00-						
33	Office Supplies	75.711.001	6,127	16,178				
34	Systems Parts/Supplies	75.711.002	48,661	56,758	71,000	75,000	75,000	75,000
35	Small Tools & Equip	75.711.003	2,328	10,381				
36	Miscellaneous	75.711.004		5,182				
37	Contractual Services	75.713.000	47,525	48,286	120,000	130,000	110,000	110,000
38	Lease of Copier.	75.713.001						
39	Auditing Services	75.713.005	4,000	4,000	4,000	4,000	4,000	4,000
40	Disposal - Burlingame	75.713.019	759,246	670,177	800,000	750,000	781,500	826,875
41	Disposal - San Mateo	75.713.020	268,374	423,025	650,000	500,000	520,000	540,800
42	System Maintenance	80.714.001	12,490	23,854				
43	Pump Maintenance	80.714.002	23,753	20,617	25,000	35,000	25,000	25,000
44	Root Irradiation	80.714.010	42,177	64,039	55,000	70,000	70,000	70,000
45	Equipment Maintenance	80.715.000	75		2,000			
46	Personnel Expenses	80.731.000	13,235	16,275	11,000	12,000	13,000	13,000
47	Training	80.733.000	7,162	8,660	7,000	7,000	7,000	7,000
48	Allocated Costs	80.735.000	90,851	95,978	86,410	130,988	124,670	129,342
49	Utilities	80.735.001	9,818	10,371	10,000	10,000	10,000	10,000
50	Gas & Oil	80.756.000	8,536	13,438	9,000	14,000	18,000	19,000
51	Vehicle Repair & Maintenance	80.757.000	11,611	17,606	12,000	18,000	18,000	19,000
52	Materials Expense	80.760.000						
53	Printing	80.763.000	2,212	1,226	5,000	5,000	5,000	5,000
54	Postage	80.765.000	1,136	3,701	2,000	2,000	2,500	2,500
55	Corp Yard Expense	80.772.000	15,617	13,917				
56	County Tax Collection Fee	80.778.000	4,783	6,033	10,000	6,000	6,000	6,000
57	Backflow Reimb Program	80.783.001	29,982	123,069	110,000			
58	Emergency Proj Account	80.787.000	1,408					
59	Capital Outlay	80.790.000		-	15,000	13,500		
60	Franchise Fees	99.799.001	99,120	99,212				
61	Claims Expense	80.808.000	(27,722)	(27,437)	30,000			

SEWER FUND

		Account Number	Actual 2004-2005	Actual 2005-2006	Revised Budget 2006-2007	Proposed Budget 2007-2008	Preliminary Budget 2008-2009	Preliminary Budget 2009-2010
62	Total		1,482,505	1,724,546	2,034,410	1,782,488	1,789,670	1,862,517
63	STORM DRAINING EXP:	505-136.00-						
64	County Tax Collection Fee	80.778.000	1,206	1,205	1,500	1,500	1,500	1,500
65	Dam Inspection Fee	80.778.001	511		3,700	3,700	3,700	3,700
66	New Citywide Fee	80.778.002						
67	Miscellaneous	80.778.003	1,190					
68	Total		2,907	1,205	5,200	5,200	5,200	5,200
69	WEED ABATEMENT EXP:	505-137.00-						
70	Overtime	71.701.008	24,278	32,368	35,000	36,000	37,500	38,500
71	Supplies & Small tools	75.711.003	60		1,000	1,000	1,000	1,000
72	Service - Assessments		33,106	3,352	45,000	25,000	26,000	26,000
73	Equipment Rental		1,084	611	2,500	2,500	2,500	2,500
74	Vehicle Repair & Maintenance	80.757.000	866	301	1,000			
75	County Tax Collection Fee	80.778.000	1,204		1,600			
76	Sheriff Dept Overhead	80.781.000						
77	CA Conservation Corp	80.788.000	-	-				
78	Overhead Allocation	99.904.00	25,000	25,000				
79	Total		85,598	61,632	86,100	64,500	67,000	68,000
80	TRANSFERS:							
81	Capital Projects				24,000			
82	Overhead Allocation	99.900.000	667,760	746,225	753,750	816,629	850,077	888,700
83	Debt service	99.923.000	1,132,106	1,171,709	1,309,064	1,394,009	1,504,014	1,487,205
84	Total		1,799,866	1,917,934	2,086,814	2,210,638	2,354,091	2,375,905
85	CAPITAL PROGRAM		1,854,835	3,331,043	3,160,000	1,365,000	1,601,000	700,000
86	REPLACEMENT:							
87	Computer	99.925.000			10,000	5,000	5,000	5,000
88	Vehicle	99.925.001	46,000	46,000	35,000	37,250	37,250	37,250
89	Furniture & Fixtures	99.925.002	970	970				
90	Radios & Pagers	99.926.003	1,370	1,370				
91	Retirees Health Insurance	99.930.000				50,000	52,000	54,000
92	Total		48,340	48,340	45,000	92,250	94,250	96,250
93	TOTAL EXPENDITURES							
94	(BUDGETARY BASIS)		5,863,511	7,836,415	8,173,251	6,326,760	6,829,717	6,078,249
95								
96	EXCESS OF FUNDING SOURCES OVER							
97	EXPENDITURES (BUDGETARY BASIS)		2,319,434	1,063,753	920,249	1,215,240	1,171,283	549,751
98	ADJUSTMENTS TO GAAP:							
99	Use of fund balance		(26,446)	-	-	-	-	
100	Depreciation	80.799.000	(975,611)	(1,164,561)	(980,000)	(1,078,000)	(1,185,800)	(1,304,380)
101	Amortization	99.799.001	(17,296)	(19,787)	(20,000)	(20,000)	(20,000)	(20,000)
102	Principal payments		324,412	321,298	321,298	389,850	516,730	521,610
103	Proceeds from borrowing		(1,828,389)	(3,238,621)	(3,160,000)	(1,365,000)	(1,601,000)	
104	Capital Expenditures		1,854,835	3,359,965	3,372,659	1,651,901	1,601,000	700,000
105	Total		(668,495)	(741,706)	(466,043)	(421,249)	(689,070)	(102,770)
106								
107	Change in net assets		1,650,939	322,047	454,206	793,991	482,213	446,981
108	Net assets beginning		10,294,490	11,945,429	12,267,476	12,721,682	13,515,673	13,997,886
109	Total net assets		$11,945,429	$12,267,476	$12,721,682	$13,515,673	$13,997,886	$14,444,867
110								
111	DEBT SERVICE COVERAGE (NET							
112	OF CAPITALIZED INTEREST)							
113	Interest Expense		$ 807,694	$ 820,870	$ 775,107	$ 717,258	$ 987,284	$ 965,595
114	Principal Payment		324,412	324,412	321,298	389,850	516,730	521,610
115	Total Debt Service		$ 1,132,106	$ 1,145,282	$ 1,096,405	$ 1,107,108	$ 1,504,014	$ 1,487,205
116								
117	Operating expenses before debt							
118	service and excluding depreciation		$ 2,876,570	$ 3,333,663	$ 3,704,187	$ 3,567,751	$ 3,724,703	$ 3,891,044
119	Net revenues available for debt service		$ 2,971,215	$ 2,239,678	$ 2,229,313	$ 2,609,249	$ 2,675,297	$ 2,736,956
120	Debt service coverage		$ 2.62	$ 1.96	$ 2.03	$ 2.36	$ 1.78	$ 1.84

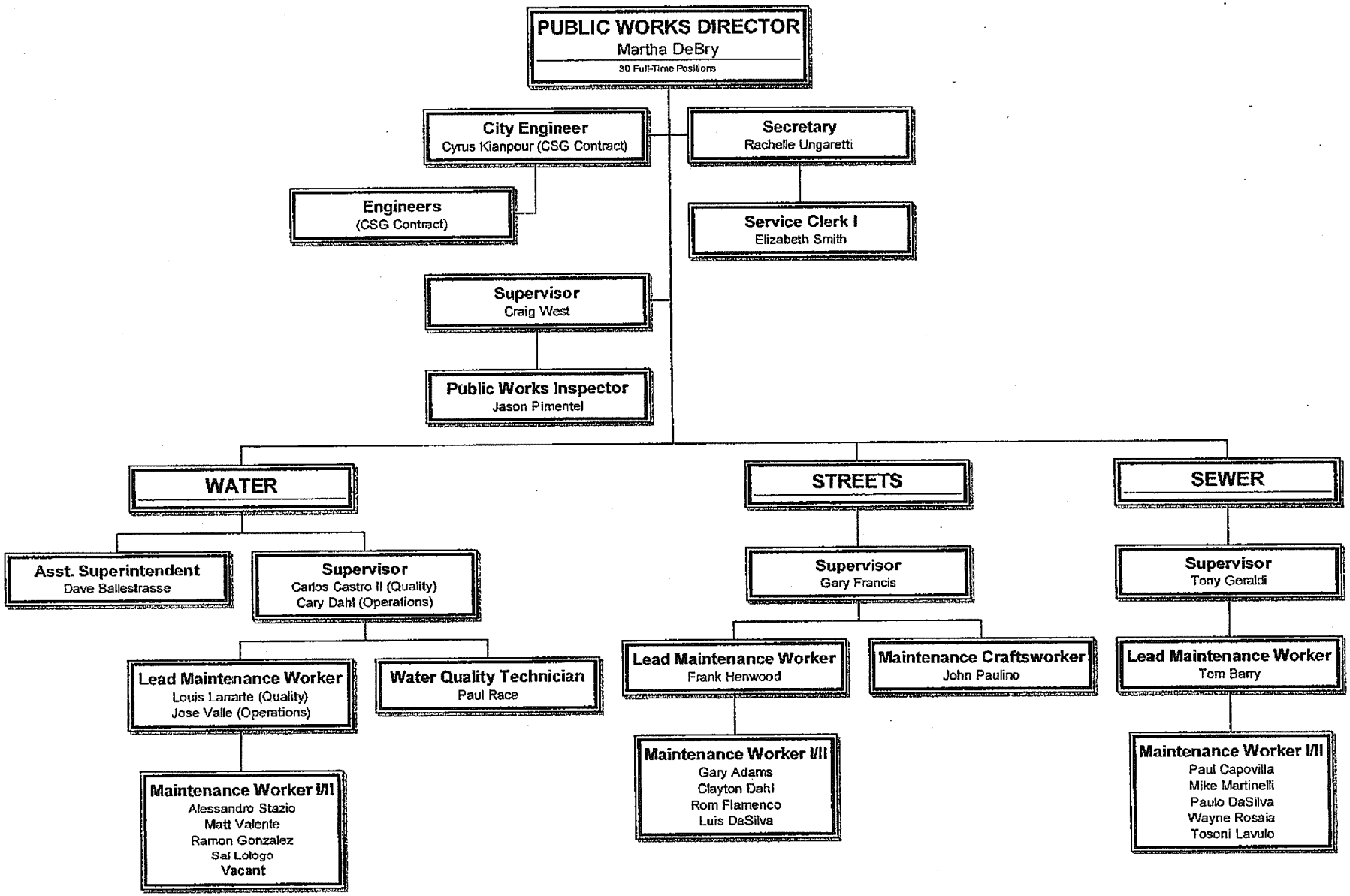
CAPITAL IMPROVEMENT PLAN (CIP)

