

OTAY WATER DISTRICT
ENGINEERING, OPERATIONS & WATER RESOURCES COMMITTEE MEETING
and
SPECIAL MEETING OF THE BOARD OF DIRECTORS

2554 SWEETWATER SPRINGS BOULEVARD
SPRING VALLEY, CALIFORNIA
Board Room

Tuesday
January 23, 2007
4:00 P.M.

This is a District Committee meeting. This meeting is being posted as a special meeting in order to comply with the Brown Act (Government Code Section §54954.2) in the event that a quorum of the Board is present. Items will be deliberated, however, no formal board actions will be taken at this meeting. The committee makes recommendations to the full board for its consideration and formal action.

AGENDA

1. ROLL CALL
2. PUBLIC PARTICIPATION – OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO SPEAK TO THE BOARD ON ANY SUBJECT MATTER WITHIN THE BOARD'S JURISDICTION BUT NOT AN ITEM ON TODAY'S AGENDA

INFORMATION / ACTION ITEMS

3. ADOPT RESOLUTION NO. 4093 OF THE BOARD OF DIRECTORS OF OTAY WATER DISTRICT FIXING TERMS AND CONDITIONS FOR THE ANNEXATION TO OTAY WATER DISTRICT IMPROVEMENT DISTRICT OF THOSE LANDS DESCRIBED AS "BRAZAN MOHEDIN SEWER ANNEXATION" (APN 498-340-37-00) AND ANNEXING SAID PROPERTY TO OTAY WATER DISTRICT IMPROVEMENT DISTRICT NO. 18 (CHARLES) [5 minutes]
4. APPROVE A REIMBURSEMENT TO BROOKFIELD SHEA OTAY, LLC FOR COMPLETED PROJECTS (CIP NOS. P2121, P2133, P2164, P2031, R2040 AND R2041) IN THE AMOUNT OF \$1,521,777.60 (CHARLES) [5 minutes]
5. REJECT ATOMIC INVESTMENTS CLAIM (RIPPERGER) [5 minutes]
6. ADOPT RESOLUTION NO. 4094 ADOPTING POLICY NO. 49 - SERVICE TO AFFORDABLE AND LOW INCOME HOUSEHOLDS (POSADA) [10 minutes]
7. ADJOURNMENT

BOARD MEMBERS ATTENDING:

Jose Lopez, Chair

Gary Croucher

All items appearing on this agenda, whether or not expressly listed for action, may be deliberated and may be subject to action by the Board.

If you have any disability that would require accommodation in order to enable you to participate in this meeting, please call the District Secretary at 670-2280 at least 24 hours prior to the meeting.

Certification of Posting

I certify that on January 19, 2007, I posted a copy of the foregoing agenda near the regular meeting place of the Board of Directors of Otay Water District, said time being at least 24 hours in advance of the meeting of the Board of Directors (Government Code Section §54954.2).

Executed at Spring Valley, California on January 19, 2007.



Susan Cruz, District Secretary



AGENDA ITEM 3

STAFF REPORT

TYPE MEETING:	Regular Board	MEETING DATE:	February 7, 2007
SUBMITTED BY:	David Charles, Public Services Manager <i>DC</i>	W.O./G.F. NO:	0210- DIV. 5 20.284 NO.
APPROVED BY: (Chief)	Rod Posada, Chief of Engineering <i>R.P.</i>		
APPROVED BY: (Asst. GM):	Manny Magana, Asst. GM Engineering & Operations <i>M.M.</i>		
SUBJECT:	Brazan Mohedin Sewer Annexation to ID 18		

GENERAL MANAGER'S RECOMMENDATION:

Approve Resolution No. 4093, for the annexation of the property of Brazan and Kathryn Mohedin to Improvement District No. 18 to provide sewer services.

COMMITTEE ACTION:

Please see Attachment "A."

PURPOSE:

The purpose of the proposed annexation is to provide sewer service to a parcel owned by Mr. and Mrs. Brazan Mohedin (APN 498-340-37-00).

ANALYSIS:

A written request and Petition signed by Mr. and Mrs. Mohedin has been received for annexation of APN 498-340-37-00 into Improvement District No. 18 for sewer service. The total acreage to be annexed is 0.54 acres. The property is within the sphere of Otay Water District and will be part of Improvement District No. 18 after the Board of Directors approves this request. The property is located at 1837 Shadow Knolls Place, in the city of El Cajon and County of San Diego.

FISCAL IMPACT:

The property owners will be charged \$10 per year for availability fees. A sewer annexation fee of \$4,778 will be collected at the time sewer service will be provided.

STRATEGIC GOAL:

Provide water service to meet increasing customer needs.

LEGAL IMPACT: _____

No legal impact.

Umark Walton
General Manager *UW*

Attachment A Committee Action
Attachment B Resolution No. 4093



ATTACHMENT A

SUBJECT/PROJECT:	Brazan Mohedin Sewer Annexation to ID 18 (APN 498-340-37-00)
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COMMITTEE ACTION:

The Engineering and Operations Committee reviewed this item at a meeting held on January 23, 2007. The Committee supported Staff's recommendation.

NOTE:

The "Committee Action" is written in anticipation of the Committee moving the item forward for Board approval. This report will be sent to the Board as a Committee approved item, or modified to reflect any discussion or changes as directed from the Committee prior to presentation to the full Board.

Attachment B

RESOLUTION NO. 4093

A RESOLUTION OF THE BOARD OF DIRECTORS OF OTAY WATER DISTRICT FIXING TERMS AND CONDITIONS FOR THE ANNEXATION TO OTAY WATER DISTRICT IMPROVEMENT DISTRICT OF THOSE LANDS DESCRIBED AS "BRAZAN MOHEDIN SEWER ANNEXATION" (APN 498-340-37-00) AND ANNEXING SAID PROPERTY TO OTAY WATER DISTRICT IMPROVEMENT DISTRICT NO. 18 (WO 0210-20.284/DIVISION 5)

WHEREAS, the District has received a request from a property owner that has an interest in the land described in Exhibit "A," attached hereto, for annexation of said land to Otay Water District Improvement District No. 18 pursuant to California Water Code Section 72670 et seq.; and

WHEREAS, pursuant to Section 72680.1 of said Water Code, the Board of Directors may proceed and act thereon without notice and hearing.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. A description of the area proposed to be annexed is set forth on a map filed with the Secretary of the District, which map shall govern for all details as to the area proposed to be annexed.
2. The purpose of the proposed annexation is to provide sewer service to the territory to be annexed.
3. The Board of Directors hereby finds and determines that the area proposed to be annexed to Otay Water District Improvement District No. 18 will be benefited thereby and that Otay Water District Improvement District No. 18 will also be benefited and not injured by such annexation because the

property to be annexed will benefit from the facilities in Improvement District No. 18 and the property already within the Improvement District will now have a larger base to finance the sewer improvements.

4. The Board of Directors hereby declares that the annexation of said property is subject to owner first meeting the following terms and conditions:

(a) That the owner for said annexation shall pay to Otay Water District the following:

- (1) Standard processing fee in the amount of \$656.00;
- (2) State Board of Equalization filing fees in the amount of \$300.00; and
- (3) All other applicable local or state agency fees.

(b) The property to be annexed shall be subject to taxation after annexation thereof for the purposes of the improvement district, including the payment of principal and interest on bonds and other obligations of the improvement district, authorized and outstanding at the time of annexation, the same as if the annexed property had always been a part of the improvement district.

5. The Board of Directors of the Otay Water District does hereby declare the property described in Exhibit "A" to be

annexed to Improvement District No. 18 of the Otay Water District.

6. The Board of Directors further finds and determines that there are no exchanges of property tax revenues to be made pursuant to California Revenue and Taxation Code Section 95 et seq., as a result of such annexation.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a special meeting held this 7th day of February, 2007.

AYES:
NOES:
ABSTAIN:
ABSENT:

President

ATTEST:

District Secretary

EXHIBIT "A"

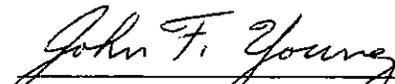
**LEGAL DESCRIPTION
APN-498-340-37
ANNEXATION PARCEL
OTAY WATER DISTRICT 1.D. 20**

ALL THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 16 SOUTH, RANGE 1 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY APPROVED SEPTEMBER 21, 1875, DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SAID SECTION 24, THENCE SOUTH 89°58'31" EAST ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 24 A DISTANCE OF 163.00 FEET TO THE SOUTHWEST CORNER OF THE MAP OF SHADOW KNOLLS AS SHOWN ON MAP NO. 6033 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, STATE OF CALIFORNIA ON JANUARY 24, 1968 AS FILE NO. 13540; THENCE CONTINUING SOUTH 89°58'31" EAST ALONG SAID EAST-WEST CENTERLINE OF SECTION 24 AND SOUTHERLY LINE OF SAID MAP NO. 6033 A DISTANCE OF 457.00 FEET TO THE SOUTHWEST CORNER OF LOT 20 OF SAID MAP NO. 6033, SAID POINT BEING THE **TRUE POINT OF BEGINNING**; THENCE NORTH 12°30'00" EAST ALONG THE WESTERLY LINE OF SAID LOT 20 A DISTANCE OF 252.99 FEET TO THE NORTHWEST CORNER OF SAID LOT 20, SAID POINT BEING ON THE ARC OF A 175.00 FEET RADIUS CURVE CONCAVE NORTHERLY HAVING A RADIAL BEARING TO WHICH BEARS NORTH 30°16'58" EAST, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT OF WAY OF SHADOW KNOLLS PLACE AS SHOWN ON SAID MAP NO. 6033; THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID LOT 20 AND ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 12°30'00" A DISTANCE OF 91.89 FEET TO THE NORTHEAST CORNER OF SAID LOT 20; THENCE SOUTH 7°00'00" WEST ALONG THE EASTERLY LINE OF SAID LOT 20 A DISTANCE OF 224.84 FEET TO THE SOUTHEAST CORNER OF SAID LOT 20 AND THE EAST-WEST CENTERLINE OF SAID SECTION 24; THENCE NORTH 89°58'31" WEST ALONG THE SOUTHERLY LINE OF SAID LOT 20 AND EAST-WEST CENTERLINE OF SAID SECTION 24 A DISTANCE OF 115.00 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING: 23,946 SQ. FT. 0.550 ACRES

REFERENCE IS MADE TO EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.


JOHN F. YOUNG, P.L.S., 4665

12/19/06
DATE



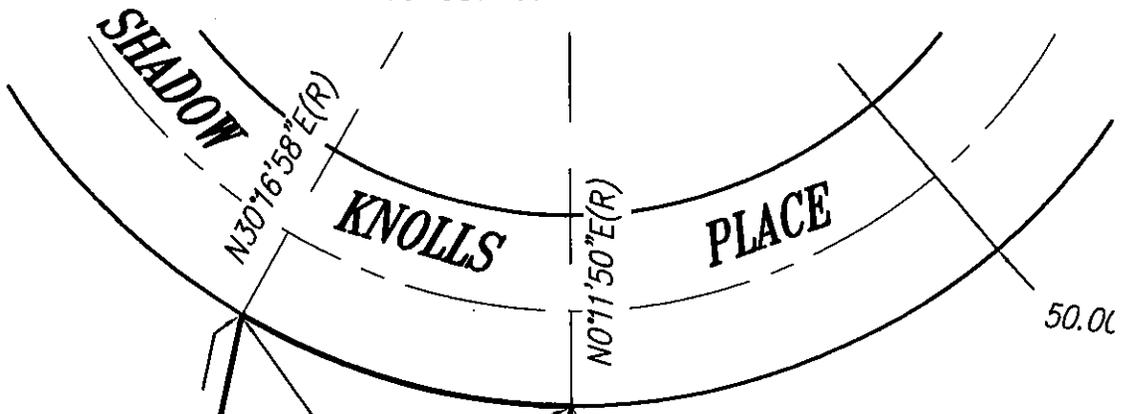
EXHIBIT 'B'
APN: 498-340-37



SCALE: 1"=40'



ANNEXATION AREA



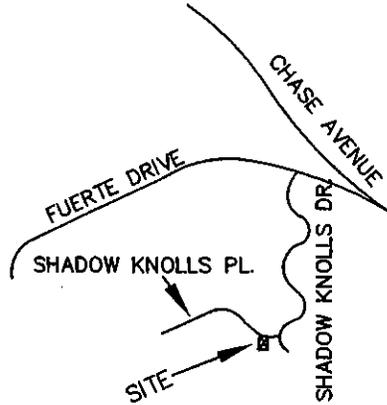
LOT 19

MAP NO. 6033

SHADOW KNOLLS

**LOT 21,
24, 25**

LOT 20



VICINITY MAP

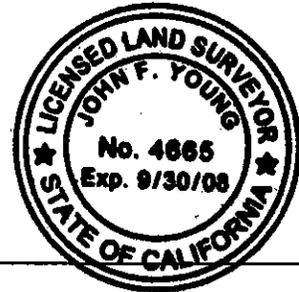
NO SCALE
 THOMAS BROS. 1271-J2

S89°58'31"E 163.00' 457.00' T.P.O.B. S89°58'31"E 115.00'
 CENTER OF SECTION 24, T.16S., R.1W., S.B.B.&M.

John F. Young
 JOHN F. YOUNG

LS 4665

12/18/06
 DATE



OTAY WATER DISTRICT

LOT 20 OF THE MAP OF SHADOW KNOLLS PER MAP NO. 6033 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON JANUARY 24, 1968 AS FILE NO. 13540.

		RECORDERS F/P _____	COORDINATES
		RECORDING DATE _____	MAP NO. 6033
		OTAY W.D. DEED NO. _____	SCALE: 1"=40'
		IMP. DIST. NO. <u>18</u>	DATE: 12-16-2006
			DRAWN BY: JFY
			W.O. NO: 0210-20.284
REV.	DATE	DESCRIPTION	

\\Engineering\E\Land Projects 2006\SCRATCH\dwg\TB EXHIBIT.dwg 12/19/2006 10:39:23 AM PST

AGENDA ITEM 4



STAFF REPORT

TYPE MEETING:	Regular Board	MEETING DATE:	February 7, 2007		
SUBMITTED BY:	David Charles, <i>DC</i> Public Services Manager	W.O./G.F. NO:	9416,9537, 9540,9415, D0017-000006, D0017-000005	DIV. NO.	4
APPROVED BY: (Chief)	Rod Posada, <i>RP</i> Chief, Engineering				
APPROVED BY: (Asst. GM):	Manny Magaña, <i>M Magaña</i> Assistant General Manager, Engineering and Operations				
SUBJECT:	Reimbursement Request with Brookfield Shea Otay, LLC, for completed Capital Improvement Projects (CIP Nos. P2121, P2133, P2164, R2031, R2040, R2041) in the amount of \$1,521,777.60				

GENERAL MANAGER'S RECOMMENDATIONS:

That the District's Board of Directors approve the request to reimburse Brookfield Shea Otay, LLC, for completed CIP projects (CIP Nos. P2121, P2133, P2164, R2031, R2040, R2041) in the amount of \$1,521,777.60.

COMMITTEE ACTION:

Please see Attachment A.

PURPOSE:

To obtain Board authorization for the General Manager to reimburse the Brookfield Shea Otay, LLC, for work completed and associated with CIP Nos. P2121, P2133, P2164, R2031, R2040, and R2041. At the May 1, 2004 Board Meeting, the Board authorized the General Manager to enter into a Reimbursement Agreement with Brookfield Shea Otay, LLC, for the various pipeline capital improvements associated with Otay Ranch Village II Development (CIP Nos. P2121, P2133, P2164, R2031, R2041, and R2040).

ANALYSIS:

On May 3, 2004, the Otay Water District (District) entered into a Reimbursement Agreement with Brookfield Shea Otay, LLC (the "Reimbursement Agreement") for regional water facilities within the Otay Ranch Village II Development. CIP Nos. P2121, P2133, P2164, R2031, R2040, and R2041 were included within the Sub-Area Master Plan (SAMP) dated January 2002, and subsequently included in the Reimbursement Agreement.

Brookfield Shea Otay, LLC submitted its reimbursement request on November 1, 2006, along with the necessary invoices from the lowest responsive bidder for a total amount of \$1,721,915.48. After staff review, that amount was reduced to \$1,521,777.60. These projects were listed in the District's five-year CIP plans, as well as on the approved SAMP dated January 2002.

Staff used the following methodology to evaluate the reimbursement request submitted by Brookfield Shea Otay, LLC:

- (a) prepared a quantity take-off (see Attachment 1);
- (b) compared quantities and prices against the reimbursement requests (see Attachment 2).

After completion of the analysis, Staff prepared a spreadsheet to support its recommendation for reimbursement (see Attachment 3).

After reviewing the budget for the CIP projects included in the Brookfield Shea Otay, LLC request dated November 1, 2006, Staff compared with the budget for FY 07-08 and found that these projects had sufficient funds to be reimbursed.

FISCAL IMPACT:



The approved budget for FY 07 (CIP Nos. P2121, P2133, P2164, R2031, R2040, R2041) is \$2,873,650.00. After staff evaluation of the invoices and quantity take off, the actual reimbursement to Brookfield Shea Otay, LLC will be \$1,521,777.60.

STRATEGIC GOAL:

This project supports the District's Strategic Goal of satisfying current and future potable and recycled water needs. The pipelines will transmit potable and recycled water to Central Area System market areas.

LEGAL IMPACT: _____

None.

Mark Walton *WJL*

General Manager

P:\WORKING\CIP W196\WO 8687\Staff Report\Brookfield Shea Otay, LLC, Reimburse Request, Feb 07 (DC).doc

Attachments:

- Attachment A Committee Action
- Attachment 1 Quantity Take-Offs for Hunte Parkway Reimbursement Agreement
- Attachment 2 Price Verification for Hunte Parkway Reimbursement Potable; Phase 1-3
- Attachment 3 Reimbursement Summary Sheet - Brookfield Shea Otay LLC

DC/RP:jf



ATTACHMENT A

SUBJECT/PROJECT:	P2121 (PL-16 Inch, 711 Zone, Hunte Parkway - Olympic/Eastlake), P2133 (PL - 16 Inch, 711 Zone, Eastlake Parkway - Olympic/Birch), P2164 (PL-20 Inch, 711 Zone, Eastlake Parkway), R2031 (REC PL-12 Inch, 944 Zone, Eastlake Parkway-Olympic/Birch), R2040 (REC PL-12 Inch, 680 Zone, Hunte Parkway-Olympic/Eastlake), and R2041 (REC PL-8 Inch, 944 Zone, Eastlake Parkway-Birch/Rock Mountain)
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COMMITTEE ACTION:

The Engineering and Operations Committee reviewed this item at a meeting held on January 23, 2007. The Committee supported Staff's recommendation.

NOTE:

The "Committee Action" is written in anticipation of the Committee moving the item forward for Board approval. This report will be sent to the Board as a Committee approved item, or modified to reflect any discussion or changes as directed from the Committee prior to presentation to the full Board.

ATTACHMENT 1

QUANTITY TAKE-OFFS FOR
HUNTE PARKWAY REIMBURSEMENT AGREEMENT
POTABLE; PHASE 1 - 3

CIP P2121 (W121) (WO# 9416, 9537, D0017-000006)

Contractors: TC Construction, Inc. / KTA Construction, Inc.

Item Description	BSO LLC Actual Quantity	Otay Quantity	BSO LLC Requests	Staff Recommendation
10" WATER MAIN	107	107	\$30.00	107
16" WATER MAIN	1096	1096	\$36.50	1096
16" TEE	1	1	\$6,300.00	1
16" BUTTERFLY VALVE	0	0	\$0.00	0
16"x 10" REDUCER	1	1	\$900.00	1
24"x 16" REDUCER	1	1	\$1,650.00	1
END CAP W/4" BLOW-OFF	1	1	\$700.00	1
4" AIR VAC.RELEASE VALVE	1	1	\$4,800.00	1
THRUST BLOCK	3	3	\$500.00	3
10" RESILIENT SEAT G.V.	1	1	\$1,500.00	1
CONNECT TO EXISTING STUB	1	1	\$4,600.00	1
FIRE HYDRANT/B.O.	1	1	\$3,950.00	1
8" WATER MAIN	105	105	\$23.00	105
16" WATER MAIN	3436	3436	\$37.00	3436
16" BUTTERFLY VALVE	4	4	\$3,500.00	4
END CAP W/4" BLOW-OFF	4	2	\$1,000.00	2
4" AIR VAC.RELEASE VALVE	4	4	\$5,700.00	4
THRUST BLOCK	12	11	\$100.00	11
8" RESILIENT SEAT G.V.	1	1	\$625.00	1
CONNECT TO EXISTING STUB	1	1	\$1,000.00	1
16"x 10"REDUCER	1	1	\$2,800.00	1
FIRE HYDRANT/B.O.	3	3	\$3,400.00	3
10" WATER MAIN	384	107	\$43.00	107
16" WATER MAIN	4065	4065	\$48.00	4065
16" BUTTERFLY VALVE	6	6	\$6,000.00	6
2" BLOW-OFF	2	2	\$300.00	2
4" BLOW-OFF	2	2	\$4,700.00	2
4" AIR VAC.RELEASE VALVE	3	3	\$7,000.00	3
10" RESILIENT SEAT G.V.	7	1	\$1,312.50	1
CONNECT TO EXISTING	5	1	\$650.00	1
THRUST BLOCK	6	4	\$300.00	4
FIRE HYDRANT W/BO	3	3	\$5,000.00	3

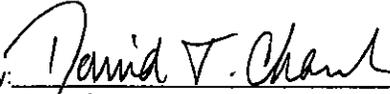
Approved By: David T. Charles Date: 1/2/2007
David Charles
Public Services Manager

QUANTITY TAKE-OFFS FOR
EASTLAKE PARKWAY REIMBURSEMENT AGREEMENT
POTABLE; PHASE 1 - 3

CIP P2133 (W133) (WO# 9540, 9415)

Contractors: TC Construction, Inc. / Burtech Pipeline, Inc.

