



# TOWN OF DISCOVERY BAY CSD

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

**NOTICE OF THE REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF THE  
TOWN OF DISCOVERY BAY CSD**  
Wednesday July 6, 2011  
1800 Willow Lake Road, Discovery Bay, California  
**REGULAR MEETING 7:00 P.M.**  
Website address: [www.todb.ca.gov](http://www.todb.ca.gov)

**A. ROLL CALL**

1. Call business meeting to order 7:00p.m.
2. Pledge of Allegiance

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

The public may address the Board on any issue in the District's jurisdiction, which is not on the agenda. The public may comment on any item on the agenda at the time that item is taken up. Any person wishing to speak must come up and speak from the podium. There will be no dialog between the Board and the commenter. Any clarifying questions from the Board must go through the Chair.

**C. AREA AGENCIES REPORTS / PRESENTATION**

1. SHERIFF'S OFFICE REPORT
2. CHP REPORT
3. FIRE DISTRICT REPORT
4. EAST CONTRA COSTA FIRE PROTECTION DISTRICT REPORT
5. SUPERVISOR MARY PIEPHO, DISTRICT III REPORT

**D. COMMITTEE/LIAISON REPORTS**

1. Trans-Plan Report
2. County Planning Commission Report
3. Code Enforcement Report
4. Special Districts Report\*\*

*\*\*These meetings are held Quarterly*

**E. CONSENT CALENDAR**

All matters listed under the CONSENT CALENDAR are considered by the District to be routine and will be enacted by one motion.

1. Minutes of previous Regular meeting dated June 15, 2011
2. District Invoices
3. District Financials
4. Acceptance of Grant Deeds and Certificate of Acceptances for certain parcels and one easement to a parcel currently owned by New Discovery, Inc.
5. Approval and Adoption of Resolution No. 2011-12 accepting the Dedication of Ravenswood Park (Subdivision 8710) and open space parcels (APN's 011-600-060, 011-610-099, 011-610-100, 011-620-047, & 011-620-048) from Contra Costa County
6. Caselle Clarity Software & Services Proposal
7. California Special Districts Association 2011 Board Elections

**F. NEW BUSINESS AND ACTION ITEMS**

1. Draft Audited Financial Statements for FY 2009-10
2. Award of contract for the Cornell Park Play Area Renovation (Ph. II) project to Community Playgrounds, Inc.
3. Agency Comment Request – 1020 Discovery Bay Boulevard Home Remodel

**G. PRESIDENT REPORT AND DIRECTORS' COMMENTS**

1. Update on the East Contra Costa Fire Protection District

**H. MANAGER'S REPORT**

**I. GENERAL MANAGER'S REPORT**

1. Management Internship Progress Update
2. Update on June 27, 2011 Sanitary Sewer Overflow (SSO)
3. Update on Department of Boating and Waterways regarding Egeria Densa Eradication Program
4. Select date for the Water Master Plan Workshop

**J. DISTRICT LEGAL COUNSEL REPORT**

**K. COMMITTEE UPDATES**

**L. CORRESPONDENCE – Discussion and Possible Action**

1. R – Byron Municipal Advisory Council meeting Minutes dated May 19, 2011
2. R – Memorandum - Proposed CSDA Bylaws Amendments from Jo MacKenzie, CSDA Board President to California Special Districts Association (CSDA) Voting Members dated June 1, 2011
3. R – Email from Lucia Becerra regarding an update on the Egeria Densa treatment in Discovery Bay dated June 29, 2011

**M. PUBLIC RECORD REQUESTS RECEIVED**

**N. FUTURE AGENDA ITEMS**

**O. ADJOURNMENT**

1. Adjourn to the next regular meeting on July 20, 2011 at 1800 Willow Lake Rd – Located in back of Delta Community Presbyterian Church.

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

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



# TOWN OF DISCOVERY BAY CSD

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

MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
TOWN OF DISCOVERY BAY CSD  
Wednesday June 15, 2011  
1800 Willow Lake Road, Discovery Bay, California  
Website address: [www.todb.ca.gov](http://www.todb.ca.gov)

## REGULAR MEETING at 7:00p.m.

### A. ROLL CALL

The meeting was called to order at 7:00p.m. President Graves led in the Pledge of Allegiance. Roll call was taken and all Directors were present.

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

None

### C. PRESENTATIONS

None

### D. CHAIR REPORT AND DIRECTORS' COMMENTS

**Director Steele** – Stated that the Community Center Committee is making good progress and looks as though we are on schedule.

**Vice-President Dawson** – Stated that the Splash Pad is a popular place to be and that the Splash Pad was an awesome idea.

**President Graves** – Provided his report and stated that he attended the June 6, 2011 East Contra Costa Fire Protection District Meeting and provided the details of the meeting.

**Director Steele** – Provided his report and stated that he attended the June 8, 2011 LAFCo Meeting and provided details of the meeting.

### E. CONSENT CALENDAR

All matters listed under the CONSENT CALENDAR are considered by the District to be routine and will be enacted by one motion.

1. Minutes of previous Regular Meeting dated June 1, 2011
2. Minutes of previous Special Meeting dated June 8, 2011
3. District Invoices
4. District Financials
5. A Resolution No. 2011-15 of the Governing Body of the Town of Discovery Bay Community Services District for the Election of Directors to the Special District Risk Management Authority Board of Directors

**Motion made** – by Director Simon to approve the Consent Calendar and seconded by Vice-President Dawson.  
**Motion carried** by the following vote: AYES: 5, NOES: 0

### F. NEW BUSINESS AND ACTION ITEMS

1. Resolution Number 2011-14 Adopting a Policy for Reimbursement of Expense and Travel of Officials and Employees and for Board Member Compensation of the Town of Discovery Bay Community Services District

**General Manager Howard** – Stated that this item was brought to the Board in a Closed Session. There are two (2) changes, and those changes are highlighted in yellow on page three (3) of the Draft Policy.

The discussion continued between General Manager Howard, the Board, and Legal Counsel Gillick in regards to the highlighted changes of the Draft Travel and Compensation Policy.

**General Manager Howard** – Decided to have no action taken and bring the item back to the Board with the suggested changes from the Board.

**2. Adopt Resolution Number 2011-16 Approving the Fiscal Year 2011-12 Operating, Capital and Revenue Budgets**

**General Manager Howard** – This item was brought to the Board in May and in the Workshop on June 8, 2011. The recommended changes from the Board are implemented into the FY 2011-12 Operating, Capital and Revenue Budgets document.

**Motion made** – by Vice-President Dawson to approve the Fiscal Year 2011-12 Operating, Capital and Revenue Budgets and seconded by Director Simon.

**Motion Amended** – by Vice-President Dawson to include adopting Resolution 2011-16 and seconded by Director Simon. Motion carried by the following vote: AYES: 5, NOES: 0.

There was discussion between the General Manager, the Board, and the Public.

**3. Appointment of Board Member to Code Enforcement Committee**

**General Manager Howard** – Announced that this item was brought back to the Board due to a scheduling conflict of attendance of the meetings.

**President Graves** – Stated that he would like to appoint Vice-President Dawson to the position of the Contra Costa County Code Enforcement Committee. Appointment carried by the following vote: AYES: 5, NOES: 0.

**G. VEOLIA REPORT**

**1. Veolia Monthly Operations Report for May 2011**

**Veolia Manager Gerald Smart** – Provided the details of the monthly report for May 2011.

**H. MANAGER'S REPORTS**

None

**I. GENERAL MANAGER'S REPORT**

**General Manager Howard** – Shared the slides from the "Relay for Life" event held on Saturday June 11, 2011.

**J. DISTRICT LEGAL COUNSEL REPORT**

None

**K. COMMITTEE UPDATES**

**1.** Minutes approved for the Town of Discovery Bay CSD Regular Meeting of the Community Center Committee dated May 17, 2011

**L. CORRESPONDENCE Discussion and Possible Action**

**1.** R – Letter from Supervisor Phipps to Sheriff David O. Livingston regarding the Byron Union School District and their support to fund the Discovery Bay P-6 Zone School Resource Officer dated May 31, 2011

**2.** R – Transplan Committee Meeting Minutes for May 12, 2011

**3.** R – Minutes for the State Route 4 Bypass Authority dated April 14, 2011

**4.** R – Minutes for the State Route 4 Bypass Authority dated May 12, 2011

**M. PUBLIC RECORD REQUESTS RECEIVED**

None

**N. FUTURE AGENDA ITEMS**

**Director Simon** – Well

**Vice-President Dawson** – Internship Program update

**O. ADJOURNMENT**

The meeting was adjourned at 7:47p.m. to the next Regular meeting of July 6, 2011 starting at 7:00pm at 1800 Willow Lake Road-Located in back of the Delta Community Presbyterian Church.

//cmc – 6.27.11



# Town of Discovery Bay CSD AGENDA REPORT

Meeting Date

July 6, 2011

Prepared By: Terri Degler, Accounts Assistant  
Submitted By: Rick Howard, General Manager *RH*

## Agenda Title

District Invoices

## Recommended Action

Staff recommends that the Board approve the listed invoices for payment

## Executive Summary

District invoices are paid on a regular basis, and must obtain Board authorization prior to payment. Staff recommends Board authorization in order that the District can continue to pay warrants in a timely manner.

## Fiscal Impact:

Amount Requested \$ 622,874.22

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

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

## Previous Relevant Board Actions for This Item

## Attachments

Request For Authorization to Pay Invoices for the Town of Discovery Bay CSD 2010/2011  
Town of Discovery Bay CSD Operating & Capital Budget 2010/2011  
Request For Authorization to Pay Invoices for the Town of Discovery Bay CSD 2011/2012  
Request For Authorization to Pay Invoices for the Discovery Bay Lighting & Landscape District #8 2010/2011  
Discovery Bay Lighting & Landscape District #8 Operating and Capital Budgets 2010/2011  
Request For Authorization to Pay Invoices for the Discovery Bay Lighting & Landscape District #8 2011/2012  
Request For Authorization to Pay Invoices for the Discovery Bay Lighting & Landscape District #9 2010/2011  
Discovery Bay Lighting & Landscape District #9 Operating Budget 2010/2011  
Request For Authorization to Pay Invoices for the Discovery Bay Lighting & Landscape District #9 2011/2012

Request for authorization to pay invoices  
 For the Meeting on July 6, 2011  
 Town of Discovery Bay CSD  
 For Fiscal Year's 7/10 - 6/11

Acct Code					
1	7002	Express Employment Inv#99626807-4, dtd 6/8/11/11 temp. w/e 6/5/11	6/5/2011	\$719.68	
2	7002	Express Employment Inv#99650488-2, dtd 6/15/11/11 temp. w/e 6/12/11	6/12/2011	\$899.60	
3	7002	Express Employment Inv#99675879-3, dtd 6/22/11/11 temp. w/e 6/19/11	6/19/2011	<u>\$899.60</u>	
		<b>Sub-Total</b>		<b>\$2,518.88</b>	
4	7002	ReliStar Life #JR457 (b), 6/1-6/15/11		\$350.00	
5	7003	ReliStar Life #JR457 (b), 6/1-6/15/11		\$641.54	
6	7002	ReliStar Life #JR457 (b), 6/16-6/30/11		\$350.00	
7	7003	ReliStar Life #JR457 (b), 6/16-6/30/11		<u>\$891.54</u>	
		<b>Sub-Total</b>		<b>\$2,233.08</b>	
8	7002	Sue Heint Exp rept 6/15/11, Mileage		\$22.44	
9	7952	Sue Heint Exp rept 6/15/11, Mileage Zone #61 reimburseable		<u>\$10.71</u>	
		<b>Sub-Total</b>		<b>\$33.15</b>	
10	7005	Neumiller & Beardslee Inv#241024, dtd 6/7/11 General		\$2,882.60	
11	7005	Neumiller & Beardslee Inv#241025, dtd 6/7/11 Public records request		<u>\$43.00</u>	
		<b>Sub-Total</b>		<b>\$2,925.60</b>	
12	7010	Herwitt Engineering Inv#11-03, dtd 4/1/11 Professional Services	3/1-3/31/11	\$15,112.60	
13	7010	Herwitt Engineering Inv#11-05, dtd 6/10/11 Professional Services	5/1-5/31/11	\$6,834.56	
14	7010	Herwitt Engineering Inv#11-06, dtd 6/29/11 Professional Services	6/1-6/30/11	\$4,444.52	
15	0910-007	Herwitt Engineering Inv#11-03, dtd 4/1/11 Professional Services	3/1-3/31/11	\$1,479.00	
16	0910-007	Herwitt Engineering Inv#11-05, dtd 6/10/11 Professional Services	5/1-5/31/11	<u>\$579.00</u>	
		<b>Sub-Total</b>		<b>\$27,449.68</b>	
17	7010	Hornberger Engineering Inv#436, dtd 6/15/11 Water/Rate study 2011/12 & 2012/13		\$14,687.50	
18	7010	Luhdorff & Scalmanini Inv#26924, dtd 5/30/11 Well 5A Master Plan		\$3,264.80	
19	7010	Stantec Inv#497479, dtd 6/8/11 TODB WWTP Master Plan		\$9,398.30	
20	7011	Veolia Inv#4527, dtd 6/16/11 Monthly O&M Fee for June 2011	Jun-11	\$87,132.47	
21	7210	CSS Inv#53498, dtd 6/13/11 Mailing services for proposed rate increase		\$496.80	
		<b>WATER</b>			
22	7135	PG&E / Acct# 2943721807-5 Newport WTP	4/15-06/11/11	\$26,009.23	
	7135	PG&E / Acct# 2990602600-9 Willow Lake WTP	5/12-06/10/11	\$4,693.56	
23	7135	PG&E / Acct# 3349549227-5 Well #3 DB Blvd & Edgeview	5/12-6/10/11	\$19.82	
24	7135	PG&E / Acct# 6760524303-8 Irri. Controller (Newport @ Well 4A)	5/13-6/13/11	\$17.35	
25	7135	PG&E / Acct# 7068319849-6 Well #5	4/12-6/09/11	\$17,202.69	
26	7135	PG&E / Acct# 8351173112-3 Well #2	5/12-6/11/11	\$2,420.26	
27	7135	PG&E / Acct# 8609981202-5 Well #1 (Gas)	5/12-6/10/11	\$18.86	
28	7135	PG&E / Acct# 8651647866-5 Well #1	5/12-6/11/11	<u>\$5,442.21</u>	
		<b>Sub-Total</b>		<b>\$55,823.98</b>	
		<b>SEWER</b>			
29	7137	PG&E / Acct# 0631986334-3 Newport Lift Station	5/14-6/11/11	\$3,132.34	
30	7137	PG&E / Acct# 1182741894-5 Pump Station D	5/12-6/11/11	\$149.93	
31	7137	PG&E / Acct# 1318320217-8 Pump Station A	5/12-6/11/11	\$10.09	
32	7137	PG&E / Acct# 2068717691-5 Pump Station G	5/13-6/13/11	\$39.07	
33	7137	PG&E / Acct# 2172798825-1 Pump Station R	5/13-6/13/11	\$94.34	
34	7137	PG&E / Acct# 2527523613-8 Pump Station S	5/14-6/14/11	\$383.15	
35	7137	PG&E / Acct# 3016215915-3 Pump Station F	5/11-6/09/11	\$638.32	
36	7137	PG&E / Acct# 3101013157-6 Lakes 4 Lift Station	5/12-6/10/11	\$116.95	
		<b>Sub-Total</b>		<b>\$4,564.19</b>	