CIP EXPENDITURE PROJECT DETAIL BY FUNCTION AND DEPARTMENT

	Project Description	Actual 2004/05	Actual 2005/06	Revised Budget 2006/07	Proposed Budget 2007/08	Preliminary Budget 2008/09	Preliminary Budget 2009/10
	Vista PRVs			50,000			
	Fire Mains Project				400,000		
	Advanced Meter Reading				500,000		
	Sub-total WATER	2,854,288	3,015,358	4,749,590	3,600,900	900,000	1,500,000
WASTEWATER	Vehicle replacement	84,096				20,000	226,000
	Video camera			15,000			
	Computer replacement	2,278					
	Gator				13,500		
	Pinehill Ralston Sewer Relocation	686,234	242,009				
	Sewer Lining Phase 1	378,296					
	Sewer Lining Phase 2	13,785	584,883				
	Sewer Lining Phase 3	14,570	376,934				
	Sewer Lining Phase 4				700,000		
	El Cerrito/Crystal Springs	31,683					
	Crystal Springs	107,075	9,998				
	Crystal Springs Sewer Revegetation		21,725				
	Shady Creek Retaining Wall	66,067	513,586				
	Ralston Easement Trench	35,426					
	Cherry Creek Easement Rehab	16,300					
	Shady Creek Easement Rehabilitation		30,109				
	Hayne Road Easement	28,545					
	2003 Sewer Cleaning & Video	47,161					
	2004 Sewer Cleaning & Video	285,433	28,354				
	El Cerrito/Crystal Springs Pothole	12,280					
	Miscellaneous projects	56,502	299,039				
	Sewer Cleaning - Phase 4		404,934				
	Sewer Cleaning - Phase 5		609	1,900,000			
	Sewer Cleaning- 2009					600,000	
	Sewer Cleaning - 2010						600,000 → 1yr
	2005 Sewer Mains Cleaning		128,082				
	2005 Smoke Testing	11,035	105,731				
	2005 Sewer Manhole Rehabilitation		13,135				
	Crystal Springs Phase I		21,788				
	Easton Creek Sewer Rehab		550,127				
	San Mateo Sewer Plant Improvement			1,200,000			
	Elimination Hayne Pump Station Cherry Creek				400,000		
	Infiltration/Inflow Improvements (Eliminated)						
	El Cerrito Capacity					800,000	
	Storm Drain Replacement-Phase 1	27,143		60,000	245,000		
	Storm Drain Replacement-Phase 2				20,000	201,000	100,000
	Jewel Place Storm Drain	37,300					
	Sub-total WASTEWATER	1,941,209	3,331,043	3,175,000	1,378,500	1,621,000	926,000
	TOTAL PUBLIC UTILITIES	4,795,497	6,346,401	7,924,590	4,979,400	2,521,000	2,426,000
STREETS STREETS	Street improvement	654,361	844,811	400,000	700,000	700,000	700,000
	Vehicle replacement			108,000			65,000

CIP & OPERATION BUDGET
FISCAL YEAR 2006-2007

PUBLIC WORKS DEPARTMENT



Public Works Department

DEPARTMENT'S MISSION

To consistently provide safe community services including potable water delivery, sewage collection, storm drainage, streets and engineering.

WHAT THE DEPARTMENT DOES

The department maintains an infrastructure network that includes more than 80 miles each of water pipes, sewer mains, and streets, including storm drain facilities. Long term planning for design, repair and maintenance of these systems is the responsibility of the Director, who is assisted by a contract City Engineer and staff of 28 divided into 3 divisions: Water, Streets and Sewer.

PRIOR PERIOD'S MAJOR ACCOMPLISHMENTS

- Designed and completed water project to repair almost 5 miles of water mains to enhance fire suppression and improve water quality.
- Completed 2005 Street project resurfacing approximately 14 miles of roadways.
- Expanded a root foaming program to minimize the effects of root intrusion in sewer pipes and reduce the maintenance burden.
- Disposed several surplus properties.
- Supervised weekend work furlough crews that perform manual labor to create fire breaks in open space areas.
- Bid and awarded project for rehabilitation of Vista Park, which is being funded by the Hillsborough Beautification Foundation.
- Achieved a 68% recycling diversion rate.
- Administered backflow protection device reimbursement program and expanded inspection program to assist residents with identifying need for devices.
- Expanded construction inspection training program.
- Monitored progress of Jefferson Martin 230 k transmission line project.
- Introduced ordinance for location of wireless facilities.
- Improved security of public works facilities.
- Award approximately $7,000,000 in water, sewer, storm drain, public facility and street capital improvement projects
- Completed remodel of Municipal Service Center's main offices.
- Improved network GIS, Edox and other databases to enhance sharing information between departments.
- Enhanced safety programs and resulting in 80% reduction in employee injuries.
- Awarded bid for replacement of El Arroyo water tanks.
- Acquired ICOMMM sewer system management software to enhance data collection and reporting.

KEY PLANS FOR THE NEXT PERIOD

- Administer water conservation programs which may include water audits and reimbursements for smart irrigation controllers.
- Award bids for approximately $3,000,000 of $12,000,000 water and sewer bond.
- Complete inspections of residences for compliance with Backwater ordinance.
- Participate in SBWMA refuse collection contractor selection process.
- Present for consideration the sale of surplus property such as 115 Reservoir Road.
- Continue to explore areas of revenue enhancements and cost-cutting measures, including joint services with neighboring cities.
- Assist PG&E with installation of the 20A under grounding of utilities near the intersection of Ralston and Eucalyptus.
- Continue to enhance security at Town facilities.
- Continue employee injury prevention programs.
- Complete design, bid and award project to improve water supply and fire suppression abilities in Skyfarm and Tournament pressure zones.
- Complete the consolidate Major Hayes and Vista water zones.
- Continue negotiations with California Water Company for emergency water supply tie-ins.

SEWER FUND

		Account Number	Actual 2003-2004	Actual 2004-2005	Revised Budget 2005-2006	Proposed Budget 2006-2007	Preliminary Budget 2007-2008	Preliminary Budget 2008-2009
		505-000.00-						
1	**REVENUES:**							
2	Sewer Services Charges	47.531.000	$ 4,660,549	$ 4,960,583	$ 5,061,400	$ 5,668,768	$ 6,349,020	$ 7,110,902
3	Sewer Connection Fees	47.531.000	25,524	15,767	5,000	5,000	5,000	5,000
4	Storm Drainage	40.414.000	28,287	29,500	28,000	28,000	28,000	28,000
5	Weed Abatement	40.415.000	48,674	35,136	52,000	52,000	52,000	52,000
6	Other Service Charges	47.525.000						
7	Miscellaneous Income	48.555.000		695,278	500	500	500	500
8	Total		4,763,034	5,736,264	5,146,900	5,754,268	6,434,520	7,196,402
9	**NON-OPERATING INCOME:**							
10	Capital Contributions		1,101,276	480,325				
11	Transfer from Cap Project							
12	Interest Income	46.475.000	115,905	111,521	234,940	250,000	200,000	180,000
13								
14	**TOTAL REVENUES**		5,980,215	6,328,110	5,381,840	6,004,268	6,634,520	7,376,402
15	**OPERATING EXPENSES:**	505-000.00-						
16	**SALARIES & BENEFITS**							
17	Salary	71.701.001	321,214	340,555	406,849	376,342	395,159	414,917
18	Overtime	71.701.002	12,207	14,581	20,000	20,000	20,000	20,000
19	Salary-Temporary	71.701.003	6,356	27,918	35,000	35,000	35,000	35,000
20	Retirement Costs	71.703.000	32,645	63,368	97,197	94,431	101,985	110,144
21	Medicare/FICA	71.703.002	28,149	29,782	30,322	27,945	30,181	32,595
22	Health, Life & Dental	71.704.001	66,100	71,487	101,591	81,123	87,613	94,622
23	Retired Employee Benefit	71.704.005	3,709	4,377	5,860	5,490	5,929	6,403
24	Workers Comp Ins	71.705.000	20,543	16,302	21,419	27,409	28,779	30,218
25	Leave at Retirement	71.706.001	7,800	21,090	-	-	-	-
26	Vac/Sick Leave Payout	71.706.002		-	-	670	-	-
27	Total		498,723	589,460	718,238	668,410	704,646	743,899
28	**MATERIALS & SERVICES**	505-201.00-						
29	Office Supplies	75.711.001	7,987	6,127	5,500			
30	Systems Parts/Supplies	75.711.002	26,275	48,661	25,000	71,000	71,000	71,000
31	Small Tools & Equip	75.711.003	15,491	2,328	5,000			
32	Miscellaneous	75.711.004						
33	Contractual Services	75.713.000	23,911	47,525	30,000	45,000	45,000	45,000
34	Lease of Copier	75.713.001			4,000			
35	Auditing Services	75.713.005	3,900	4,000	4,000	4,000	4,000	4,000
36	Disposal - Burlingame	75.713.019	1,443,612	759,246	1,020,000	1,050,000	1,081,500	1,222,095
37	Disposal - San Mateo	75.713.020	480,056	268,374	602,000	650,000	700,000	750,000
38	System Maintenance	80.714.001	24,615	12,490	20,000			
39	Pump Maintenance	80.714.002	27,015	23,753	25,000	25,000	25,000	25,000
40	Root Irradiation	80.714.010	25,191	42,177	25,000	55,000	55,000	55,000
41	Equipment Maintenance	80.715.000	2,194	75	2,200	2,000	2,000	2,000
42	Personnel Expenses	80.731.000	14,489	13,235	9,000	11,000	11,000	11,000
43	Training	80.733.000	4,951	7,162	5,000	7,000	7,000	7,000
44	Allocated Costs	80.735.000	69,103	90,851	81,019	86,410	89,002	91,672
45	Utilities	80.735.001	5,897	9,818	10,000	10,000	10,000	10,000
46	Gas & Oil	80.756.000	4,800	8,536	7,400	9,000	9,000	9,000
47	Vehicle Repair & Maintenance	80.757.000	17,782	11,611	10,000	12,000	12,000	13,000
48	Materials Expense	80.760.000						
49	Printing	80.763.000		2,212	8,000	5,000	3,000	3,000
50	Postage	80.765.000	74	1,136	4,000	2,000	2,000	2,000
51	Corp Yard Expense	80.772.000	5,740	15,617				
52	County Tax Collection Fee	80.778.000		4,783	15,000	10,000	10,000	10,000
53	Backflow Reimb Program	80.783.001	28,140	29,982	45,000	50,000		
54	Emergency Proj Account	80.787.000	1,000	1,408	130,000			
55	Capital Outlay	80.790.000			-	15,000		
56	Depreciation Expense	80.799.000	949,546	975,611	950,000	980,000	1,078,000	1,185,800
57	Amortization Expense	81.400.000	17,296	17,296	17,500	20,000	20,000	20,000
58	Franchise Fees	99.799.001	93,211	99,120	101,228	113,400	127,000	142,200
59	Claims Expense	80.808.000	103,849	(27,722)	100,000	30,000	30,000	30,000