Item Description	BSO LLC Actual Quantity	Otay Quantity	BSO LLC Requests	Staff Recommendation
16" WATER MAIN 711'Zone	1131	1131	\$38.00	1131
6" BLOW-OFF	1	3	\$4,000.00	1
4" AIR VAC.RELEASE VALVE	2	1	\$5,300.00	1
8" RESILIENT SEAT G.V.	1	1	\$1,100.00	1
20" BUTTERFLY VALVE	2	1	\$8,200.00	1
TEST STATION	0	1	\$0.00	0
TEMP END CAP W/ 4" BLOW-OFF	2	1	\$2,000.00	1
FIRE HYDRANT/B.O.	1	1	\$3,750.00	1
16" WATER MAIN 711'Zone	1191	1191	\$40.00	1191
4" BLOW-OFF	2	2	\$3,800.00	2
4" BLOW-OFF Temp.	1	1	\$1,800.00	1
4" AIR VAC.RELEASE VALVE	1	1	\$5,500.00	1
16" BUTTERFLY VALVE	2	2	\$3,000.00	2
16" TEE	1	1	\$1,600.00	1
2" BLOW-OFF	1	2	\$1,700.00	1
CONNECT TO EXISTING	1	1	\$3,000.00	1

Approved By:  Date: 1/2/2007
 David Charles
 Public Services Manager

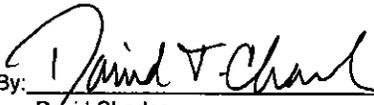
ATTACHMENT 1

QUANTITY TAKE-OFFS FOR
EASTLAKE PARKWAY REIMBURSEMENT AGREEMENT
POTABLE; PHASE 1 - 3

CIP P2164 (W164) (WO# 9415, 9540)

Contractors: TC Construction, Inc. / Burtech Pipeline, Inc.

Item Description	BSO LLC Actual Quantity	Otay Quantity	BSO LLC Requests	Staff Recommendation
8" WATER MAIN 980'Zone	187	59	\$22.50	59
20" WATER MAIN 980'Zone	1123	1123	\$62.00	1123
TEMP END CAP W/ 4" BLOW-OFF	2	2	\$2,000.00	2
TEMP END CAP W/ 2" BLOW-OFF	1	1	\$650.00	1
TEST STATION	0	1	\$0.00	0
4" AIR VAC.RELEASE VALVE	2	1	\$5,300.00	1
8" RESILIENT SEAT G.V.	1	1	\$1,100.00	1
20" BUTTERFLY VALVE	2	2	\$8,200.00	2
END CAP	0	2	\$0.00	0
CONNECT TO EXISTING	1	1	\$4,850.00	1
FIRE HYDRANT/B.O.	1	1	\$3,750.00	1
12" WATER MAIN 980'Zone	60	60	\$39.00	60
20" WATER MAIN 980'Zone	1161	1161	\$54.00	1161
2" BLOW-OFF Temp.	1	1	\$1,700.00	1
4" AIR VAC.RELEASE VALVE	1	2	\$5,500.00	1
12" RESILIENT SEAT G.V.	2	2	\$1,350.00	2
20" BUTTERFLY VALVE	1	2	\$5,900.00	1
20"x 12" REDUCER	1	1	\$3,500.00	1
CONNECT TO EXISTING	1	1	\$3,000.00	1
END CAP	0	1	\$0.00	0
4" BLOW OFF	2	2	\$3,800.00	2
FIRE HYDRANT/B.O.	2	2	\$3,900.00	2

Approved By:  Date: 1/2/2007

David Charles
Public Services Manager

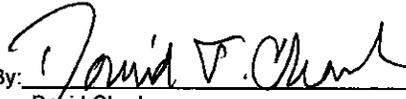
ATTACHMENT 1

QUANTITY TAKE-OFFS FOR
HUNTE PARKWAY REIMBURSEMENT AGREEMENT
RECLAIMED; PHASE 1 - 3

CIP R2031 (R031) (WO# 9540, 9415)

Contractors: TC Construction, Inc. / Burtech Pipeline, Inc.

Item Description	BSO LLC Actual Quantity	Otay Quantity	BSO LLC Requests	Staff Recommendation
12" WATER MAIN 944' Zone	1338	1181	\$37.00	1181
2" BLOW-OFF	0	1	\$0.00	0
2" AIR VAC.RELEASE VALVE	1	1	\$2,500.00	1
12" RESILIENT SEAT G.V.	4	2	\$1,600.00	2
TEST STATION	0	1	\$0.00	0
TEMP END CAP W/ 2" BLOW-OFF	2	2	\$700.00	2
6" WATER MAIN	122	122	\$22.00	122
12" WATER MAIN	1141	1141	\$40.00	1141
2" BLOW-OFF	2	2	\$1,500.00	2
2" BLOW-OFF Temp.	1	1	\$1,000.00	1
2" AIR VAC.RELEASE VALVE	1	1	\$1,800.00	1
12" RESILIENT SEAT G.V.	1	1	\$1,300.00	1
6" RESILIENT SEAT G.V.	1	1	\$800.00	1
12"x 6" REDUCER	1	1	\$1,100.00	1
CONNECT TO EXISTING	0	1	\$1,500.00	0
END CAP	0	1	\$0.00	0

Approved By:  Date: 1/2/2007
David Charles
Public Services Manager

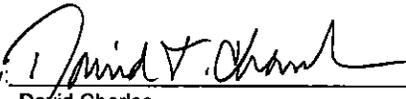
ATTACHMENT 1

QUANTITY TAKE-OFFS FOR
HUNTE PARKWAY REIMBURSEMENT AGREEMENT
RECLAIMED; PHASE 1 - 3

CIP R2041 (R041) (WO# 9540)

Contractors: Burtech Pipeline, Inc.

Item Description	BSO LLC Actual Quantity	Otay Quantity	BSO LLC Requests	Staff Recommendation
8" WATER MAIN	782	782	\$23.00	782
12" WATER MAIN	41	41	\$40.00	41
2" BLOW-OFF	1	1	\$1,500.00	1
2" BLOW-OFF Temp.	2	2	\$1,000.00	2
2" AIR VAC.RELEASE VALVE	1	1	\$1,800.00	1
12" RESILIENT SEAT G.V.	1	1	\$1,300.00	1
8" RESILIENT SEAT G.V.	1	1	\$900.00	1
12" CROSS	1	1	\$2,300.00	1
12"x 8" REDUCER	1	1	\$1,200.00	1
CONNECT TO EXISTING	0	1	\$0.00	0
END CAP	0	1	\$0.00	0
8" WATER MAIN	2729	2400	\$26.00	2400
2" BLOW-OFF	1	1	\$2,100.00	1
2" AIR VAC.RELEASE VALVE	1	1	\$2,600.00	1
8" RESILIENT SEAT G.V.	3	3	\$1,200.00	3
TEST STATION	0	1	\$0.00	0
END CAP	4	1	\$1,500.00	1

Approved By:  Date: 1/2/2007
David Charles
Public Services Manager

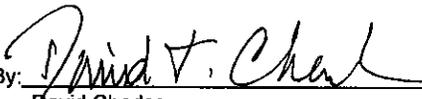
ATTACHMENT 1

QUANTITY TAKE-OFFS FOR
HUNTE PARKWAY REIMBURSEMENT AGREEMENT
RECLAIMED; PHASE 1 - 3

CIP R2040 (R040) (WO# 9416, 9537, D0017-000006)

Contractors: TC Construction, Inc. / KTA Construction, Inc.

Item Description	BSO LLC Actual Quantity	Otay Quantity	BSO LLC Requests	Staff Recommendation
12" WATER MAIN	1080	1080	\$39.00	1080
END CAP W/2" BLOW-OFF	1	1	\$675.00	1
2" AIR VAC.RELEASE VALVE	5	1	\$2,700.00	1
CONNECT TO EXISTING STUB	1	1	\$2,100.00	1
12" WATER MAIN	3387	3388	\$35.00	3387
END CAP W/2" BLOW-OFF	5	2	\$750.00	2
12" RESILIENT SEAT G.V.	3	3	\$1,700.00	3
2" AIR VAC.RELEASE VALVE	5	4	\$2,500.00	4
CONNECT TO EXISTING STUB	1	1	\$1,000.00	1
12" WATER MAIN	5284	4095	\$49.00	4095
6" RESILIENT SEAT G.V.	0	1	\$800.00	0
12" RESILIENT SEAT G.V.	0	2	\$5,850.00	0
2" AIR VAC.RELEASE VALVE	1	1	\$6,000.00	1
CONNECT TO EXISTING STUB	3	1	\$650.00	1

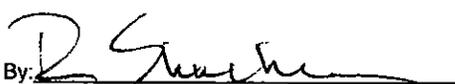
Approved By:  Date: 1/2/2007
David Charles
Public Services Manager

**PRICE VERIFICATION FOR
HUNTE PARKWAY REIMBURSEMENT AGREEMENT
POTABLE; PHASE 1 - 3**

CIP P2121 (W121) (WO# 9416, 9537, D0017-000006)

Contractors: TC Construction, Inc. / KTA Construction, Inc.

Item Description	BSO LLC Requests	Otay Verification	BSO LLC Actual Quantity	Comments
10" WATER MAIN	\$30.00	\$0.00	107	
16" WATER MAIN	\$36.50	\$36.50	1096	
16" TEE	\$6,300.00	\$6,300.00	1	
16" BUTTERFLY VALVE	\$0.00	\$0.00	0	
16"x 10" REDUCER	\$900.00	\$0.00	1	
24"x 16" REDUCER	\$1,650.00	\$0.00	1	
END CAP W/4" BLOW-OFF	\$700.00	\$700.00	1	
4" AIR VAC.RELEASE VALVE	\$4,800.00	\$4,800.00	1	
THRUST BLOCK	\$500.00	\$500.00	3	
10" RESILIENT SEAT G.V.	\$1,500.00	\$0.00	1	
CONNECT TO EXISTING STUB	\$4,600.00	\$4,600.00	1	
FIRE HYDRANT/B.O.	\$3,950.00	\$3,950.00	1	
8" WATER MAIN	\$23.00	\$0.00	105	
16" WATER MAIN	\$37.00	\$37.00	3436	
16" BUTTERFLY VALVE	\$3,500.00	\$3,500.00	4	
END CAP W/4" BLOW-OFF	\$1,000.00	\$1,000.00	4	
4" AIR VAC.RELEASE VALVE	\$5,700.00	\$5,700.00	4	
THRUST BLOCK	\$100.00	\$100.00	12	
8" RESILIENT SEAT G.V.	\$625.00	\$0.00	1	
CONNECT TO EXISTING STUB	\$1,000.00	\$1,000.00	1	
16"x 10"REDUCER	\$2,800.00	\$0.00	1	
FIRE HYDRANT/B.O.	\$3,400.00	\$3,400.00	3	
10" WATER MAIN	\$43.00	\$0.00	384	
16" WATER MAIN	\$48.00	\$48.00	4065	
16" BUTTERFLY VALVE	\$6,000.00	\$6,000.00	6	
2" BLOW-OFF	\$300.00	\$300.00	2	
4" BLOW-OFF	\$4,700.00	\$4,700.00	2	
4" AIR VAC.RELEASE VALVE	\$7,000.00	\$7,000.00	3	
10" RESILIENT SEAT G.V.	\$1,312.50	\$0.00	7	
CONNECT TO EXISTING	\$650.00	\$650.00	5	
THRUST BLOCK	\$300.00	\$300.00	6	
FIRE HYDRANT W/BO	\$5,000.00	\$5,000.00	3	

Reviewed By: 
Richard Shackley
Inspection Supervisor

Date: 12/28/06

ATTACHMENT 2

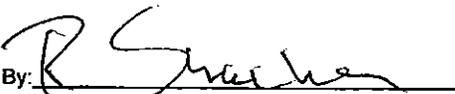
PRICE VERIFICATION FOR
EASTLAKE PARKWAY REIMBURSEMENT AGREEMENT
POTABLE; PHASE 1 - 3

CIP P2133 (W133) (WO# 9540, 9415)

Contractors: TC Construction, Inc. / Burtech Pipeline, Inc.

Item Description	BSO LLC Requests	Otay Verification	BSO LLC Actual Quantity	Comments
16" WATER MAIN 711'Zone	\$38.00	\$38.00	1131	
6" BLOW-OFF	\$4,000.00	\$4,000.00	1	
4" AIR VAC.RELEASE VALVE	\$5,300.00	\$5,300.00	2	
8" RESILIENT SEAT G.V.	\$1,100.00	\$0.00	1	
20" BUTTERFLY VALVE	\$8,200.00	\$8,200.00	2	
TEST STATION	\$0.00	\$0.00	0	
TEMP END CAP W/ 4" BLOW-OFF	\$2,000.00	\$2,000.00	2	
FIRE HYDRANT/B.O.	\$3,750.00	\$3,750.00	1	
16" WATER MAIN 711'Zone	\$40.00	\$40.00	1191	
4" BLOW-OFF	\$3,800.00	\$3,800.00	2	
4" BLOW-OFF Temp.	\$1,800.00	\$1,800.00	1	
4" AIR VAC.RELEASE VALVE	\$5,500.00	\$5,500.00	1	
16" BUTTERFLY VALVE	\$3,000.00	\$3,000.00	2	
16" TEE	\$1,600.00	\$1,600.00	1	
2" BLOW-OFF	\$1,700.00	\$0.00	1	
CONNECT TO EXISTING	\$3,000.00	\$3,000.00	1	

Reviewed By:


Richard Shaekley
Inspection Supervisor

Date: 12/28/06

ATTACHMENT 2

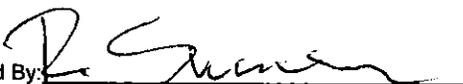
PRICE VERIFICATION FOR
EASTLAKE PARKWAY REIMBURSEMENT AGREEMENT
POTABLE; PHASE 1 - 3

CIP P2164 (W164) (WO# 9415, 9540)

Contractors: TC Construction, Inc. / Burtech Pipeline, Inc.

Item Description	BSO LLC Requests	Otay Verification	BSO LLC Actual Quantity	Comments
8" WATER MAIN 980'Zone	\$22.50	\$0.00	187	
20" WATER MAIN 980'Zone	\$62.00	\$62.00	1123	
TEMP END CAP W/ 4" BLOW-OFF	\$2,000.00	\$2,000.00	2	
TEMP END CAP W/ 2" BLOW-OFF	\$650.00	\$0.00	1	
TEST STATION	\$0.00	\$0.00	0	
4" AIR VAC.RELEASE VALVE	\$5,300.00	\$5,300.00	2	
8" RESILIENT SEAT G.V.	\$1,100.00	\$0.00	1	
20" BUTTERFLY VALVE	\$8,200.00	\$8,200.00	2	
END CAP	\$0.00	\$0.00	0	
CONNECT TO EXISTING	\$4,850.00	\$4,850.00	1	
FIRE HYDRANT/B.O.	\$3,750.00	\$3,750.00	1	
12" WATER MAIN 980'Zone	\$39.00	\$0.00	60	
20" WATER MAIN 980'Zone	\$54.00	\$54.00	1161	
2" BLOW-OFF Temp.	\$1,700.00	\$0.00	1	
4" AIR VAC.RELEASE VALVE	\$5,500.00	\$5,500.00	1	
12" RESILIENT SEAT G.V.	\$1,350.00	\$0.00	2	
20" BUTTERFLY VALVE	\$5,900.00	\$5,900.00	1	
20"x 12" REDUCER	\$3,500.00	\$0.00	1	
CONNECT TO EXISTING	\$3,000.00	\$3,000.00	1	
END CAP	\$0.00	\$0.00	0	
4" BLOW OFF	\$3,800.00	\$3,800.00	2	
FIRE HYDRANT/B.O.	\$3,900.00	\$3,900.00	2	

Reviewed By:


Richard Shackley
Inspection Supervisor

Date: 12/28/06

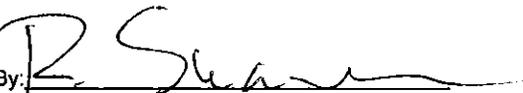
**PRICE VERIFICATION FOR
HUNTE PARKWAY REIMBURSEMENT AGREEMENT
RECLAIMED; PHASE 1 - 3**

CIP R2031 (R031) (WO# 9540, 9415)

Contractors: TC Construction, Inc. / Burtech Pipeline, Inc.

Item Description	BSO LLC Requests	Otay Verification	BSO LLC Actual Quantity	Comments
12" WATER MAIN 944' Zone	\$37.00	\$37.00	1338	
2" BLOW-OFF	\$0.00	\$0.00	0	
2" AIR VAC.RELEASE VALVE	\$2,500.00	\$2,500.00	1	
12" RESILIENT SEAT G.V.	\$1,600.00	\$1,600.00	4	
TEST STATION	\$0.00	\$0.00	0	
TEMP END CAP W/ 2" BLOW-OFF	\$700.00	\$700.00	2	
6" WATER MAIN	\$22.00	\$0.00	122	
12" WATER MAIN	\$40.00	\$40.00	1141	
2" BLOW-OFF	\$1,500.00	\$1,500.00	2	
2" BLOW-OFF Temp.	\$1,000.00	\$1,000.00	1	
2" AIR VAC.RELEASE VALVE	\$1,800.00	\$1,800.00	1	
12" RESILIENT SEAT G.V.	\$1,300.00	\$1,300.00	1	
6" RESILIENT SEAT G.V.	\$800.00	\$0.00	1	
12"x 6" REDUCER	\$1,100.00	\$0.00	1	
CONNECT TO EXISTING	\$1,500.00	\$0.00	0	
END CAP	\$0.00	\$0.00	0	

Reviewed By:



Richard Shackley
Inspection Supervisor

Date: 12/28/06

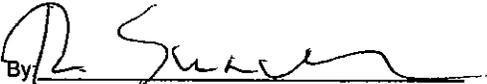
ATTACHMENT 2

PRICE VERIFICATION FOR
HUNTE PARKWAY REIMBURSEMENT AGREEMENT
RECLAIMED; PHASE 1 - 3

CIP R2041 (R041) (WO# 9540)

Contractors: Burtech Pipeline, Inc.

Item Description	BSO LLC Requests	Otay Verification	BSO LLC Actual Quantity	Comments
8" WATER MAIN	\$23.00	\$23.00	782	
12" WATER MAIN	\$40.00	\$0.00	41	
2" BLOW-OFF	\$1,500.00	\$1,500.00	1	
2" BLOW-OFF Temp.	\$1,000.00	\$1,000.00	2	
2" AIR VAC.RELEASE VALVE	\$1,800.00	\$1,800.00	1	
12" RESILIENT SEAT G.V.	\$1,300.00	\$0.00	1	
8" RESILIENT SEAT G.V.	\$900.00	\$900.00	1	
12" CROSS	\$2,300.00	\$2,300.00	1	
12"x 8" REDUCER	\$1,200.00	\$1,200.00	1	
CONNECT TO EXISTING	\$0.00	\$0.00	0	
END CAP	\$0.00	\$0.00	0	
8" WATER MAIN	\$26.00	\$26.00	2729	
2" BLOW-OFF	\$2,100.00	\$2,100.00	1	
2" AIR VAC.RELEASE VALVE	\$2,600.00	\$2,600.00	1	
8" RESILIENT SEAT G.V.	\$1,200.00	\$1,200.00	3	
TEST STATION	\$0.00	\$0.00	0	
END CAP	\$1,500.00	\$1,500.00	4	

Reviewed By 
Richard Shackley
Inspection Supervisor

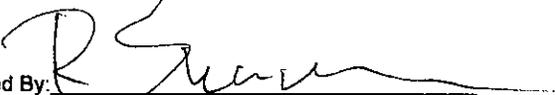
Date: 12/28/06

PRICE VERIFICATION FOR
 HUNTE PARKWAY REIMBURSEMENT AGREEMENT
 RECLAIMED; PHASE 1 - 3

CIP R2040 (R040) (WO# 9416, 9537, D0017-000006)

Contractors: TC Construction, Inc. / KTA Construction, Inc.