Sub-Total page 1    \$210,528.43

Request for authorization to pay invoices  
 For the Meeting on July 6, 2011  
 Town of Discovery Bay CSD  
 For Fiscal Year's 7/10 - 6/11

**Acct Code**

37	7137	PG&E / Acct# 3497478293-9 Lakeshore Lift Station	5/11-6/9/11	\$609.78
38	7137	PG&E / Acct# 3881134135-3 WWTP #1	5/13-6/13/11	\$10,869.82
39	7137	PG&E / Acct# 4193709211-6 Pump Station C	5/14-6/13/11	\$63.26
40	7137	PG&E / Acct# 4201000159-4 Golf Course Valve Station	5/14-6/14-11	\$128.49
41	7137	PG&E / Acct# 4225081240-3 Disc WWTP & Pump Station W	5/13-6/13/11	\$32.03
42	7137	PG&E / Acct# 4516230421-1 Pump Station H	5/12-6/10/11	\$17.36
43	7137	PG&E / Acct# 7234986505-4 Pump Station J	5/12-6/10/11	\$256.42
44	7137	PG&E / Acct# 7312115758-7 SS/HWY 4 E/Disco Bay Blvd W/O Bridge	5/13-6/13/11	\$21,877.10
45	7137	PG&E / Acct# 7630923070-4 Pump Station E	5/11-6/09/11	\$335.31
46	7137	PG&E / Acct# 8343916134-6 Fern Ridge Circle/Hofmann	5/10-6/08/11	\$692.40
47	7137	PG&E / Acct# 8440119997-5 Knightsen School Pump Station	5/12-6/10/11	\$30.78
			<b>Sub-Total</b>	<b>\$34,912.75</b>
48	7210	Bay Area News Group Inv#326481, dtd 5/31/11 Classified Ad- PO #NPH 6/15		\$73.00
49	7210	Gemini Group, L.L.C. Inv#111-10449, dtd 6/9/11 CCR mailing service		\$2,974.88
50	7300	American Retrofit Inv#109, dtd 6/28/11 Labor to re-configure controls for influent pump		\$200.00
51	7300	American Retrofit Inv#110, dtd 6/28/11 Repair 480 volt circ pump @ headworks		\$1,210.00
52	7300	American Retrofit Inv#111, dtd 6/28/11 Disconnect/reinstall cameras @ UV & temp hook up		\$895.00
53	7300	American Retrofit Inv#112, dtd 6/17/11 Labor to unwire loaner pump		\$300.00
54	7300	American Retrofit Inv#113, dtd 6/24/11 Labor reinstall loaner pump		\$350.00
55	7300	American Retrofit Inv#114, dtd 6/29/11 Supply 4 locks for pumps local controls		\$200.00
			<b>Sub-Total</b>	<b>\$3,155.00</b>
		<u>Capital One Visa statement ending 12/14/10</u>		
56	7300	General Repairs W/S		\$719.11
57	7430	Office Supplies		\$3.17
58	7520	Telephone - wireless		\$80.58
59	7665	Office Bldg/Improvements		\$125.00
60	7690	Maintenance/Fuel		\$982.22
61	7950	Misc.		\$249.58
62	7952	Reimbursable #8 L&L		\$250.85
63	7952	Reimbursable #9 Ravenswood		\$112.04
			<b>Sub-Total</b>	<b>\$2,522.55</b>
		<u>Capital One Visa statement ending 1/14/11</u>		
64	7300	General Repairs W/S		\$411.97
65	7300-P	Pump Repairs		\$174.43
66	7430	Office Supplies		\$127.59
67	7520	Telephone - wireless		\$187.80
68	7550	Telephone		\$1,078.64
69	7690	Maintenance/Fuel		\$607.00
70	7950	Misc.		\$1,590.27
71	7952	Reimbursable #8 L&L		\$148.18
			<b>Sub-Total</b>	<b>\$4,325.88</b>
		<u>Capital One Visa statement ending 2/14/11</u>		
72	7290	Staff Training		\$741.44
73	7300	General Repairs W/S		\$303.90
74	7950	Misc.		\$28.26
75	7952	Reimbursable #8 L&L		\$97.02
76	7952	Reimbursable #9 Ravenswood		\$363.55
77	7952	Reimbursable Zone#61		\$196.93
			<b>Sub-Total</b>	<b>\$1,731.10</b>
78	.300	Conco-west, Inc. Inv#153, dtd 6/15/11 Repair machine rotor shaft for Rotor#2 Plant #2		\$2,134.61

Request for authorization to pay invoices  
 For the Meeting on July 6, 2011  
 Town of Discovery Bay CSD  
 For Fiscal Year's 7/10 - 6/11



<u>Acct Code</u>					
79	7300	G2 Metal Fab	Inv#1063, dtd 6/8/11	Repair lift handles/Unistrut Ree/SST Elbow	\$644.00
80	7300	Golden State Flow Measurement	Inv#-031936, dtd 5/22/11	Reg - W-120-160 TR/FL CF w/Nicor 21"	\$1,951.54
81	7300	GSE Construction	Inv#S120.02, dtd 6/8/11	Magna Bearing replacement	\$12,631.00
82	7300	J.W. Backhoe	Inv#1521, dtd 6/7/11	Repair @ 1909 Windward Point	\$5,415.40
83	7300	J.W. Backhoe	Inv#1523, dtd 6/7/11	Repair @ 2707 Cherry Hill Rd.	\$5,048.43
84	7300	J.W. Backhoe	Inv#1525, dtd 6/17/11	Repair valves @ 1933 Windward Pt.	\$10,255.77
85	7300	J.W. Backhoe	Inv#1526, dtd 6/17/11	Repair @ 1909 & 1933 Windward Pt.	\$5,932.80
86	7300	J.W. Backhoe	Inv#1528, dtd 6/17/11	Repair @ 2707 Cherry Hill Dr.	\$5,855.61
87	7300	J.W. Backhoe	Inv#1529, dtd 6/17/11	Repair hydrant @ Harbor St.	\$6,415.70
88	7300	J.W. Backhoe	Inv#1530, dtd 6/21/11	Repair @ 4095 Beacon Place	\$346.00
89	7300	J.W. Backhoe	Inv#1531, dtd 6/21/11	Hauled 7.89 tons of cut-back	\$1,112.41
90	7300	J.W. Backhoe	Inv#1532, dtd 6/21/11	Repair @ 1535 DB Blvd.	\$4,237.01
91	7300	J.W. Backhoe	Inv#1533, dtd 6/21/11	Repair hydrant @ Harbor St.	\$5,717.93
92	7300	J.W. Backhoe	Inv#1534, dtd 6/21/11	Hauled 4 loads of broken asphalt to recycling	\$709.89
93	7300	J.W. Backhoe	Inv#1535, dtd 6/21/11	Repair hydrant @ 920 Lido Cir.	<u>\$605.50</u>
<b>Sub-Total</b>					<b>\$51,652.45</b>
94	7300	MCI Engineering	Inv#06101101, dtd 6/10/11	Sewer Plant 2/Cabrillo/Cutter/Willow Lake/Windward	\$3,103.54
95	7300	Parkson	Inv#AR1/9100260 June, dtd 6/1/11	Electric moles	\$1,625.00
96	7300	R & B Company	Inv#S1259355.001, dtd 6/13/11	Brass cap	\$48.59
97	7300	R & B Company	Inv#S1259243.001, dtd 6/21/11	Street valve boxes	\$85.87
98	7300	R & B Company	Inv#S1260894.001, dtd 6/27/11	AMS *Low Lead*	<u>\$2,620.69</u>
<b>Sub-Total</b>					<b>\$2,755.15</b>
99	7300-P	Shape, Inc.	Inv#14073, dtd 6/16/11	Rebuild 3152 pump	\$6,917.49
100	7300-P	Shape, Inc.	Inv#14149, dtd 6/16/11	Rebuild 3170 pump	\$12,408.21
101	7300-P	Shape, Inc.	Inv#14150, dtd 6/16/11	Parts	\$774.40
102	7300-P	Shape, Inc.	Inv#14151, dtd 6/16/11	Parts	\$1,017.08
103	7300-P	Shape, Inc.	Inv#14158, dtd 6/17/11	Rebuild 3085 pump	\$2,170.80
104	7300-P	Shape, Inc.	Inv#14159, dtd 6/17/11	Rebuild 3085 pump	\$470.00
105	7300-P	Shape, Inc.	Inv#116052, dtd 6/21/11	Rebuild 3085 pump	\$1,491.26
106	7300-P	Shape, Inc.	Inv#116053, dtd 6/21/11	Rebuild 3085 pump	<u>\$470.00</u>
<b>Sub-Total</b>					<b>\$25,717.24</b>
107	7300	Siemens	Inv#5565170607, dtd 6/16/11	Repair Flow Meters	\$2,961.53
108	7300	UPS	Inv#12X417241, dtd 6/11/11	CA Dept of Public Health Safe Drinking Water	\$19.43
109	7430	UPS	Inv#12X417251, dtd 6/18/11	CA Regionals Quality Co.	\$18.62
110	7300	UPS	Inv#12X527261, dtd 6/25/11	Eureka Enviro Engineering	\$138.29
111	7430	UPS	Inv#12X527261, dtd 6/25/11	Personal Portfolios	<u>\$11.14</u>
<b>Sub-Total</b>					<b>\$187.48</b>
112	7300	Paul E. Vaz Trucking	Inv#13186, dtd 6/8/11	Teichert to TOB	\$642.49
113	7300	Paul E. Vaz Trucking	Inv#13187, dtd 6/8/11	Teichert to TOB	<u>\$760.66</u>
<b>Sub-Total</b>					<b>\$1,403.15</b>
114	7300	Veolia	Inv#4711, dtd 6/23/11	Reimburseable for May 2011	May-11 \$1,515.24
115	7300	W.J. Welding	Inv#43157, dtd 6/14/11	Plasma cut WWI headworks	\$112.53
<b>Sub-Total page 3</b>					<b>\$106,259.85</b>



**Request for authorization to pay invoices  
For the Meeting on July 6, 2011  
Town of Discovery Bay CSD  
For Fiscal Year's 7/10 - 6/11**

**Acct Code**

116	7330	BCS #SI5883233, dtd 6/9/11	Chemicals for 1800 Newport Drive		\$1,617.39
117	7330	BCS #SI5883234, dtd 6/9/11	Chemicals for 1800 Willow Lake Drive		\$724.38
118	7330	BCS #SI5885925, dtd 6/16/11	Chemicals		\$902.74
119	7330	BCS #SI5885926, dtd 6/16/11	Chemicals		\$1,784.60
120	7330	BCS #SI5889018, dtd 6/24/11	Chemicals		\$1,539.02
121	7330	BCS #SI5889020, dtd 6/24/11	Chemicals		<u>\$1,181.81</u>
				<b>Sub-Total</b>	<b>\$7,749.94</b>
122	7430	MailFinance Inv#N2580026, dtd 6/17/11	Monthly contract	7/19-8/19/11	\$70.09
123	7430	Office Depot Inv#566828962001, dtd 6/7/11	Office Supplies		25.28
124	7430	Office Depot Inv#567657162001, dtd 6/10/11	Office Supplies		\$178.63
125	7430	Office Depot Inv#567657246001, dtd 6/10/11	Office Supplies		\$2.87
126	7430	Office Depot Inv#567804832001, dtd 6/13/11	Office Supplies		\$9.92
127	7430	Office Depot Inv#568500718001, dtd 6/17/11	Office Supplies		\$87.05
128	7430	Office Depot Inv#568500812001, dtd 6/24/11	Office Supplies		\$81.45
129	7430	Office Depot Inv#568500813001, dtd 6/20/11	Office Supplies		\$9.69
130	7430	Office Depot Inv#569293571001, dtd 6/24/11	Office Supplies		\$78.54
131	7430	Office Depot Inv#569300341001, dtd 6/24/11	Office Supplies		<u>\$12.25</u>
				<b>Sub-Total</b>	<b>\$485.68</b>
132	7430	Upper Case Printing, Ink Inv#5032, dtd 6/17/11	Printed stock for utility bills		\$200.00
133	7630	Platt Inv#9649557, dtd 5/27/11	Light Bulbs		\$57.78
134	7670	AW Direct Inv#1017494428, dtd 6/17/11	Vests		\$89.68
135	7670	Big Dog Computers Inv#20090930-16, dtd 6/28/11	Monthly service/XP recovery		\$620.00
136	7690	Thornburg Mobile Serv. Inv#50263, dtd 6/7/11	Forklift-repair		\$336.29
137	7690	Thornburg Mobile Serv. Inv#50266, dtd 6/20/11	Forklift-repair		<u>\$210.00</u>
				<b>Sub-Total</b>	<b>\$546.29</b>
138	7720	Brian Dawson Exp. report June 2011, Director's meetings June 2011		Jun-11	\$300.00
139	7720	Kevin Graves Exp. report June 2011, Director's meetings June 2011		Jun-11	\$500.00
140	7722	Kevin Graves Exp. report June 2011, Mileage June 2011		Jun-11	<u>\$59.67</u>
					<b>\$559.67</b>
141	7720	Mark Simon Exp. report June 2011, Director's meeting June 2011		Jun-11	\$300.00
142	7720	Chris Steele Exp. report June 2011, Director's meeting June 2011		Jun-11	\$500.00
143	7722	Chris Steele Exp. report June 2011, Mileage		Jun-11	<u>\$35.19</u>
					<b>\$535.19</b>
144	7720	Ray Tetreault Exp. report May 2011, Director's meetings May 2011		May-11	\$600.00
145	7720	Ray Tetreault Exp. report June 2011, Director's meetings June 2011		Jun-11	<u>\$300.00</u>
				<b>Sub-Total</b>	<b>\$900.00</b>
146	7952	Contra Costa County Permit#BIMIC11-003775, dtd 6/7/11	Cornell Park ****#8 - reimburseable****		\$2,574.37
147	7952	Fairin Perez Exp. report June 2011	Mileage June 2011 ****Zone #57 - reimburseable****		\$38.76
148	952	Odyssey Landscape Inv#36035760-35	Monthly contract for May 2011 ****Zone #35 - reimburseable****		\$215.00
149	7952	Odyssey Landscape Inv#36035875-35, dtd 6/21/11	Monthly contract for June 2011 ****Zone #35 - reimburseable****		<u>\$215.00</u>
				<b>Sub-Total</b>	<b>\$430.00</b>