SEWER FUND

		Account Number	Actual 2003-2004	Actual 2004-2005	Revised Budget 2005-2006	Proposed Budget 2006-2007	Preliminary Budget 2007-2008	Preliminary Budget 2008-2009
		505-000.00-						
60	Total		3,396,125	2,475,412	3,260,847	3,262,810	3,391,502	3,708,767
61								
62	**STORM DRAINING EXP:**	505-136.00-						
63	County Tax Collection Fee	80.778.000		1,206	2,000	1,500	1,500	1,500
64	Dam Inspection Fee	80.778.001		511	3,700	3,700	3,700	3,700
65	New Citywide Fee	80.778.002						
66	Miscellaneous	80.778.003	948	1,190	500			
67	Overhead Allocation	99.912.000						
68	Total		948	2,907	6,200	5,200	5,200	5,200
69								
70	**WEED ABATEMENT EXP:**	505-137.00-						
71	Overtime	71.701.008	31,335	24,278	25,000	35,000	35,000	35,000
72	Supplies & Small tools	75.711.003	35	60	1,000	1,000	1,000	1,000
73	Service - Assessments	75.713.000	49,038	33,106	45,000	45,000	45,000	45,000
74	Equipment rental	80.716.000	1,361	1,084	1,000	2,500	2,500	2,500
75	Vehicle Repair & Maintenance	80.757.000		866	1,000	1,000	1,000	1,000
76	County Tax Collection Fee	80.778.000		1,204	1,600	1,600	1,600	1,600
77	Sheriff Dept Overhead	80.781.000						
78	CA Conservation Corp	80.788.000		-	-			
79	Overhead Allocation	99.904.000	25,000	25,000	25,000			
80	Total		106,769	85,598	99,600	86,100	86,100	86,100
81								
82	**TRANSFERS:**							
83	Capitals Projects				20,000			
84	Overhead Allocation	99.900.000	666,106	667,760	696,227	841,067	891,531	945,023
85	Interest Expense	99.923.000	710,350	807,694	820,870	987,766	885,597	808,643
86	Total		1,376,456	1,475,454	1,537,097	1,828,833	1,777,128	1,753,666
87								
88	**SUB-TOTAL**		5,379,021	4,628,831	5,621,982	5,851,353	5,964,576	6,297,632
89								
90	**CAPITAL PROJECTS**							
91								
92	**RESERVES:**							
93	Computer Replacement	99.925.000	1,940			10,000	2,000	2,000
94	Vehicle Replacement	99.925.001	46,000	46,000	46,000	35,000		
95	Furniture & Fixtures	99.925.002	970	970	970			
96	Radios & Pagers Replacement	99.925.003	1,370	1,370	1,370			
97	Total		50,280	48,340	48,340	45,000	2,000	2,000
98								
99	**TOTAL EXPENSES & RESERVES**		5,429,301	4,677,171	5,670,322	5,896,353	5,966,576	6,299,632
100	**GAAP BASIS**							
101	Change in net assets		550,914	1,650,939	(288,482)	107,915	667,944	1,076,770
102	Net assets beginning		9,743,576	10,294,490	11,945,429	11,656,947	11,764,862	12,432,806
103	Prior period adjustment							
104	Reinstated net assets - beginning		9,743,576	10,294,490	11,945,429	11,656,947	11,764,862	12,432,806
105	Total net assets		$ 10,294,490	$ 11,945,429	$ 11,656,947	$ 11,764,862	$ 12,432,806	$ 13,509,576
106								
107	**CASH BASIS**							
108	Expenses and debt service less							
109	depreciation and amortization		$ 4,711,992	$ 4,008,676	$ 5,027,234	$ 5,004,992	$ 5,090,087	$ 5,658,879
110	Excess operating revenues		$ 1,268,223	$ 2,319,434	$ 354,606	$ 999,276	$ 1,544,433	$ 1,717,523
111								
112	**DEBT SERVICE COVERAGE (NET OF CAPITALIZED INTEREST)**							
113	Interest Expense		$ 710,350	$ 807,694	$ 820,870	$ 775,107	$ 717,261	$ 808,643
114	Principal Payment		249,533	324,412	324,412	321,298	389,847	565,047
115	Total Debt Service		$ 959,883	$ 1,132,106	$ 1,145,282	$ 1,096,405	$ 1,107,108	$ 1,373,690
116								

SEWER FUND

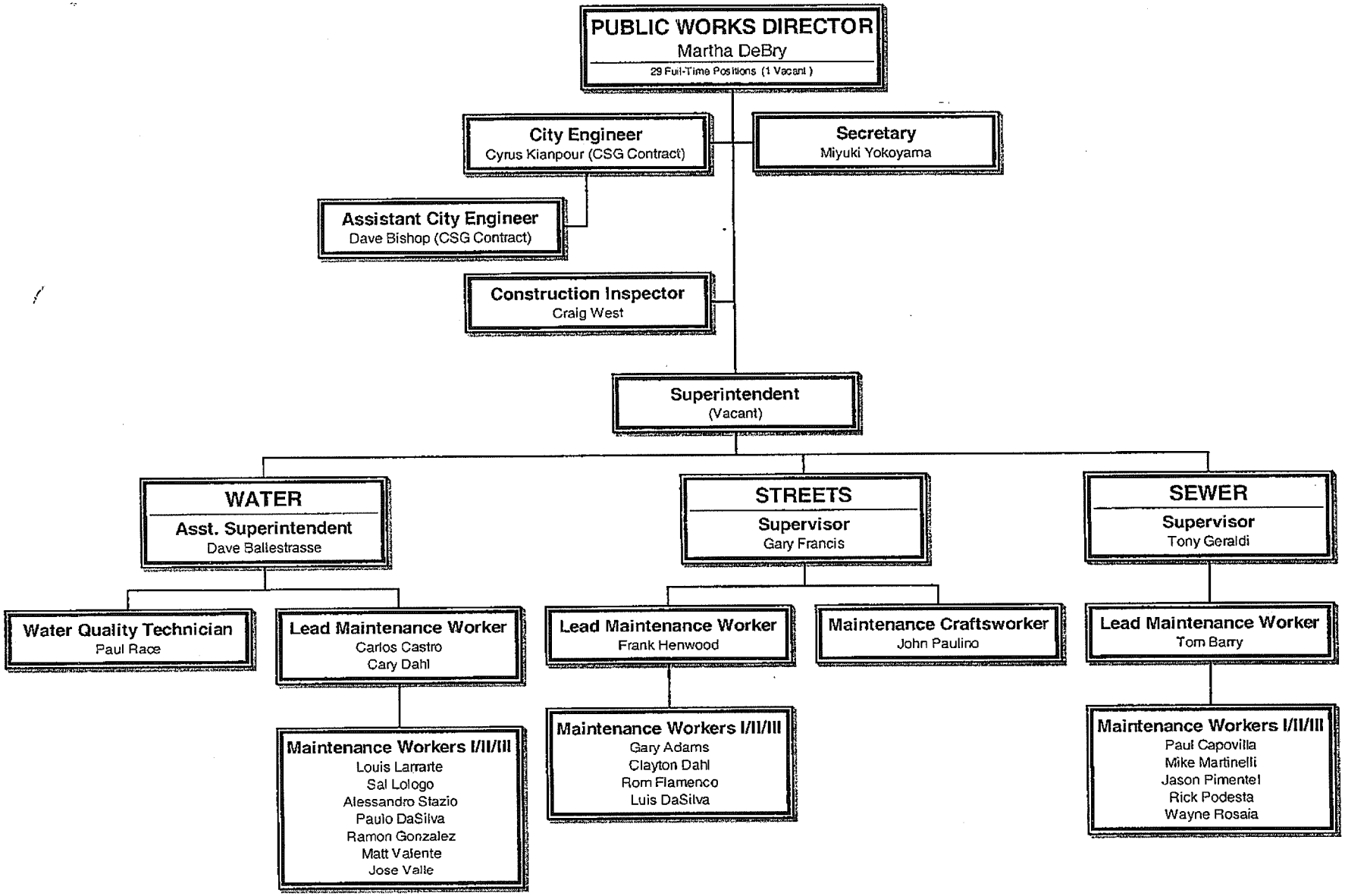
	Account Number	Actual 2003-2004	Actual 2004-2005	Revised Budget 2005-2006	Proposed Budget 2006-2007	Preliminary Budget 2007-2008	Preliminary Budget 2008-2009
	505-000.00-						
117 Operating expenses before debt							
118 service and excluding depreciation		$ 3,752,109	$ 2,876,570	$ 3,881,952	$ 3,908,587	$ 3,982,979	$ 4,285,189
119 Net revenues available for debt service		$ 1,126,830	$ 2,971,215	$ 1,499,888	$ 2,095,681	$ 2,651,541	$ 3,091,213
120 Debt service coverage		$ 1.17	$ 2.62	$ 1.31	$ 1.91	$ 2.40	$ 2.25

CAPITAL IMPROVEMENT PLAN - WATER AND SEWER OPERATIONS

	06/07	07/08	08/09	Total	FUNDING 2006 Bonds
WATER					
Skyfarm Pit	$ -	$ 100,000	$ -	$ 100,000	$ 100,000
Tournament Pump Station	600,000			600,000	600,000
Cherry Creek Pump Station	100,000	900,000		1,000,000	1,000,000
Oaks Drive Pump Station		100,000	900,000	1,000,000	1,000,000
Darryl tank Site Improvements			1,000,000	1,000,000	1,000,000
Vista Tank Site Improvements	1,450,000	50,000		1,500,000	1,500,000
Crocker Reservoir Replacement		500,000		500,000	500,000
Advanced Meter Reading			500,000	500,000	500,000
Total Water	2,150,000	1,650,000	2,400,000	6,200,000	6,200,000
SEWER					
2006 Manhole Rehabilitation	400,000			400,000	400,000
SS Cleaning and Inspection Phase V	450,000			450,000	450,000
SS Cleaning and Inspection Phase VI		450,000		450,000	450,000
SS Rehabilitation Phase IV	550,000			550,000	550,000
Infiltration/Inflow Improvements Phase I			1,040,000	1,040,000	1,040,000
Easton Creek	500,000			500,000	500,000
San Mateo Sewer Plant Improvement		1,200,000		1,200,000	1,200,000
El Cerrito Capacity			800,000	800,000	800,000
Total Sewer	1,900,000	1,650,000	1,840,000	5,390,000	5,390,000
STORM DRAIN					
Storm Drain Replacement Phase I		305,000		305,000	305,000
Storm Drain Replacement Phase II		20,000	201,000	221,000	221,000
Total Storm Drain	-	325,000	201,000	526,000	526,000
Total Sewer Fund	1,900,000	1,975,000	2,041,000	5,916,000	5,916,000
GRAND TOTAL - ENTERPRISE FUNDS	$4,050,000	$3,625,000	$4,441,000	$12,116,000	$12,116,000

CIP & OPERATION BUDGET
FISCAL YEAR 2005-2006

PUBLIC WORKS DEPARTMENT



Public Works

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To consistently provide safe community services including potable water delivery, sewage collection, storm drainage, streets and engineering.