Item Description	BSO LLC Requests	Otay Verification	BSO LLC Actual Quantity	Comments
12" WATER MAIN	\$39.00	\$39.00	1080	
END CAP W/2" BLOW-OFF	\$675.00	\$675.00	1	
2" AIR VAC.RELEASE VALVE	\$2,700.00	\$2,700.00	5	
CONNECT TO EXISTING STUB	\$2,100.00	\$2,100.00	1	
12" WATER MAIN	\$35.00	\$35.00	3387	
END CAP W/2" BLOW-OFF	\$750.00	\$750.00	5	
12" RESILIENT SEAT G.V.	\$1,700.00	\$1,700.00	3	
2" AIR VAC.RELEASE VALVE	\$2,500.00	\$2,500.00	5	
CONNECT TO EXISTING STUB	\$1,000.00	\$1,000.00	1	
12" WATER MAIN	\$49.00	\$49.00	5284	
6" RESILIENT SEAT G.V.	\$800.00	\$0.00	0	
12" RESILIENT SEAT G.V.	\$5,850.00	\$0.00	0	
2" AIR VAC.RELEASE VALVE	\$6,000.00	\$6,000.00	1	
CONNECT TO EXISTING STUB	\$650.00	\$650.00	3	

Reviewed By: 
 Richard Shackley
 Inspection Supervisor

Date: 12/28/06

REIMBURSEMENT SUMMARY SHEET - BROOKFIELD SHEA OTAY LLC

BROOKFIELD SHEA OTAY, LLC REQUESTS

DEVELOPMENT SERVICES STAFF'S RECOMMENDATION

											District's Total CIP Budget	DSD Staff's Proposed Reimbursement	SAMP Reimbursement Amt Per Agmt.
BSO Qty	BSO Unit Price	BSO Cost	Soft Costs @ 5%	BSO Total Expense	Otay Qty	Otay Verification	Otay Cost	Soft Costs @ 5%	Otay Total Expense				
CIP P2121 PL - 16-Inch, 711 Zone, Hunte Parkway - Olympic/EastLake Contractors: TC Construction, Inc. / KTA Construction, Inc.													
WO# 9416, 9537, D0017-000006 Budgeted Amount: P2121 \$1,174,000													
10" WATER MAIN	107	\$30.00	\$3,210.00	\$160.50	\$3,370.50	107	\$0.00	\$0.00	\$0.00	\$0.00			
16" WATER MAIN	1096	\$36.50	\$40,004.00	\$2,000.20	\$42,004.20	1096	\$36.50	\$40,004.00	\$2,000.20	\$42,004.20			
16" TEE	1	\$6,300.00	\$6,300.00	\$315.00	\$6,615.00	1	\$6,300.00	\$6,300.00	\$315.00	\$6,615.00			
16" BUTTERFLY VALVE	0	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	\$0.00	\$0.00	\$0.00			
16"x 10" REDUCER	1	\$900.00	\$900.00	\$45.00	\$945.00	1	\$0.00	\$0.00	\$0.00	\$0.00			
24"x 16" REDUCER	1	\$1,650.00	\$1,650.00	\$82.50	\$1,732.50	1	\$0.00	\$0.00	\$0.00	\$0.00			
END CAP W/4" BLOW-OFF	1	\$700.00	\$700.00	\$35.00	\$735.00	1	\$700.00	\$700.00	\$35.00	\$735.00			
4" AIR VAC.RELEASE VALVE	1	\$4,800.00	\$4,800.00	\$240.00	\$5,040.00	1	\$4,800.00	\$4,800.00	\$240.00	\$5,040.00			
THRUST BLOCK	3	\$500.00	\$1,500.00	\$75.00	\$1,575.00	3	\$500.00	\$1,500.00	\$75.00	\$1,575.00			
10" RESILIENT SEAT G.V.	1	\$1,500.00	\$1,500.00	\$75.00	\$1,575.00	1	\$0.00	\$0.00	\$0.00	\$0.00			
CONNECT TO EXISTING STUB	1	\$4,600.00	\$4,600.00	\$230.00	\$4,830.00	1	\$4,600.00	\$4,600.00	\$230.00	\$4,830.00			
FIRE HYDRANT/B.O.	1	\$3,950.00	\$3,950.00	\$197.50	\$4,147.50	1	\$3,950.00	\$3,950.00	\$197.50	\$4,147.50			
Phase 1 Total				\$72,569.70	Phase 1 Total				\$64,946.70				
8" WATER MAIN	105	\$23.00	\$2,415.00	\$120.75	\$2,535.75	105	\$0.00	\$0.00	\$0.00	\$0.00			
16" WATER MAIN	3436	\$37.00	\$127,132.00	\$6,356.60	\$133,488.60	3436	\$37.00	\$127,132.00	\$6,356.60	\$133,488.60			
16" BUTTERFLY VALVE	4	\$3,500.00	\$14,000.00	\$700.00	\$14,700.00	4	\$3,500.00	\$14,000.00	\$700.00	\$14,700.00			
END CAP W/4" BLOW-OFF	4	\$1,000.00	\$4,000.00	\$200.00	\$4,200.00	2	\$1,000.00	\$2,000.00	\$100.00	\$2,100.00			
4" AIR VAC.RELEASE VALVE	4	\$5,700.00	\$22,800.00	\$1,140.00	\$23,940.00	4	\$5,700.00	\$22,800.00	\$1,140.00	\$23,940.00			
THRUST BLOCK	12	\$100.00	\$1,200.00	\$60.00	\$1,260.00	11	\$100.00	\$1,100.00	\$55.00	\$1,155.00			
8" RESILIENT SEAT G.V.	1	\$625.00	\$625.00	\$31.25	\$656.25	1	\$0.00	\$0.00	\$0.00	\$0.00			
CONNECT TO EXISTING STUB	1	\$1,000.00	\$1,000.00	\$50.00	\$1,050.00	1	\$1,000.00	\$1,000.00	\$50.00	\$1,050.00			
16"x 8" REDUCER	1	\$2,800.00	\$2,800.00	\$140.00	\$2,940.00	1	\$0.00	\$0.00	\$0.00	\$0.00			
FIRE HYDRANT/B.O.	3	\$3,400.00	\$10,200.00	\$510.00	\$10,710.00	3	\$3,400.00	\$10,200.00	\$510.00	\$10,710.00			
Phase 2 Total				\$195,480.60	Phase 2 Total				\$187,143.60				
10" WATER MAIN	384	\$43.00	\$16,512.00	\$825.60	\$17,337.60	107	\$0.00	\$0.00	\$0.00	\$0.00			
16" WATER MAIN	4065	\$48.00	\$195,120.00	\$9,756.00	\$204,876.00	4065	\$48.00	\$195,120.00	\$9,756.00	\$204,876.00			
16" BUTTERFLY VALVE	6	\$6,000.00	\$36,000.00	\$1,800.00	\$37,800.00	6	\$6,000.00	\$36,000.00	\$1,800.00	\$37,800.00			
TEMP END CAP W/ 2" BLOW-OFF	2	\$300.00	\$600.00	\$30.00	\$630.00	2	\$300.00	\$600.00	\$30.00	\$630.00			
4" BLOW-OFF	2	\$4,700.00	\$9,400.00	\$470.00	\$9,870.00	2	\$4,700.00	\$9,400.00	\$470.00	\$9,870.00			
4" AIR VAC.RELEASE VALVE	3	\$7,000.00	\$21,000.00	\$1,050.00	\$22,050.00	3	\$7,000.00	\$21,000.00	\$1,050.00	\$22,050.00			
10" RESILIENT SEAT G.V.	7	\$1,600.00	\$11,200.00	\$560.00	\$11,760.00	1	\$0.00	\$0.00	\$0.00	\$0.00			
CONNECT TO EXISTING	5	\$650.00	\$3,250.00	\$162.50	\$3,412.50	1	\$650.00	\$650.00	\$32.50	\$682.50			
THRUST BLOCK	6	\$300.00	\$1,800.00	\$90.00	\$1,890.00	4	\$300.00	\$1,200.00	\$60.00	\$1,260.00			
FIRE HYDRANT W/BO	3	\$5,000.00	\$15,000.00	\$750.00	\$15,750.00	3	\$5,000.00	\$15,000.00	\$750.00	\$15,750.00			
Phase 3 Total				\$325,376.10	Phase 3 Total				\$292,918.50				
Total:				\$593,426.40	Total:				\$545,008.80	\$1,174,000.00	\$545,008.80	\$1,250,000.00	

**REIMBURSEMENT SUMMARY SHEET - BROOKFIELD SHEA OTAY LLC
BROOKFIELD SHEA OTAY, LLC REQUESTS DEVELOPMENT SERVICES STAFF'S RECOMMENDATION**

											District's Total CIP Budget	DSD Staff's Proposed Reimbursement	SAMP Reimbursement Amt Per Agmt.
BSO Qty	BSO Unit Price	BSO Cost	Soft Costs @ 5%	BSO Total Expense	Otay Qty	Otay Verification	Otay Cost	Soft Costs @ 5%	Otay Total Expense				
CIP P2133													
PL - 16-Inch, 711 Zone, EastLake Parkway - Olympic/Birch													
Contractors: TC Construction, Inc. / Burtech Pipeline, Inc.													
WO# 9540, 9415													
Budgeted Amount: P2133 \$750,000													
16" WATER MAIN 711'Zone	1131	\$38.00	\$42,978.00	\$2,148.90	\$45,126.90	1131	\$38.00	\$42,978.00	\$2,148.90	\$45,126.90			
6" BLOW-OFF	1	\$4,000.00	\$4,000.00	\$200.00	\$4,200.00	1	\$4,000.00	\$4,000.00	\$200.00	\$4,200.00			
4" AIR VAC.RELEASE VALVE	2	\$5,300.00	\$10,600.00	\$530.00	\$11,130.00	1	\$5,300.00	\$5,300.00	\$265.00	\$5,565.00			
8" RESILIENT SEAT G.V.	1	\$1,100.00	\$1,100.00	\$55.00	\$1,155.00	1	\$0.00	\$0.00	\$0.00	\$0.00			
20" BUTTERFLY VALVE	2	\$8,200.00	\$16,400.00	\$820.00	\$17,220.00	1	\$8,200.00	\$8,200.00	\$410.00	\$8,610.00			
TEST STATION	0	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	\$0.00	\$0.00	\$0.00			
TEMP END CAP W/ 4" BLOW-OFF	2	\$2,000.00	\$4,000.00	\$200.00	\$4,200.00	1	\$2,000.00	\$2,000.00	\$100.00	\$2,100.00			
FIRE HYDRANT/B.O.	1	\$3,750.00	\$3,750.00	\$187.50	\$3,937.50	1	\$3,750.00	\$3,750.00	\$187.50	\$3,937.50			
Phase 1 Total					\$86,969.40	Phase 1 Total				\$69,539.40			
16" WATER MAIN 711'Zone	1191	\$40.00	\$47,640.00	\$2,382.00	\$50,022.00	1191	\$40.00	\$47,640.00	\$2,382.00	\$50,022.00			
4" BLOW-OFF	2	\$3,800.00	\$7,600.00	\$380.00	\$7,980.00	2	\$3,800.00	\$7,600.00	\$380.00	\$7,980.00			
4" BLOW-OFF Temp.	1	\$1,800.00	\$1,800.00	\$90.00	\$1,890.00	1	\$1,800.00	\$1,800.00	\$90.00	\$1,890.00			
4" AIR VAC.RELEASE VALVE	1	\$5,500.00	\$5,500.00	\$275.00	\$5,775.00	1	\$5,500.00	\$5,500.00	\$275.00	\$5,775.00			
16" BUTTERFLY VALVE	2	\$3,000.00	\$6,000.00	\$300.00	\$6,300.00	2	\$3,000.00	\$6,000.00	\$300.00	\$6,300.00			
16" TEE	1	\$1,600.00	\$1,600.00	\$80.00	\$1,680.00	1	\$1,600.00	\$1,600.00	\$80.00	\$1,680.00			
2" BLOW-OFF	1	\$1,700.00	\$1,700.00	\$85.00	\$1,785.00	1	\$0.00	\$0.00	\$0.00	\$0.00			
CONNECT TO EXISTING	1	\$3,000.00	\$3,000.00	\$150.00	\$3,150.00	1	\$3,000.00	\$3,000.00	\$150.00	\$3,150.00			
Phase 2 Total					\$78,582.00	Phase 2 Total				\$76,797.00			
Total:					\$165,551.40	Total:				\$146,336.40	\$750,000.00	\$146,336.40	\$230,000.00

REIMBURSEMENT SUMMARY SHEET - BROOKFIELD SHEA OTAY LLC
BROOKFIELD SHEA OTAY, LLC REQUESTS

DEVELOPMENT SERVICES STAFF'S RECOMMENDATION

CIP P2164		PL - 20-Inch, 980 Zone, EastLake Parkway - Olympic/Birch										District's Total	DSD	SAMP
WO# 9415, 9540		BSO Qty	BSO Unit Price	BSO Cost	Soft Costs @ 5%	BSO Total Expense	Otay Qty	Otay Verification	Otay Cost	Soft Costs @ 5%	Otay Total Expense	CIP Budget	Staff's Proposed	Reimbursement
		Contractors: TC Construction, Inc. / Burtech Pipeline, Inc.												
		Budgeted Amount: P2164 \$500,000												
8" WATER MAIN 980'Zone	187	\$22.50	\$4,207.50	\$210.38	\$4,417.88	59	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			
20" WATER MAIN 980'Zone	1123	\$62.00	\$69,626.00	\$3,481.30	\$73,107.30	1123	\$62.00	\$69,626.00	\$3,481.30	\$73,107.30	\$73,107.30			
TEMP END CAP W/ 4" BLOW-OFF	2	\$2,000.00	\$4,000.00	\$200.00	\$4,200.00	2	\$2,000.00	\$4,000.00	\$200.00	\$4,200.00	\$4,200.00			
TEMP END CAP W/ 2" BLOW-OFF	1	\$650.00	\$650.00	\$32.50	\$682.50	1	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			
TEST STATION	0	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			
4" AIR VAC.RELEASE VALVE	2	\$5,300.00	\$10,600.00	\$530.00	\$11,130.00	1	\$5,300.00	\$5,300.00	\$265.00	\$5,565.00	\$5,565.00			
8" RESILIENT SEAT G.V.	1	\$1,100.00	\$1,100.00	\$55.00	\$1,155.00	1	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			
20" BUTTERFLY VALVE	2	\$8,200.00	\$16,400.00	\$820.00	\$17,220.00	2	\$8,200.00	\$16,400.00	\$820.00	\$17,220.00	\$17,220.00			
END CAP	0	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			
CONNECT TO EXISTING	1	\$4,850.00	\$4,850.00	\$242.50	\$5,092.50	1	\$4,850.00	\$4,850.00	\$242.50	\$5,092.50	\$5,092.50			
FIRE HYDRANT/B.O.	1	\$3,750.00	\$3,750.00	\$187.50	\$3,937.50	1	\$3,750.00	\$3,750.00	\$187.50	\$3,937.50	\$3,937.50			
Phase 1 Total					\$120,942.68	Phase 1 Total					\$109,122.30			
12" WATER MAIN 980'Zone	60	\$39.00	\$2,340.00	\$117.00	\$2,457.00	60	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			
20" WATER MAIN 980'Zone	1161	\$54.00	\$62,694.00	\$3,134.70	\$65,828.70	1161	\$54.00	\$62,694.00	\$3,134.70	\$65,828.70	\$65,828.70			
2" BLOW-OFF Temp.	1	\$1,700.00	\$1,700.00	\$85.00	\$1,785.00	1	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			
4" AIR VAC.RELEASE VALVE	1	\$5,500.00	\$5,500.00	\$275.00	\$5,775.00	1	\$5,500.00	\$5,500.00	\$275.00	\$5,775.00	\$5,775.00			
12" RESILIENT SEAT G.V.	2	\$1,350.00	\$2,700.00	\$135.00	\$2,835.00	2	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			
20" BUTTERFLY VALVE	1	\$5,900.00	\$5,900.00	\$295.00	\$6,195.00	1	\$5,900.00	\$5,900.00	\$295.00	\$6,195.00	\$6,195.00			
20"x 12" REDUCER	1	\$3,500.00	\$3,500.00	\$175.00	\$3,675.00	1	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			
CONNECT TO EXISTING	1	\$3,000.00	\$3,000.00	\$150.00	\$3,150.00	1	\$3,000.00	\$3,000.00	\$150.00	\$3,150.00	\$3,150.00			
END CAP	0	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			
4" BLOW OFF	2	\$3,800.00	\$7,600.00	\$380.00	\$7,980.00	2	\$3,800.00	\$7,600.00	\$380.00	\$7,980.00	\$7,980.00			
FIRE HYDRANT/B.O.	2	\$3,900.00	\$7,800.00	\$390.00	\$8,190.00	2	\$3,900.00	\$7,800.00	\$390.00	\$8,190.00	\$8,190.00			
Phase 2 Total					\$107,870.70	Phase 2 Total					\$97,118.70			
Total:					\$228,813.38	Total:					\$206,241.00	\$500,000.00	\$206,241.00	\$279,650.00

REIMBURSEMENT SUMMARY SHEET - BROOKFIELD SHEA OTAY LLC
BROOKFIELD SHEA OTAY, LLC REQUESTS

DEVELOPMENT SERVICES STAFF'S RECOMMENDATION

											District's Total CIP Budget	DSD Staff's Proposed Reimbursement	SAMP Reimbursement Amt Per Agmt.
BSO Qty	BSO Unit Price	BSO Cost	Soft Costs @ 5%	BSO Total Expense	Otay Qty	Otay Verification	Otay Cost	Soft Costs @ 5%	Otay Total Expense				
CIP R2031													
RecPL - 12-Inch, 944 Zone, EastLake Parkway - Olympic/Birch													
Contractors: TC Construction, Inc. / Burtech Pipeline, Inc.													
WO# 9540, 9415													
Budgeted Amount: R2031 \$228,922.44													
12" WATER MAIN 944' Zone	1338	\$37.00	\$49,506.00	\$2,475.30	\$51,981.30	1181	\$37.00	\$43,697.00	\$2,184.85	\$45,881.85			
2" BLOW-OFF	0	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	\$0.00	\$0.00	\$0.00			
2" AIR VAC.RELEASE VALVE	1	\$2,500.00	\$2,500.00	\$125.00	\$2,625.00	1	\$2,500.00	\$2,500.00	\$125.00	\$2,625.00			
12" RESILIENT SEAT G.V.	4	\$1,600.00	\$6,400.00	\$320.00	\$6,720.00	2	\$1,600.00	\$3,200.00	\$160.00	\$3,360.00			
TEST STATION	0	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	\$0.00	\$0.00	\$0.00			
TEMP END CAP W/ 2" BLOW-OFF	2	\$700.00	\$1,400.00	\$70.00	\$1,470.00	2	\$700.00	\$1,400.00	\$70.00	\$1,470.00			
Phase 1 Total					\$62,796.30	Phase 1 Total				\$53,336.85			
6" WATER MAIN	122	\$22.00	\$2,684.00	\$134.20	\$2,818.20	122	\$0.00	\$0.00	\$0.00	\$0.00			
12" WATER MAIN	1141	\$40.00	\$45,640.00	\$2,282.00	\$47,922.00	1141	\$40.00	\$45,640.00	\$2,282.00	\$47,922.00			
2" BLOW-OFF	2	\$1,500.00	\$3,000.00	\$150.00	\$3,150.00	2	\$1,500.00	\$3,000.00	\$150.00	\$3,150.00			
2" BLOW-OFF Temp.	1	\$1,000.00	\$1,000.00	\$50.00	\$1,050.00	1	\$1,000.00	\$1,000.00	\$50.00	\$1,050.00			
2" AIR VAC.RELEASE VALVE	1	\$1,800.00	\$1,800.00	\$90.00	\$1,890.00	1	\$1,800.00	\$1,800.00	\$90.00	\$1,890.00			
12" RESILIENT SEAT G.V.	1	\$1,300.00	\$1,300.00	\$65.00	\$1,365.00	1	\$1,300.00	\$1,300.00	\$65.00	\$1,365.00			
6" RESILIENT SEAT G.V.	1	\$800.00	\$800.00	\$40.00	\$840.00	1	\$0.00	\$0.00	\$0.00	\$0.00			
12"x 6" REDUCER	1	\$1,100.00	\$1,100.00	\$55.00	\$1,155.00	1	\$0.00	\$0.00	\$0.00	\$0.00			
CONNECT TO EXISTING	0	\$1,500.00	\$0.00	\$0.00	\$0.00	0	\$0.00	\$0.00	\$0.00	\$0.00			
END CAP	0	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	\$0.00	\$0.00	\$0.00			
Phase 2 Total					\$60,190.20	Phase 2 Total				\$55,377.00			
Total:					\$122,986.50	Total:				\$108,713.85	\$228,922.44	\$108,713.85	\$216,000.00

REIMBURSEMENT SUMMARY SHEET - BROOKFIELD SHEA OTAY LLC
BROOKFIELD SHEA OTAY, LLC REQUESTS

ATTACHMENT 3

DEVELOPMENT SERVICES STAFF'S RECOMMENDATION

											District's Total CIP Budget	DSD Staff's Proposed Reimbursement	SAMP Reimbursement Amt Per Agmt.
BSO Qty	BSO Unit Price	BSO Cost	Soft Costs @ 5%	BSO Total Expense	Otay Qty	Otay Verification	Otay Cost	Soft Costs @ 5%	Otay Total Expense				
CIP R2041													
WO# 9540													
RecPL - 8-Inch, 944 Zone, EastLake Parkway - Birch/Rock Mountain				Contractors: Burtech Pipeline, Inc.									
				Budgeted Amount: R2041 \$282,000									
8" WATER MAIN	782	\$23.00	\$17,986.00	\$899.30	\$18,885.30	782	\$23.00	\$17,986.00	\$899.30	\$18,885.30			
12" WATER MAIN	41	\$40.00	\$1,640.00	\$82.00	\$1,722.00	41	\$0.00	\$0.00	\$0.00	\$0.00			
2" BLOW-OFF	1	\$1,500.00	\$1,500.00	\$75.00	\$1,575.00	1	\$1,500.00	\$1,500.00	\$75.00	\$1,575.00			
2" BLOW-OFF Temp.	2	\$1,000.00	\$2,000.00	\$100.00	\$2,100.00	2	\$1,000.00	\$2,000.00	\$100.00	\$2,100.00			
2" AIR VAC.RELEASE VALVE	1	\$1,800.00	\$1,800.00	\$90.00	\$1,890.00	1	\$1,800.00	\$1,800.00	\$90.00	\$1,890.00			
12" RESILIENT SEAT G.V.	1	\$1,300.00	\$1,300.00	\$65.00	\$1,365.00	1	\$0.00	\$0.00	\$0.00	\$0.00			
8" RESILIENT SEAT G.V.	1	\$900.00	\$900.00	\$45.00	\$945.00	1	\$900.00	\$900.00	\$45.00	\$945.00			
12" CROSS	1	\$2,300.00	\$2,300.00	\$115.00	\$2,415.00	1	\$2,300.00	\$2,300.00	\$115.00	\$2,415.00			
12"x 8" REDUCER	1	\$1,200.00	\$1,200.00	\$60.00	\$1,260.00	1	\$1,200.00	\$1,200.00	\$60.00	\$1,260.00			
CONNECT TO EXISTING	0	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	\$0.00	\$0.00	\$0.00			
END CAP	0	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	\$0.00	\$0.00	\$0.00			
				Phase 2 Total									
					\$32,157.30				Phase 2 Total			\$29,070.30	
8" WATER MAIN	2729	\$26.00	\$70,954.00	\$3,547.70	\$74,501.70	2400	\$26.00	\$62,400.00	\$3,120.00	\$65,520.00			
2" BLOW-OFF	1	\$2,100.00	\$2,100.00	\$105.00	\$2,205.00	1	\$2,100.00	\$2,100.00	\$105.00	\$2,205.00			
2" AIR VAC.RELEASE VALVE	1	\$2,600.00	\$2,600.00	\$130.00	\$2,730.00	1	\$2,600.00	\$2,600.00	\$130.00	\$2,730.00			
8" RESILIENT SEAT G.V.	3	\$1,200.00	\$3,600.00	\$180.00	\$3,780.00	3	\$1,200.00	\$3,600.00	\$180.00	\$3,780.00			
TEST STATION	0	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	\$0.00	\$0.00	\$0.00			
END CAP	4	\$1,500.00	\$6,000.00	\$300.00	\$6,300.00	1	\$1,500.00	\$1,500.00	\$75.00	\$1,575.00			
				Phase 3 Total									
					\$89,516.70				Phase 3 Total			\$75,810.00	
				Total:									
					\$121,674.00				Total:		\$282,000.00	\$104,880.30	\$124,000.00