Request for authorization to pay invoices  
 For the Meeting on July 6, 2011  
 Town of Discovery Bay CSD  
 For Fiscal Year's 7/10 - 6/11



**Object Code**

150	7952	Odyssey Landscape Inv#36035760-57 Monthly contract for May 2011 ****Zone #57 - reimburseable****	\$2,635.00
151	7952	Odyssey Landscape Inv#36035853-57 Regatta Park - irrigation repairs ****Zone #57 - reimburseable****	\$70.00
152	7952	Odyssey Landscape Inv#36035875-57, dtd 6/21/11 Monthly contract for June 2011 ****Zone #57 - reimburseable****	\$2,635.00
153	7952	Odyssey Landscape Inv#36035760-61 Monthly contract for May 2011 ****Zone #61 - reimburseable****	\$4,280.00
154	7952	Odyssey Landscape Inv#36035875-61, dtd 6/21/11 Monthly contract for June 2011 ****Zone #61 - reimburseable****	\$4,280.00
			<b>Sub-Total</b>
			<b>\$13,900.00</b>
155	7952	Ross Recreation Equipment Inv#89955, dtd 6/8/11 Slifer Park bench parts ****Zone #61 - reimburseable****	\$161.40
156	1011-022	Conco-West, Inc. Inv#147, dtd 5/25/11 Extra work - Time & Material	\$48,864.83
157	1011-022	Conco-West, Inc. Inv#155, dtd 5/25/11 Progress Billing #2 thru 5/6/11	\$22,212.15
158	1011-022	Conco-West, Inc. Inv#156, dtd 6/16/11 10% retention	\$8,013.52
			<b>Sub-Total</b>
			<b>\$77,090.50</b>
			Sub-Total page 5
			\$91,151.90
			Sub-Total page 4
			\$15,457.45
			Sub-Total page 3
			\$106,259.85
			Sub-Total page 2
			\$51,829.77
			Sub-Total page 1
			<u>\$210,528.43</u>
<b>TODB TOTAL...</b>			<b>\$475,227.40</b>

**Caselle Utility Account**

1	7951	Refund of Overpayment Acct# 1-011-291-036-9.01	\$3.84
2	7951	Refund of Overpayment Acct# 1-011-441-049-1.01	\$4.59
3	7951	Refund of Overpayment Acct# 1-011-450-043.2.02	\$5.62
4	7951	Refund of Overpayment Acct# 1-011-550-015-9.01	\$17.11
			<b>Sub-Total</b>
			<b>\$31.16</b>

**Caselle Utility Total**

**TODB GRAND TOTAL** **\$475,258.56**



Acct. #	TOP OF DISCOVERY BAY CSD OF BUDGET 2010/2011 Approved at 06/16/10 Meeting Account Description	2009/2010 YTD ACTUALS	2009/2010 % of Budget YTD	2010/2011 Budget	Feb 11 Month to Date Expenses	75.00% 11 th Month to Date Expenses	83.33% Apr 11 Month to Date Expenses	91.67% May 11 Month to Date Expenses	Jun 11 Month to Date Expenses	Pending Approval 07/06/11	2010/2011 YTD REIMB.	2010/2011 YTD ACTUALS	2010/2011 % of Budget YTD
7000	Contract Services												
7001	General Manager	\$103,719	102%	\$130,000	\$55,364	\$963	\$33,116	\$22,006	\$22,006			\$121,221	93%
7002	District Staff	\$388,678	176%	\$270,000	\$223,591	\$863	\$123,637	\$44,387	\$84,593	\$3,241		\$539,663	200%
W	Staff Water Related			\$126,000								\$0	0%
L	Landscape Related (Reimb)			\$121,000								\$0	0%
7003	District Benefits	\$0	0%	\$52,500	\$3,690							\$0	0%
7005	Legal	\$87,417	146%	\$60,000	\$7,321	\$5,649	\$4,393	\$4,413	\$3,997	\$1,533		\$28,468	54%
7010	Consulting Services	\$104,787	44%	\$210,000	\$24,611	\$36,432	\$34,867	\$43	\$6,368	\$2,925		\$68,422	86%
7011	Veolia Operations	\$1,079,476	161%	\$1,173,000	\$250,086	\$85,434	\$83,362	\$95,701	\$48,049	\$52,742		\$291,677	139%
7012	Veolia Prev & Corrective Fund	\$101,819	212%	\$80,000	\$15,754	\$3,560	\$3,560			\$87,132		\$334,395	80%
7013	NPDES Permit	\$0	0%	\$80,000								\$56,102	70%
W	Staff Water Related	\$0										\$0	
7014	Outsource of Water Billing		0%	\$24,000								\$0	0%
7015	General Operating Expenses			\$24,000								\$0	0%
7120	Audit	\$21,025	111%	\$35,000									
7135	Electrical Cost (water)	\$328,208	108%	\$300,000	\$13,890	\$15,931	\$14,538	\$15,829	\$13,425	\$55,824		\$23,330	67%
7137	Electrical Cost (sewer)	\$371,784	124%	\$325,000	\$26,828	\$22,447	\$25,755	\$25,621	\$39,364	\$39,477		\$503,804	101%
7210	Public Comm & Noticing	\$13,367	134%	\$5,000								\$342,851	105%
7220	Election Expenses	\$0	0%	\$12,000		\$5,281	\$1,820	\$190	\$1,682	\$3,545		\$4,080	82%
7230	Rent - Public Meetings	\$0	0%	\$500								\$5,281	44%
7250	Memberships	\$28,073	468%	\$16,000	\$237							\$0	0%
7280	Permits	\$29,233	97%	\$50,000								\$6,023	38%
7285	NPDES NOV Fines (s)	\$1,716	49%	\$25,000		\$135	\$3,112	\$4,216	\$1,942			\$38,381	77%
7290	Staff Training	\$554,147	185%	\$350,000	\$27,444	\$33,099	\$31,505	\$48,786	\$49	\$741		\$15,000	60%
7300	General Repairs Water / Sewer	\$54,147	185%	\$150,000	\$7,029	\$19,298	\$6,715	\$17,510	\$9,706	\$25,892		\$569,942	163%
7310	Pump Repairs	\$0	0%	\$15,000								\$101,217	67%
7320	NTR / SIP Testing	\$0	0%	\$3,000								\$0	0%
7320	Special Equipment/Signage	\$4,699	157%	\$3,000	\$2,394	\$4,289	\$6,910	\$63	\$548			\$1,299	43%
7330	Chemicals/Odor Materials	\$37,797	196%	\$65,000								\$87,931	135%
7400	Office Expenses			\$4,500								\$2,850	63%
7410	Copier Maint	\$4,697	94%	\$4,500	\$284	\$271	\$730	\$96	\$881			\$11,721	489%
7420	Postage	\$17,497	250%	\$6,000	\$765	\$499	\$490	\$1,111	\$801	\$916		\$7,412	93%
7430	Office Supplies	\$29,109	970%	\$1,000	\$652	\$411	\$396	\$616	\$408	\$268		\$5,400	540%
7510	Web Site/Internet	\$6,371	255%	\$4,000	\$107	\$106	\$355	\$634	\$232	\$1,079		\$6,113	136%
7520	Wireless	\$23,632	236%	\$15,000	\$823	\$807	\$356	\$4,149	\$1,781	\$58		\$4,697	117%
7550	Telephone	\$21,877	436%	\$10,000	\$312	\$150	\$396	\$313	\$372	\$125		\$21,832	146%
7600	District Wide	\$30,035	601%	\$8,000	\$192	\$192	\$224	\$2,725	\$1,075	\$710		\$3,687	37%
7630	Site Maintenance /Landscape	\$6,193	206%	\$3,500	\$594	\$248	\$219	\$163	\$336			\$6,862	86%
7665	Office Bldg / Improvements	\$25,323	141%	\$19,000	\$1,068	\$6	\$1,481	\$1,869	\$1,744	\$2,136		\$397	40%
7670	Office Equipment / Software	\$25,038	70%	\$36,000	\$2,445	\$1,894	\$2,331	\$2,797	\$2,377	\$2,595		\$6,483	185%
7680	Office Furnishings	\$312	31%	\$600	\$385	\$90	\$50	\$50	\$2,377			\$25,756	136%
7685	Tools	\$181,203	16120%	\$12,000	\$85	\$90	\$50	\$86	\$1,085	\$2,595		\$23,388	65%
7690	Maint / Fuel	\$5,153	172%	\$5,500	\$19,022	\$11,162	\$16,958	\$4,826	\$13,184	\$18,284		\$11,690	97%
7700	Directors Expense	\$0	0%	\$100,000								\$824	5%
7720	Compensation			\$100,000								\$122,040	122%
7730	Training			\$48,000								\$0	
7950	Miscellaneous	\$161,203	16120%	\$12,000	\$85	\$90	\$50	\$86	\$1,085	\$1,868		\$2,338	65%
7951	Misc - Reimbursable	\$5,153	172%	\$5,500	\$19,022	\$11,162	\$16,958	\$4,826	\$13,184	\$18,284		\$11,690	97%
7952	Misc - Zones Reimbursable	\$0	0%	\$100,000								\$824	5%
7955	Reimbursement (Hofmann)	\$0	0%	\$100,000								\$122,040	122%
7100	Insurance			\$6,000								\$0	
7115	General Liability	\$102,503	171%	\$48,000								\$0	0%
7120	Worker's Comp			\$6,000								\$0	0%
7800	County Services			\$5,500								\$4,458	74%
7805	Revenue Collection	\$5,153	172%	\$5,500	\$19,022	\$11,162	\$16,958	\$4,826	\$13,184	\$18,284		\$4,640	84%
7810-0810	Investment Fee	\$0	0%	\$700								\$0	0%
7815-2315	Data Processing	\$0		\$700								\$0	0%
7820	Accounting (A/P, A/R, GL)	\$0		\$2,500								\$0	0%

TOWN OF DISCOVERY BAY CSD		2010/2011		2009/2010		2009/2010		2010/2011		2010/2011		2010/2011		2010/2011	
Acct. #	Account Description	YTD	% of	Budget YTD	Budget	Month to Date	Expenses	Month to Date	Expenses	Month to Date	Expenses	Month to Date	Expenses	YTD	% of
7825	Public Works - permits	\$21,180	424%	\$6,000	\$6,000	\$789	\$3,787	\$3,366	\$633					\$15,622	260%
	Reimbursements to Town of DB	(\$91,100)		(\$231,000)		\$679,217	\$263,256	\$426,421	\$313,633					\$0	0%
	<b>TOTAL</b>	<b>\$3,711,273</b>	<b>127%</b>	<b>\$3,697,800</b>	<b>\$3,697,800</b>	<b>\$679,217</b>	<b>\$263,256</b>	<b>\$426,421</b>	<b>\$313,633</b>	<b>\$396,109</b>	<b>\$0</b>	<b>\$0</b>	<b>\$3,827,103</b>	<b>\$0</b>	<b>103%</b>

Reimbursements:		Date	No	Company	Amount
		11/19/10	2487	DB L&L #9	\$317.50
		11/19/10	2491	DB L&L #8	\$496.65
		03/14/11	2623	DB L&L #9	\$1,963.94
		03/14/11	2622	DB L&L #9	\$4,402.10
		03/14/11	2629	DB L&L #9	\$2,170.82
		03/14/11	2628	DB L&L #8	\$6,265.52
		03/14/11	2634	DB L&L #8	\$5,258.79
		03/14/11	2635	DB L&L #9	\$2,002.93
		03/14/11	2640	DB L&L #8	\$4,595.25
		03/14/11	2646	DB L&L #8	\$4,573.38
		03/14/11	2647	DB L&L #9	\$2,204.98
		03/14/11	2652	DB L&L #8	\$3,492.52
		03/14/11	2653	DB L&L #9	\$141.74
				<b>Total Reimbursements for 10/11</b>	<b>\$37,885.92</b>