WHAT THE DEPARTMENT DOES

The department maintains an infrastructure network that includes more than 80 miles each of water pipes, sewer mains, and streets, including storm drain facilities. Long term planning for design, repair and maintenance of these systems is the responsibility of the Director, who is assisted by a contract City Engineer and staff of 28 divided into 3 divisions: Water, Streets and Sewer.

PRIOR PERIOD'S MAJOR ACCOMPLISHMENTS

- Designed and completed water project to repair almost 5 miles of water mains to enhance fire suppression and improve water quality.
- Completed 2004 Street project.
- Incorporated new technologies into the design of the 2005 street project to minimize the Town's cost for street maintenance.
- Expanded a root irradiation program to minimize the effects of root intrusion in sewer pipes and reduce the maintenance burden.
- Purchased new rodding machine to enhance efficiency of sewer maintenance.
- Assisted with revision of design standards.
- Disposed several surplus properties.
- Supervised weekend work furlough crews that perform manual labor to create fire breaks in open space areas.
- Conducted a series of meetings with neighbors of the Town's Municipal Service Center, and adjusted operations to better accommodate neighbors, and enhance the appearance of the facility.
- Assisted Hillsborough Beautification Foundation with preparation for and construction of improvements to the Manor Drive Gates, median islands on Eucalyptus near Ralston and other locations.
- Executed new and revised contracts with the City of Burlingame for sewage management and transfers of water.
- Oversaw redesign and preparation of construction bids to renovate Vista Park, which is being funded by the Hillsborough Beautification Foundation.
- Achieved a 68% recycling diversion rate.
- Recommended adoption of ordinance to require backwater protection at all residences by January 1, 2007, and developed implementation plan for the same.
- Administered backflow protection device reimbursement program.
- As a member of South Bayside Waste Management Authority, participated in negotiation of long-term waste disposal agreement.
- Expanded construction inspection training program.
- Monitored progress of Jefferson Martin 230 k transmission line project.

- Successfully developed internet-based construction inspection database.
- Completed integration of aerial images into GIS computer system.
- Scanned public improvement engineering schematics into database to preserve information electronically, reducing storage space needs.

KEY PLANS FOR THE NEXT PERIOD

- Continue to explore areas of revenue enhancements and cost-cutting measures.
- Continue to enhance security at Town facilities.
- Award bids for approximately $6,000,000 in water, sewer, storm drain and street capital improvement
- Assist PG&E with installation of the 20A under grounding of utilities near the intersection of Ralston and Eucalyptus.
- Evaluate all residences for backwater protection ordinance compliance.
- Establish water conservation programs which may include water audits and reimbursements for smart irrigation controllers.
- Complete remodel of Municipal Service Center's main offices.
- Apply for P-Tap grant to conduct update pavement management survey.
- Network GIS, Edox and other databases to enhance sharing information between departments.
- Reduce employee injuries by one-half.
- Improve water supply and fire suppression abilities in Skyfarm and Tournament pressure zones.
- Consolidate Major Hayes and Vista water zones.
- Award bid for replacement of El Arroyo water tanks.
- Negotiate with California Water Company for emergency water supply tie ins.

SEWER FUND

		Account Number	Actual 2001-2002	Actual 2002-2003	Actual 2003-2004	Revised Adopted Budget 2004-2005	Proposed Budget 2005-2006	Preliminary Budget 2006-2007	Preliminary Budget 2007-2008
		505-000.00-							
1	**REVENUES:**								
2	Sewer Services Charges	47.531.000	$ 3,262,752	$3,589,855	$ 4,660,549	$4,866,750	$ 5,061,400	$ 5,314,500	$ 5,580,200
3	Sewer Connection Fees	47.531.000	198,633	8,509	25,524	5,000	5,000	5,000	5,000
4	Storm Drainage	40.414.000	28,181	26,361	28,287	28,000	28,000	28,000	28,000
5	Weed Abatement	40.415.000	58,679	36,989	48,674	52,000	52,000	52,000	52,000
6	Other Service Charges	47.525.000							
7	Miscellaneous Income	48.555.000				500	500	500	500
8	Total		3,548,245	3,661,714	4,763,034	4,952,250	5,146,900	5,400,000	5,665,700
9	**NON-OPERATING INCOME:**								
10	Capital Contributions			253,200	1,101,276				
11	Transfer from Cap Project		393,238						
12	Interest Income	46.475.000	93,666	34,528	115,905	40,000	234,940	70,840	71,000
13									
14	**TOTAL REVENUES**		4,035,149	3,949,442	5,980,215	4,992,250	5,381,840	5,470,840	5,736,700
15	**OPERATING EXPENSES:**	505-000.00-							
16	**SALARIES & BENEFITS**								
17	Salary	71.701.001			321,214	383,843	406,849	416,411	424,739
18	Overtime	71.701.002			12,207	25,000	20,000	20,000	20,000
19	Salary-Temporary	71.701.003			6,356	35,000	35,000	35,000	35,000
20	Retirement Costs	71.703.000			32,645	68,097	97,197	101,606	103,638
21	Medicare/FICA	71.703.002			28,149	29,366	30,322	31,038	31,659
22	Health, Life & Dental	71.704.001			66,100	88,110	101,591	113,221	115,485
23	Retired Employee Benefit	71.704.005			3,709	4,100	5,860	6,590	6,722
24	Workers Comp Ins	71.705.000			20,543	17,530	21,419	21,922	22,360
25	Leave at Retirement	71.706.001		22,937	7,800	-	-	-	-
26	Vac/Sick Leave Payout	71.706.002				-	-	-	-
27	Total		-	22,937	498,723	651,046	718,238	745,788	759,603
28	**MATERIALS & SERVICES**	505-201.00-							
29	Office Supplies	75.711.001	5,126	5,241	7,987	5,500	5,500	5,500	5,500
30	Systems Parts/Supplies	75.711.002	40,141	29,640	26,275	27,000	25,000	25,000	25,000
31	Small Tools & Equip	75.711.003	13,644	10,744	15,491	10,000	5,000	5,000	5,000
32	Contractual Services	75.713.000	6,852	52,873	23,911	50,000	30,000	30,000	30,000
33	Lease of Copier	75.713.001	1,664	2,129		3,000	4,000	4,000	4,000
34	Auditing Services	75.713.005	3,200	3,800	3,900	4,000	4,000	4,000	4,000
35	Disposal - Burlingame	75.713.019	653,476	777,119	1,443,612	950,000	1,020,000	1,090,000	1,090,000
36	Disposal - San Mateo	75.713.020	343,095	444,227	480,056	560,000	602,000	640,000	680,000
37	System Maintenance	80.714.001	16,479	22,871	24,615	20,000	20,000	20,000	20,000
38	Pump Maintenance	80.714.002	16,549	17,260	27,015	40,000	25,000	25,000	25,000
39	Root Irradiation	80.714.010	4,999		25,191	15,000	25,000	25,000	25,000
40	Equipment Maintenance	80.715.000	2,746	2,762	2,194	2,200	2,200	2,200	2,200
41	Personnel Expenses	80.731.000	7,432	8,794	14,489	12,000	9,000	9,000	9,000
42	Training	80.733.000	1,205	4,861	4,951	5,000	5,000	5,000	5,000
43	Allocated Costs	80.735.000	109,241	112,508	69,103	76,774	81,019	81,555	84,228
44	Utilities	80.735.001			5,897	36,000	10,000	10,500	11,030
45	Gas & Oil	80.756.000	5,412	4,059	4,800	7,400	7,400	7,400	7,400
46	Vehicle Repair & Maintenance	80.757.000	15,856	14,172	17,782	12,000	10,000	10,000	10,000
47	Materials Expense	80.760.000	(819)	183					
48	Printing	80.763.000				1,000	8,000	4,000	4,000
49	Postage	80.765.000			74	1,000	4,000	4,000	4,000
50	Corp Yard Expense	80.772.000			5,740	8,000			
51	County Tax Collection Fee	80.778.000	15,049	8,196		14,300	15,000	15,000	15,000
52	Backflow Reimbursement Program	80.783.001		5,193	28,140	20,000	45,000	20,000	-
53	Emergency Project Account	80.787.000			1,000	150,000	150,000	150,000	150,000
54	Capital Outlay	80.790.000		15,331		20,000	-	-	-
55	Depreciation Expense	80.799.000	829,382	897,895	949,546	900,000	950,000	980,000	1,000,000
56	Amortization Expense	81.400.000	13,385	13,383	17,296	13,400	17,500	17,500	17,500
57	Franchise Fees	99.799.001			93,211	97,335	101,228	106,290	111,604
58	Claims Expense	80.808.000		365,385	103,849	150,000	100,000	100,000	100,000
59	Total		2,104,114	2,818,626	3,396,125	3,210,909	3,280,847	3,395,945	3,444,462
60									
61	**STORM DRAINING EXP:**	505-136.00-							
62	County Tax Collection Fee	80.778.000	1,000	1,697			2,000	2,000	2,000
63	Dam Inspection Fee	80.778.001				3,700	3,700	3,800	3,800