**REIMBURSEMENT SUMMARY SHEET - BROOKFIELD SHEA OTAY LLC
BROOKFIELD SHEA OTAY, LLC REQUESTS**

DEVELOPMENT SERVICES STAFF'S RECOMMENDATION

BSO Qty	BSO Unit Price	BSO Cost	Soft Costs @ 5%	BSO Total Expense	Otay Qty	Otay Verification	Otay Cost	Soft Costs @ 5%	Otay Total Expense	District's Total CIP Budget	DSD Staff's Proposed Reimbursement	SAMP Reimbursement Amt Per Agmt.	
CIP R2040													
RecPL - 12-Inch, 680 Zone, Hunte Parkway - Olympic/EastLake				Contractors: TC Construction, Inc. / KTA Construction, Inc.									
WO# 9416, 9537, D0017-000006				Budgeted Amount: R2040 \$1,059,000									
12" WATER MAIN	1080	\$39.00	\$42,120.00	\$2,106.00	\$44,226.00	1080	\$39.00	\$42,120.00	\$2,106.00	\$44,226.00			
END CAP W/2" BLOW-OFF	1	\$675.00	\$675.00	\$33.75	\$708.75	1	\$675.00	\$675.00	\$33.75	\$708.75			
2" AIR VAC.RELEASE VALVE	5	\$2,700.00	\$13,500.00	\$675.00	\$14,175.00	1	\$2,700.00	\$2,700.00	\$135.00	\$2,835.00			
CONNECT TO EXISTING STUB	1	\$2,100.00	\$2,100.00	\$105.00	\$2,205.00	1	\$2,100.00	\$2,100.00	\$105.00	\$2,205.00			
Phase 1 Total				\$61,314.75		Phase 1 Total				\$49,974.75			
12" WATER MAIN	3387	\$35.00	\$118,545.00	\$5,927.25	\$124,472.25	3387	\$35.00	\$118,545.00	\$5,927.25	\$124,472.25			
END CAP W/2" BLOW-OFF	5	\$750.00	\$3,750.00	\$187.50	\$3,937.50	2	\$750.00	\$1,500.00	\$75.00	\$1,575.00			
12" RESILIENT SEAT G.V.	3	\$1,700.00	\$5,100.00	\$255.00	\$5,355.00	3	\$1,700.00	\$5,100.00	\$255.00	\$5,355.00			
2" AIR VAC.RELEASE VALVE	5	\$2,500.00	\$12,500.00	\$625.00	\$13,125.00	4	\$2,500.00	\$10,000.00	\$500.00	\$10,500.00			
CONNECT TO EXISTING STUB	1	\$1,000.00	\$1,000.00	\$50.00	\$1,050.00	1	\$1,000.00	\$1,000.00	\$50.00	\$1,050.00			
Phase 2 Total				\$147,939.75		Phase 2 Total				\$142,952.25			
12" WATER MAIN	5284	\$49.00	\$258,916.00	\$12,945.80	\$271,861.80	4095	\$49.00	\$200,655.00	\$10,032.75	\$210,687.75			
6" RESILIENT SEAT G.V.	0	\$800.00	\$0.00	\$0.00	\$0.00	0	\$0.00	\$0.00	\$0.00	\$0.00			
12" RESILIENT SEAT G.V.	0	\$5,850.00	\$0.00	\$0.00	\$0.00	0	\$0.00	\$0.00	\$0.00	\$0.00			
2" AIR VAC.RELEASE VALVE	1	\$6,000.00	\$6,000.00	\$300.00	\$6,300.00	1	\$6,000.00	\$6,000.00	\$300.00	\$6,300.00			
CONNECT TO EXISTING STUB	3	\$650.00	\$1,950.00	\$97.50	\$2,047.50	1	\$650.00	\$650.00	\$32.50	\$682.50			
Phase 3 Total				\$280,209.30		Phase 3 Total				\$217,670.25			
Total:				\$489,463.80		Total:				\$410,597.25	\$1,059,000.00	\$410,597.25	\$774,000.00
				\$1,721,915.48						\$1,521,777.60			

CIP W121	\$593,426.40
CIP W133	\$165,551.40
CIP W164	\$228,813.38
CIP R031	\$122,986.50
CIP R041	\$121,674.00
CIP R040	\$489,463.80
Grand Total:	\$1,721,915.48

District's Total CIP Budget: \$3,993,922.44

SAMP Reimbursement Amount Per Agreement: \$2,873,650.00

DSD Staff's Recommended Reimbursement: \$1,521,777.60

Brookfield Shea Otay LLC is requesting Reimbursement in the amount of: \$1,721,915.48

Difference Between Recommended and Requested: \$200,137.88

AGENDA ITEM 5



STAFF REPORT

TYPE MEETING:	Regular Board	MEETING DATE:	February 7, 2007
SUBMITTED BY:	Ron Ripperger, <i>[Signature]</i> Engineering Manager	C.I.P.W.O.:	2022/ DIV. NO. 2 8875
APPROVED BY: (Chief)	Rod Posada, <i>[Signature]</i> Chief, Engineering		
APPROVED BY: (Asst. GM):	Manny Magaña, <i>[Signature]</i> Assistant General Manager, Engineering and Operations		
SUBJECT:	Rejection of Atomic Investments Claim		

GENERAL MANAGER'S RECOMMENDATION:

That the Board reject a claim submitted by Atomic Investments, Inc. for the amount of \$41,283.

COMMITTEE ACTION: _____

See Attachment "A".

PURPOSE:

On December 5, 2006, Atomic Investments, Inc., located at 3200 B4-2 Highland Avenue, National City, California 91950, submitted a claim for reimbursement of \$41,283. The claim (See Attachment "B") alleges damages at Atomic Investments' property located at 4619 Main Street, Chula Vista, California to general grading and asphalt, irrigation and trees and shrubs that were removed as part of the installation of a portion of the District's 30-Inch Recycled Water Pipeline.

This action is necessary in order to begin the statute of limitations for bringing any legal action in this matter.

ANALYSIS:

In preparation for the installation of the 30-Inch Recycled Water Pipeline project the District acquired temporary and permanent easements from property owners within the City of San Diego and the City of Chula Vista. As part of this acquisition process, one temporary easement and one permanent easement were acquired from Atomic Investments, Inc. within its real property

located at 4619 Main Street in Chula Vista. The District paid approximately \$163,000 for the easements which granted the District the right to construct, maintain and operate portions of the pipeline within said real property.

The items listed by Atomic Investments as items requiring replacement would have been removed as part of Atomic Investments planned improvements to its property, consisting mainly of the expansion of its existing parking lot to the east up to a point overlapping the District's easements. In fact, during design and construction of the recycled water pipeline, the District worked in good faith with Atomic Investments to locate pipeline appurtenances so that there would be no impact to its existing and future parking lot. The District and the District's Construction Manager, RBF, coordinated several times with Atomic Investments to ensure the pipeline vaults and valve cans were at grade with the new parking surface or out of the parking lot area all together. According to RBF, Atomic Investments specifically requested that the portion of the asphalt removed in connection with the installation not be replaced because Atomic Investments intended to pave that portion of the easement with concrete.

Atomic Investments has now submitted the referenced-claim in the amount of \$41,283 as compensation for the value of certain plants and shrubs, irrigation and general grading and asphalt. District Staff believes that the District bears no responsibility for the items included in the claim for the following reasons: (i) it was never intended that the trees and shrubs removed in connection with the installation of the pipeline would be replaced and Atomic Investments was compensated for the value of the plants and shrubs in connection with the easements; (ii) grading was completed by the District's contractor per the request of Atomic Investments and the District already paid for such costs; (iii) the District did not cause asphalt to be laid down to replace the asphalt removed only because Atomic Investments requested that no asphalt be placed on the easement following installation of the pipeline; and (iv) the easements do not contain any language that would entitle Atomic Investments to receive monetary compensation. Furthermore, the District restored the real property to the condition requested by Atomic Investments and is not responsible for the cost of any additional improvements performed by the owner.

In summary, Staff recommends that the Board reject this claim as without merit.

FISCAL IMPACT:



None.

STRATEGIC GOAL:

Protect the District employees, assets and community by continually improving sound risk management practices and safety programs.

LEGAL IMPACT:

None.

Mark Walton
General Manager *VA.*

Attachment "A" Committee Action
Attachment "B" Copy of Claim by Atomic Investments

P:\WORKING\CIP R022\WO 8875\Staff Reports\BD 02-07-07 Rejection of Atomic Claim.doc



ATTACHMENT A

SUBJECT/PROJECT:	Rejection of Atomic Investments Claim/CIP R2022/W.O. 8875
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COMMITTEE ACTION:

The Engineering and Operations Committee reviewed this item at a meeting held on January 23, 2007. The Committee supported Staff's recommendation.

NOTE:

The "Committee Action" is written in anticipation of the Committee moving the item forward for Board approval. This report will be sent to the Board as a Committee approved item, or modified to reflect any discussion or changes as directed from the Committee prior to presentation to the full Board.

Atomic's Valuation of Items Removed

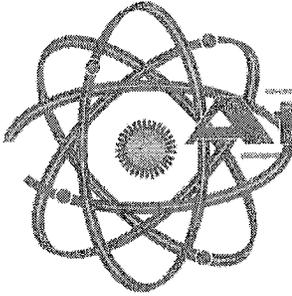
at

**490 Main Street
Chula Vista, California**

**Due to Otay Water District
30" Reclaimed Water Line**

Final Preparation Date: December 6, 2006

Attachment B



FAX (619) 263-2993
PHONE (619) 234-7966
LICENSE 169-983

Atomic Investments, Inc.

FOUNDED 1956

3200 B4-2 HIGHLAND AVENUE
NATIONAL CITY, CALIFORNIA 91950
www.atomic-inc.com

December 5, 2006

James Bassett, Sr. Construction Manager
RBF Consulting
9755 Clairemont Mesa Boulevard, Suite 100
San Diego, CA 92124-1324
Tel. 858-614-5000 • 858-614-5001

RE: 490 Main Street, Chula Vista - Otay's Water Reclamation Project
Atomic Request for reimbursement for the value of improvements removed (or destroyed) by Otay Water District as a result of installation of 30" recycle line across Atomic's property.

Dear Jim:

Enclosed please find my estimate of the value of the improvements unavoidably removed, displaced and destroyed as a result of the construction of the 30" Reclaimed Water Line which crosses our property at 4619 Main Street, Chula Vista, CA.

My estimate of the value of these improvements is \$41,283 as shown on the Grand Total line of the estimate. This reflects the value of the pre-existing site improvements which Otay Water District removed.

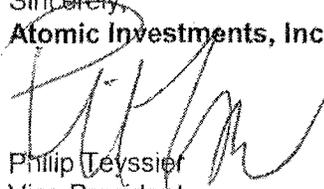
Atomic's request for reimbursement of the value of the improvements is based in part on the Grant of Permanent Easement for Underground Recycled Water Pipeline Otay Water District.

My estimate shows the work divided into three main parts. The first part is the value to restore general grading and asphalt. The second is the value of the irrigation removed, and the third is the value of the trees and shrubs removed.

For backup information, we include a site drawing identifying the items removed, pertinent original as-built drawings of project, various photographs and backup cost worksheets.

Please review the materials and give us a call with any questions you may have. We will be happy to go over the package in any level of detail you wish.

Sincerely,
Atomic Investments, Inc.


Philip Teyssier
Vice President

**Atomic's Valuation of Items Removed
at
490 Main Street
Chula Vista, California**

**Due to the Otay Water District
30" Reclaimed Water Line Installation**

Final Preparation Date: December 6, 2006

**Atomic's Valuation of Items Removed
at 490 Otay Valley Road, Chula Vista
Due to the Otay Water District 30" Reclaimed Water Line**

Table of Contents

<u>Tab</u>	<u>Description</u>
1.	Summary Worksheet Showing Value of Removed Items and Various backup summary sheets and subcontractor quotes and
2.	Grant of Permanent Easement for Underground Recycled Water Pipeline Otay Water District document
3.	Partial Site Plan Showing Removed Items by Otay (13 x 19)
4.	Selected Original Pac Bell Project Drawings (11 x17)
5.	Photographs of pre-existing conditions and conditions during pipeline construction and immediately after.

Summary Worksheet Showing Value of Removed Items by Otay Water District

490 Main Street, Chula Vista, CA

December 2006 by Atomic

Item	Qty	Unit	Unit Cost	Unit Total	Sub Total	Source
A. General Grading and Asphalt Replace						
Sawcut and remove strip of A/C paving for proper edge						
Sawcut AC (Baker's Concrete actual price)	377		\$0.86	\$325		Baker's Concrete Cutting Invoice 31590
Remove A/C strip about 2.67' x 408' and 6" of dirt to prepare for new.						
Figure 1 day equipt and labor (\$85 per hour lab, \$50 per hour equipt)	8	hrs	\$135.00	\$1,080		
Disposal of material (2 trips at \$120 per trip)	2	Trips	\$120.00			
Disposal Fee (\$60 per load)	2	Loads	\$60.00			
Asphalt Paving						
6" Class II base, 3" A/C Paving (subcontract)	3,519	SF	\$3.09	\$10,839		Actual cost for simular Job American Aspahit and Concrete Inv. 10422
AC Berm (6" Standard)	406	LF	\$9.27	<u>\$3,764</u>	\$14,602	Per American Asphalt and Concrete Estimate 3582
B. Irrigation						
Includes replacing the irrigation along the East property line.						<i>For irrigation refer to Irrigation Piping Valuation Unit Cost Study</i>
Main Line (1 1/4" PVC Line) See attached cost breakdown	500	LF	\$2.63	\$1,315		
Lateral Assembly - See attached cost breakdown	5	EA	\$306.00	\$1,530		
Control Wires - See attached cost breakdown	1	LS	\$432.00	<u>\$432</u>	\$3,277	
C. Placing of Trees and Shrubs						
						<i>For plants, refer to Tree and Shrub Valuation Unit Cost Study</i>
Replace removed full grown Calistemon Lancelotus	24	EA	\$674.00	\$16,176		
Replace Phitizer Junipers	48	EA	\$116.00	\$5,568		
Top Soil (400' x 8' x 6" = 60 CYs)						
Material	60	CY	\$18.00	\$1,080		
Haul (figure 2 loads at \$120 per load)	2	EA	\$120.00	\$240		
Place (figure 3 men 1/2 day at \$85 per hour)	4	Hr	\$85.00	<u>\$340</u>	\$23,404	
Grand Total of Value of Items Removed					<u>\$41,283</u>	

Tree and Shrub Valuation Unit Cost Study

Job: 490 Main Street, Chula Vista

Date: 11/30/2006

Calistemon Lancelotus

Replace existing full grown trees with like kind			
Quote from Bricks Nursery (Jan Garrett) 760-727-2727			
36" box			\$430
Tax (7.75%)			\$33
Would take two trips for delivery at \$85 per trip			
Total of 25 trees	6.8	per tree	<u>\$7</u>
Total Cost per Tree (Delivered)			\$470 per tree

Excavate Hole - figure 3 men crew takes 1 hour to dig hole, .25 hours to place, .5 to backfill
 Crew Cost is \$85 per hour (See other backup sheet)

Place	\$85 per hour	1.75 hours	\$149
Equip	31.25 per hour	<u>1.75</u> hours	<u>\$55</u>
			\$203 per tree

Equipment: Backhoe, \$265 per day; one week: \$1,060	1060	
Tax on Equip 7.75%	82.15	
Freight	190	
	\$1,332 per wk	
	\$33 per hour	

Total cost to place each tree

\$674 **Total per Tree**

Phitzer Junipers

Replace existing Junipers with 15 gal trees		
15 gal plant from Bricks Nursery (Jan Garrett) 760-727-25-7272		
15 gal		\$45
Tax (7.75%)		\$3
Delivery (included above with the trees)		<u>\$0</u>
		\$48

Place - figure 1/3 of price of the large trees:		
Trees	203	
divide by 3	67.66667	
		<u>\$68</u>

Total cost to place each Juniper

\$116 **Total per Juniper**

Irrigation Piping Valuation Unit Cost Study

Job: 490 Main Street, Chula Vista

Date: 11/30/2006

Existing irrigation was damaged to the extent that it need to be replaced.
Replacement system based on original drawings includes a 1 1/4" dia pipe running the full length then a set of 5 laterals to supply water to each set of trees and junipers.

Main Feed Line

Qty	Unit	Item	Cost per Unit	Total
500	LF	1 1/4" Sch 40 PVC Pipe	\$0.44	\$221
50	EA	1 1/4" x 1 1/4" Couplings	\$1.50	\$75
1	EA	1 1/4" x 1 1/4" Shut-Off Valve	\$10.00	\$10
2.00%	%	Pipe Glue and consumables	\$312.24	\$6
7.75%	%	TAX	\$312.24	\$24
		Subtotal		\$336

Labor to place pipe

8 Hrs	Labor and equipment Operator	\$85.00	\$680
1 Day	Trenching Machine (PU and Delivery)	\$300.00	\$300
	Subtotal		\$980

Total

\$1,316

Price per LF (Assume 500 LF)

\$2.63 PLF

Lateral Assembly

Consists of an 80 foot long lateral (40 feet each side of valve)
Sprinkler heads at 10 feet spacing
Electric control valve
90 deg Ells

Qty	Unit	Item	Cost per Unit	Total
80	FT	3/4" Sch 40 PVC	\$0.25	\$20
2	EA	3/4" x 3/4" 90 deg ELLS	\$0.50	\$1
6	EA	3/4 x 3/4 x 1/2	\$0.80	\$5
8	EA	1/2" Risers (Threaded) x 12	\$0.33	\$3
8	EA	Heads (180 deg spray)	\$1.13	\$9
1	EA	Irritrol 1" electric valve	\$39.04	\$39
1	EA	12 x 18 Valve Box	\$23.67	\$24
3	EA	3/4" x 3/4" 90s	\$0.54	\$2
1	EA	1 1/4 x 1 1/4 x 3/4 Tee	\$1.67	\$2
80	EA	Metal stakes (#4 x 3' rebar)	\$0.25	\$20
2.00%	%	Pipe Glue and consumables	\$123.48	\$2
7.75%	%	TAX	\$125.95	\$10
				\$136

Labor to place each assembly

1 LS	Use same trench as main line	\$0.00	\$0
2 Hrs	Labor for each assembly, place pipe, etc.	\$85.00	\$170
1 LS	Backfilling included above with Main Line	\$0.00	\$0
			\$170

Total

\$306

Control Wires

3,600	LF	Figure 6 lines of 600 feet each	\$0.06	\$216
3,600	LF	Labor to place wire	\$0.06	\$216
		Total		\$432

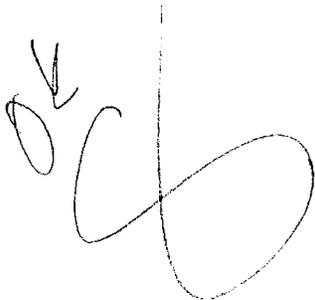


AMERICAN
Asphalt & Concrete, Inc.
 General Engineering Contractors
 Ca. Lic. No. 680323

INVOICE

BILL TO
ATOMIC INVESTMENTS, INC 3200 B4-2 HIGH AND AVENUE NATIONAL CITY, CA 91950

JOB LOCATION
MAIN OFFICE

DATE	INVOICE NO.	CONTRACT NO.	TERMS	REP	P.O. NO.
7/31/2006	10422	4502	NET UPON COMP...	GT	OFF / 619-263-2995
DESCRIPTION					AMOUNT
SUBGRADE TO BE +/- 1/10 PRIOR TO AMERICAN MOVE ON.					
1. INSTALL 4" OF BASE TO APPROX. 5850 S.F.					
2. INSTALL 3" OF ASPHALT TO APPROX. 5850 S.F.					
<div style="border: 1px solid black; border-radius: 50%; padding: 5px; display: inline-block;"> 3.08 PER FOOT 5850 S.F. </div>					18,000.00
OPTION: PAINT STILL LINGS FOR NEW ASPHALT AREA.					
					