Miscellaneous Adjustments:		Date	Acct #	Amount	Description
		7/21/2010	7950	\$5,545.00	S/B in #7952
		8/4/2010	7950	\$168.44	S/B in #7952
		7/21/2010	7300	\$4,408.00	S/B in #1011-017
		8/4/2010	7010	\$11,331.42	S/B in #7300
		8/4/2010	7300	\$23,805.08	S/B in #7300P
		8/25/2010	7300	\$650.00	S/B in #0809-002
		8/25/2010	7300	\$225.00	S/B in #7630
		8/25/2010	7300	\$96.00	remove - pd 7/27/10
		8/25/2010	7320	\$177.99	S/B in #7300
		8/25/2010	7300	\$4,010.67	S/B in #7300P
		8/25/2010	7520	\$731.00	S/B \$716.00
		8/25/2010	7550	\$731.00	S/B \$150.00
		8/15/2010	7952	\$8,944.00	S/B \$8,452.00
		7300	\$1,444.52	S/B in #7300P	
		10/6/2010	7300	\$550.00	S/B in #7300P
		11/3/2010	7300	\$4,040.70	S/B in #7300P
		11/17/2010	7300	\$1,000.00	S/B in #7300P
		12/1/2010	7300	\$3,028.68	S/B in #7300P
		12/1/2010	7300	\$3,080.55	S/B in #7300P
		12/1/2010	7720	\$6,821.83	S/B in #7952
		1/5/2011	7951	\$9,183.00	S/B in #7952
		8/15/2011	7950	\$126.80	S/B in #7951
		8/15/2011	7665	\$14,626.55	S/B in #0910-015

Acct. #	TOWN OF DISCOVERY BAY CSD CAPITAL IMPROVEMENT PROGRAM 2010/2011 Approved at 6/16/10 Meeting	2009/2010 ACTUALS	2009/2010 % of Budget YTD	2010/2011 BUDGET	Apr 11 M-T-D Exp.	May 11 M-T-D Exp.	Jun 11 M-T-D Exp.	Plan to Approve 07/06/11	2010/2011		.0/2011 % of Budget YTD
									YTD REIMB.	ACTUALS	
0910-004	Rehab Manholes	\$0	0%	\$15,000						\$24,070	160%
0910-005	Landscape Plant #1	\$2,636	53%	\$5,000	\$31,910					\$207,460	#DIV/0!
0910-006	Replace Sewer Main	\$0	0%		\$5,440			\$2,058		\$315,027	#DIV/0!
0910-007	UV System	\$457,297	114%							\$0	0%
0910-008	Salinity Project	\$0	0%	\$200,000						\$0	0%
0910-009	Pumps / Motors Replacement	\$35,470	71%							\$0	0%
0910-010	Wetlands	\$8,304	1%	\$85,000						\$0	0%
1011-001	By-Pass Pipeline	\$0		\$80,000						\$0	0%
1011-002	Replace PLC's	\$0		\$20,000						\$10,708	13%
1011-003	Bio-Solids Pumps (2) Wet Well			\$22,000						\$0	0%
1011-004	Rehab Lift Station W			\$60,000						\$500	1%
1011-005	Bypass Valve Lift Station S			\$12,000						\$0	0%
1011-006	Metal Cover for UV Area			\$125,000						\$0	0%
1011-007	Clarifier Cleaning Devices			\$25,000						\$0	0%
1011-008	Paving for Bio-Solids Area			\$15,000						\$0	0%
1011-009	New Moles (2)			\$80,000	\$1,625					\$58,858	74%
1011-010	Road Crossing Ramps			\$25,000						\$0	0%
	<b>Sewer Sub Total</b>	\$581,375	36%	\$769,000	\$37,350	\$1,625	\$0	\$0	\$0	\$616,623	80%
	<b>WATER</b>										
0809-002	Well #6 Design & Drill Test Hole	\$475,615				\$5,522	\$4,632			\$46,353	0%
0910-011	Security Door Locks (12)	\$12,980	216%	\$6,000						\$0	0%
0910-012	Ladder Vandal Guard	\$0	0%	\$2,000						\$0	0%
0910-013	Pumps / Motors Replacement	\$2,972	20%							\$0	#DIV/0!
0910-014	Water Meter Program	\$63,079	13%	\$500,000		\$300				\$21,660	4%
	Water Meter Program: Reimbursements			(\$500,000)						\$0	0%
1011-011	Filter Media Replacement			\$40,000						\$45,769	114%
1011-012	Stabilize Around Willow Lake									\$0	#DIV/0!
1011-013	Rehab Well(s)			\$30,000			\$3,059			\$13,394	45%
1011-014	Replace Water Mains			\$50,000						\$0	0%
1011-015	Water Meter Trailer			\$20,000						\$0	0%
1011-022	Emergency Sewer Main repairs - Cherry Hills							\$77,091		\$0	0%
	<b>Water Sub Total</b>	\$555,237	106%	\$148,000	\$0	\$5,822	\$7,692	\$77,091	\$0	\$127,176	86%
	<b>OTHER</b>										
0910-015	Replace District Office Roof										
1011-016	Pickup Truck (1)	\$0	0%				\$29,254			\$0	0%
1011-017	K-Rail for Bulk Material			\$20,000						\$0	0%
1011-018	Portable Message Units			\$15,000						\$4,408	29%
1011-019	GPS Tracking Device			\$30,000						\$0	0%
1011-020	Replace Fence Near Marina			\$12,000						\$0	0%
1011-021	New Chairs for Board Room			\$15,000						\$0	0%
	<b>Other Sub Total</b>	\$7,251	19%	\$98,000	\$0	\$0	\$29,254	\$0	\$0	\$4,408	4%
0102-00	Pipeline Replace Reserve	\$0								\$0	#DIV/0!
CREDITS	Reimbursement to Town of DB	\$0								\$0	#DIV/0!

**CAPITAL IMPROVEMENT PROGRAM 2010/2011**

Approved at 6/16/10 Meeting

Account Description

Total CIP Budget

**Miscellaneous Adjustment:**

9/16/2009 Luhdorff Inv# 0024921 \$16027.85

was put in Acct# 7021, s/b in Acct# 0809-002 In

Acct. #	2009/2010 ACTUALS	2009/2010 % of Budget YTD	2009/2010 BUDGET	Apr 11 M-T-D Exp.	May 11 M-T-D Exp.	Jun 11 M-T-D Exp.	Plan to Approve 07/06/11	2010/2011		of Budget YTD #DIV/0!
								YTD	ACTUALS	
	\$1,143,864	71%	\$1,015,000	\$37,350	\$7,447	\$36,946	\$77,091	\$0	\$748,207	

Description
S/B in #1011-017
removed - paid on 7/28/10

Request for authorization to pay invoices  
 For the Meeting on July 6, 2011  
 Town of Discovery Bay CSD  
 For Fiscal Year's 7/11 - 6/12

Acct Code				
1	7011	SDRMA Inv#0008055-IN, dtd 7/1/11 July 2011 Benefits	7/11	\$720.54
2	7115	SDRMA Inv#36370, dtd 5/31/11 Property Laibility Renewal 2011-2012	2011-2012	\$53,911.16
3	7120	SDRMA Inv#36736, dtd 6/8/11 1st QTR Program Year 2011-2012	2011-2012	<u>\$3,574.00</u>
				<b>\$58,205.70</b>
4	7250	CCSDA 3-yr Membership Dues 7/11-6/14	2011-2014	\$150.00
5	7250	Contra Costa Auditor Inv#1112-245, dtd 6/20/11 LAFCO Net Cost Appnt	2011-2012	\$1,934.52
6	7630	Brut Force Janitorial Inv#107 July 2011, dtd 6/27/11 Monthly service for July	7/11	\$110.00
7	7670	Caselle, Inc. Inv#38817, dtd 7/2/11 Program set-up - 50%		\$10,145.00
<b>TODB GRAND TOTAL</b>				<b>\$70,545.22</b>

**Request for authorization to pay invoices  
For the Meeting on July 6, 2011  
Town of Discovery Bay, D.Bay L&L Park #8  
For Fiscal Year's 7/10 - 6/11**

<b>Acct Code</b>				
				\$87.39
1	2100	Office Depot Inv# 566079410001, dtd 5/31/11	Office supplies	\$46.50
2	2100	Office Depot Inv# 566079326001, dtd 5/27/11	Office supplies	\$67.44
3	2100	Office Depot Inv# 567657162001, dtd 6/10/11	Office supplies	<u>\$353.10</u>
4	2100	Office Depot Inv# 569293571001, dtd 6/24/11	Office supplies	<u>\$554.43</u>
			<b>Sub-Total</b>	<b>\$554.43</b>
5	2120	Discovery Bay Disposal Acct# 17-0001966, dtd 6/1/11	April and May 2011 Service	<b>\$544.00</b>
6	2120	PG&E / Acct# 0869258994-1 (Sprink Contr) DB Blvd. & Willow Lake	05/12-06/10/11	\$16.76
7	2120	PG&E / Acct# 2068897992-9 DB Blvd across from 510	05/13-06/13/11	\$161.46
8	2120	PG&E / Acct# 2249446019-3 (Sprinkler) Disco Point, Tr #4077, Lot 71	05/12-06/10/11	\$17.55
9	2120	PG&E / Acct# 2800977208-9 (Irrl Contr) 9295Beacon Pl @ Str Lite	05/13-06/13/11	\$18.34
10	2120	PG&E / Acct# 3736907925-8 (Sprink Contr) E/S Edgview Dr N/O DB Blvd	05/12-06/10/11	\$16.76
11	2120	PG&E / Acct# 4111412785-9 (Sprink Contr) DB Blvd & Seal Way	05/12-06/10/11	\$16.76
12	2120	PG&E / Acct# 4455555569-5 (Sprinkler) Disco Point, Tr #3653, Lot 17	05/12-06/10/11	\$17.55
13	2120	PG&E / Acct# 5465914049-2 (Sprinkler) DB Blvd. & Spinnaker	05/12-06/10/11	\$16.76
14	2120	PG&E / Acct# 5939734421-5 PG&E Owned Street & Highway Lighting	05/19-06/17/11	\$6,422.18
15	2120	PG&E / Acct# 7135420365-6 (Sprinkler) Disco Point, Tr# 4077, Lot 65	05/12-06/10/11	\$17.55
16	2120	PG&E / Acct# 7452588975-3 (Sprink Contr) S/E cnr DB Blvd & Willow Lk	05/12-06/10/11	\$16.76
17	2120	PG&E / Acct# 7696548482-7 (Sprinkler) DB Blvd, Tr# 4178, Lot 5	05/12-06/10/11	\$17.55
18	2120	PG&E / Acct# 8009270258-0 @ Clipper Dr w/o Cove Ct 7723 Marina Dr	05/12-06/10/11	\$33.52
19	2120	PG&E / Acct# 8101346815-2 (Irrl Contr) Newport Dr. w/o Pier Ct	05/12-06/10/11	\$16.76
20	2120	PG&E / Acct# 8163719795-5 (Irrl Contr) 9271 Newport Dr @ Str. Lite	05/13-06/13/11	\$18.34
21	2120	PG&E / Acct# 8167536097-8 (Irrl Contr) @ Clipper Dr	05/12-06/10/11	\$16.76
22	2120	PG&E / Acct# 8399010651-6 (Sprink Contr) Willow Lake Ct, Lot 31	05/13-06/13/11	\$18.14
23	2120	PG&E / Acct# 8400813429-2 (Sprinkler) Laguna Ct, Tr# 4076, Lot 18	05/12-06/10/11	\$17.55
	2120	PG&E / Acct# 8545920147-2 (Lites & Sprinklers) 2489 'A' DB Blvd.	05/12-06/10/11	<u>\$69.37</u>
			<b>Sub-Total</b>	<b>\$6,946.42</b>
25	2281	Janiking Inv#OAK06110239, dtd 6/1/11	Monthly contract for June 2011	<b>\$350.00</b>
26	2282	Delta Bluegrass Co Inv# 0589158, dtd 5/23/11	DB/Edgeview Way	<b>\$2,053.28</b>
27	2282	Norman's Nursery Inv# 386699, dtd 5/31/11	Various shrubs	<b>\$2,174.89</b>
28	2282	Odyssey Landscape Inv# 36035835, dtd 5/30/11	DB/Edgeview Mainline Break	\$825.00
29	2282	Odyssey Landscape Inv# 36035836, dtd 5/30/11	DB/Edgeview Install new line under street	\$1,050.00
30	2282	Odyssey Landscape Inv# 36035835, dtd 5/30/11	DB/Edgeview Mainline Break	<u>\$210.00</u>
			<b>Sub-Total</b>	<b>\$2,085.00</b>
31	2282	Ross Equipment Inv# 89953, dtd 6/6/11	Message Centers	<b>\$1,355.96</b>
32	2282	Valley Crest Landscaping Inv#3771369, dtd 6/10/11	Maintenance for June 2011	<b>\$8,457.00</b>
33	2282	Village Nurseries Inv# 00194926, dtd 6/8/11	Various Shrubs	<b>\$2,264.53</b>
34	2282	Watersavers Inv# 11059269, dtd 5/25/11	Nstock High Pressure Cap White	\$74.19
35	2282	Watersavers Inv# 11064886, dtd 6/09/11	Ground maintenance supplies	<u>\$485.14</u>
			<b>Sub-Total</b>	<b>\$559.33</b>
36	2301	Fairin Perez Expense Report for June 2011	Mileage	<b>\$9.69</b>
37	2310	Neumiller & Beardslee Inv# 241024, dtd 6/7/11	Cornell Park	<b>\$175.00</b>
38	2310	TODB Inv# 2873, dtd 6/28/11	reimbursement for Payroll March 2011	\$4,587.36
39	2310	TODB Inv# 2881, dtd 6/28/11	reimbursement for Payroll April 2011	\$6,140.14
40	2310	TODB Inv# 2887, dtd 6/28/11	reimbursement for Payroll May 2011	\$7,598.19
41	2310	TODB Inv# 2866, dtd 6/27/11	reimbursement for Payroll February 2011	<u>\$3,301.12</u>
			<b>Sub-Total</b>	<b>\$21,626.81</b>



Request for authorization to pay invoices  
For the Meeting on July 6, 2011  
Town of Discovery Bay, D.Bay L&I. Park #8  
For Fiscal Year's 7/10 - 6/11