SEWER FUND

		Account Number	Actual 2001-2002	Actual 2002-2003	Actual 2003-2004	Revised Adopted Budget 2004-2005	Proposed Budget 2005-2006	Preliminary Budget 2006-2007	Preliminary Budget 2007-2008
64	New Citywide Fee	505-000.00-80.778.002							
65	Miscellaneous	80.778.003		494	948		500	500	500
66	Overhead Allocation	99.912.000							
67	Total		1,000	2,191	948	3,700	6,200	6,300	6,300
68	**WEED ABATEMENT EXP:**	505-137.00-							
69	Overtime	71.701.008			31,335	25,000	25,000	25,000	25,000
70	Supplies & Small tools	75.711.003	439	4,213	35	1,000	1,000	1,000	1,000
71	Service - Assessments	75.713.000	52,758	29,610	49,038	44,000	45,000	45,000	45,000
72	Equipment rental	80.716.000		288	1,361	1,000	1,000	1,000	1,000
73	Vehicle Repair & Maintenance	80.757.000	1,735			1,500	1,000	1,000	1,000
74	County Tax Collection Fee	80.778.000	780	1,597		1,600	1,600	1,600	1,600
75	Sheriff Dept Overhead	80.781.000				5,200			
76	CA Conservation Corp	80.788.000				-	-	-	-
77	Overhead Allocation	99.904.000	1,192	26,425	25,000	25,000	25,000	25,000	25,000
78	Total		56,904	62,133	106,769	104,300	99,600	99,600	99,600
79									
80	**TRANSFERS:**								
81	Overhead Allocation	99.900.000	1,126,225	1,283,834	666,106	554,544	696,227	695,441	707,554
82	Debt Service	99.923.000		323,607	710,350	834,388	820,870	807,400	833,290
83	Total		1,126,225	1,607,441	1,376,456	1,388,932	1,517,097	1,502,841	1,540,844
84									
85	**SUB-TOTAL**		3,288,243	4,513,328	5,379,021	5,358,887	5,621,982	5,750,474	5,850,809
86									
87	**CAPITAL PROJECTS**			132,343					
88									
89	**RESERVES:**								
90	Computer Replacement	99.925.000	1,940	1,940	1,940				
91	Vehicle Replacement	99.925.001	60,000	84,000	46,000	46,000	46,000	46,000	46,000
92	Furniture & Fixtures	99.925.002	970	970	970	970	970	970	970
93	Radios & Pagers Replacement	99.925.003	1,370	1,370	1,370	1,370	1,370	1,370	1,370
94	Total		64,280	88,280	50,280	48,340	48,340	48,340	48,340
95									
96	**TOTAL EXPENSES & RESERVES**		3,352,523	4,733,951	5,429,301	5,407,227	5,670,322	5,798,814	5,899,149
97	**GAAP BASIS**								
98	Change in net assets		682,626	(784,509)	550,914	(414,977)	(288,482)	(327,974)	(162,449)
99	Net assets beginning		9,576,154	10,258,780	9,743,576	10,294,490	9,879,513	9,591,031	9,263,057
100	Prior period adjustment			269,305					
101	Reinstated net assets - beginning		9,576,154	10,528,085	9,743,576	10,294,490	9,879,513	9,591,031	9,263,057
102	Total net assets		$10,258,780	$9,743,576	$10,294,490	$9,879,513	$ 9,591,031	$ 9,263,057	$ 9,100,608
103									
104	**CASH BASIS**								
105	Expenses and debt service less								
106	depreciation and amortization		$ 2,881,231	$3,959,771	$ 4,711,992	$4,818,239	$ 5,027,234	$ 5,125,726	$ 5,270,939
107	Excess operating revenues		$ 1,153,918	$ (10,329)	$ 1,268,223	$ 174,011	$ 354,606	$ 345,114	$ 465,761
108									
109	**DEBT SERVICE COVERAGE**								
110	Interest Expense		$ 302,925	$ 323,607	$ 710,350	$ 834,388	$ 820,870	$ 807,400	$ 833,290
111	Principal Payment		68,550	137,098	249,533	324,412	324,412	324,412	389,290
112	Total Debt Service		$ 371,475	$ 460,705	$ 959,883	$1,158,800	$ 1,145,282	$ 1,131,812	$ 1,222,580
113									
114	Operating expenses before debt								
115	service and excluding depreciation		$ 2,509,756	$3,499,066	$ 3,752,109	$3,659,439	$ 3,881,952	$ 3,993,914	$ 4,048,359
116	Net revenues available for debt service		$ 1,132,155	$ 197,176	$ 1,126,830	$1,332,811	$ 1,499,888	$ 1,476,926	$ 1,688,341
117	Debt service coverage		$ 3.05	$ 0.43	$ 1.17	$ 1.15	$ 1.31	$ 1.30	$ 1.38

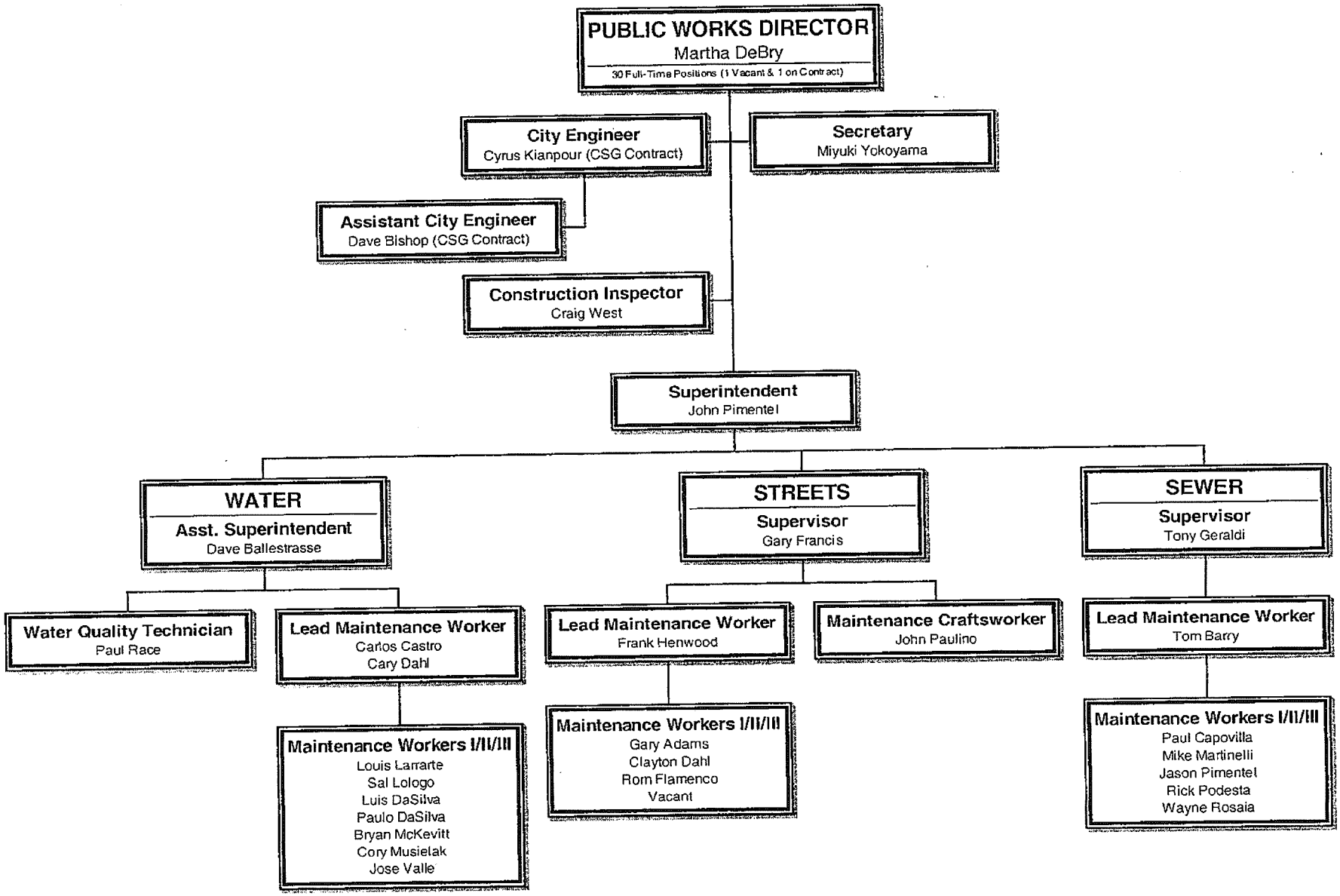
Computed sewer charge to cover operating expenses less debt service	$ 920	$ 930	$ 1,000	$ 1,010
Required sewer charge to cover debt service and 1.2 debt service covenant	361	357	353	381
Reserve/Shortfall	(17)	28	27	59
Sewer charge	$ 1,264	$ 1,315	$ 1,380	$ 1,450
		4%	5%	5%

SUMMARY OF REQUESTS - CAPITAL IMPROVEMENT PLAN
WATER AND SEWER OPERATIONS

								FUNDING SOURCES		
		04/05	05/06	06/07	07/08	08/09	Total	2003 Bonds	Future	Total
WATER										
Water Main Replacement Phase II	W-150	$1,750,000	$ -	$ -	$ -	$ -	$ 1,750,000	$ 1,750,000		$ 1,750,000
Water Main Replacement Phase III	W-151	92,000	1,104,000				1,196,000	1,196,000		1,196,000
Water Main Replacement Phase IV	W-152		85,000	1,020,000			1,105,000		1,105,000	1,105,000
Water Main Replacement Phase V	W-153		133,000	1,342,500			1,475,500		1,475,500	1,475,500
Water System Storage Improvements	W-154	200,000	2,220,000	180,000	450,000	70,000	3,120,000	1,570,000	1,550,000	3,120,000
Seismic Improvements (Water Tanks)	W-155		100,000	30,000	526,500		656,500		656,500	656,500
Pump Station Improvements	W-156	80,000	245,000	90,500	120,000	810,000	1,345,500	200,000	1,145,500	1,345,500
Miscellaneous Projects	W-157	300,000	111,700	215,000	15,000	215,000	856,700		856,700	856,700
Total Water		2,422,000	3,998,700	2,878,000	1,111,500	1,095,000	11,505,200	4,716,000	6,789,200	11,505,200
SEWER										
SS Cleaning and Inspection Phase III	SS-250	559,000					559,000	559,000		559,000
SS Cleaning and Inspection Phase IV	SS-251			500,500			500,500		500,500	500,500
SS Rehabilitation Phase III	SS-252	100,000	1,200,000				1,300,000	1,300,000		1,300,000
SS Rehabilitation Phase IV	SS-253		99,000	1,188,000			1,287,000	1,287,000		1,287,000
SS Rehabilitation Phase V	SS-254			76,000	912,000		988,000		988,000	988,000
El Cerrito Ave. SS Replacement	SS-255	400,000				3,504,000	3,904,000	400,000	3,504,000	3,904,000
Infiltration/Inflow Study Phase I	SS-256	70,000					70,000	70,000		70,000
Infiltration/Inflow Improvements Phase I	SS-257	80,000	480,000	480,000			1,040,000	1,040,000		1,040,000
Infiltration/Inflow Study Phase II	SS-258			70,000			70,000		70,000	70,000
Infiltration/Inflow Improvements Phase II	SS-259			80,000	480,000	480,000	1,040,000		1,040,000	1,040,000
Sanitary Sewer Manhole Rehabilitation	SS-260	2,500	47,500	2,500	47,500		100,000	50,000	50,000	100,000
Total Sewer		1,211,500	1,826,500	2,397,000	1,439,500	3,984,000	10,858,500	4,706,000	6,152,500	10,858,500
STORM DRAIN										
Storm Drain Replacement Phase I	SD-350	195,000					195,000	195,000		195,000
Storm Drain Replacement Phase II	SD-351	17,000	204,000				221,000	221,000		221,000
Storm Drain Replacement Phase III	SD-352		9,600	115,200			124,800		124,800	124,800
Storm Drain Replacement Phase IV	SD-353			12,400	148,800		161,200		161,200	161,200
Storm Drain Replacement Phase V	SD-354				12,000	144,000	156,000		156,000	156,000
Total Storm Drain		212,000	213,600	127,600	160,800	144,000	858,000	416,000	442,000	858,000
Total Sewer Fund		1,423,500	2,040,100	2,524,600	1,600,300	4,128,000	11,716,500	5,122,000	6,594,500	11,716,500
GRAND TOTAL - ENTERPRISE FUNDS		$3,845,500	$6,038,800	$5,402,600	$2,711,800	$5,223,000	$23,221,700	$ 9,838,000	$13,383,700	$ 23,221,700

CIP & OPERATION BUDGET
FISCAL YEAR 2004-2005

PUBLIC WORKS DEPARTMENT



Public Works Department

DEPARTMENT'S MISSION

To consistently provide safe community services including potable water delivery, sewage collection, storm drainage, streets and engineering.