<div style="display: flex; justify-content: space-between;"> <div style="text-align: left;"> <p>14567 9,000.00 9-19-06</p> </div> <div style="text-align: right;"> <p>14574 9,000.00 7/20/06 VS</p> </div> </div>					
WE APPRECIATE YOUR BUSINESS					Total \$18,000.00

2/2

AMERICAN ASPHALT AND CONCRETE, INC.

9011 MEMORY LANE
SPRING VALLEY, CA 91977-2152
Ph. (619) 589-8112 * Fax. (619) 589-8113
CA License No. 688323

PROPOSAL / CONTRACT

DATE	ESTIMATE No.
8/9/2005	3582

NAME/ADDRESS	
ATOMIC INVESTMENTS, INC. 3200 B4-2 HIGHLAND AVENUE NATIONAL CITY, CA. 91950 ATTN: LEONARD TEYSSTER	
TERMS	REP.
NET UPON COMPLETION	RT



PROJECT
FAC BELL SITE 4619 MAIN ST CHUL VISTA
PHONE NUMBERS
519-300-7206 FAX / 619-263-2995

DESCRIPTION	TOTAL
1. SAWCUT EXISTING ASPHALT 400 L.F. 480	
2. REMOVE EXISTING ASPHALT 400 X 9 S.F. 1394	
3. GRUB BRUSH AND DISPOSE OF. 500	
4. EXCAVATE AND STOCKPILE APPROX. 1400 CUBIC YARDS OF DIRT TO MAKE READY FOR WALL FOOTING. 10,200	
5. BACKFILL WALL BY OTHERS. 12,600	
6. INSTALL 4" ASPHALT OVER 6" C II BASE TO 6814 S.F. \$ 18,960.00 218	
7. INSTALL 408 L.F. 6" ASPHALT MACHINE CURB \$ 3,757.00 9+1	
**OPTION : REMOVE VEGETATION , TREES, PLANTERS AND FENCE. ADD \$ 5,760.00	
THANK YOU FOR THIS OPPORTUNITY TO BID YOUR PROJECT.	TOTAL \$0.00

TO BE MEASURED ON COMPLETION AND INVOICED AT UNIT PRICES

- Not responsible for reflective cracking thru overlays & skin patching
- Not responsible for weed growth from adjacent property
- Crack filling does not imply crack repair.
- Not responsible for pre-existing subgrade.

- Not responsible for pre-existing engineering with respect to drainage.
- Not responsible for back-fill and compaction or back-fill installed by others.
- Engineering, testing, inspection and permit fees not included.
- Not responsible for underground utilities in areas to be removed.

AMERICAN ASPHALT AND CONCRETE, INC.

By: Robert E. Tyner
ROBERT E. TYNER

CUSTOMER ACCEPTANCE

We accept the within proposal and agree to pay the said amount in accordance with the terms set forth. All of the terms and definitions on the reverse side are incorporated herein and made a part hereof.

Company: _____ Date: _____
Customer Signature: _____ Customer P.O. # _____

White: Contractor's Copy * Yellow: Customer's Copy * Pink: Office Copy * Blue: Log Copy

11/2005

2455 Alpine Blvd. Ste. A
Alpine, CA 91901

Guatay Equipment, Inc.
General Engineering Contractor
Lic. # A & B 847955

619-445-5165
Fax 619-445-3628

ASPHALT PROPOSAL AND CONTRACT
Proposal # 3916

Date: 8/8/05 To: Atomic Investments Leonard Teyssier
(Hereinafter "Owner") Phone No. 858-454-0888 Fax No. 858-454-1730
Guatay Equipment (Hereinafter "Contractor")

Proposes to furnish all materials and perform all labor necessary to complete the following:

1. Install 6,814 sq. ft. of base material 6" thick.
2. Install 6,814 sq. ft. of asphalt 4" thick.
3. Price for asphalt: \$17,387.00
4. Install 406 LF of asphalt berm.
5. Price for berm: \$2,842.00
6. TOTAL PRICE: \$20,229.00

2005/11
2005/11
319
4873

All of the above work is to be completed in a substantial and workmanlike manner according to standard practices for the sum of: Twenty Thousand Two Hundred Twenty-Nine Dollars. (\$20,229.00)

Progress payments shall be made as follows:

UPON COMPLETION

The remaining balance of the contract is to be paid within _____ days of completion. If contract is accepted, work will be substantially completed, subject to delays caused by acts of God, stormy weather, uncontrollable labor trouble, or unforeseen contingencies.

BID CONDITIONS

1. Work will be done in accordance with plans, specifications, and quantities above. Any changes will be upon a written change order, and will be considered an extra up and above the original contract.
2. Required California Preliminary Lien Information (Code Section 3097/3098) to be provided. Mechanics Lien Laws under California Code of Civil Procedures Section 1181 is enforced. Subject to credit approval and verification of California Lien Information.
3. Bid does not include any staking, engineering, permits & fees, bonds, inspection fees, concrete or compaction testing.
4. Grade to be received +/- 1" for concrete related work.
5. In the event it becomes necessary to do any drilling or shooting for rock, breaking of un-dig gable ground or buried concrete and removal to a designated disposal area; or, any unusual conditions encountered such as underground piping, underground valves, trash deposits, etc. are deemed cause for additional charges. Bid items referenced above must be dig gable with the following equipment
6. Accounts delinquent after thirty (30) days are subject to the maximum finance charge allowed by law, along with any incurred attorney fees.
7. All work is figured to be completed in one continuous operation. Any stoppage or additional moves will be considered and extra.
8. All agreements are contingent on acts of God, shortages or other conditions beyond our control.
9. Sand or sealing of pavement is not included if not specified.
10. Roll berms will be added only if specified above.
11. Asphalt is warranted for one year from date of contract on material and workmanship unless otherwise specified.
12. If Asphalt is installed on native soil Guatay Equipment is not responsible for weed growth.

Respectfully submitted by: _____ Date: _____
(Guatay Equipment)

ACCEPTANCE

You are hereby authorized to furnish all materials and labor required to complete the work stated in the to pay the contract price mentioned in this Proposal, and according to the terms thereof. If we have res contained herein, any in any attachments hereto, which are made a part here of and are described as.

Name or Authorized Agent ACCEPTED BY: _____
(Owner Signature or Representative)

and regulated by the Contractor's State License

Board.

COX Business Services
Providing Internet & Telephone Service to Business 619-COX-2000

Handwritten notes and signatures in the bottom right corner.



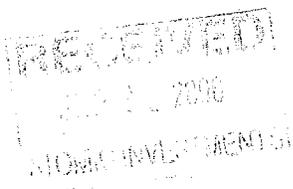
AMERICAN
Asphalt & Concrete, Inc.

General Engineering Contractors
Ca. Lic. No. 688323

INVOICE

BILL TO
ATOMIC INVESTMENTS, INC. 3200 B4-2 HIGHLAND AVENUE NATIONAL CITY, CA. 91950

JOB LOCATION

DATE	INVOICE NO.	CONTRACT NO.	TERMS	REP	P.O. NO.
9/22/2006	10525	4645	NET UPON COMP...	GT	OFF / 619-263-2995
DESCRIPTION					AMOUNT
1. POWER CLEAN ASPHALT TOTALING APPROX. 6500 S.F. 2. INSTALL 1" OVERLAY TO APPROX. 6500 S.F. NOTE: ADDITIONAL OVERLAY OF 4800 S.F. WILL BE DONE AT NO CHARGE.					4,950.00
<div style="text-align: center;">  </div> <div style="margin-top: 20px;"> <p> CK# 14648 \$ 1520.00 Date 10-10-06 By: <i>A</i> </p> </div>					
WE APPRECIATE YOUR BUSINESS					Total \$4,950.00



HYDRO-SCAPE PRODUCTS, INC.[®]
LANDSCAPE AND IRRIGATION PRODUCTS

CORPORATE HEADQUARTERS:

SAN DIEGO
 5805 Kearny Villa Road • San Diego, California 92123-1172
 (858) 560-1600

Shipping Warehouse:
 DR. JISTALOR (619) 531-3700/110V
 15137403

*** R E P R I N T ***

ACCT#: 11054
 ORDER#: 04747420-00
 TYPE: 50
 PAGE: 1
 SIGN: CHESTER WHEELER

(619) 234-7966

(619) 234-7966

SHIP TO:

SHIP TO: 0400

ATOMIC INVESTMENTS INC
 STE 4B
 3200 HIGHLAND AVE
 NATIONAL CITY, CA 91950-7440

AT & T
 SERENA 619-234-7966
 4919 Main St
 Chula Vista, CA 91910

TAKEN BY: Chester Wheeler

PLACED BY:

FAK

CUST DOC: 10419916

STAGING AREA:

ORDER DATE: 11/28/06

SHIPPED DATE: 11/28/06

SHIP VIA: Our Truck

TERMS: 25 10/10/03

PAYMENT TYPE: ON ACCOUNT

LINE	PRODUCT CODE	DESCRIPTION	ORDERED	SHIPPED	BACKORDER	LAST	DISC NET PRICE	UNIT	EXTENSION	
29	12UFBLU	12UF WIRE BLUE 2500FT No/W /Par/T	500.00	500.00	0.00	133.821	0.00	133.821	M	669.11
28	BCPI	CEMENT BRUSH CAP PB/04/ /	6.00	6.00	0.00	3.510	0.00	3.510	EA	21.06
30	12UFWHT	12UF WIRE WHITE 2500FT PB/05/ /	2500.00	2500.00	0.00	307.460	46.00	166.028	M	415.07
22	11FC	TRIPTRD VALVE 1" ELEC RD/03/002/	20.00	20.00	0.00	39.038	0.00	39.038	EA	780.76
18	PEVAN	RAIN BIRD NOZZLE S/ MAN RD/04/002/003	100.00	100.00	0.00	1.098	0.00	1.098	EA	109.80
19	PABS	RE SMRUB ADAPT RD/04/002/004	100.00	100.00	0.00	0.561	0.00	0.561	EA	56.10
25	2711U	LOW VOC BLUE QUART 2711 RD/06/001/	6.00	6.00	0.00	14.963	0.00	14.963	EA	89.78
** Include MSDS Sheet 2 For This Product With This Order **										
27	P6801	PVC PRIMER QUART PURPLE RD/06/002/	6.00	6.00	0.00	10.545	0.00	10.545	EA	63.27
** Include MSDS Sheet 2 For This Product With This Order **										
16	HAJ3-005	HARLEX STREET 90 1/2 X 1/2 NPTxFIT RD/06/001/	100.00	100.00	0.00	0.142	0.00	0.142	EA	14.20
12	406-007	PVC SCH40 90 3/4 X 3/4 58 RD/07/001/	40.00	40.00	0.00	0.291	0.00	0.291	EA	11.64
15	402-130	PVC SCH40 REDUCING TEE 1 X 1 X 1/2 SST RD/07/002/	100.00	100.00	0.00	0.738	0.00	0.738	EA	73.80
11	401-007	PVC SCH40 TEE 1/2 X 1/2 58	20.00	20.00	0.00	0.314	0.00	0.314	EA	6.28

Received

PLEASE SEE REVERSE FOR ADDITIONAL TERMS, CONDITIONS AND STORE LOCATIONS.

YES Recommendation has been made by or provided to the Seller concerning the use of pesticide covered by this invoice.
 NO

YES An operation identification number pursuant to Section 6622 is required for the purchase of this pesticide.
 NO

CUSTOMER COPY

CEMENT LIQUID NOS FLAMMABLE LIQUID	WEIGHT _____	OR VOLUME _____	HM
LIQUID NOS FLAMMABLE LIQUID-LTD QTY	WEIGHT _____	OR VOLUME _____	HM

0705



HYDRO-SCAPE PRODUCTS, INC.
LANDSCAPE AND IRRIGATION PRODUCTS

CORPORATE HEADQUARTERS:

SAN DIEGO
 5805 Kearny Villa Road • San Diego, California 92123-1172
 (858) 560-1600

Shipping Warehouse:
 Chula Vista, CA
 519-234-7966

(619) 651-9700 (LDC)

*** R E P R I N T ***

ACCT#: 11054
 ORDER#: 04747420-00
 TYPE: ED
 PAGE: 2
 SMGN: CHESTER WHEELER

(619) 234-7966/

(619) 234-7966/

SOLD TO:

SHIP TO: 0007

ATOMIC INVESTMENTS INC
 BTE 4B
 3200 HIGHLAND AVE
 NATIONAL CITY, CA 91950-7449

AT & T
 SERENA 619-234-7966
 4919 Main St
 Chula Vista, CA 91910

TAKEN BY: Chester Wheeler PLACED BY: FAX CUST AC#: P041RRTB STAGING AREA:
 ORDER DATE: 11/28/06 SHIPPED DATE: 11/28/06 SHIP VIA: Our Truck TERMS: 2% 10pr 150 PAYMENT TYPE: ON ACCOUNT

LINE	PRODUCT CODE	DESCRIPTION	ORDERED	SHIPPED	BACKORDER	LTS!	DISC	NET PRICE	UNIT	EXTENSION
14	407-130	RD/07/002/ PVC SCH40 REDUCING 90 1 X 1/2 SxFIPT	40.00	40.00	0.00	0.311	0.00	0.311	EA	36.44
4	406-020	RD/07/002/ PVC SCH40 90 2 X 2 S5	3.00	3.00	0.00	1.325	0.00	1.325	EA	3.98
9	401-248	RD/08/001/ PVC SCH40 REDUCING TEE 2 X 2 X 3/4 S5S	20.00	20.00	0.00	1.750	0.00	1.750	EA	35.00
3	401-020	RD/08/002/ PVC SCH40 TEE 2X2X2 S5S	2.00	2.00	0.00	1.636	0.00	1.636	EA	3.27
5	448-080	RD/08/002/ PVC SCH40 THD CAP 2 FIPT	5.00	5.00	0.00	1.608	0.00	1.608	EA	8.04
6	448-010	RD/14/001/ PVC SCH40 THD CAP 1 FIPT	4.00	4.00	0.00	0.738	0.00	0.738	EA	2.95
23	430-131	RD/14/001/ PVC SCH40 RED N9 ADAPTER 1 X 3/4 NIPTR5	40.00	40.00	0.00	1.212	0.00	1.212	EA	48.48
10	401-131	RD/14/002/ PVC SCH40 REDUCING TEE 1X1 3/4 S5S	20.00	20.00	0.00	0.679	0.00	0.679	EA	13.58
13	09H18	RD/15/002/ PVC NIPPLE .5" x 1/2" SCH 80	20.00	20.00	0.00	0.455	0.00	0.455	EA	9.12
17	09H4	RD/15/004/ PVC NIPPLE .5" x 1/4"	100.00	100.00	0.00	0.135	0.00	0.135	EA	13.60

continued

PLEASE SEE REVERSE FOR ADDITIONAL TERMS, CONDITIONS AND STORE LOCATIONS.

YES Recommendation has been made by or provided to the Seller concerning the use of pesticide covered by this invoice.

YES An operation identification number pursuant to Section 6622 is required for the purchase of this pesticide

CUSTOMER COPY

CEMENT LIQUID NOS FLAMMABLE LIQUID
 WEIGHT _____ OR VOLUME _____ HM
 LIQUID NOS FLAMMABLE LIQUID-LTD QTY
 WEIGHT _____ OR VOLUME _____ HM

1725106



HYDRO-SCAPE PRODUCTS, INC.
LANDSCAPE AND IRRIGATION PRODUCTS

CORPORATE HEADQUARTERS:

SAN DIEGO
 5805 Kearny Villa Road • San Diego, California 92123-1172
 (858) 560-1600

Shipping Warehouse:
 CHU TETG, CA (619) 591-9700/1110V
 15:00:03

*** R E P R I N T ***

ACCT#: 11054
 ORDER#: 04747420-00
 TYPE: SO
 PAGE: 3
 SHIP: CHESTER WHEELER

619:234-7366

619:234-1566

SOLD TO:

SHIP TO: 0906

ATOMIC INVESTMENTS INC
 STE 40
 3200 HIGHLAND AVE
 NATIONAL CITY, CA 91950 7448

AT & T
 SERENA 619-234-7366
 4919 Main St
 Chula Vista, CA 91910

TAKEN BY: Chester Wheeler

MAILED BY: TBY

CUST PO#: 00418016

STAGING AREA:

ORDER DATE: 11/26/06

SHIPPED DATE: 11/28/06

SHIP VIA: Our Truck

TERMS: 2% 10prx n30

PAYMENT TYPE: ON ACCOUNT

INF	PRODUCT CODE	DESCRIPTION	ORDERED	SHIPPED	BACKORDER	LIST	DISC	NET PRICE	UNIT	EXTENSION
		SCH 40 RD/19/004/								
2	140	PVC PIPE SCH 40 1" SW YD/05/ /	600.00	600.00	0.00	20.220	0.00	20.220	C	163.32
		** Include MSDS Sheet For This Product with This Order **								
1	2315	PVC PIPE DL 315 2" YD/05/ /	720.00	720.00	0.00	67.951	0.00	67.951	C	489.25
		** Include MSDS Sheet 9999 For This Product with This Order **								
24	PBRECT	CARSON VALVE BOX & COVER JD/07/ /	20.00	20.00	0.00	19.874	0.00	19.874	EA	397.48
7	PBV2S	PLAS BALL VLV 2 BS ZZ/ZZ/ZZ/ZZ	2.00	2.00	0.00	7.093	0.00	7.093	EA	14.19
3	PBV3/40	PLAS BALL VLV 3/4 SS ZZ/ZZ/ZZ/ZZ	20.00	20.00	0.00	1.866	0.00	1.866	EA	57.32

FORM#: 2

 *
 * MSDS Available upon request
 *

FORM#: 0099

Continued

3/4" 9 45
 1 1/4" 6 59/20'

PLEASE SEE REVERSE FOR ADDITIONAL TERMS, CONDITIONS AND STORE LOCATIONS.

YES Recommendation has been made by or provided to the Seller concerning the use of pesticide covered by this invoice.

YES An operation identification number pursuant to Section 6622 is required for the purchase of this pesticide.

CUSTOMER COPY

CEMENT LIQUID NOS FLAMMABLE LIQUID
 WEIGHT _____ OR VOLUME _____ HM
 LIQUID NOS FLAMMABLE LIQUID-LTD QTY
 WEIGHT _____ OR VOLUME _____ HM

1028137



HYDRO-SCAPE PRODUCTS, INC.
LANDSCAPE AND IRRIGATION PRODUCTS

CORPORATE HEADQUARTERS:

SAN DIEGO
 5805 Kearny Villa Road • San Diego, California 92123-1172
 (858) 560-1600

Shipping Warehouse:
 CHULA VISTA, CA (619) 431-9700/1107
 15: 3

*** R E P R I N T ***

ACCT#: 11054
 ORDER#: 04747420-00
 TYPE: SD
 PAGE: 4
 SNM: CHESTER WHEELER

(619) 234-7966/

(619) 234-7966/

SOLD TO:

SHIP TO: 0007

490

ATOMIC INVESTMENTS INC
 STE 4B
 3200 HIGHLAND AVE
 NATIONAL CITY, CA 91950-7449

AT & T
 SERENA 619-234-7966
 4919 Main St
 Chula Vista, CA 91910

TAKEN BY: Chester Wheeler PLACED BY: FAX CUST PO#: P041RRIS STAGING AREA:
 ORDER DATE: 11/28/06 SHIPPED DATE: 11/28/06 SHIP VIA: Our Truck TERMS: 2% 10pry n30 PAYMENT TYPE: ON ACCOUNT

LINE	PRODUCT CODE	DESCRIPTION	ORDERED	SHIPPED	BACKORDER	LIST	DISC	NET PRICE	UNIT	EXTENSION
------	--------------	-------------	---------	---------	-----------	------	------	-----------	------	-----------

[Handwritten Signature] 11/29/06

RECEIVED BY SIGNATURE DATE

PLEASE PRINT NAME

27 Lines Total

Total 3591.29
 Taxes 278.33
 Invoice Total 3869.62

Last Page

PLEASE SEE REVERSE FOR ADDITIONAL TERMS, CONDITIONS AND STORE LOCATIONS.

- YES Recommendation has been made by or provided to the Seller concerning the use of pesticide covered by this invoice.
 NO
- YES An operation identification number pursuant to Section 6622 is required for the purchase of this pesticide.
 NO

CUSTOMER COPY

CEMENT LIQUID NOS FLAMMABLE LIQUID
 WEIGHT _____ OR VOLUME _____ HM
 LIQUID NOS FLAMMABLE LIQUID-LTD QTY
 WEIGHT _____ OR VOLUME _____ HM

1028138

United Rentals, Inc.

Fax

Date: 11/30/06

Time: 13:45

QUOTE ** COPY **

To: CHRISTY - V/E PHIL T.

Company: ATOMIC INVESTMENTS INC

Message: _____

From: JESUS RIVERO

Location: UNITED RENTALS

Phone: 619-421-1106

Fax #: 619-421-0768



If you have a problem with this transmission please call the number listed above.