42	4789	Bay Area News Group Inv# 2005834-8, dtd 5/31/11 Cornell Park Phase 1/11	\$440.00
43	4789	Brentwood Reprographics Inv# 2011-2352, dtd 6/22/11 Cornell Park	\$66.07
44	4789	Gates & Assoc. Inv# 32038, dtd 6/8/11 Cornell Park	\$1,039.50
45	4829	Green Valley Landscape Inv# 909, dtd 6/2/11 DB/Sand Point Rd.	\$752.62
<b>TOTAL</b>			<b>\$51,454.53</b>

County Acc#	Account Description	2009/2010 Budget	2009/2010 Actuals	2009/2010 % of Budget YTD	2010/2011 Budget	58.33% Jan 11 Month to Date Expenses	66.67% Feb 11 Month to Date Expenses	75.00% Mar 11 Month to Date Expenses	83.33% Apr 11 Month to Date Expenses	91.67% May 11 Month to Date Expenses	100.00% Jun 11 Month to Date Expenses	Plan to Approve 7/6/2011	2010/2011 Actuals	% of Budget YTD
	Town of Discovery Bay/D.Bay L&L Park #8 Operating Expense Budget 10/11 Approved at 6/16/10 Meeting													
2100	Office Expenses	\$500	\$1,076	215%	\$850	\$25	\$286	-\$57	\$22	\$101	\$101	\$554	\$1,078	127%
2102	Books, Periodicals & Subscriptions	\$50	\$25	49%	\$150	\$11		\$60					\$220	147%
2103	Postage	\$50	\$0	0%	\$50								\$11	22%
2110	Communications (Messenger, Radio, etc.)	\$1,500	\$1,140	76%	\$1,785								\$80	3%
2120	Utilities (Street Lights, Water, & Garbage)	\$105,000	\$89,858	86%	\$117,000	\$7,424	\$7,082	\$8,306	\$7,106	\$368	\$7,837	\$7,490	\$86,470	74%
2130	Small Tools & Instruments	\$1,000	\$875	87%	\$750		\$120	\$58	\$58	\$117	\$118		\$1,946	259%
2131	Minor Equipment, Furniture Less than \$1000.	\$500	\$1,208	242%	\$75		\$24						\$99	10%
2170	Household Items	\$800	\$1,209	151%	\$900		\$210						\$1,283	143%
2190	Public Notices	\$100	\$633	633%	\$150		\$210						\$0	0%
2200	Memberships	\$200	\$0	0%	\$450		\$40	\$5					\$165	37%
2250	Rent & Lease of Equipment	\$100	\$95	95%	\$500								\$220	44%
2251	Computer Software	\$500	\$0	0%									\$0	#DIV/0!
2270	Maintenance of Equipment	\$700	\$1,858	265%	\$950			\$5		\$171	\$138		\$404	43%
2271	Automotive Supplies & Repairs	\$1,300	\$9	1%	\$2,000		\$341		\$431	\$53			\$1,870	93%
2272	Gasoline/Fuel for Equipment	\$4,100	\$2,246	55%	\$4,000		\$300	\$295		\$20	\$275		\$2,010	50%
2281	Maintenance of Buildings	\$5,000	\$5,402	108%	\$5,300	\$350	\$350		\$700	\$2	\$1,410	\$350	\$4,934	93%
2282	Grounds Maintenance	\$250,000	\$189,315	76%	\$166,484	\$12,989	\$13,701	\$18,149	\$21,311	\$13,215	\$15,434	\$18,950	\$175,289	109%
2284	Requested Maintenance from County (3620)	\$500	\$0	0%									\$0	#DIV/0!
2301	Auto Mileage/Employee Reimbursement	\$300	\$790	263%	\$100				\$221	\$10		\$10	\$231	231%
2303	Other Travel/Employee Expenses	\$200	\$102	51%	\$1,500			\$389	\$44				\$433	29%
2310	Professional Services	\$10,000	\$11,116	111%	\$8,100		\$4,402		\$805			\$175	\$6,143	76%
2310	Staff Payroll	\$63,000	\$39,064	62%	\$72,000			\$20,693				\$21,627	\$33,587	47%
2360	Insurance	\$8,000	\$10,389	130%	\$5,200	\$315							\$1,630	31%
2470	Road/Construction Materials (Street Signs)	\$1,000	\$0	0%	\$500								\$0	0%
2479	Other Special Expenses	\$5,000	\$5,910	116%	\$3,500	\$108				\$1,128	\$105		\$2,717	78%
2490	Miscellaneous Services & Supplies	\$200	\$21	10%	\$300								\$307	102%
3530	Taxes & Assessments	\$4,500	\$0	0%									\$0	0%
3611	Interfund Exp - Gov/Gov (Investment Svcs&Property Tax Adm. Costs)	\$500	\$0	0%	\$500						\$2,719		\$2,719	#DIV/0!
5011	Reimbursement-Gov/Gov County Administration Chrgs	\$500	\$0	0%	\$500								\$0	0%
Misc.	Reserves	\$500	\$0	0%	\$500								\$0	0%
	Total Expenses	\$465,100	\$362,238	78%	\$394,494	\$21,202	\$26,856	\$47,904	\$30,698	\$15,380	\$28,036	\$49,156	\$323,826	82%

Miscellaneous Adjustments:

3/11/11 \$60.00 was in acct 2100, S/B in 2102 (11/23/10).

County Acct#	Town of Discovery Bay/D. Bay L&L Zone #8 Capital / Asset Budget 10/11 Approved at 6/16/10 Meeting Account Description	2009/2010 Budget	2009/2010 Actuals	2009/2010 % of Budget YTD	2010/2011 Budget	Jan 11 Month Expenses to Date	Feb 11 Month Expenses to Date	Mar 11 Month Expenses to Date	Apr 11 Month Expenses to Date	5/1/2011 Month Expenses to Date	Jun 11 Month Expenses to Date	Approve 7/6/2011	2010/2011 Actuals	2010/2011 % of Budget YTD
4265	Various Improvements	\$7,500	\$4,842	65%	\$7,500	\$3,294		\$103					\$4,062	54%
4546	Structure & Walkway Repairs	\$3,500	\$0	0%	\$3,500			\$830					\$830	24%
4789	DB L&L Zone #8 Playground Equipment	\$3,000	\$0	0%	\$115,000		\$616		\$11,129	\$42	\$4,835	\$1,546	\$27,329	24%
4829	DB L&L Zone #8 Landscape Master Plan Entran	\$0	\$0		\$0	\$924	\$14,773	\$82,021	\$50,931				\$199,048	#DIV/0!
	DB L&L Zone #8 Landscape Clipper Drive Phas	\$0	\$0		\$0								\$0	#DIV/0!
4834	DB L&L Zone #8 Misc. Projects (1)	\$233,100	\$9,314	4%	\$350,000					\$21,822	\$16,451	\$753	\$77,713	22%
4953	Cornell Park - Discovery Bay	\$3,000	\$0	0%	\$7,500		\$815	\$2,686					\$3,501	47%
4953	Vehicle Purchase	\$1,000	\$26	3%	\$0		\$2,600						\$17,493	#DIV/0!
4956	Tools & Sundry Equipment	\$251,100	\$14,182	6%	\$484,500	\$4,217	\$18,804	\$85,639	\$62,060	\$21,864	\$21,286	\$2,298	\$332,575	69%
	Total													

\*\*\* DB L&L Zone #8 Misc. Projects (1)

- 1 Willow Lake Rd \$120,000
- 2 Discovery Bay Blvd. (East) \$230,000

\$350,000

Request for authorization to pay invoices  
For the Meeting on July 6, 2011  
Town of Discovery Bay, D.Bay L&L Park #8  
For Fiscal Year's 7/11 - 6/12

<u>Acct Code</u>		
1	2360 SDRMA Inv# 36370, dtd 5/31/11 Property/Liability Program renewal for 2011/2012	\$4,193.09
<b>TOTAL</b>		<b>\$4,193.09</b>

Request for authorization to pay invoices  
 For the Meeting on July 6, 2011  
 Town of Discovery Bay, D.Bay L&L Park #9 (Ravenswood)  
 For Fiscal Year's 7/10 - 6/11

Acct Code				
1	2120	PG&E / Acct#0403377952-31445 Cullen Dr (Irrig Ctrlr)	5/12-6/10/11	\$111.92
2	2120	PG&E / Acct#1066166716-1 829 Poe Dr. (Irrig Ctrlr)	5/12-6/10/11	\$11.04
3	2120	PG&E / Acct#7705163630-4 1738 Wilde Dr. (Irrig Ctrlr)	5/12-6/10/11	<u>\$11.24</u>
			<b>Sub-Total</b>	<b>\$134.20</b>
4	2282	Odyssey Landscape Inv#36035760-9 dtd 5/20/11 Monthly contract for May 2011		\$2,725.00
5	2282	Odyssey Landscape Inv#36035875-9 dtd 6/21/11 Monthly contract for June 2011		<u>\$2,725.00</u>
				<b>\$5,450.00</b>
6	2282	Ross Equipment Inv#89953, dtd 6/6/11 Message center		\$461.82
7	2301	Fairin Perez Exp. Report dtd 6/28/11 June 2011		\$23.46
8	2310	Neumiller & Beardslee Inv#241024, dtd 6/7/11 General		\$523.50
9	2310	TODB Inv#2867, dtd 6/27/11 Reimbursement for Payroll February 2011		\$2,180.71
10	2310	TODB Inv#2874, dtd 6/28/11 Reimbursement for Payroll March 2011		\$3,193.61
11	2310	TODB Inv#2882, dtd 6/28/11 Reimbursement for Payroll April 2011		\$3,446.12
12	2310	TODB Inv#2888, dtd 6/28/11 Reimbursement for Payroll May 2011		\$2,791.36
13	2479	TODB Inv# 2893, dtd 6/29/11 Reimbursement of charges for Feb-May 2011		<u>\$1,421.00</u>
				<b>\$13,032.80</b>
			<b>Total</b>	<b>\$19,625.78</b>

2010/2011

Town of Discovery Bay/L&L #9 Ravenswood

Operating Expense Budget  
Approved at 6/16/10 Meeting

County Acc#	Account Description	2009/2010 Budget	2010/2011 Budget	58.33% Jan 10 Month to Date Expenses	66.67% Feb 10 Month to Date Expenses	75.00% Mar 10 Month to Date Expenses	83.33% Apr 10 Month to Date Expenses	91.67% May 10 Month to Date Expenses	91.67% Jun 11 Month to Date Expenses	Planned to Pay 7/8/2011	2010/2011 YTD REIMB.	2010/2011 YTD ACTUALS	2010/2011 % of Budget YTD
2100	Office Expenses	\$150	\$150	\$60	\$25		\$38	\$94				\$511	341%
2102	Books, Periodicals & Subscriptions	\$50	\$50									\$24	48%
2103	Postage	\$50	\$50	\$21								\$80	161%
2110	Communications (Messenger, Radio, etc.)	\$100	\$650									\$120	18%
2120	Utilities (Street Lights, Water, & Garbage)	\$5,000	\$12,500	\$600	\$566	\$1,369	\$577	\$9	\$1,234	\$134		\$13,622	109%
2130	Small Tools & Instruments	\$100	\$100		\$26	\$48	\$414	\$52	\$63			\$798	798%
2131	Minor Equipment, Furniture Less than \$1000.	\$100	\$500									\$103	21%
2170	Household Items	\$0	\$700		\$46	\$35		\$43				\$317	45%
2190	Public Notices	\$50	\$150									\$253	169%
2200	Memberships	\$50	\$165									\$40	24%
2250	Rent & Lease of Equipment	\$500	\$500									\$0	0%
2251	Computer Software	\$200	\$200									\$80	40%
2270	Maintenance of Equipment	\$300	\$300				\$250					\$337	112%
2271	Automotive Supplies & Repairs	\$300	\$300									\$1,229	246%
2272	Gasoline/Fuel for Equipment	\$300	\$500		\$297	\$75			\$371			\$37,362	77%
2282	Grounds Maintenance	\$54,000	\$48,540	\$2,920	\$2,912	\$3,765	\$5,294	\$1,920	\$2,810	\$5,912		\$0	0%
2301	Auto Mileage/Employee Reimbursement	\$100	\$100							\$23		\$0	0%
2303	Other Travel Employee Expenses	\$5,000	\$2,000							\$524		\$10,461	523%
2310	Professional Services	\$13,000	\$25,500		\$1,964	\$3,073			\$11,612			\$6,227	24%
2310	Staff Payroll	\$5,000	\$1,850	\$315								\$490	27%
2360	Insurance											\$0	0%
2470	Road/Construction Materials (Street Signs)		\$500		\$10		\$25		\$391	\$1,421		\$759	152%
2479	Other Special Expenses		\$300					\$34				\$34	11%
2490	Miscellaneous Services & Supplies		\$500									\$0	0%
3530	Taxes & Assessments	\$1,000	\$100									\$0	0%
5011	Reimbursement-Gov/County Admin. Chrgs		\$100									\$0	0%
Misc.	Reserves											\$0	0%
	<b>Total Expenses</b>	<b>\$85,150</b>	<b>\$95,955</b>	<b>\$3,917</b>	<b>\$5,846</b>	<b>\$14,743</b>	<b>\$6,599</b>	<b>\$2,152</b>	<b>\$5,159</b>	<b>\$19,626</b>		<b>\$72,847</b>	<b>76%</b>

Reserves=  
Total Reserves  
\* Maintenance includes bioswales/mitigation areas.  
\* Future budget for utilities etc. to be based on actuals.