WHAT THE DEPARTMENT DOES

The department maintains an infrastructure network that includes more than 80 miles each of water pipes, sewer mains, and streets, including storm drain facilities. Long term planning for design, repair and maintenance of these systems is the responsibility of Director, who is assisted by a contract City Engineer and staff of 28 divided into 3 divisions: Water, Streets and Sewer.

PRIOR PERIOD'S MAJOR ACCOMPLISHMENTS

- New Supervisory Control and Data Acquisition System (SCADA) brought into service, providing accurate and expanded telemetry monitoring of water and sewer facilities, while reducing cost of monthly operations.
- Adopted new chloramine water disinfection program, which requires unidirectional flushing of water mains.
- Designed projects to clean, video and repair 5 miles of sewer lines.
- Accepted a calibrated water computer model that permits the accurate simulation of field conditions to assist with planning infrastructure improvements and to respond to emergencies.
- A majority of water division employees earned their certifications as Water Operators II from the State Department of Health Services.
- Completed a Corrosion Control Study, and implemented recommendations.
- Expanded a root irradiation program to minimize the effects of root intrusion in sewer pipes and reduce the maintenance burden.
- Assisted with revision of design standards.
- Completed inventory of properties, identifying assets of the Town.
- Supervised weekend work furlough crews that perform manual labor to create fire breaks in open space areas.
- Conducted a series of meetings with neighbors of the Town's Municipal Service Center (formerly known as the Corporation Yard), and adjusted operations to better accommodate neighbors, and enhance the appearance of the facility.
- Completed Vulnerability Assessment.
- Cleaned and inspected the interior of all water tanks.
- Completed emergency repair of slide in open space area near Macadamia Drive.
- Assisted Hillsborough Beautification Foundation with preparation for and construction of improvements at Crossroads Park and other public facilities.
- Streamlined contracts for small public works projects, while ensuring compliance with State law.

- Implemented new capital projects purchasing ordinance.
- Achieved a 64% recycling diversion rate.
- Received more than $350,000 in grant funds for parks and street construction, and executed contracts for an additional $280,000 in park funds.
- Installed sewer flow meters at various locations to more accurately estimate sewer treatment and project allocation costs.

KEY PLANS FOR THE NEXT PERIOD

- Continue to explore areas of revenue enhancements and cost-cutting measures.
- Enhance security at Town facilities.
- Introduce new methods for street preservation and maintenance.
- Complete study regarding long-term planning for the Municipal Service Center.
- Award bids for approximately $5,600,000 in water, sewer, storm drain and street capital improvements.
- Work with staff from the City of Burlingame to develop new contracts for sewage management and transfers of water.
- Fine-tune GIS system, adding aerial photographs and building additional base maps, which may include police, fire, and building information.

SEWER FUND

		Account Number	Actual 2001-2002	Actual 2002-2003	Projected Actual 2003-2004	Proposed Budget 2004-2005	Preliminary Budget 2005-2006	Preliminary Budget 2006-2007
		505-000.00-						
1	**REVENUES:**							
2	Sewer Services Charges	47.531.000	$ 3,262,752	$ 3,589,855	$ 4,635,000	$ 4,866,750	$ 5,110,100	$ 5,365,600
3	Sewer Connection Fees	47.531.000	198,633	8,509	5,000	5,000	5,000	5,000
4	Storm Drainage	40.414.000	28,181	26,361	28,000	28,000	28,000	28,000
5	Weed Abatement	40.415.000	58,679	36,989	52,000	52,000	52,000	52,000
6	Other Service Charges	47.525.000						
7	Miscellaneous Income	48.555.000			1,000	500	500	500
8	Total		3,548,245	3,661,714	4,721,000	4,952,250	5,195,600	5,451,100
9	**NON-OPERATING INCOME:**							
10	Capital Contributions			253,200				
11	Transfer from Cap Project		393,238					
12	Interest Income	46.475.000	93,666	34,528	90,000	40,000	40,000	40,000
13								
14	**TOTAL REVENUES**		4,035,149	3,949,442	4,811,000	4,992,250	5,235,600	5,491,100
15	**OPERATING EXPENSES:**	505-000.00-						
16	**SALARIES & BENEFITS**							
17	Salary	71.701.001			394,768	383,843	383,255	392,836
18	Overtime	71.701.002			65,000	55,000	57,750	60,638
19	Salary-Temporary	71.701.003			10,000	10,000	10,500	11,025
20	Retirement Costs	71.703.000			43,558	68,097	88,391	90,601
21	Medicare/FICA	71.703.002			29,099	29,366	29,318	30,051
22	Health, Life & Dental	71.704.001			69,624	88,110	96,204	98,609
23	Retired Employee Benefit	71.704.005				4,100	4,500	4,613
24	Workers Comp Ins	71.705.000			20,543	17,530	17,500	17,938
25	Leave at Retirement	71.706.001		22,937		-	-	-
26	Vac/Sick Leave Payout	71.706.002			2,200	-	-	-
27	Total		-	22,937	634,792	656,046	687,418	706,311
28	**MATERIALS & SERVICES**	505-201.00-						
29	Office Supplies	75.711.001	5,126	5,241	4,700	5,500	5,500	6,000
30	Systems Parts/Supplies	75.711.002	40,141	29,640	25,000	25,000	25,000	25,000
31	Small Tools & Equip	75.711.003	13,644	10,744	14,000	10,000	10,000	10,000
32	Contractual Services	75.713.000	6,852	52,873	5,000	50,000	50,000	50,000
33	Lease of Copier	75.713.001	1,664	2,129	2,000	3,000	3,000	3,000
34	Auditing Services	75.713.005	3,200	3,800	4,000	4,000	4,000	4,000
35	Disposal - Burlingame	75.713.019	653,476	777,119	950,000	800,000	860,000	924,500
36	Disposal - San Mateo	75.713.020	343,095	444,227	560,000	560,000	602,000	647,150
37	System Maintenance	80.714.001	16,479	22,871	20,000	20,000	20,000	20,000
38	Pump Maintenance	80.714.002	16,549	17,260	15,000	40,000	40,000	40,000
39	Root Irradiation	80.714.010	4,999		15,000	15,000	20,000	25,000
40	Equipment Maintenance	80.715.000	2,746	2,762	2,200	2,200	2,200	2,200
41	Personnel Expenses	80.731.000	7,432	8,794	6,900	9,000	9,000	9,000
42	Training	80.733.000	1,205	4,861	5,000	5,000	5,000	5,000
43	Allocated Costs	80.735.000	109,241	112,508	108,588	76,774	77,629	82,558
44	Utilities	80.735.001			36,000	36,000	36,000	36,000
45	Gas & Oil	80.756.000	5,412	4,059	7,400	7,400	7,400	74,000
46	Vehicle Repair & Maintenance	80.757.000	15,856	14,172	12,000	12,000	12,000	12,000
47	Materials Expense	80.760.000	(819)	183				
48	Printing	80.763.000				1,000	1,000	1,000
49	Postage	80.765.000				1,000	1,000	1,000
50	Corp Yard Expense	80.772.000			5,000	8,000	8,000	8,000
51	County Tax Collection Fee	80.778.000	15,049	8,196	14,300	14,300	15,000	15,000
52	Backflow Reimbursement Program	80.783.001		5,193		20,000	20,000	-
53	Emergency Project Account	80.787.000			150,000	150,000	150,000	150,000
54	Capital Outlay	80.790.000		15,331		20,000	-	-
55	Depreciation Expense	80.799.000	829,382	897,895	900,000	900,000	900,000	900,000
56	Amortization Expense	81.400.000	13,385	13,383	13,400	13,400	13,400	13,400
57	Franchise Fees	99.799.001			92,700	97,335	102,202	107,312
58	Claims Expense	80.808.000		365,385	100,000	150,000	150,000	150,000
59	Total		2,104,114	2,818,626	3,068,188	3,055,909	3,149,331	3,321,120

SEWER FUND

		Account Number	Actual 2001-2002	Actual 2002-2003	Projected Actual 2003-2004	Proposed Budget 2004-2005	Preliminary Budget 2005-2006	Preliminary Budget 2006-2007
		505-000.00-						
60								
61	**STORM DRAINING EXP:**	505-136.00-						
62	County Tax Collection Fee	80.778.000	1,000	1,697	1,000			
63	Dam Inspection Fee	80.778.001				3,700	3,700	3,700
64	New Citywide Fee	80.778.002						
65	Miscellaneous	80.778.003		494				
66	Overhead Allocation	99.912.000						
67	Total		1,000	2,191	1,000	3,700	3,700	3,700
68	**WEED ABATEMENT EXP:**	505-137.00-						
69	Overtime	71.701.008				25,000	25,000	25,000
70	Supplies & Small tools	75.711.003	439	4,213	1,000	1,000	1,000	1,000
71	Service - Assessments	75.713.000	52,758	29,610	44,000	44,000	45,000	46,000
72	Equipment rental	80.716.000		288	200	1,000	1,000	1,000
73	Vehicle Repair & Maintenance	80.757.000	1,735		1,500	1,500	1,500	1,500
74	County Tax Collection Fee	80.778.000	780	1,597	800	1,600	1,600	1,600
75	Sheriff Dept Overhead	80.781.000			5,200	5,200	5,200	5,200
76	CA Conservation Corp	80.788.000			3,300	-	-	-
77	Overhead Allocation	99.904.000	1,192	26,425	25,000	25,000	25,000	25,000
78	Total		56,904	62,133	81,000	104,300	105,300	106,300
79								
80	**TRANSFERS:**							
81	Overhead Allocation	99.900.000	1,126,225	1,283,834	708,233	554,544	591,252	606,033
82	Debt Service	99.923.000		323,607	818,467	834,388	820,852	808,001
83	Total		1,126,225	1,607,441	1,526,700	1,388,932	1,412,104	1,414,034
84								
85	**SUB-TOTAL**		3,288,243	4,513,328	5,311,680	5,208,887	5,357,853	5,551,465
86								
87	**CAPITAL PROJECTS**			132,343				
88								
89	**RESERVES:**							
90	Computer Replacement	99.925.000	1,940	1,940	1,940			
91	Vehicle Replacement	99.925.001	60,000	84,000	46,000	46,000	46,000	46,000
92	Furniture & Fixtures	99.925.002	970	970	970	970	970	970
93	Radios & Pagers Replacement	99.925.003	1,370	1,370	1,370	1,370	1,370	1,370
94	Total		64,280	88,280	50,280	48,340	48,340	48,340
95								
96	**TOTAL EXPENSES & RESERVES**		3,352,523	4,733,951	5,361,960	5,257,227	5,406,193	5,599,805
97	**GAAP BASIS**							
98	Change in net assets		682,626	(784,509)	(550,960)	(264,977)	(170,593)	(108,705)
99	Net assets beginning		9,576,154	10,258,780	9,743,576	9,192,616	8,927,639	8,757,046
100	Prior period adjustment			269,305				
101	Reinstated net assets - beginning		9,576,154	10,528,085	9,743,576	9,192,616	8,927,639	8,757,046
102	Total net assets		$10,258,780	$ 9,743,576	$ 9,192,616	$ 8,927,639	$ 8,757,046	$ 8,648,341
103								
104	**CASH BASIS**							
105	Expenses and debt service less							
106	depreciation and amortization		$ 2,881,231	$ 3,959,771	$ 4,698,093	$ 4,668,239	$ 4,817,241	$ 5,010,904
107	Excess operating revenues		$ 1,153,918	$ (10,329)	$ 112,907	$ 324,011	$ 418,359	$ 480,196
108								
109	**DEBT SERVICE COVERAGE**							
110	Interest Expense		$ 302,925	$ 323,607	$ 818,467	$ 834,388	$ 820,852	$ 808,001
111	Principal Payment		68,550	137,098	249,533	324,412	324,448	324,499
112	Total Debt Service		$ 371,475	$ 460,705	$ 1,068,000	$ 1,158,800	$ 1,145,300	$ 1,132,500
113								
114	Operating expenses before debt							
115	service and excluding depreciation		$ 2,509,756	$ 3,499,066	$ 3,630,093	$ 3,509,439	$ 3,671,941	$ 3,878,404
116	Net revenues available for debt service		$ 1,132,155	$ 197,176	$ 1,180,907	$ 1,482,811	$ 1,563,659	$ 1,612,696
117	Debt service coverage		$ 3.05	$ 0.43	$ 1.11	$ 1.28	$ 1.37	$ 1.42