501 'C' STREET
CHULA VISTA, CA 91910
619-422-1106

QUOTE
** COPY **

Job Site

ATOMIC INVESTMENTS INC
OTAY LAKES RD
CHULA VISTA, CA 91908

C#: 619-234-7966 J#: 619-234-7966

Customer

ATOMIC INVESTMENTS INC
3300 HIGHLAND AVE #4-0
NATIONAL CITY, CA 91947

Customer... 103724
Contract #... 61276398
Contract dt. 11/30/06
Date out... 11/30/06 10:43 AM
Date Due In. 12/01/06 10:43 AM

Job Loc.... OTAY LAKES RD, CHULA VISTA
Job No..... 22- ATOMIC INVESTMEN
P.O. #..... QUOTE
Ordered By.. PHIL
Written by.. UR544JB
Salesperson. 4282
Terms..... Net 30 Days

PLEASE RENT PAYMENT TO:
UNITED RENTALS NORTHWEST, INC.
PO BOX 79334
CITY OF INDUSTRY, CA 91716-9333

Qty	Equipment #	Min	Day	Week	4 Week	Amount
1	SKID STEER FORK ATTACHMENT	43.00	43.00	172.00	473.00	43.00
Sub-total:						43.00
Tax:						3.34
Estimated Total:						46.34

* ENVIRONMENTAL CHARGE: The items indicated above are subject to an environmental charge which is designed to recover the company's direct and indirect expenses for the handling, managing and disposing of waste products, hazardous materials, and related administrative costs. This is not a government mandated charge.
FUEL: Fuel charges do not include federal, state or local fuel excise taxes.

OPTIONAL RENTAL PROTECTION PLAN **THE RENTAL PROTECTION PLAN IS NOT INSURANCE!** Upon accepting the Optional Rental Protection Plan, the Customer agrees to pay a charge equal to 11% of the rental charges on Equipment (except for items covered by the Rental Protection Plan. In return, as set out on the back page, United agrees to waive certain claims for accidental damage to such covered Equipment occurring during normal and lawful use. Customer remains liable for all damage and loss due to theft listed under The Rental Protection Plan provisions in the Terms and Conditions on each page, including Customer's negligence. *Customer Accepts ()* *Customer Declines ()*

READ BEFORE SIGNING: United hereby leases to Customer the Equipment as defined in the Terms and Conditions on the reverse side, and Customer hereby accepts all **TERMS AND CONDITIONS** listed in this rental agreement, including the Terms and Conditions on both on the reverse side, which the undersigned has read and understands. **REMEMBERS:** (1) Rates do not include fuel or delivery, (2) Optional Rental Protection Plan charge is 11% of the total rental charge for covered equipment, (3) Customer have for all time the Equipment is out, including Saturday, Sundays and Holidays, (4) This rental agreement supersedes all other purchase orders or terms and conditions obtained in any of Customer's agreements or forms, (5) Customer assumes all risk and is responsible for all damages and other costs, including late charges. Details of the above as well as other obligations and responsibilities are contained in the **TERMS AND CONDITIONS ON REVERSE. THE INDIVIDUAL SIGNING BELOW AS OR ON BEHALF OF CUSTOMER (1) AGREES TO ALL OF THE TERMS AND CONDITIONS ON THE REVERSE SIDE OF THIS RENTAL AGREEMENT, (2) ACKNOWLEDGES RECEIPT OF THE EQUIPMENT IN GOOD WORKING ORDER AND IT IS FULLY FAMILIAR WITH ITS OPERATION AND USE.**

X

CUSTOMER SIGNATURE DATE NAME PRINTED DELIVERED BY DATE

A LARGER FONT COPY OF THE TERMS AND CONDITIONS IS AVAILABLE UPON REQUEST.

United Rentals, Inc.

Fax

Date: 11/30/06

Time: 13:39

QUOTE

**** COPY ****

To: CHRISTY V. E. PHIL T.

Company: ATOMIC INVESTMENTS INC

Message: _____

From: JESUA ROTO

Location: UNITED RENTALS

Phone: 618-268-2995

Fax #: 618-422-0768



If you have a problem with this transmission please call the number listed above.



501 "C" STREET
CHULA VISTA, CA 91910
619-422-1106

QUOTE

XX COPY XX

Job Site

ATOMIC INVESTMENTS INC
OTAY LAKES RD
CHULA VISTA, CA 91903

CH#: 619-234-7966 J#: 619-234-7966

Customer

ATOMIC INVESTMENTS INC
3200 HIGHLAND AVE #4-307
NATIONAL CITY, CA 92061

Customer: 103724
Contract #: 61275942
Contract dt: 11/30/06
Date out: 11/30/06 10:24 AM
Date Due In: 12/01/06 10:24 AM

Job Loc: OTAY LAKES RD, CHULA VISTA
Job No: 22- ATOMIC INVESTMEN
P.O. #: QUOTE
Ordered By: PHIL TREYBER
Written by: UR544JB
Salesperson: 4282
Terms: Net 30 Days

PLEASE RENT PAYMENT TO:
UNITED RENTALS NORTHWEST, INC.
PO BOX 79334
CITY OF INDUSTRY, CA 91716-9333

Qty	Equipment #	Min	Day	Week	4 Week	Amount
1	SKID STEER LOADER 1700-1895LB* 9030071	179.00	179.00	695.00	2020.00	179.00
1	SKID STEER BUCKET 60 IN BROOM					N/C
SALES ITEMS:						
Qty	Item number	Stock class	Unit	Price		Amount
1	ENV ENVIRONMENTAL CHARGE	MCI	EA	.850		.85
	DELIVERY CHARGE					95.00
	PICKUP CHARGE					95.00
					Sub-total:	369.85
					Tax:	21.31
					Estimated Total:	391.16

* ENVIRONMENTAL CHARGE: The items indicated above are subject to an environmental charge which is designed to recover the company's direct and indirect expenses for the handling, managing and disposing of waste products, hazardous materials, and related administrative costs. This is not a government mandated charge.
FUEL: Fuel charges do not include federal, state or local taxes.

OPTIONAL RENTAL PROTECTION PLAN: **THE RENTAL PROTECTION PLAN IS NOT INSURANCE!** Upon adopting the Optional Rental Protection Plan, the Customer agrees to pay a charge, equal to 12% of the rental charges on Equipment Covered by the Rental Protection Plan. In return, as set out on the back page, United agrees to waive certain claims for accidental damage to such covered Equipment occurring during normal and lawful use. Customer remains liable for all damages and loss due to theft listed under The Rental Protection Plan provisions in the Terms and Conditions on back page, including Customer's negligence. *Customer Accepts ()* *Customer Declines ()*

READ BEFORE SIGNING: United hereby leases to Customer the Equipment as defined in the Terms and Conditions on the reverse side and Customer hereby accepts all **TERMS AND CONDITIONS** listed in this rental agreement, including the Terms and Conditions on the reverse side, which the undersigned has read and understands. **REMINERS:** (1) Rates do not include fuel or delivery. (2) Optional Rental Protection Plan on page 14. (3) The total rental charge for covered equipment. (3) Customer pays for all time the Equipment is out, including Saturday, Sunday and Holidays. (4) This rental agreement supersedes all other purchase orders or terms and conditions contained in any of Customer's agreements or forms. (5) Customer assumes all risk and is responsible for all damages and other costs, including late charges. Details of the above as well as other obligations and responsibilities are contained in the **TERMS AND CONDITIONS ON REVERSE. THE INDIVIDUAL SIGNING BELOW AS OR ON BEHALF OF CUSTOMER, (1) AGREES TO ALL OF THE TERMS AND CONDITIONS ON THE REVERSE SIDE OF THIS RENTAL AGREEMENT, (2) ACKNOWLEDGES RECEIPT OF THE EQUIPMENT IN GOOD WORKING ORDER AND IS FULLY FAMILIAR WITH ITS OPERATION AND USE.**

X

CUSTOMER SIGNATURE DATE NAME PRINTED DELIVERED BY DATE

A LARGER FONT COPY OF THE TERMS AND CONDITIONS IS AVAILABLE UPON REQUEST.

12/04
CONSTRUCTION RESIDUE RECYCLING

855 ENERGY WAY

CHULA VISTA, CA 91911

OFFICE (619) 656-1836 FAX (619) 656-6733

CERTIFIED PUBLIC SCALE

**OUR BUSINESS HOUR'S: 7AM / 5PM, MONDAY
THRU SATURDAY, CLOSED ON SUNDAY'S.**

**WE SELL RECYCLE CALTRANS SPEC CLASS 2 BASE, COMPOST & MULCH
WE ALSO RECYCLE USED ASPHALT & CONCRETE
ALL VEHICLES ARE SUBJECT TO BE WEIGHED**

CLASS 2 BASE: ASK for QUOTE

COMPOST: \$15.00 PER TON

(PLUS TAX)

USED ASPHALT/CONCRETE: \$10.00 PER TON

MINIMUM LOADS: \$25.00

SMALL TRAILERS MUST BE WEIGHED

BOBTAIL: \$40.00

TEN WHEELER: \$60.00

END DUMP: \$90.00

PUP & TRK: \$90.00

**SURCHARGE'S WILL BE ADDED TO MIXED LOADS WITH CLAY TILE & BRICK, WIRE
MESH & REBAR, PETROMAT & DIRT (IF OVER 5 %) & OVERSIZE (IF OVER 2X4X6").**

**WE DON'T EXCEPT LOAD'S WITH GREENS, WOOD CHIPS,
ROOTS, STUCCO, DRYWALL, GLASS, CLAY & TRASH.**

PLEASE CALL FOR QUOTE'S FOR CLASS 2 BASE & DUMPING USED ASPHALT/CONCRETE

WE MAY BE TAKING DIRT IN THE FUTURE. (ASK FOR DETAILS)

FIRE WOOD FORSALE (PLEASE ask ATTENEND ON DUTY)

"THANK YOU FOR YOUR CONTINUED PATRONAGE"

RECORDING REQUESTED BY and
AFTER RECORDING MAIL TO:

OTAY WATER DISTRICT
2554 SWEETWATER SPRINGS BOULEVARD
SPRING VALLEY, CA 91978-2096

NO FEES DUE - FOR BENEFIT OF PUBLIC AGENCY
APN: 624-060-45

(Space above this line for County Recorders Use Only)
No documentary tax due R & T 11922 (amended)

GRANT OF PERMANENT EASEMENT FOR UNDERGROUND RECYCLED WATER PIPELINE OTAY WATER DISTRICT

For good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, the undersigned **ATOMIC INVESTMENTS, INC., A CALIFORNIA CORPORATION**, (Atomic) as Grantor hereby **GRANTS TO OTAY WATER DISTRICT**, a municipal water district formed under the Municipal Water District Law of 1911, as amended, situated in the County of San Diego, State of California, ("District") as Grantee, **a permanent easement, consisting of 0.212 acres more or less, (as described in Exhibit "A" & "B") for the purpose ("Use") of placing, and maintaining pipeline(s), including a 30 inch diameter underground recycled water pipeline and certain necessary appurtenant accessories**, together with the right to construct, operate, maintain, repair and replace said facilities, and the right of ingress and egress for such purposes. Said pipeline and accessories, are to be constructed substantially, subject to minor revisions, as shown on **Exhibit "C" - District's Drawings numbered as C-25 marked as revision 3 dated August 4, 2005 and C-26 marked as revision 1 dated July 19, 2005**, ("District Facilities", or "Facilities"). All said Facilities are to be below grade except one (1) single Air Release/Air Vacuum assembly device (callout detail WA-05, 1-6) which shall be located at the west face line of the proposed retaining wall to be located on the east property line of Grantor's property.

Following said construction, and time to time maintenance, repair and replacement of said Facilities ("work operation") Grantee shall, at its sole cost, restore Grantor's improvements, in equivalent type and quality of materials and thickness of respective sections, to the condition existing at the time of Grantee's respective work operation, however, Grantee shall not be required to replace specialty decorative surface finishes such as ornamental, decorative or colored concrete or tiles.

The Legal Description of the said easement is shown on **EXHIBIT "A" (Legal Description - Permanent Pipeline Easement APN 624-060-45)**, and engineering plan drawing **Exhibit "B" SHEET(s) 1 of 2 and 2 of 2**, (but the permanent easement area is limited to the area designated as "WATER PIPE LINE EASEMENT AREA = 0.212 ACRES"). Each said Exhibit is attached hereto and made a part hereof.

WD EASEMENT NO. _____ OWD W.O.R2022/8875

Grantor reserves the right to use and maintain the land and easement areas above and below grade for all purposes (including but not limited to driveway, parking, paving, walks, curbs, landscaping and decorative surfaces and any others) which do not prevent the operation and maintenance of the said Use for the purpose hereby granted. Grantee may remove from the easement any building, structure, improvement or other encroachment thereon which prevents the Use for the purpose hereby granted.

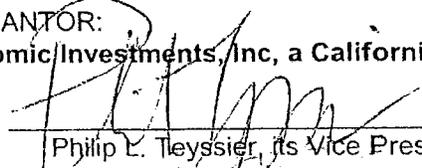
Relative to ground elevation grades existing in the easement surface area at the time of this document ("existing grades"). Grantor shall not decrease (or permit decrease) of the said existing grades which would result in the Cover of less than four feet (4'), nor shall Grantor increase (or permit increase) of the said existing grade, without District's written approval, which approval shall not be unreasonably withheld. Cover is defined herein as the vertical depth from the finish surface grade to the top surface of the 30" pipeline ("Cover").

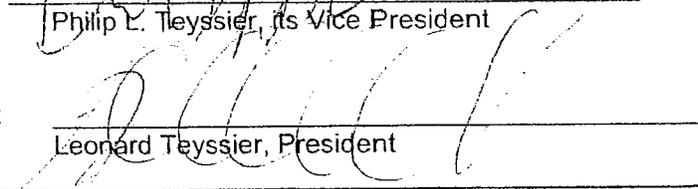
Grantor may, at Grantor's expense, and subject to Grantee's prior written consent (which consent shall not be unreasonably withheld) relocate the above mentioned Facilities in the event such conflict with future development of said property, provided that Grantor does not cause discontinuance of service to any area, and provided, further, that Grantee receives without expenses to Grantee, an easement comparable to this easement for said relocated facilities. Grantee shall not be required to relocate or alter in any way the Facilities installed pursuant to this grant of easement, or to bear any cost in connection therewith as a result of changes in the location of said Facilities.

Grantee shall have the right to transfer and assign this easement to its successors in interest for the purpose of their operation, maintenance and management of the District Facilities on the subject site in accordance with the specified Use.

IN WITNESS WHEREOF, Grantor has executed this Grant of Easement as of this 23rd day of August, 2005.

GRANTOR:
Atomic Investments, Inc, a California Corporation

By: 
Philip L. Teyssier, its Vice President

By: 
Leonard Teyssier, President

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the easement grant dated August 23, from ATOMIC INVESTMENTS, INC. to OTAY WATER DISTRICT, a political corporation and/or governmental agency, is hereby accepted by order of the BOARD OF DIRECTORS pursuant to the authority conferred by Resolution No. 1829, adopted on February 23, 1981, and the grantee consents to recordation thereof by its duly authorized officer.

Dated _____ By _____, District Secretary

State of California
County of San Diego

On 7.23.05 before me, Serena Contreras
DATE NAME AND TITLE OF NOTARY

personally appeared Philip L. Tegobian and
Linda C. Tegobian
NAME(S) of SIGNER(S)

personally known to me -OR- ~ proved to me of the basis of
satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their authorized
capacity(ies), and that by her/her/their signature(s) on the
instrument the person(s), or the entity upon behalf of which there
person(s) acted, executed the instrument.

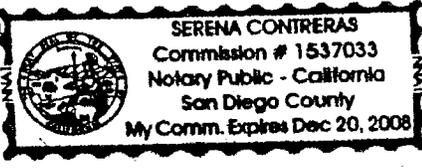
CAPACITY
CLAIMED BY SIGNER

- INDIVIDUAL(S)
- CORPORATE _____
- OFFICER(S) _____
- PARTNER(S) _____
- ATTORNEY-IN-FACT _____
- TRUSTEE(S) _____
- SUBSCRIBING WITNESS _____
- GUARDIAN/CONSERVATOR _____
- OTHER: _____

SIGNER IS REPRESENTING
NAME OF PERSON(S) OR ENTITY(IES)

Witness my hand and official seal

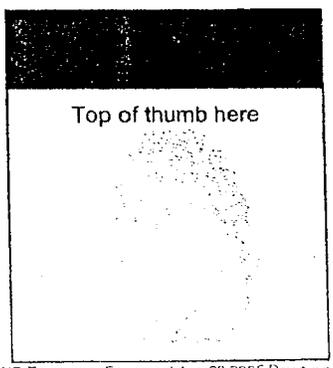
Serena Contreras
Signature of Notary



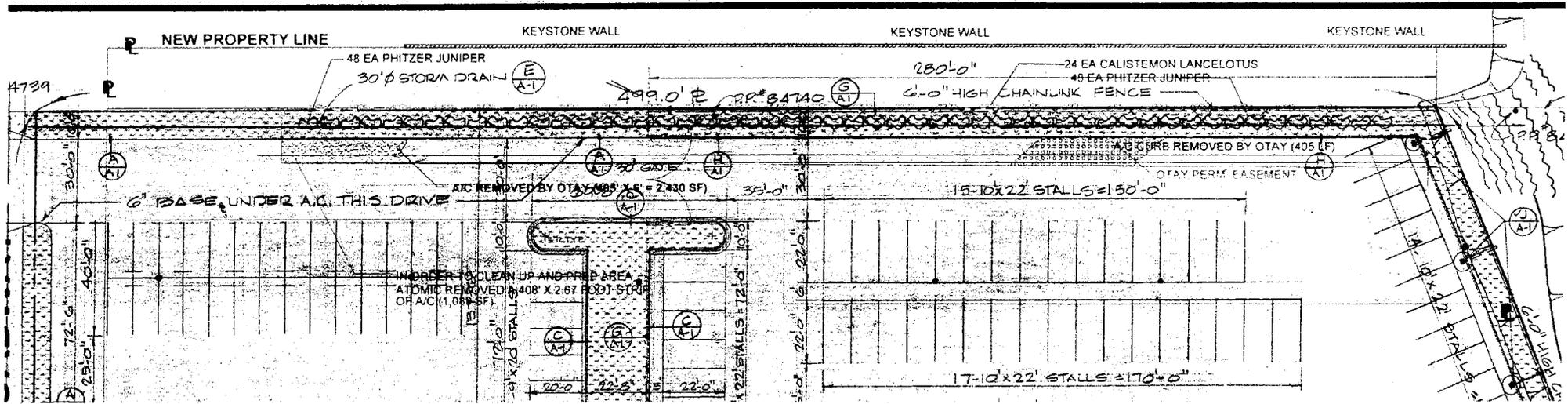
ATTENTION NOTARY. Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

Title of Type of Document Grant of Permanent Easement
 Number of Pages 8 Date of Document _____
 Signer(s) Other Than Named Above _____



thumbprint\F:\ALLDATA\PROPERTY\PD4\Water\District\Easement Documents\LET Revisions as of Aug 22 2005\Otay WD Temporary Easement Aug 22 2005 Rev a.wpd

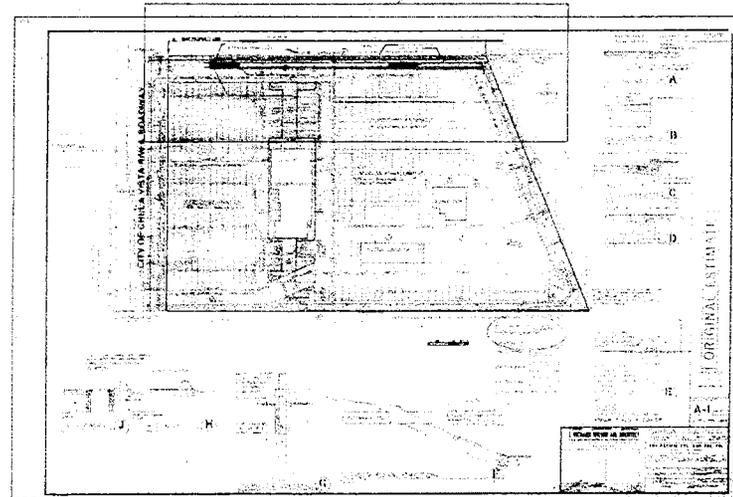


PARTIAL SITE PLAN SHOWING REMOVED ITEMS BY OTAY

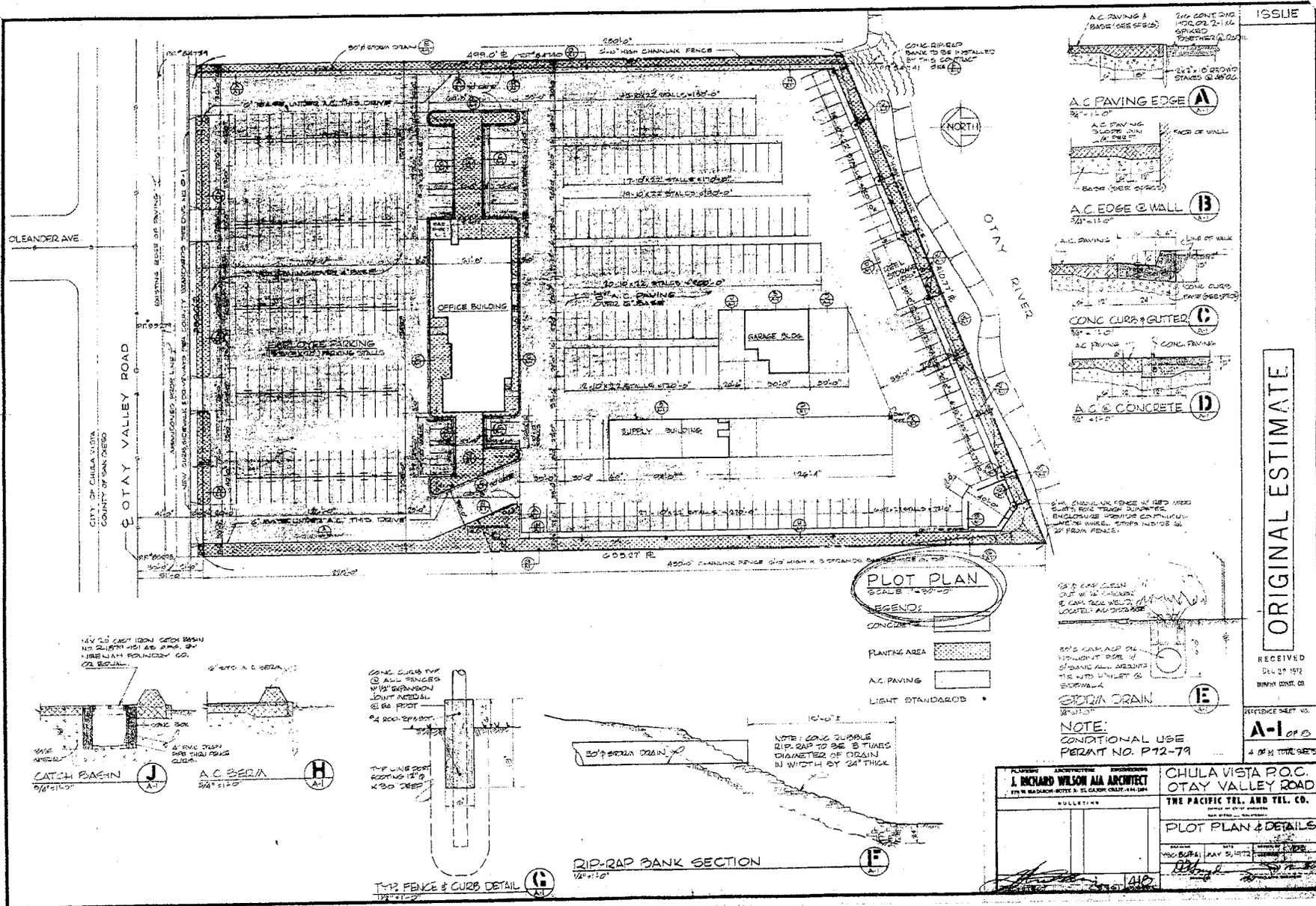
490 MAIN STREET, CHULA VISTA, CA
 PREPARED BY ATOMIC (DEC 2006)