Town of Discovery Bay/L&L #9 Ravenswood  
Capital / Asset

For 2007/08 there is no planned Capital Improvement  
Plans  
Miscellaneous Adjustments:

3/11/11 \$34.79 was in 2282. S/B in acct 2170

**Request for authorization to pay invoices  
For the Meeting on July 6, 2011  
Town of Discovery Bay, D.Bay L&L Park #9 (Ravenswood)  
For Fiscal Year's 7/11 - 6/12**

Acct Code

1	2360	SDRMA Inv#36370, dtd 5/31/11 Property Liability Renewal 2011-2012	\$1,797.04
<b>Total</b>			<b>\$1,797.04</b>



# Town of Discovery Bay CSD

## AGENDA REPORT

Meeting Date

July 6, 2011

**Prepared By:** Calista Anderson, Executive Assistant & Liz Hardy, Sr. Account Clerk  
**Submitted By:** Rick Howard, General Manager *RH*

### Agenda Title

District Financials

### Recommended Action

Receive and File

### Executive Summary

#### DB Lighting & Landscaping Zone #8

The account total fund balance before reserves for DB #8 is \$1,569,915  
Less the reserves of \$300,000, we have a fund balance available of \$1,269,915

#### DB Lighting & Landscaping Zone #9

The account total fund balance before reserves for DB #9 is \$129,400  
Less the reserves of \$56,195, we have a fund balance available of \$73,205

#### Town OF Discovery Bay, CSD Water & Sewer

The account total fund balance before reserves for Water & Sewer is \$5,268,507.42  
Less the reserves of \$3,000,000, we have a fund balance available of \$2,268,507.42

### Fiscal Impact:

**Amount Requested:** N/A

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

**Prog/Fund # Category:**

### Previous Relevant Board Actions for This Item

### Attachments

D.Bay L&L Zone #8 Budget vs. Actuals for 2010-2011 through June 13, 2011  
D.Bay L&L Zone #9 Budget vs. Actuals for 2010-2011 through June 13, 2011  
Town of Discovery Bay CSD Transaction Detail Report for 2010-2011 through June 13, 2011

AGENDA ITEM: E-3



FP Copied to  
RH  
CA File

D.Bay L&L Park #8 District  
Revenue & Expenditure Budget vs. Actuals Worksheet 2010-2011  
May 12, 2011 thru June 13, 2011 Period 11

Revenue:	Acct. Code	2010/11 Budget	2010/11 Actuals
Current Funds in Contra Costa County	740/750	\$1,732,129	\$1,713,602
Accounts Payable - Yr End	500		
Retainage Account	510		\$16
Due to Other Funds - Yr End	540		
Disbursements	830	(\$5,885)	(\$5,017)
Current Property Taxes	9010	\$381,210	\$438,015
Property Tax Supplemental/Unitary/Secured	9011/13/30/31		\$7,213
SRAF State Rev Transfer	9018		
Property Taxes-Current Unsecured	9020	\$18,029	\$15,291
Property Taxes-Prior-Unsecured	9035		\$248
Earnings on Investment	9181	\$1,000	\$404
H/O Prop Tax Relief/State Aid/In Lieu Taxes	9385/9435/9580		\$4,991
Misc Revenue & Services	9799&9975		\$1,842
<b>Total Revenue</b>		<b>\$2,126,484</b>	<b>\$2,176,604</b>

Expenditure: Operating Expenses	Acct. Code	2010/11 Budget	2010/11 Actuals
Office Expenses, Books, Postage	2100	(\$1,250)	(\$1,135)
Books, Periodicals & Subscriptions	2102	(\$200)	
Postage	2103	(\$50)	(\$11)
Communications	2110	(\$600)	(\$60)
Utilities (Street Lights, Water & Garbage)	2120	(\$100,000)	(\$85,438)
Small Tools & Instruments	2130	(\$1,850)	(\$1,859)
Minor Equipment, Furniture less than \$1000	2131	(\$350)	(\$178)
Household Items	2170	(\$1,400)	(\$1,356)
Public Notices	2190	(\$150)	
Memberships	2200	(\$300)	(\$165)
Rent & Lease of Equipment	2250	(\$500)	(\$220)
Computer Software	2251		
Maintenance of Equipment	2270	(\$950)	(\$266)
Automotive Supplies & Repairs	2271	(\$2,000)	(\$1,870)
Gasoline	2272	(\$4,000)	(\$1,735)
Maintenance of Buildings	2281	(\$5,300)	(\$3,973)
Grounds Maintenance	2282	(\$205,000)	(\$158,499)
Requested Maintenance from County	2284/3620		
Auto Mileage/Employee Reimbursement	2301	(\$100)	(\$231)
Other Travel Employee Expenses	2303	(\$750)	(\$433)
Professional Services/Specialized Services	2310	(\$8,100)	(\$1,741)
Staff Payroll	2310	(\$72,000)	(\$37,704)
Insurance	2360	(\$5,200)	(\$2,075)
Road/Construction Materials (Street Signs)	2470	(\$500)	
Other Special Expenses	2479	(\$3,500)	(\$2,613)
Miscellaneous Services & Supplies	2490	(\$300)	(\$307)
Taxes & Assessments	3530/3550		
Interfund Exp. (Investment & Property Tax Adm.)	3611	(\$500)	
Reimbursement for County Adm. Costs	5011	(\$500)	
<b>Total Operating Expenses</b>		<b>(\$415,350)</b>	<b>(\$301,867)</b>

Expenditure: Capital/Asset	Acct. Code	2010/11 Budget	2010/11 Actuals
Various Improvements	4265	(\$7,500)	(\$4,062)
Structure & Walkway Repairs	4546	(\$2,000)	(\$1,225)
Playground Equipment	4789	(\$226,000)	(\$22,493)
Landscape Master Plan	4829		
Misc. Projects - Willow Lake Road		(\$102,500)	(\$143,089)
Misc. Projects - South Point			
Misc. Projects - Laguna Court			
Misc. Projects - Discovery Point (Small Island)			
Misc. Projects - Discovery Bay Blvd (East)		(\$175,000)	(\$117,014)
Cornell Park	4834	(\$7,500)	(\$2,686)
Vehicle Purchase	4953	(\$14,000)	(\$14,254)
Tools & Sundry Equipment	4956	(\$2,750)	
<b>Total Capital/Asset</b>		<b>(\$537,250)</b>	<b>(\$304,822)</b>
<b>TOTAL EXPENSES &amp; CAPITAL</b>		<b>(\$952,600)</b>	<b>(\$606,690)</b>
<b>TOTAL FUND BALANCE BEFORE RESERVES</b>		<b>\$1,173,884</b>	<b>\$1,569,915</b>
<b>RESERVES</b>			<b>(\$300,000)</b>
<b>GRAND TOTAL OF EXPENSES/CAPITAL/RESERVES</b>			<b>(\$906,690)</b>
<b>FUND BALANCE AVAILABLE</b>			<b>\$1,269,915</b>

**AGENDA ITEM - E-3**

**D.Bay L&L Park #9 District**  
**Revenue & Expenditure Budget vs. Actuals Worksheet 2010-11**  
**May 12, 2011 thru June 13, 2011 Period 11**

*FP / Copied  
 RH / ID  
 Carl File*

Revenue:	Acct. Code	2010/11 Budget	2010/11 Actuals
Current Funds In Contra Costa County	740/750	\$234,262	\$251,015
Accounts Payable - Yr End	500		
Retainage Account	510		
Disbursements	830		
Current Property Taxes/Street Light Assessment	9754	\$82,500	\$83,405
Property Tax Supplemental/Unitary/Secured	9011/13/30/31		
SRAF State Rev Transfer	9018		
Property Taxes-Current Unsecured	9020		
Property Taxes-Prior-Unsecured	9035		
Earnings on Investment	9181		
H/O Prop Tax Relief/State Aid/In Lieu Taxes	9385/9435/9580		
Misc Revenue & Services	9799&9975		\$1,605
<b>Total Revenue</b>		<b>\$316,762</b>	<b>\$336,025</b>

Expenditure: Operating Expenses	Acct. Code	2010/11 Budget	2010/11 Actuals
Office Expenses, Books, Postage	2100	(\$500)	(\$459)
Books, Periodicals & Subscriptions	2102	(\$50)	
Postage	2103	(\$150)	(\$80)
Communications	2110	(\$250)	(\$120)
Utilities (Street Lights, Water & Garbage)	2120	(\$15,000)	(\$13,062)
Small Tools & Instruments	2130	(\$750)	(\$734)
Minor Equipment, Furniture less than \$1000	2131	(\$250)	(\$103)
Household Items	2170	(\$700)	(\$297)
Public Notices	2190	(\$254)	(\$254)
Memberships	2200	(\$40)	(\$40)
Rent & Lease of Equipment	2250	\$0	
Computer Software	2251	\$0	
Maintenance of Equipment	2270	(\$200)	(\$80)
Automotive Supplies & Repairs	2271	(\$300)	(\$337)
oline	2272	(\$400)	\$332
aintenance of Buildings	2281		
Grounds Maintenance	2282	(\$48,540)	(\$37,327)
Requested Maintenance from County	2284/3620		
Auto Mileage/Employee Reimbursement	2301	(\$150)	
Other Travel Employee Expenses	2303	\$0	
Professional Services/Specialized Services	2310	(\$4,000)	(\$4,077)
Staff Payroll	2310	(\$25,500)	(\$12,610)
Insurance	2360	(\$1,000)	(\$490)
Road/Construction Materials (Street Signs)	2470		
Other Special Expenses	2479	(\$2,800)	(\$369)
Miscellaneous Services & Supplies	2490	(\$300)	(\$34)
Taxes & Assessments	3530/3550	(\$423)	(\$423)
Interfund Exp.(Investment & Property Tax Adm.)	3611		
Reimbursement for County Adm. Costs	5011		
<b>Total Operating Expenses</b>		<b>(\$101,557)</b>	<b>(\$70,565)</b>

Expenditure: Capital/Asset	Acct. Code	2010/11 Budget	2010/11 Actuals
Various Parking Lot Improvements	4226		
Various Improvements (Splash Pad)	4285	(\$120,000)	(104,625)
Structure & Walkway Repairs (Solar)	4546	(\$32,000)	(31,436)
Playground Equipment	4789		
Tools & Sundry Equipment	4956		
<b>Total Capital/Asset</b>		<b>(\$152,000)</b>	<b>(\$136,060)</b>
<b>TOTAL EXPENSES &amp; CAPITAL</b>		<b>(\$253,557)</b>	<b>(\$206,625)</b>
<b>TOTAL FUND BALANCE BEFORE RESERVES</b>		<b>\$63,205</b>	<b>\$129,400</b>

RESERVES (\$56,195)

GRAND TOTAL OF EXPENSES/CAPITAL/RESERVES (\$262,820)

FUND BALANCE AVAILABLE \$73,205

**TOWN OF DISCOVERY BAY CSD**  
 Transaction Detail Report for May 12, 2010 through June 13, 2011  
 Period 11 for 2010/11

*RHW*  
*ca/cn*  
*lnt file*

DATE	FOR	SAMOUNT
	Receivables for Town of Discovery Bay CSD BAC Account	
	Balance of Account as of the end of day May 11, 2011	\$123,229.34
5/12/11-06/13/11	Deposits Made	\$29,638.15
	<b>Balance of Account &amp; Deposits Made Total</b>	<b>\$152,867.49</b>
	Payables Made from Town of Discovery Bay CSD BAC Account	
5/12/11-06/13/11	Checks/Payroll made out from checking account	\$51,276.85
<b>Balance of Checking Account as of June 13, 2011</b>		<b>\$101,590.64</b>

	<b>Total Year-to Date Payables Paid from Town of Discovery Bay CD ECC Acct</b>	<b>\$655,918.25</b>
	<b>BEGINNING FUND BALANCE FOR TOWN OF DB CSD IN COUNTY FUND</b>	<b>\$5,561,514.98</b>
5/12/11-06/13/11	Accounts Payable	\$5,524.36
	Due to other funds	\$0.00
	<b>Sub-Total</b>	<b>\$5,567,039.34</b>

REVENUE		
For Fiscal Year Starting 7/1/10		
	Year-to-date Sewer & Water Service Charge for Tax Roll 10/11	\$4,120,049.92
	Year-to-date Investments	\$5,218.99
5/12/11-06/13/11	Earnings on Investments	\$314.23
	<b>Sub-Total</b>	<b>\$5,533.22</b>
	Year-to-Date Miscellaneous Income	\$0.00
5/12/11-06/13/11	Misc.	\$0.00
	<b>SUB-TOTAL REVENUE</b>	<b>\$4,125,583.14</b>

**GRAND TOTAL Fund Balance & Revenue** **\$9,692,622.48**

EXPENDITURES		
	Year-to-date Warrants Paid by CCC for Town of D.Bay CSD	\$3,585,283.52
5/12/11-06/13/11	Warrants Paid	\$324,599.20
	<b>TOTAL EXPENDITURES</b>	<b>\$3,909,882.72</b>

<b>TOTAL BALANCE AT COUNTY OF CONTRA COSTA</b>	<b>\$5,782,739.76</b>
<b>TOTAL YEAR TO DATE PAYABLES FROM BAC &amp; CCC</b>	<b>\$4,565,800.97</b>
<b>TOTAL BALANCE AT COUNTY OF CONTRA COSTA</b>	<b>\$5,782,739.76</b>
<b>TOTAL BALANCE IN TOWN OF DISCOVERY BAY CSD BAC</b>	<b>\$101,590.64</b>
<b>TOTAL HELD FOR RESERVES</b>	<b>(\$3,000,000.00)</b>
<b>SUBTOTAL</b>	<b>\$2,884,330.40</b>
<b>TOTAL BALANCE OF ENCUMBRANCES</b>	<b>(\$615,822.98)</b>
<b>GRAND TOTAL FUNDS LESS RESERVES &amp; ENCUMBRANCES</b>	<b>\$2,268,507.42</b>

**Detail List of Encumbrances**

Lift Station F	Repair and Surveying + Change Order #1	(\$76,276.80)
WWTP#1	Wetlands Trial Project	(\$169,486.00)
Parkson	Thermo System Moles for Bio-Solids	(\$15,892.50)
Herwit	Wastewater Master Plan (Ecologic)	(\$96,245.24)
LSCB	Water Master Plan	(\$95,472.44)
Conco West	Cherry Hills Sewer Replacement Project	(\$100,000.00)
Vaughn	Pump for WWTP #1 Influent	(\$20,000.00)
Freedom Mailing	Outsourcing of Water Bill Mailing	(\$12,450.00)
Hornberger Eng	Rate Study	(\$15,000.00)
E.C. Roofing	Roof for District Office	(\$15,000.00)
	<b>Total</b>	<b>(\$615,822.98)</b>



# Town of Discovery Bay CSD AGENDA REPORT

Meeting Date

July 6, 2011

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

### Agenda Title

Acceptance of Grant Deeds and Certificate of Acceptances for certain parcels and one easement to a parcel currently owned by New Discovery, Inc.