SUMMARY OF REQUESTS - CAPITAL IMPROVEMENT PLAN
WATER AND SEWER OPERATIONS

								FUNDING SOURCES		
		04/05	05/06	06/07	07/08	08/09	Total	2003 Bonds	Future	Total
WATER										
Water Main Replacement Phase II	W-150	$1,~~750,000~~ 905796	$ -	$ -	$ -	$ -	$ 1,750,000	$1,750,000		$ 1,750,000
Water Main Replacement Phase III	W-151	92,000	1,104,000				1,196,000	1,196,000		1,196,000
Water Main Replacement Phase IV	W-152		85,000	1,020,000			1,105,000		1,105,000	1,105,000
Water Main Replacement Phase V	W-153		133,000	1,342,500			1,475,500		1,475,500	1,475,500
Water System Storage Improvements	W-154	200,000	2,220,000	180,000	450,000	70,000	3,120,000	1,570,000	1,550,000	3,120,000
Seismic Improvements (Water Tanks)	W-155		100,000	30,000	526,500		656,500		656,500	656,500
Pump Station Improvements	W-156	80,000	245,000	90,500	120,000	810,000	1,345,500	200,000	1,145,500	1,345,500
Miscellaneous Projects	W-157	300,000	111,700	215,000	15,000	215,000	856,700		856,700	856,700
Total Water		2,422,000	3,998,700	2,878,000	1,111,500	1,095,000	11,505,200	4,716,000	6,789,200	11,505,200
SEWER										
SS Cleaning and Inspection Phase III	SS-250	559,000					559,000	559,000		559,000
SS Cleaning and Inspection Phase IV	SS-251			500,500			500,500		500,500	500,500
SS Rehabilitation Phase III	SS-252	100,000	1,200,000				1,300,000	1,300,000		1,300,000
SS Rehabilitation Phase IV	SS-253		99,000	1,188,000			1,287,000	1,287,000		1,287,000
SS Rehabilitation Phase V	SS-254			76,000	912,000		988,000		988,000	988,000
El Cerrito Ave. SS Replacement	SS-255	400,000				3,504,000	3,904,000	400,000	3,504,000	3,904,000
Infiltration/Inflow Study Phase I	SS-256	70,000					70,000	70,000		70,000
Infiltration/Inflow Improvements Phase I	SS-257	80,000	480,000	480,000			1,040,000	1,040,000		1,040,000
Infiltration/Inflow Study Phase II	SS-258			70,000			70,000		70,000	70,000
Infiltration/Inflow Improvements Phase II	SS-259			80,000	480,000	480,000	1,040,000		1,040,000	1,040,000
Sanitary Sewer Manhole Rehabilitation	SS-260	2,500	47,500	2,500	47,500		100,000	50,000	50,000	100,000
Total Sewer		1,211,500	1,826,500	2,397,000	1,439,500	3,984,000	10,858,500	4,706,000	6,152,500	10,858,500
STORM DRAIN										
Storm Drain Replacement Phase I	SD-350	195,000					195,000	195,000		195,000
Storm Drain Replacement Phase II	SD-351	17,000	204,000				221,000	221,000		221,000
Storm Drain Replacement Phase III	SD-352		9,600	115,200			124,800		124,800	124,800
Storm Drain Replacement Phase IV	SD-353			12,400	148,800		161,200		161,200	161,200
Storm Drain Replacement Phase V	SD-354				12,000	144,000	156,000		156,000	156,000
Total Storm Drain		212,000	213,600	127,600	160,800	144,000	858,000	416,000	442,000	858,000
Total Sewer Fund		1,423,500	2,040,100	2,524,600	1,600,300	4,128,000	11,716,500	5,122,000	6,594,500	11,716,500
GRAND TOTAL - ENTERPRISE FUNDS		$3,845,500	$6,038,800	$5,402,600	$2,711,800	$5,223,000	$23,221,700	$9,838,000	$13,383,700	$ 23,221,700

CIP & OPERATION BUDGET
FISCAL YEAR 2003-2004

SEWER FUND

		Account Number	2000-2001 Actual	2001-2002 Actual	Revised Budget 2002-2003	Proposed Budget 2003-2004
		505-000.00-				
1	**REVENUES:**					
2	Sewer Services Charges	47.531.000	$ 2,725,623	$ 3,262,752	$ 3,565,000	$ 4,635,000
3	Storm Drainage	40.414.000	28,167	28,181	28,000	28,000
4	Weed Abatement	40.415.000	58,121	58,679	52,000	52,000
5	Sewer Connection Fees	47.525.000		198,633	-	5,000
6	Miscellaneous Income	48.555.000	7,792		1,000	1,000
7	Total		2,819,703	3,548,245	3,646,000	4,721,000
8						
9	**NON-OPERATING INCOME:**					
10	Interest Income	46.475.000	137,749	93,666	90,000	90,000
11						
12	**TOTAL REVENUES**		$ 2,957,452	$ 3,641,911	$ 3,736,000	4,811,000
13	**BOND PROCEEDS**					8,050,000
14	**TOTAL AVAILABLE FUNDS**					$ 12,861,000
15						
16		505-201.00-				
17	**SALARIES & BENEFITS**					
18	Salary	71.701.001			$ 320,893	$ 394,768
19	Overtime	71.701.002			30,000	65,000
20	Salary-Temporary	71.701.003			15,000	10,000
21	PERS	71.703.000			4,377	43,558
22	Social Security/Medicare	71.703.002			23,495	29,099
23	Health Insurance	71.704.001			36,486	55,000
24	Vision and Dental Insurance	71.704.002			7,560	9,864
25	Life Insurance	71.704.003			1,062	1,307
26	Disability Insurance	71.704.004			2,808	3,453
27	Workers Comp Insurance	71.705.000			12,733	20,543
28	Vacation/Sick Leave	71.706.002				2,200
29	Total		-	-	454,414	634,792
30						
31	**OPERATING EXPENSES:**					
32	Office Supplies	75.711.001	5,948	5,126	4,790	4,700
33	Systems Parts/Supplies	75.711.002		40,141	27,560	25,000
34	Small Tools & Equipment	75.711.003	26,839	13,644	14,550	14,000
35	Contractual Services	75.713.000	14,479	6,852	5,000	5,000
36	Lease of Equipment - Copier	75.713.001		1,664	3,630	2,000
37	Auditing Services	75.713.005		3,200	3,400	4,000
38	Disposal - Burlingame	75.713.019	543,268	653,476	730,000	950,000
39	Disposal - San Mateo	75.713.020	279,859	343,095	430,000	560,000
40	System Maintenance	80.714.001	5,594	16,479	22,050	20,000
41	Pump Maintenance	80.714.002	26,185	16,549	13,780	15,000
42	Root Irradiation	80.714.010		4,999	5,250	15,000
43	MH Rehab & Channel Repair	80.714.020			21,000	
44	Equipment Maintenance	80.715.000	2,195	2,746	2,210	2,200
45	Personnel Expenses	80.731.000	6,841	7,432	6,900	6,900
46	Training	80.733.000	2,909	1,205	5,510	5,000
47	Allocated costs	80.735.000	39,790	109,241	135,120	108,588
48	Utilities (direct charge)	80.735.001				36,000
49	Gas & Oil	80.756.000	4,725	5,412	7,400	7,400
50	Vehicle Repair & Maintenance	80.757.000	18,794	15,856	15,000	12,000
51	Materials Expense	80.760.000	36,924	(819)	-	
52	Corporation Yard Expense	80.772.000				5,000
53	County Tax Collection Fee	80.778.000	13,700	15,049	14,300	14,300
54	Claims against SIR	80.808.000				100,000
55	Emergency Project Account	80.787.000	6,932		-	150,000
56	Capital Outlay	80.790.000	13,001		16,540	
57	Facility Charges	99.921.000	14,003		-	
58	Total		1,061,986	1,261,347	1,483,990	2,062,088

SEWER FUND

		Account Number	2000-2001 Actual	2001-2002 Actual	Revised Budget 2002-2003	Proposed Budget 2003-2004
59	**STORM DRAINING EXPENSES:**	505-136.00-				
60	County Tax Collection Fee	80.778.000	750	1,000	1,000	1,000
61	Dam Inspection Fee	80.778.001			-	
62	New Citywide Fee	80.778.002			23,700	
63	Miscellaneous	80.778.003			100	
64	Overhead Allocation	99.912.000	45,000		-	
65	Total		45,750	1,000	24,800	1,000
66						
67	**WEED ABATEMENT EXPENSES:**	505-137.00-				
68	Supplies & Small tools	75.711.003	739	439	1,100	1,000
69	Contract Service - Assessment	75.713.000	59,174	52,758	3,200	3,000
70	Weed Disking	75.713.021			12,680	13,000
71	Weed Disking - Vacant	75.713.021			18,900	19,000
72	Weed Spraying	75.713.022			8,820	9,000
73	Equipment rental	80.716.000			220	200
74	Vehicle Repair & Maintenance ?	80.757.000	866	1,735	1,650	1,500 ?
75	County Tax Collection Fee	80.778.000	750	780	800	800
76	Sheriff Department Overhead	80.781.000			5,290	5,200
77	CA Conservation Corp	80.788.000			3,310	3,300
78	Overhead Allocation	99.904.000	47,906	1,192	1,673	25,000
79	Total		109,435	56,904	57,643	81,000
80						
81	**ALLOCATION:**					
82	Overhead Allocation	99.900.000	834,551	1,126,225	748,839	708,233
83	Debt Service	99.923.000	39,486		384,000	1,068,000
84	Total		874,037	1,126,225	1,132,839	1,776,233
85						
86	**TOTAL EXPENSES**		2,091,208	2,445,476	3,177,181	4,555,113
87						
88	**CAPITAL PROGRAM**		134,000		138,000	8,050,000
89						
90	**RESERVES:**					
91	Computer Replacement	99.925.000	1,940	1,940	1,940	1,940
92	Vehicle Replacement	99.925.001	30,100	60,000	84,000	46,000
93	Furniture & Fixtures	99.925.002	970	970	970	970
94	Radios & Pagers Replacement	99.925.003	1,370	1,370	1,370	1,370
95	Total		34,380	64,280	88,280	50,280
96						
97	**TOTAL EXPENSES & RESERVES**		$ 2,259,588	$ 2,509,756	$ 3,379,966	$ 12,655,393
98						
99	**EXCESS**		$ 697,864	$ 1,132,155	$ 356,034	$ 205,607