SCALE: 1"=30'

SUBJECT AREA



OVERALL SITE PLAN - (ORIGINAL DRAWINGS)



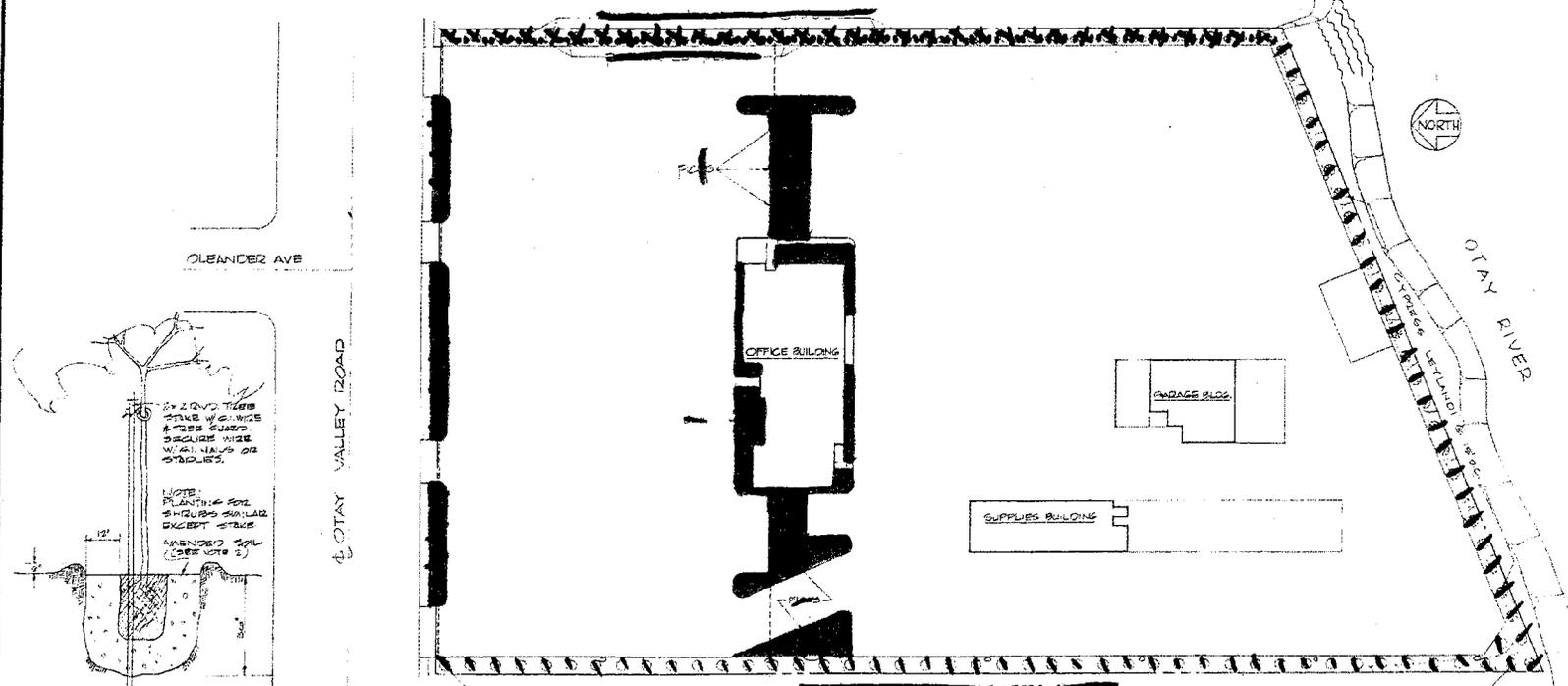
ISSUE

ORIGINAL ESTIMATE

RECEIVED
DEC 28 1972
BURNETT CONST. CO.

REFERENCE SHEET NO.
A-1 OF 3
4 OF 21 SHEETS

PLANNING A. RICHARD WILSON AIA ARCHITECT 1715 W. BARNUM BOULEVARD, SUITE 201, SAN DIEGO, CALIF. 92108	CHULA VISTA P.O.C. OTAY VALLEY ROAD THE PACIFIC TEL. AND TEL. CO. 1000 W. BURNETT AVENUE, CHULA VISTA, CALIF. 92010
BULLETING	PLOT PLAN & DETAILS
DATE: MAY 21, 1972	SCALE: AS SHOWN
DRAWN BY: [Signature]	CHECKED BY: [Signature]



TYPICAL TREE PLANTING DETAIL

- GENERAL NOTES**
1. ALL IVY PLANTING AREAS SHALL BE MULCHED WITH REDWOOD SAWDUST @ THE RATE OF NINE (9) CUBIC FEET PER 1000 SQUARE FEET OF AREA.
 2. EACH SHRUB & TREE SHALL BE BACK FILLED WITH AMENDED SOIL (AMENDED @ THE RATE OF 25% REDWOOD SAWDUST TO 75% SOIL).
 3. ALL PLANTS SHALL BE GUARANTEED TO MAINTAIN HEALTHY VIGOROUS GROWTH AND APPEARANCE FOR A PERIOD OF SIX (6) MONTHS AFTER DATE OF ACCEPTANCE BY OWNER.
 4. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE AND CARE OF LANDSCAPING FOR 30 DAYS AFTER ACCEPTANCE BY OWNER.

PLANT LIST & LEGEND

QUANTITY	SIZE	DESCRIPTION	SYMBOL
1	5 GAL.	CAL STEADY LANCELOTUS	○ ○ ○ ○ ○
1	5 GAL.	PURPER JUNIPERS	○ ○ ○ ○ ○
1	5 GAL.	CYPRESS LEYLANDI	○ ○ ○ ○ ○
1	5 GAL.	RED & WHITE OLEANDERS	○ ○ ○ ○ ○
1	15 GAL.	FIGUS RETUSA (TREES)	○ ○ ○ ○ ○
1	15 GAL.	ULMUS SERRATIDENS (ELA)	○ ○ ○ ○ ○
1	1 GAL.	NEBOLA POINT IVY	○ ○ ○ ○ ○
1	1 GAL.	TAX JUNIPERS	* * *

- IRRIGATION SYSTEM**
1. PIPING - SCHEDULE 40 PVC
 2. SPRINKLER HEADS - CHAMPION OR EQUAL:
 100' HEADS @ 10' O.C. UNLESS NOTED OTHERWISE.
 50' HEADS @ 12' O.C.
 25' HEADS @ 6' O.C. IN NARROW AREAS.
 3. THIS CONTRACTOR TO FURNISH & INSTALL 1" LATERALS AT EACH SPR. OUT & WITH 1/4" (10) HEADS MAXIMUM EACH LATERAL FOR ADEQUATE COVERAGE OF ALL PLANTING.
 4. SUPPLY LINE WITH 1" SUBROUTS AND 3/4" ANTI-SIPHON VALVES AND BOXES WILL BE FURNISHED BY OTHERS. (SEE DRAWING P1 OF 4 FOR LOCATIONS) ○

LANDSCAPE PLAN
SCALE = 1" = 30'-0"

ORIGINAL ESTIMATE

RECEIVED
 JUN 21 1972
 HUNNY CONSULT. CO.
 1800 W. 15th STREET, NO.
 L-1 OF 1
 1800 W. 15th STREET

PLANNING ARCHITECTURE ENGINEERING J. RICHARD WILSON AIA ARCHITECT 274 W. BALDWIN, SUITE 8, EL CAJON, CALIF. 92020	CHULAVISTA P.O.C. OTAY VALLEY ROAD THE PACIFIC TEL. AND TEL. CO. 1800 W. 15th STREET
BULLETING	LANDSCAPE PLAN
PROJECT NO. 192-001-L1 DATE MAY 21, 1972	DRAWN BY [Signature] CHECKED BY [Signature] 418



AUG 9 2006





MAY 15 2006



MAY 15 2006



MAY 15 2006

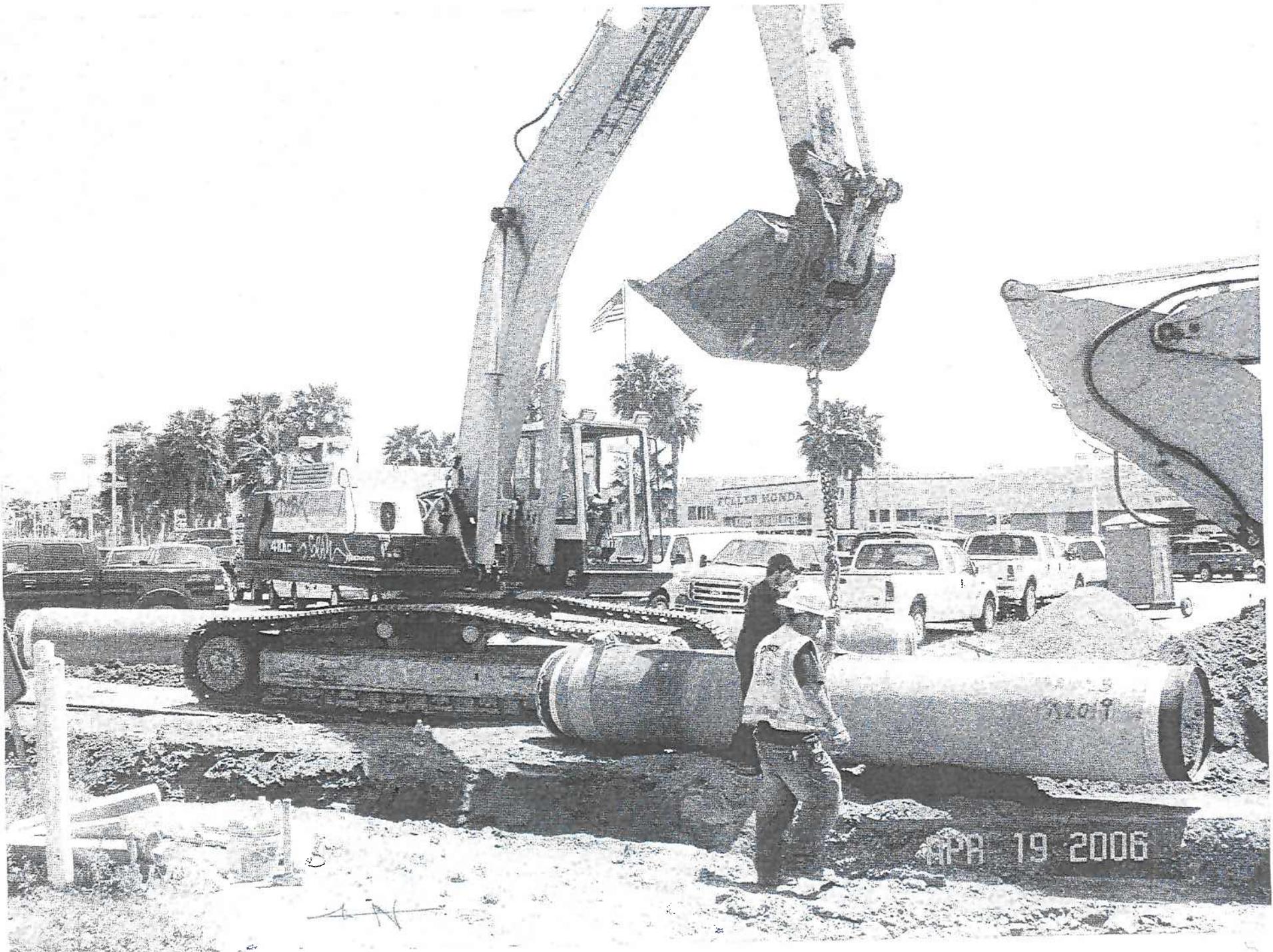


MAY 15 2006



[Handwritten signature]

MAY 15 2006



FULLER HONDA

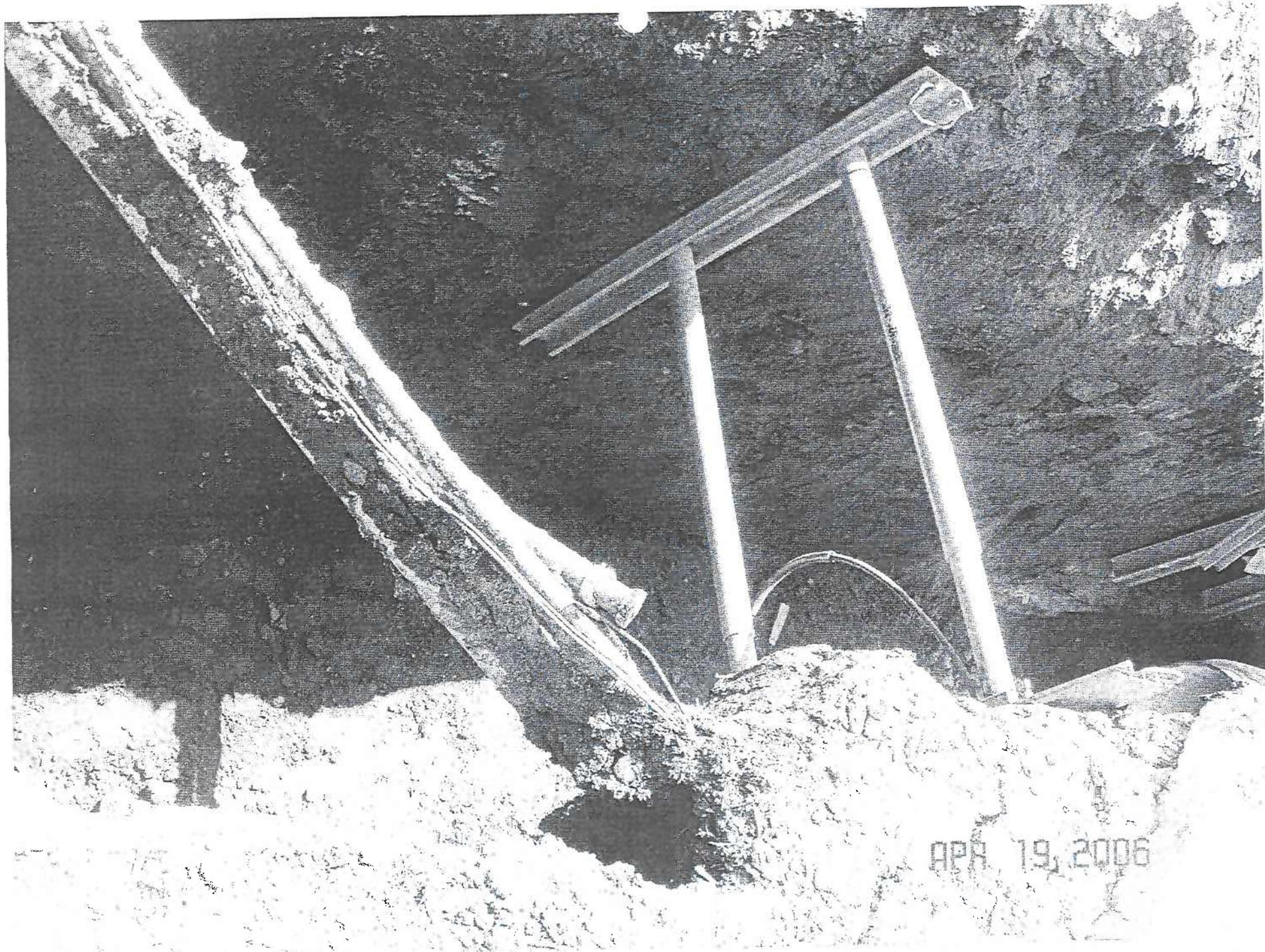
APR 19 2006

Handwritten signature or initials



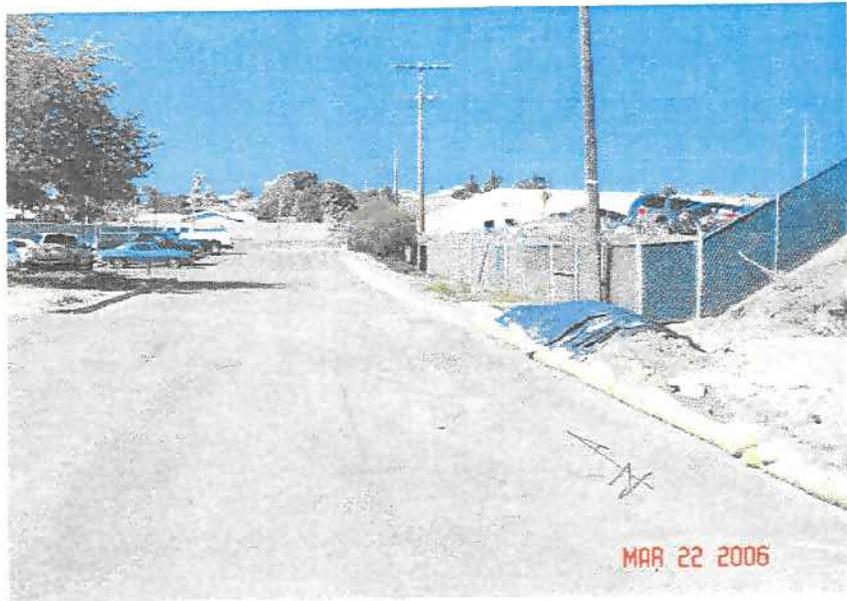
9

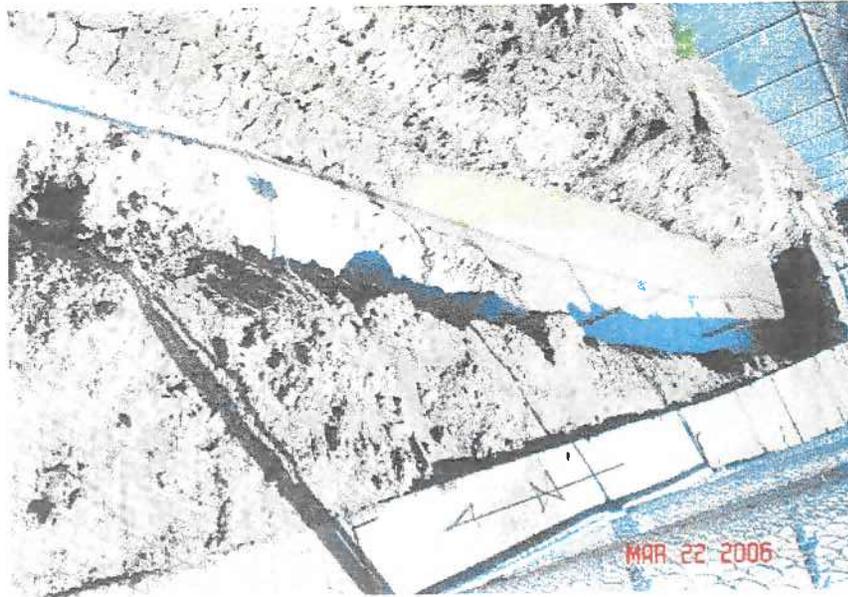
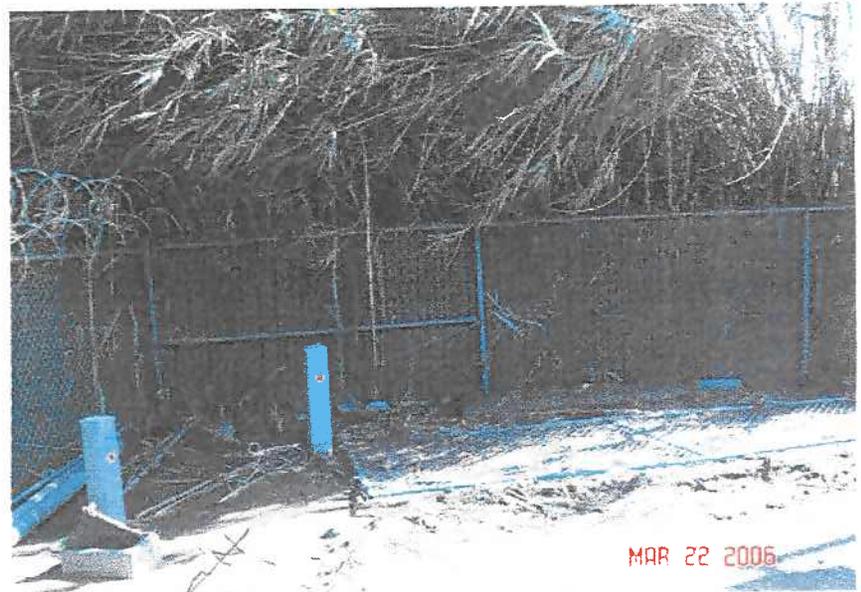
10