### Recommended Action

Adopt Resolution 2011-17 conveying assessor parcel numbers 008-550-046-0 and 008-550-045-2 that are common landscape area parcels located on Clipper Drive, assessor parcel number 008-330-057-4 that is a parcel of land adjacent to the Wastewater Treatment Plant #1 and a portion of Channel Road from the Marina Road gate to the Wastewater Treatment Plant #1 reserving there from an easement for access to New Discovery, Inc., and a portion of assessor parcel number 008-330-060-8 for an easement on a portion of Channel Road in front of the Discovery Bay Golf Course Maintenance Yard for emergency access to the Town of Discovery Bay Community Services District ("District").

### Executive Summary

New Discovery Inc. (NDI) presently owns the above-mentioned parcels of land that are appropriate to transfer to the Town of Discovery Bay Community Services District; on assessor parcel number 008-330-057-4 the District will convey an easement to NDI; and on assessor parcel number 008-330-060-8 NDI will convey an easement to the District.

The parcels include the following:

Two (2) common area landscape parcels on Clipper Drive (assessor parcel numbers 008-550-046-0 and 008-550-045-2) that are maintained by the District as a part of Landscape Zone 8 (parcel 008-550-045-2 includes the Roberta Fuss Tot Lot).

Assessor parcel number 008-330-057-4 is adjacent to our Wastewater Treatment Plant #1 and will include the access road from the Marina Road gate to the treatment plant. The District will convey an assess easement to NDI for use of this portion of the road.

NDI is granting an easement on a portion of Assessor parcel number 008-330-060-8 for the road immediately adjacent to the Discovery Bay Country Club maintenance yard.

Presently, the District utilizes and maintains the access road to provide emergency access to the treatment plant.

### Fiscal Impact:

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

### Previous Relevant Board Actions for This Item

N/A

### Attachments

Resolution 2011-17; Grant Deeds for Assessor's Parcel Numbers: 008-550-046-0, 008-550-045-2, 008-330-057-4 and an isement for 008-330-060-8

AGENDA ITEM: E-4



**TOWN OF DISCOVERY BAY  
COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 2011-17**

**A RESOLUTION OF THE TOWN OF DISCOVERY BAY  
COMMUNITY SERVICES DISTRICT  
ACCEPTANCE OF GRANT DEEDS AND CERTIFICATE OF ACCEPTANCES  
FOR CERTAIN PARCELS AND ONE EASEMENT TO A PARCEL CURRENTLY OWNED BY NEW DISCOVERY, INC.**

WHEREAS, New Discovery, Inc., a California corporation ("Grantor") has executed Grant Deeds ("Grant Deeds") conveying assessor parcel numbers 008-550-046-0 and 008-550-045-2 that are common landscape area parcels located on Clipper Drive, assessor parcel number 008-330-057-4 that is a parcel of land adjacent to the Wastewater Treatment Plant #1 and a portion of Channel Road from the Marina Road gate to the Wastewater Treatment Plant #1 reserving there from an easement for access to New Discovery, Inc., and a portion of assessor parcel number 008-330-060-8 for an easement on a portion of Channel Road in front of the Golf Course Maintenance Yard for emergency access to the Town of Discovery Bay Community Services District ("District"), a copy of which is attached hereto as "Exhibit A;"

WHEREAS, pursuant to Government Code Section 27281, all deeds conveying any interest in real property to a governmental agency shall not be accepted for recordation without the consent of the grantee as evidenced by its Certificate of Acceptance.

NOW, THEREFORE, IT IS RESOLVED by the Board of Directors of the District that the Grant Deeds and Certificate of Acceptance are hereby accepted by and on behalf of the District, and that the District's General Manager is hereby authorized to execute the Certificate of Acceptance on behalf of the District;

IT IS FURTHER RESOLVED, that the Board Secretary for the District is hereby instructed to affix the District Stamp and record the above mentioned Grant Deeds and Certificate of Acceptance together with a copy of this Resolution in the office of the County Recorder of Contra Costa County, California.

PASSED, APPROVED AND ADOPTED THIS 6<sup>th</sup> DAY OF JULY, 2011.

\_\_\_\_\_  
J. Kevin Graves  
Board President

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Town of Discovery Bay Community Services District at a regularly scheduled meeting, held on July 6, 2011, by the following vote of the Board:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Richard J. Howard  
Board Secretary

WHEN RECORDED MAIL TO:

TOWN OF DISCOVERY BAY  
1800 WILLOW LAKE WAY  
DISCOVERY BAY, CA 94505

Exhibit "A"

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO:

TOWN OF DISCOVERY BAY  
1800 WILLOW LAKE WAY  
DISCOVERY BAY, CA 94505

The undersigned grantor(s) declare(s):

CITY TRANSFER TAX \$ \_\_\_\_\_

DOCUMENTARY TRANSFER TAX \$ \_\_\_\_\_

Computed on the consideration or value of property conveyed; OR  
Computed on the consideration or value less liens or encumbrances remaining  
at time of sale.

APN: 008-550-046-0 & 008-550-045-2

## GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

NEW DISCOVERY, INC., a California corporation

hereby GRANT(S) to TOWN OF DISCOVERY BAY

the following described real property in the unincorporated area of Discovery Bay, County of Contra Costa,  
State of California:

Legal Description is attached hereto as Exhibit "A" and incorporated herein by this reference

Dated: \_\_\_\_\_

6/8/11

NEW DISCOVERY, INC.,  
a California corporation

By: \_\_\_\_\_

John E. Amaral, Vice President

By: \_\_\_\_\_

Dennis M. Drew, CFO/Treasurer

CALIFORNIA ACKNOWLEDGMENT

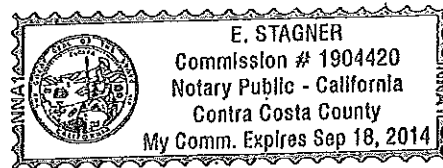
State of California )  
County of Contra Costa )

On 6/8/11, before me, E. Stagner a Notary Public, personally appeared John E. Amaral, who proved to me on the basis of satisfactory evidence to be the persons whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her signature on the instrument, the persons or the entity upon behalf of which the persons acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature E. Stagner (Seal)



State of California )  
County of Contra Costa )

On 6/8/11, before me, E. Stagner a Notary Public, personally appeared Dennis M. Drew, who proved to me on the basis of satisfactory evidence to be the persons whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her signature on the instrument, the persons or the entity upon behalf of which the persons acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature E. Stagner (Seal)



LEGAL DESCRIPTION  
EXHIBIT "A"

Parcels B and C, of Subdivision 7629, as shown on the Map filed April 8, 1996 in Book 386 of Maps, at Page 1, Contra Costa County Records.

EXCEPTING THEREFROM:

1. An undivided 1/2 interest "in and to all oil, gas, hydrocarbons and other minerals of every kind and nature granted in the Deed to Frank A. West, et al, recorded December 21, 1962, Book 4268, Official Records, Page 334, not excepting, however, the interest in that portion thereof lying within 500 feet of the surface granted in the Deed to Bixland Corporation, recorded January 22, 1969, Book 5796, Official Records, Page 446.

2. An undivided 1/4 interest "in and to all oil, gas, hydrocarbons and other minerals" reserved in the Deed from Fred Pezzi, et al, recorded November 2, 1965, Book 4985, Official Records, Page 351, not excepting, however, the interest in that portion thereof "lying within 500 feet of the surface" granted in the Deed to Bixland Corporation recorded January 22, 1969, Book 5796, Official Records, Page 446.

3. An undivided 1/4 interest in all oil, gas, casinghead gasoline and other hydrocarbon substances of any kind below a point 500 feet below the surface of the lands together with the right to take, remove, pass through and dispose of all said oil, gas, casinghead gasoline and other hydrocarbon and mineral substances, but without any right whatsoever to enter upon the surface of said and or upon any part of said lands within 500 feet from the surface thereof, as granted in the deed from New Discovery, Inc., a California corporation to Alfa Mortgage Company, a California corporation, recorded August 30, 1988, Book 14492, Page 910.

A.P.N.: 008-550-045 and 046



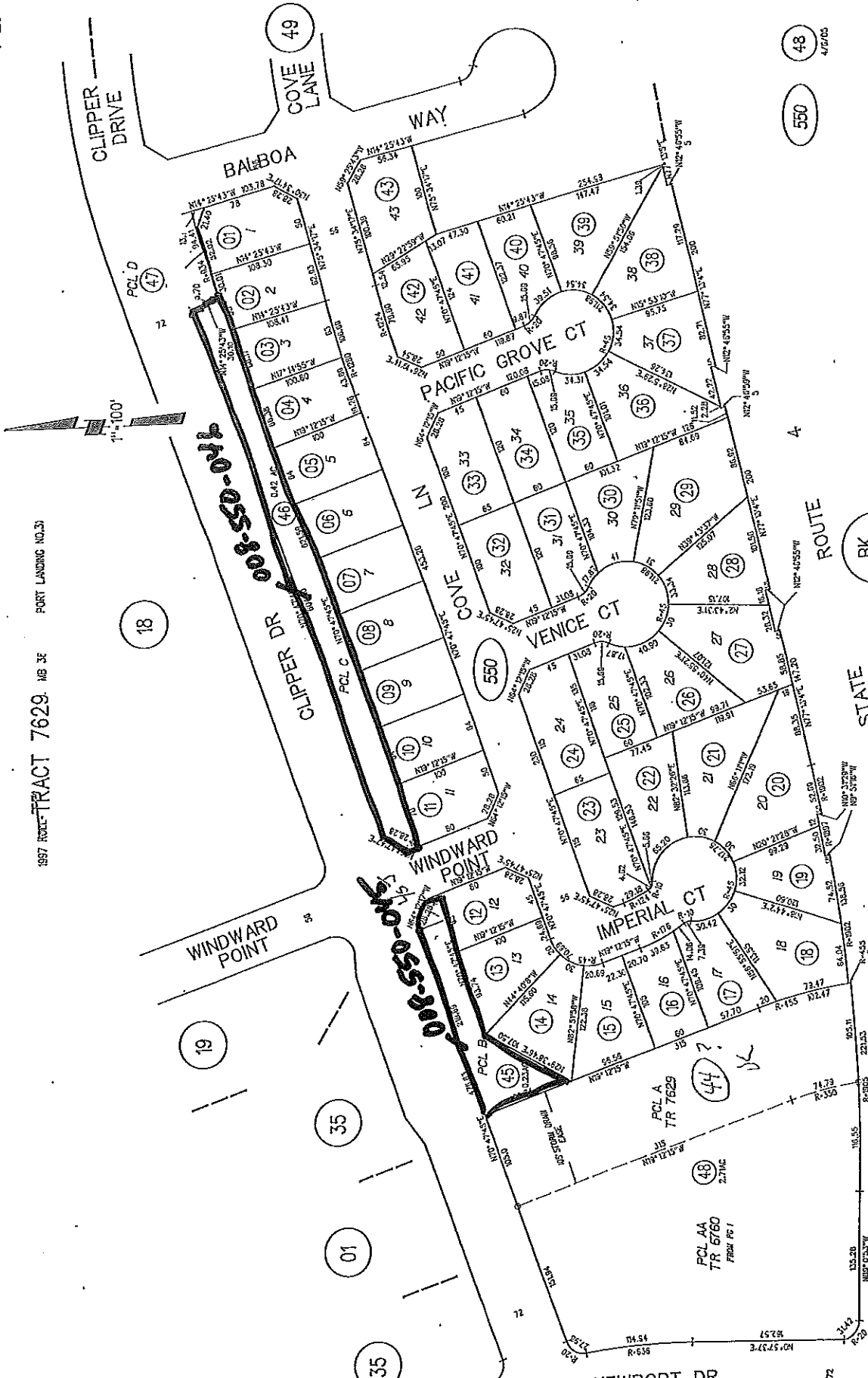
CERTIFICATE OF ACCEPTANCE

This is to certify that the real property conveyed by the Grant Deed from NEW DISCOVERY Inc., a California corporation, to TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT, a community services district formed under the laws of California, is hereby accepted by authority granted in Resolution 2011-17 of the Board of the Town of Discovery Bay Community Services District adopted on July 6, 2011, and the grantee consents to recordation thereof by its duly authorized officer.

Dated: July 6, 2011

By: \_\_\_\_\_  
Rick Howard  
General Manager  
Town of Discovery Bay Community Services District

1987 TRACT 7629, MB 3E PORT LANDING NO. 33



NOTE: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY AND DOES NOT CONSTITUTE A WARRANTY OF ANY KIND. THE INFORMATION CONTAINED HEREON IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A WARRANTY OF ANY KIND. THE INFORMATION CONTAINED HEREON IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A WARRANTY OF ANY KIND. THE INFORMATION CONTAINED HEREON IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A WARRANTY OF ANY KIND.

PL PG 1, 06-27-96  
ASSESSOR'S MAP  
BOOK 8 PAGE 55  
TOWN OF PORT LANDING  
CONTRA COSTA COUNTY, CALIF.

BK 11

550  
48  
4/2/00

WHEN RECORDED MAIL TO:

TOWN OF DISCOVERY BAY  
1800 Willow Lake Road  
DISCOVERY BAY, CA 94505

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO:

TOWN OF DISCOVERY BAY  
1800 Willow Lake Road  
DISCOVERY BAY, CA 94505

The undersigned grantor(s) declare(s):

CITY TRANSFER TAX \$ \_\_\_\_\_

DOCUMENTARY TRANSFER TAX \$ \_\_\_\_\_

Computed on the consideration or value of property conveyed; OR  
Computed on the consideration or value less liens or encumbrances remaining  
at time of sale.