Town of Hillsborough - Water and Sewer Operations
Pro-Forma 4-Year Operating Projections ($000)
Year Ending June 30

$15 MILLION BOND ISSUE

	2003			2004			2005			2006		
	Water	Sewer	Total	Water	Sewer	Total	Water	Sewer	Total	Water	Sewer	Total
Revenues												
Charges for water	$ 5,725		$ 5,725	6,644		$ 6,644	$ 7,034		$ 7,034	$ 7,440		$ 7,440
Charges for wastewater		$ 3,565	3,565		$ 4,635	4,635		$ 5,097	5,097		$ 5,606	5,606
Interest income	130	90	220	130	90	220	130	90	220	130	90	220
Other	49	81	130	27	86	113	49	81	130	49	81	130
Total Operating Revenues	5,904	3,736	9,640	6,801	4,811	11,612	7,213	5,268	12,481	7,619	5,777	13,396
Rate increases	15%	10%		15%	30%		5%	10%		5%	10%	
Operating Expenses (1)												
Salaries and Benefits				1,004	635	1,639	1,074	679	1,753	1,149	727	1,876
Cost of services	1,880	1,160	3,040	2,500	1,510	4,010	2,675	1,616	4,291	2,862	1,729	4,591
Other operating expense (except Depr)	2,169	1,610	3,779	1,959	1,342	3,301	2,096	1,435	3,531	2,243	1,535	3,778
Other operating transfers out	137	88	225	31	50	81	33	54	87	35	58	93
Total Operations & Maint Expense	4,186	2,858	7,044	5,494	3,537	9,031	5,878	3,784	9,662	6,289	4,049	10,338
Net Revenues Available for Debt Service	1,718	878	2,596	1,307	1,274	2,581	1,335	1,484	2,819	1,330	1,728	3,058
Current Debt Service	176	384	560	252	548	800	280	610	890	278	606	884
Current Debt Allocation Factors	31%	69%	100%	31%	69%	100%	31%	69%	100%	31%	69%	100%
Projected debt service for additional $15mm, 30-year bonds (2)				392	520	912	392	520	912	392	520	912
Proposed Debt Allocation Factors				43%	57%	100%	43%	57%	100%	43%	57%	100%
Capital Projects	1,300	400	1,700			-			-			-
Balance (Deficit)	242	94	336	663	206	869	663	354	1,017	660	602	1,262
Debt service coverage (3)	$ 2.38	$ 1.24	$ 1.60	$ 2.03	$ 1.19	$ 1.51	$ 1.99	$ 1.31	$ 1.56	$ 1.99	$ 1.53	$ 1.70

(1) Operating expenses are as per approved budget in FY 02/03 and initial projections for fiscal year 03/04 subject to change upon completion of the budget process; thereafter 7% inflation
(2) Projected debt service issued as a 30-year traditional fixed rate @ 4.66%
(3) Debt service coverage per bond covenant is $1.20

Town of Hillsborough
Schedule of Projects from Proposed 2003 Bond Issue

	2003	2004	2005	Total	%
WATER					
DISTRIBUTION SYSTEM					
Water Replacement - Phase I	$ 780,000			$ 780,000	
W105, W133, W134, W135	1,321,000			1,321,000	
Water Replacement - Phase II					
W106, W117, W118, W120, W121, W131		750,000		750,000	
Water Replacement - Phase III					
W113, W114, W116, W119, W122			430,000	430,000	
Water Replacement - Phase IV					
W123, W124					
Sub-total	2,101,000	750,000	430,000	3,281,000	
STORAGE SYSTEM					
Water Tank Recoating	100,000	550,000	450,000	1,100,000	
W111, W143		100,000		100,000	
New Water Tanks					
W102, W104	100,000	250,000	150,000	500,000	
Seismic Retrofit Existing Tanks					
W103, W107	100,000			100,000	
Access and Site Imp for Water Tanks					
W110, W139	100,000	200,000	100,000	400,000	
Water Tank Circulation Imp					
W138					
Sub-total	400,000	1,100,000	700,000	2,200,000	
MISCELLANEOUS IMPROVEMENTS					
Pump Station Imp - Oak, Cherry Creek	500,000	50,000		550,000	
W142		50,000	50,000	100,000	
Tri-City					
W101					
New PRVs	40,000			40,000	
Sub-total	540,000	100,000	50,000	690,000	
GRAND TOTAL - WATER	3,041,000	1,950,000	1,180,000	6,171,000	43%
SEWER					
COLLECTION SYSTEM					
Crystal Springs Phase I	1,200,000			1,200,000	
SS214	150,000	2,850,000		3,000,000	
Crystal Springs Phase II					
SS214, SS213	500,000	500,000	500,000	1,500,000	
Sewer Line Rehabilitation					
SS207, SS206, SS208, SS221, SS222	50,000	50,000		100,000	
Pump Stations/Generators/Flow Meters	200,000	1,300,000	500,000	2,000,000	
Sewer Line Replacement					
SS216, SS223, SS226	250,000			250,000	
Corporation Yard Garage					
PF504					
GRAND TOTAL - SEWER	2,350,000	4,700,000	1,000,000	8,050,000	57%
GRAND TOTAL	$ 5,391,000	$ 6,650,000	$ 2,180,000	$ 14,221,000	100%
	38%	47%	15%	100%	

POTENTIAL PROJECTS NOT INCLUDED IN BOND FINANCING

Treatment Plant WQCP Improvements
San Mateo & Burlingame
Miscellaneous Improvements

401 13500-11954.004

EXHIBIT F

Town of Hillsborough
Supplemental Environmental Project Proposal

The San Francisco Bay region of the California Regional Water Quality Control Board (Regional Board) proposed the imposition of an Administrative Civil Liability (ACL) penalty on the Town of Hillsborough (Town) for alleged violations of the California Water Code (CWC) Section 13350 and Section 13323. The fine was proposed to be $750,000, of which the Complaint stated that $375,000 (50%) can be applied toward an approved Supplemental Environmental Project (SEP).

Title:	**Lateral Education and Replacement Program**
Purpose:	To reduce groundwater infiltration at its primary source and reduce the potential for sanitary sewer overflows (SSOs) by educating the community about lateral sewer issues and assisting owners of single family residences to replace leaking sewer laterals.
Description:	Hillsborough consists of approximately 3,900 single-family residences. All laterals are privately owned and maintained from the residence to the main in the street or easement. The Town is proposing to offer grants up to 50% of the cost to replace the lateral up to $3,500 per connection as an incentive. Additionally, Public Works will propose waiving permit fees for lateral replacements to provide an additional incentive to residents. Another component of this program is community outreach and education that informs the public about inflow and infiltration problems and how private property owners can do their part to resolve the issue. Approximately, $10,000 annually will be spent for outreach materials development, printing, and postage. The majority of the SEP funds will be put toward this program. The Town is proposing to operate the reimbursement program until funds are exhausted.
Information:	Recent experience in Hillsborough demonstrates that many SSOs reported in the past 5 years have been caused by groundwater infiltration into sanitary sewer mains. The Town believes poor lateral maintenance and repair at private residences is a large contributor to infiltration. Old lateral pipes, particularly vitrified clay pipes (VCP), often have cracks, open joints, or misalignment that allows groundwater to infiltrate into the system. (Smoke testing in 2005 demonstrated that inflow from illegal connections is a very rare circumstance.) During wet weather events, the volume of wastewater conveyed in the Hillsborough sanitary sewer system dramatically increases. The Hillsborough capital improvement program has been focused solely on the rehabilitation of publicly owned sewer mains, and

EXHIBIT F

	has not previously addressed lateral maintenance since these are privately owned. Similarly, tree roots often form the basis for blockages in both the laterals and mains. A series of capital projects to clean, video, and line sewer mains have repeatedly shown that root growth development in mains are a chronic problem. Even mains that have been recently lined require regular maintenance because of root intrusion that originates in sewer laterals. It is hoped that by rehabilitating laterals, root intrusion in mains can be largely eliminated. On August 11, 2008, the City Council of the Town of Hillsborough approved a pilot project to study the efficacy of lateral rehabilitation to reduce inflow and infiltration into the Crystal Springs/El Cerrito sewer trunk, which should qualify as a SEP. The pilot project includes distribution of outreach materials, and a survey of 86 residents. Residents in the pilot project are offered a free video inspection of the laterals, and based on the results of the inspections, the Town will offer an incentive to rehabilitate resident laterals. The Town does not have additional funding currently set aside to rehabilitate laterals outside of the pilot project area. At its October 13, 2008 meeting the City Council introduced an ordinance that provides the City Engineer with the discretion to order the replacement of a sewer lateral whenever a video inspection at the time sale, during routine maintenance inspection or following an SSO, indicates that a lateral is not functioning properly. The cost of replacement is borne by the property owner. The Town of Hillsborough has a history of successfully administering such programs. For example, the Town administered a backflow device reimbursement program between 2003 and 2007, wherein more than 509 reimbursements were paid to private property owners who had devices installed. Extensive outreach was performed, and approximately 2,500 properties were inspected by public works staff to determine if backflow devices were required or if the properties were exempt.
Project Monitoring:	The Town will provide grants to resident who have the entire length of their lateral rehabilitated through replacement or pipe bursting with a seamless HDPE pipe, or lining with an epoxy resin. The Town will verify the lateral rehabilitation as part of the inspection process for the Town-issued plumbing permit. A report of funds expended on outreach and on the pilot project will be provided annually to the Regional Board. This report will also include a tracking of the grants paid to residents, which will be submitted to the

EXHIBIT F

	City Council on a monthly basis.
Education:	The Town has developed some outreach materials over the years including a website, brochures, mailers and news articles. These materials will be updated and expanded to encourage use of the lateral grant program. Currently, the Town has retained the firm of Data Instincts to assist with the pilot lateral rehabilitation program. In-house staff and interns will also assist with creating outreach materials.
Budget:	The Town will apply all SEP funds to the program. If the current SEP amount of $375,000 is maintained, it is anticipated $235,000 will provide a $3,500 incentive for approximately 67 property owners to rehabilitate their lateral pipes. Approximately $40,000 will be used for outreach and education related to laterals. The final $100,000 will be applied to fund the pilot program. Should the penalty amount be modified to be $160,000 as requested by the Town, then the $80,000 SEP amount would be spent with $40,000 used for lateral outreach and education, and the additional $40,000 for expanding the scope of the pilot program to include additional residences.