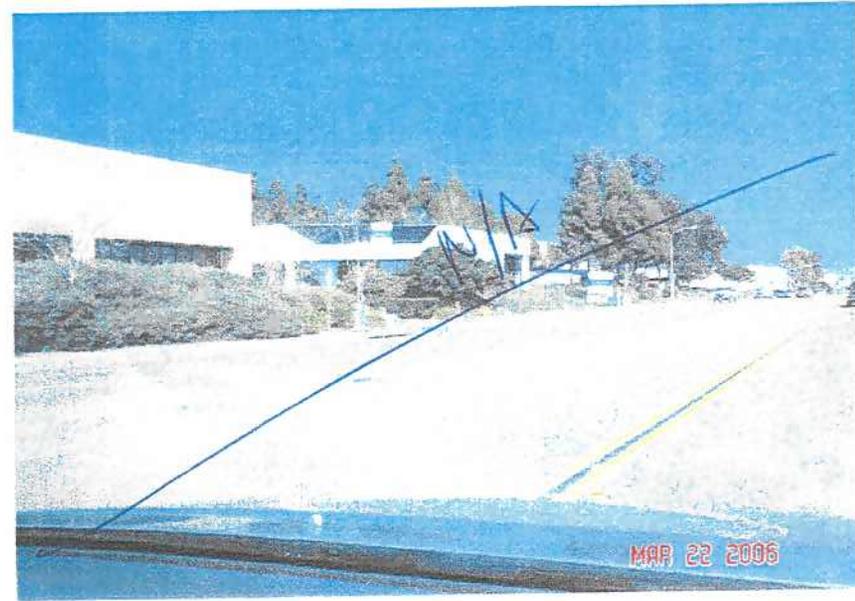
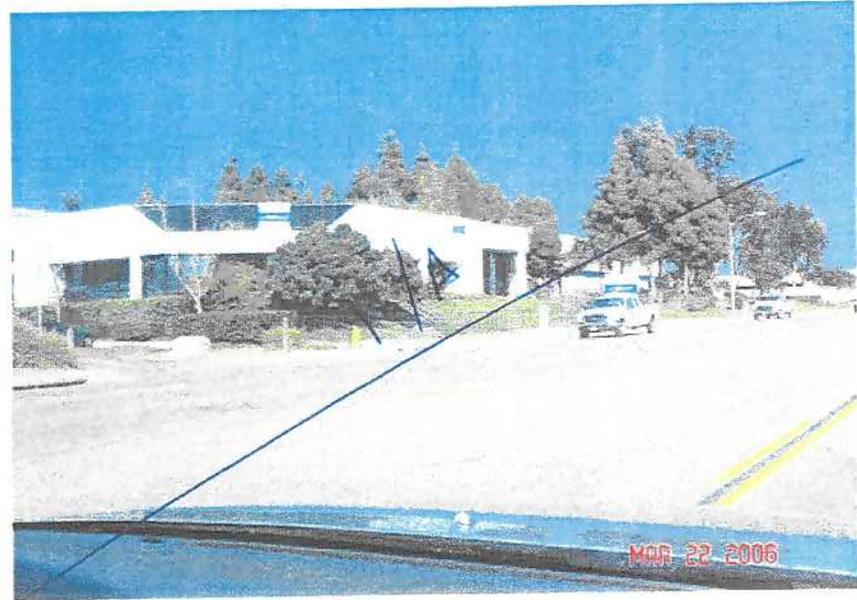
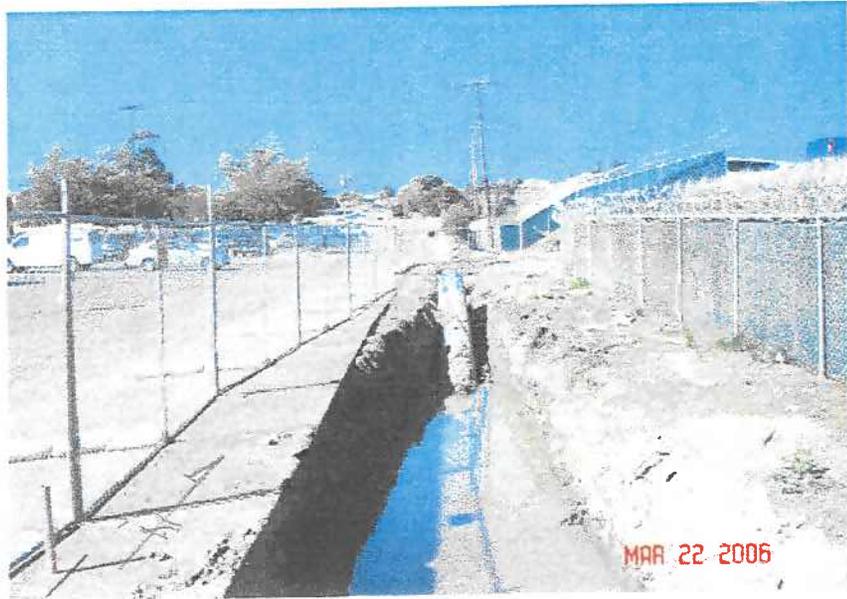














8/13/2005



8/13/2005



8/13/2005



8/13/2005



10-11-1980 10:15 AM





01-07-12 10:00









2/21/2006 09:33



2/21/2006 09:32





03-04-06 # 0013 23





Handwritten signature or initials.





10-31-05 10:42 AM





10-10-02



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AGENDA ITEM 6

STAFF REPORT

TYPE MEETING:	Regular Board	MEETING DATE:	February 7, 2007
SUBMITTED BY:	Rod Posada, <i>Rod Posada</i> Chief, Engineering	W.O./G.F. NO:	N/A DIV. NO. All
APPROVED BY: (Chief)	Rod Posada, <i>Rod Posada</i> Chief, Engineering		
APPROVED BY: (Asst. GM):	Manny Magaña, <i>M. Magaña</i> Assistant General Manager, Engineering and Operations		
SUBJECT:	Adopt Board Policy 49 - Service to Affordable and Low Income Households		

GENERAL MANAGER'S RECOMMENDATION:

Adopt Resolution No. 4094 adopting Policy No. 49 - Service to Affordable and Low Income Households.

COMMITTEE ACTION:

Please see Attachment A.

PURPOSE:

To bring the District into compliance with Senate Bill 1087, Government Code Section 65589.7, and Water Code Section 10631.

ANALYSIS:

California Senate Bill 1087, approved on October 7, 2005 (SB 1087), requires that public agencies that provide water or sewer services must adopt policies and procedures that make special provision for service to proposed developments that include affordable- and low-income housing units. SB 1087 specifically requires that, barring certain findings, water service for such proposed development cannot be denied, decreased or specially conditioned.

SB 1087 amended Government Code Section 65589.7 and added Water Code Section 10631. Government Code Section 65589.7 provides that public agencies that provide water or sewer services shall adopt, by July 1, 2006 and, at least every five years thereafter, written policies and procedures with specific objective standards for providing priority

service to proposed development that include housing units affordable to lower income households.

Water Code Section 10631.17 provides that water use projections of Urban Water Management Plans shall include projected water use for single-family and multi-family residential housing for lower income households.

With the assistance of the General Counsel, staff has drafted Board Policy No. 49 entitled Service to Affordable and Low Income Housing to reflect necessary changes to the District's policies and procedures to bring it into compliance with SB 1087.

FISCAL IMPACT: _____

None at this time.

LEGAL IMPACT: _____

Adoption of Policy 49 will move the District toward compliance with the provisions and requirements of SB 1087.

Mark Walton
General Manager

VH.

Attachments:

- Attachment A Committee Action
- Attachment B Resolution No. 4094
- Attachment C Proposed Policy No. 49 - Service to Affordable and Low Income Households
- Attachment D Senate Bill 1087



ATTACHMENT A

SUBJECT/PROJECT:	Adopt Board Policy 49 - Service to Affordable and Low Income Households
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COMMITTEE ACTION:

The Engineering and Operations Committee reviewed this item at a meeting held on January 23, 2007. The Committee supported Staff's recommendation.

NOTE:

The "Committee Action" is written in anticipation of the Committee moving the item forward for Board approval. This report will be sent to the Board as a Committee approved item, or modified to reflect any discussion or changes as directed from the Committee prior to presentation to the full Board.

RESOLUTION NO. 4094

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
OTAY WATER DISTRICT ADOPTING POLICIES AND
PROCEDURES FOR PROVIDING PRIORITY SERVICE TO
AFFORDABLE HOUSING PROJECTS
(GOVERNMENT CODE § 65589.7; WATER CODE § 10631.17)**

WHEREAS, the Otay Water District (“District”) is committed to the provision of water and, in some areas within its jurisdiction, sewer services in compliance with applicable federal and state laws; and

WHEREAS, Senate Bill 1087, which was approved by the California legislature on October 7, 2005, amended Government Code Section 65589.7 and Water Code Section 10631.17 and requires the District to adopt policies and procedures (i) barring the denial or the conditioning of approval of an application for water service, or reducing the amount of service applied for, by a proposed development that includes affordable or low-income housing units except in limited circumstances, and (ii) granting priority for the provision of services to proposed developments that include affordable or low-income housing units; and

WHEREAS, the District has previously adopted certain policies incorporating Section 53.12 into the Code of Ordinance of the District providing reduced water charges for low-income customers; and

WHEREAS, the Districts existing policies and procedures must be amended to comply with the new Government Code and Water Code provisions; and

WHEREAS, Policy No. 49 - Service to Affordable and Low Income Households contains policies and procedures that, added to other Sections of the Code of Ordinance and other Policies of the District, will expand the current policies and procedures concerning service to affordable and low-income households to bring the District into compliance with the provisions and requirements of SB 1087.

NOW, THEREFORE, BE IT RESOLVED by the BOARD OF DIRECTORS of the OTAY WATER DISTRICT as follows:

Section 1. The District’s new Policy No. 49 - Service to Affordable and Low Income Households, a copy of which is attached hereto, is hereby approved and adopted.

Section 2. District staff shall take any steps necessary to give full force and effect to the provisions of Policy No. 49 including adopting any required procedures and proposing the amendment of any conflicting provisions of the Code of Ordinance or other policies or procedures of the District.

Section 3. Policy No. 49 shall become effective immediately.

APPROVED AND ADOPTED this 7th day of February 2007 by the Board of Directors of the Otay Water District.

President

ATTEST:

District Secretary

I HEREBY CERTIFY that the foregoing Resolution No.49 was duly adopted by the BOARD OF DIRECTORS of the OTAY WATER DISTRICT at a regular meeting thereof held on the 7th day of February, 2007 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

District Secretary

**OTAY WATER DISTRICT
BOARD OF DIRECTORS POLICY**

Subject	Policy Number	Date Adopted	Date Revised
SERVICE TO AFFORDABLE AND LOW INCOME HOUSEHOLDS	49	2/7/07	

PURPOSE

The Board of Directors of the Otay Water District (District) is aware of the lack of affordable and low income housing within the District's service area. In support of the need to address the imbalance in housing stock through economic incentives, and in accordance with the laws of the State of California, the Board has adopted this policy.

BACKGROUND

California Senate Bill 1087, approved on October 7, 2005 (SB 1087), requires that public agencies that provide water or sewer services must adopt policies and procedures that make special provision for service to proposed affordable- and low-income housing projects. SB 1087 specifically requires that, barring certain findings, water service for a proposed development cannot be denied, reduced or specially conditioned if the proposed development has an affordable housing component for lower income households. This policy represents the District's effort to comply with the requirements and provisions of Senate Bill 1087.

POLICY

It is the policy of the District not to deny or condition the provision of water or sewer service, nor to reduce the amount of service applied for on the behalf of any proposed development that includes housing units affordable to low- and very low-income households, unless it makes specific findings that the denial, condition, or reduction is necessary due to the existence of one or more of the following, as applicable:

- a. The District does not have "sufficient water supply," as defined in paragraph (2) of subdivision (a) of Section 66473.7 of the California Government Code, or is operating under a water shortage emergency as defined in Section 350 of the California Water Code or Section 39 of the Code of Ordinance; or
- b. The District does not have sufficient water or sewer treatment or distribution capacity to serve the needs of the proposed development, as demonstrated by a written engineering analysis and report; or
- c. The District is subject to a compliance order issued by the State Department of Health Services, or other state or regional entity, that prohibits new water or sewer connections; or
- d. The applicant has failed to agree to, or comply with, the District's terms and conditions relating to the provision of service generally applicable to development projects seeking service from the District, including, but not limited to, the requirements of local, state or federal laws, regulations and ordinances, payment of necessary fees or charges, and construction of on-site or off-site

improvements as needed to serve the proposed development to standards or general application as determined by the District.

The District shall review its low income/affordable housing policy at least once every five years concurrently with its review of its Urban Water Management Plan to ensure that availability determinations are made in compliance with the plan as adopted pursuant to Part 2.6 (commencing with Section 10610) of Division 6 of the California Water Code.

Because fees are based on the cost of services rendered, it is not the policy of the District to grant fee reductions. If the District determines that a project is not in compliance with the applicable requirements imposed by the responsible local government concerning affordability, the District may, at its discretion, delete that project from the list of proposed projects entitled to priority under this policy.

The District believes that the existing plans, documents, and information it relies upon to provide water and/or sewer service constitute a reasonable basis for making service determinations under this policy. This policy does not in any way impair the District's ability to deny, reduce or condition the supply of any water or sewer services, at any time, if the applicant's, owners or responsible parties fail, or refuse, to comply with the District's policies, requirements or procedures regarding the provision of services, including but not limited to the payment of applicable fees and charges.

PROCEDURES

Staff shall adopt any procedures necessary to ensure compliance with the requirements of SB 1087 and this Policy.

- "Housing", as used in this policy, includes rental housing, condominiums, cooperative housing, ownership housing, housing for families, housing for seniors, housing for physically and/or mentally disabled people, emergency shelters, and shared housing.
- "Affordable to lower income households" has the meaning defined in Section 65589.7 of the Government Code of the State of California

Senate Bill No. 1087

CHAPTER 727

An act to amend Section 65589.7 of the Government Code, and to add Section 10631.1 to the Water Code, relating to housing.

[Approved by Governor October 7, 2005. Filed with Secretary of State October 7, 2005.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1087, Florez. Housing elements: services.

(1) The Planning and Zoning Law requires each city, county, or city and county to prepare and adopt a general plan for its jurisdiction that contains certain mandatory elements, including a housing element. One part of the housing element is an assessment of housing needs and an inventory of resources and constraints relevant to meeting those needs. That law also requires that the housing element adopted by the legislative body of the city, county, or city and county and any amendments made to that element be delivered to all public agencies or private entities that provide water services at retail or sewer services within the territory of the legislative body.

The Planning and Zoning Law also requires each public agency or private entity providing these services to grant a priority for the provision of available and future resources or services to proposed housing developments that help meet the legislative body's share of the regional housing need for lower income households as identified in the housing element and any amendments to the housing element.

This bill would require that the adopted housing element and any amendments be delivered immediately to all public agencies or private entities that provide water or sewer services, as specified, would apply these provisions to proposed developments that include housing units affordable to lower income households, and would require, on or before July 1, 2006, that these public agencies or private entities adopt written policies and procedures, and at least once every 5 years thereafter, with specific objective standards for provision of these services in conformance with these provisions. The bill would also require the Public Utilities Commission to adopt written policies and procedures for use by private water and sewer companies regulated by the commission in a manner consistent with these provisions. By increasing the duties of local public officials, the bill would impose a state-mandated local program.

This bill would also provide that a provider of water or sewer services may not deny or condition the approval of an application for services, or reduce the amount of the services applied for, if the proposed development includes housing affordable to lower income households, except upon making specified findings.

The bill would make these provisions applicable to charter cities.

(2) The Urban Water Management Planning Act requires urban water suppliers to prepare and adopt urban water management plans for submission to the Department of Water Resources, which identify and quantify the existing and planned sources of water available to the water supplier's service area based on specified factors.

This bill would also require that the water use projections required by these provisions include the projected water use for single-family and multifamily residential housing for lower income households as identified in the housing element of any city, county, or city and county in the service area of the supplier.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

The people of the State of California do enact as follows:

SECTION 1. Section 65589.7 of the Government Code is amended to read:

65589.7. (a) The housing element adopted by the legislative body and any amendments made to that element shall be immediately delivered to all public agencies or private entities that provide water or sewer services for municipal and industrial uses, including residential, within the territory of the legislative body. Each public agency or private entity providing water or sewer services shall grant a priority for the provision of these services to proposed developments that include housing units affordable to lower income households.

(b) A public agency or private entity providing water or sewer services shall adopt written policies and procedures, not later than July 1, 2006, and at least once every five years thereafter, with specific objective standards for provision of services in conformance with this section. For private water and sewer companies regulated by the Public Utilities Commission, the commission shall adopt written policies and procedures for use by those companies in a manner consistent with this section. The policies and procedures shall take into account all of the following:

(1) Regulations and restrictions adopted pursuant to Chapter 3 (commencing with Section 350) of Division 1 of the Water Code, relating to water shortage emergencies.

(2) The availability of water supplies as determined by the public agency or private entity pursuant to an urban water management plan

adopted pursuant to Part 2.6 (commencing with Section 10610) of Division 6 of the Water Code.

(3) Plans, documents, and information relied upon by the public agency or private entity that is not an "urban water supplier," as defined in Section 10617 of the Water Code, or that provides sewer service, that provide a reasonable basis for making service determinations.

(c) A public agency or private entity that provides water or sewer services shall not deny or condition the approval of an application for services to, or reduce the amount of services applied for by, a proposed development that includes housing units affordable to lower income households unless the public agency or private entity makes specific written findings that the denial, condition, or reduction is necessary due to the existence of one or more of the following:

(1) The public agency or private entity providing water service does not have "sufficient water supply," as defined in paragraph (2) of subdivision (a) of Section 66473.7, or is operating under a water shortage emergency as defined in Section 350 of the Water Code, or does not have sufficient water treatment or distribution capacity, to serve the needs of the proposed development, as demonstrated by a written engineering analysis and report.

(2) The public agency or private entity providing water service is subject to a compliance order issued by the State Department of Health Services that prohibits new water connections.

(3) The public agency or private entity providing sewer service does not have sufficient treatment or collection capacity, as demonstrated by a written engineering analysis and report on the condition of the treatment or collection works, to serve the needs of the proposed development.

(4) The public agency or private entity providing sewer service is under an order issued by a regional water quality control board that prohibits new sewer connections.

(5) The applicant has failed to agree to reasonable terms and conditions relating to the provision of service generally applicable to development projects seeking service from the public agency or private entity, including, but not limited to, the requirements of local, state, or federal laws and regulations or payment of a fee or charge imposed pursuant to Section 66013.

(d) The following definitions apply for purposes of this section:

(1) "Proposed developments that include housing units affordable to lower income households" means that dwelling units shall be sold or rented to lower income households, as defined in Section 50079.5 of the Health and Safety Code, at an affordable housing cost, as defined in Section 50052.5 of the Health and Safety Code, or an affordable rent, as defined in Section 50053 of the Health and Safety Code.

(2) "Water or sewer services" means supplying service through a pipe or other constructed conveyance for a residential purpose, and does not include the sale of water for human consumption by a water supplier to another water supplier for resale. As used in this section, "water service"

provided by a public agency or private entity applies only to water supplied from public water systems subject to Chapter 4 (commencing with Section 116275) of Part 12 of Division 104 of the Health and Safety Code.

(e) This section is intended to neither enlarge nor diminish the existing authority of a city, county, or city and county in adopting a housing element. Failure to deliver a housing element adopted by the legislative body or amendments made to that element, to a public agency or private entity providing water or sewer services shall neither invalidate any action or approval of a development project nor exempt a public agency or private entity from the obligations under this section. The special districts which provide water or sewer services related to development, as defined in subdivision (e) of Section 56426, are included within this section.

(f) The Legislature finds and declares that this section shall be applicable to all cities and counties, including charter cities, because the Legislature finds that the lack of affordable housing is a matter of vital statewide importance.

SEC. 2. Section 10631.1 is added to the Water Code, to read:

10631.1. (a) The water use projections required by Section 10631 shall include projected water use for single-family and multifamily residential housing needed for lower income households, as defined in Section 50079.5 of the Health and Safety Code, as identified in the housing element of any city, county, or city and county in the service area of the supplier.

(b) It is the intent of the Legislature that the identification of projected water use for single-family and multifamily residential housing for lower income households will assist a supplier in complying with the requirement under Section 65589.7 of the Government Code to grant a priority for the provision of service to housing units affordable to lower income households.

SEC. 3. The Legislature finds and declares that Sections 65104 and 66014 of the Government Code provide local agencies with authority to levy fees sufficient to pay for the program or level of service mandated by this act.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

However, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.