APN: 008-330-057-4

## GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

NEW DISCOVERY, INC., a California corporation

hereby GRANT(S) to TOWN OF DISCOVERY BAY

the following described real property in the incorporated area of Discovery Bay, County of Contra Costa, State of California:

All that certain parcel of land described in Exhibit "B" attached hereto, reserving there from an easement for access and incidental purposes over that portion of said land described in Exhibit "A" attached hereto in favor of New Discovery, Inc., a California corporation and Discovery Bay Yacht Harbor, LLC, a California limited liability company, their successors and assigns

NEW DISCOVERY, INC.,  
a California corporation

Dated: 5/5/2011

By: 

Tom Morgan, President

By: 

John E. Amaral, Chief Financial Officer

CALIFORNIA ACKNOWLEDGMENT

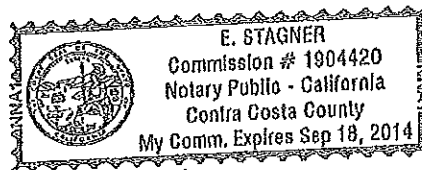
State of California )  
County of Contra Costa )

On 5/5/11, before me, E. Stagner a Notary Public, personally appeared Tom Morgan, who proved to me on the basis of satisfactory evidence to be the persons whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her signature on the instrument, the persons or the entity upon behalf of which the persons acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature E. Stagner (Seal)



State of California )  
County of Contra Costa )

On 5/5/11, before me, E. Stagner a Notary Public, personally appeared John E. Amaral, who proved to me on the basis of satisfactory evidence to be the persons whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her signature on the instrument, the persons or the entity upon behalf of which the persons acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature E. Stagner (Seal)



APRIL 6, 2010  
JOB NO. 093-060

EXHIBIT 'A'  
LEGAL DESCRIPTION  
ACCESS EASEMENT  
NEW DISCOVERY, INC. PROPERTY  
DISCOVERY BAY, CONTRA COSTA COUNTY, CALIFORNIA

REAL PROPERTY SITUATE IN THE UNINCORPORATED AREA OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

A PORTION OF PARCEL ONE, AS SAID PARCEL ONE IS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED ON APRIL 23, 1979, IN BOOK 9320 OF OFFICIAL RECORDS, AT PAGE 418, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERN CORNER OF LOT A, AS SAID LOT A IS SHOWN AND SO DESIGNATED ON THAT CERTAIN MAP OF SUBDIVISION 7026, RECORDED JULY 20, 1988, IN BOOK 323 OF MAPS, AT PAGE 35, IN SAID OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, SAID NORTHEASTERN CORNER BEING A POINT ON THE SOUTHERN LINE OF MARINA ROAD, AS SAID MARINA ROAD IS DESCRIBED IN THAT CERTAIN DEED RECORDED JULY 17, 1981, IN BOOK 10411 OF OFFICIAL RECORDS, AT PAGE 64, IN SAID OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY;

THENCE, FROM SAID POINT OF COMMENCEMENT, ALONG SAID SOUTHERN LINE OF MARINA ROAD, SOUTH 89°15'29" EAST 3.01 FEET TO THE POINT OF BEGINNING FOR THIS DESCRIPTION;

THENCE, CONTINUING ALONG SAID SOUTHERN LINE OF MARINA ROAD, THE FOLLOWING THREE (3) COURSES:

- 1) SOUTH 89°15'29" EAST 2.99 FEET,
- 2) ALONG THE ARC OF A NON-TANGENT 20.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 89°15'29" EAST, THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 31.42 AND
- 3) SOUTH 89°15'29" EAST 41.01 FEET TO A POINT ON THE EASTERN LINE OF SAID PARCEL OF LAND (9320 OR 418);

THENCE, ALONG SAID EASTERN LINE (9320 OR 418), SOUTH 00°44'31" WEST 2,299.48 FEET TO THE NORTHEASTERN CORNER OF THAT CERTAIN PARCEL OF LAND GRANTED TO CENTRAL CONTRA COSTA SANITARY DISTRICT BY DEED RECORDED JUNE 20, 1972, IN BOOK 6678 OF OFFICIAL RECORDS, AT PAGE 355, IN SAID OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY;

LEGAL DESCRIPTION  
PAGE 2 OF 2

APRIL 6, 2010  
JOB NO. 093-060

THENCE, FROM SAID NORTHEASTERN CORNER, ALONG THE NORTHERN LINE OF SAID PARCEL OF LAND (66787 OR 355), NORTH 89°15'29" WEST 47.00 FEET;

THENCE, LEAVING SAID NORTHERN LINE, ALONG A LINE PARALLEL WITH AND FORTY SEVEN (47.00) FEET WESTERLY, MEASURED AT RIGHT ANGLES, FROM SAID EASTERN LINE (9320 OR 418), NORTH 00°44'31" EAST 640.10 FEET;

THENCE, LEAVING SAID PARALLEL LINE, NORTH 89°15'29" WEST 17.00 FEET;

THENCE, ALONG A LINE PARALLEL WITH AND SIXTY FOUR (64.00) FEET WESTERLY, MEASURED AT RIGHT ANGLES, FROM SAID EASTERN LINE (9320 OR 418), NORTH 00°44'31" EAST 1,639.38 FEET TO SAID POINT OF BEGINNING.

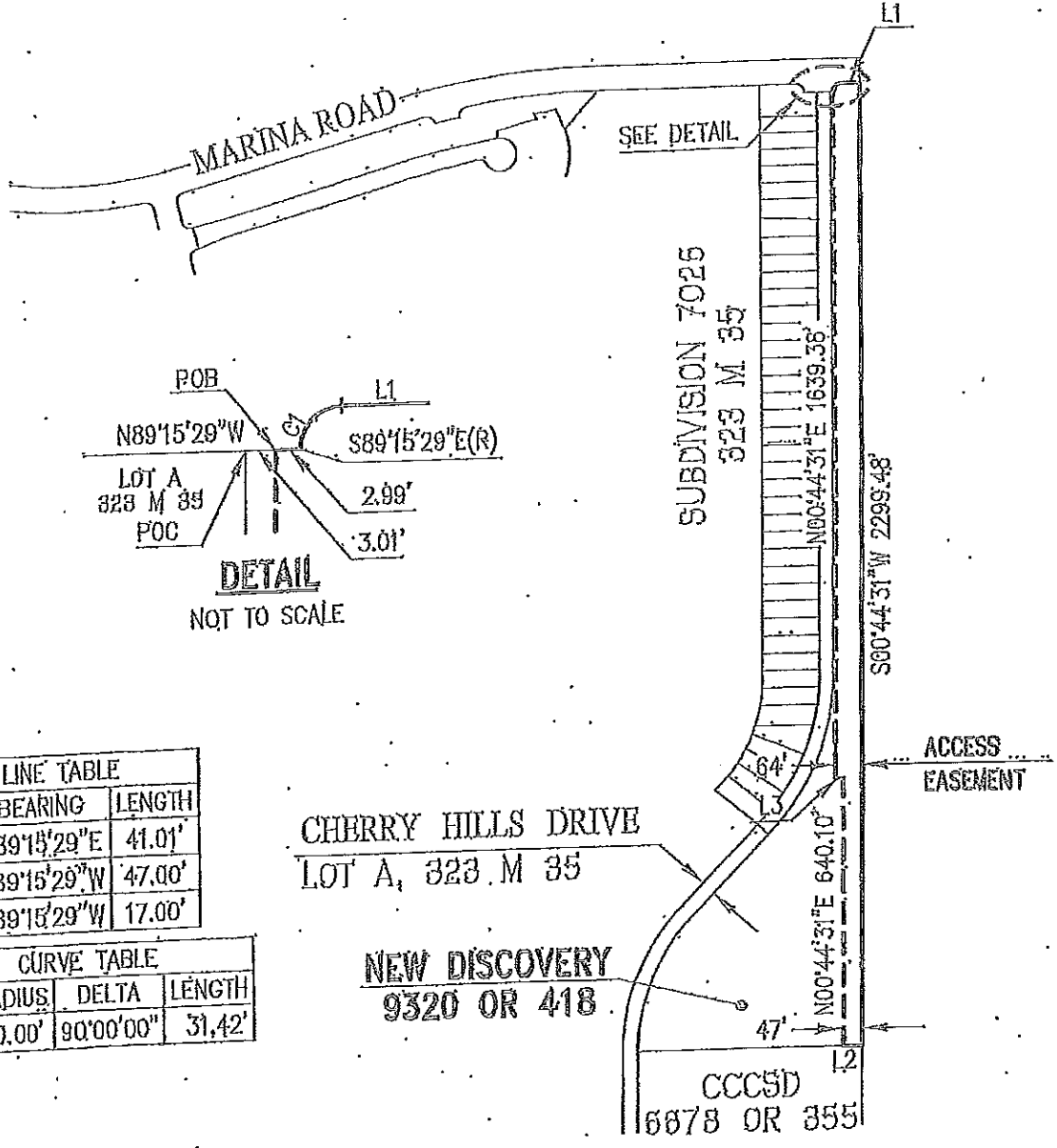
ATTACHED HERETO IS A PLAT TO ACCOMPANY LEGAL DESCRIPTION AND BY THIS REFERENCE IS MADE A PART HEREOF.

END OF DESCRIPTION



*Christopher S. Harmison*  
CHRISTOPHER S. HARMISON  
L.S. 7176  
EXPIRES: DECEMBER 31, 2011

SCALE: 1" = 400'



LINE TABLE		
NO.	BEARING	LENGTH
L1	S89°15'29"E	41.01'
L2	N89°15'29"W	47.00'
L3	N89°15'29"W	17.00'

CURVE TABLE			
NO.	RADIUS	DELTA	LENGTH
C1	20.00'	90°00'00"	31.42'

ACCESS EASEMENT  
 NEW DISCOVERY INC. (9320 OR 418)  
 CONTRA COSTA COUNTY, CALIFORNIA  
 APRIL 2010

**Carlson, Barbee, & Gibson, Inc.**

CIVIL ENGINEERS • SURVEYORS • PLANNERS  
 6111 BOLLINGER CANYON ROAD, SUITE 150 SAN RAMON, CALIFORNIA 94583  
 TELEPHONE: (925) 866-0322 FAX: (925) 866-8575

APRIL 6, 2010  
JOB NO. 0093-060

EXHIBIT 'B'  
LEGAL DESCRIPTION  
APN 008-330-057  
DISCOVERY BAY, CONTRA COSTA COUNTY, CALIFORNIA

REAL PROPERTY SITUATE IN THE UNINCORPORATED AREA OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF THE LANDS DESCRIBED AS PARCEL ONE AND PARCEL THIRTEEN IN THE QUITCLAIM DEED TO DOMINION PROPERTIES, INC., RECORDED IN BOOK 8334 OF OFFICIAL RECORDS OF CONTRA COSTA COUNTY AT PAGE 59, SAID REAL PROPERTY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL ONE; THENCE FROM SAID POINT OF BEGINNING ALONG THE SOUTHERLY LINE OF SAID PARCEL NORTH  $89^{\circ} 12' 29''$  WEST 4,390.84 FEET TO A POINT ON THE EASTERLY LINE OF DISCOVERY BAY BOULEVARD AS SHOWN ON THE AMENDED MAP OF SUBDIVISION NO. 3653 RECORDED IN BOOK 169 OF MAPS AT PAGES 42 THROUGH 61, CONTRA COSTA COUNTY RECORDS; THENCE IN A GENERAL NORTHERLY DIRECTION ALONG LAST SAID LINE THE FOLLOWING COURSES: NORTH  $0^{\circ} 46' 37''$  EAST 4.27 FEET; NORTH  $82^{\circ} 56' 45''$  WEST 106.20 FEET; NORTH  $0^{\circ} 56' 15''$  EAST 611.04 FEET, TANGENT TO THE PRECEDING COURSE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 20 FEET AND A CENTRAL ANGLE OF  $90^{\circ} 00' 00''$  AN ARC DISTANCE OF 31.42 FEET; NORTH  $0^{\circ} 56' 15''$  EAST 84.00 FEET FROM A TANGENT THAT BEARS NORTH  $89^{\circ} 03' 45''$  WEST ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 20 FEET AND A CENTRAL ANGLE OF  $87^{\circ} 17' 45''$  AN ARC DISTANCE OF 30.47 FEET; TANGENT TO THE PRECEDING CURVE NORTH  $1^{\circ} 46' 00''$  WEST 339.57 FEET AND NORTH  $0^{\circ} 56' 15''$  EAST 3,061.83 FEET TO A POINT ON SAID EASTERLY LINE; THENCE LEAVING LAST SAID LINE SOUTH  $78^{\circ} 45' 00''$  EAST 415.29 FEET; THENCE NORTH  $65^{\circ} 55' 00''$  EAST 28.80 FEET; THENCE NORTH  $8^{\circ} 51' 00''$  EAST 253.00 FEET; THENCE NORTH  $28^{\circ} 18' 00''$  EAST 145.00 FEET; THENCE SOUTH  $59^{\circ} 05' 00''$  EAST 176.00 FEET; THENCE NORTHEASTERLY FROM A TANGENT THAT BEARS NORTH  $30^{\circ} 55' 00''$  EAST ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 45 FEET AND A CENTRAL ANGLE OF  $81^{\circ} 07' 51''$  AN ARC DISTANCE OF 63.72 FEET; THENCE NORTH  $22^{\circ} 02' 51''$  EAST 364.56 FEET TO A POINT ON THE SOUTHERLY LINE OF THE LANDS SHOWN ON THE AMENDED MAP OF SUBDIVISION NO. 4086 RECORDED IN BOOK 171 OF MAPS AT PAGES 36 THROUGH 46, CONTRA COSTA COUNTY RECORDS; THENCE IN A GENERAL EASTERLY DIRECTION ALONG LAST SAID LINE THE FOLLOWING COURSES: FROM A TANGENT THAT BEARS SOUTH  $50^{\circ} 06' 30''$  EAST ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1,432 FEET AND A CENTRAL ANGLE OF  $28^{\circ} 46' 00''$  AN ARC DISTANCE OF 718.97 FEET AND SOUTH  $21^{\circ} 20' 30''$  EAST 500.83 FEET TO THE MOST SOUTHERLY CORNER OF LAST SAID LANDS; THENCE CONTINUING ALONG THE BOUNDARY OF LAST SAID LANDS NORTH  $61^{\circ} 08' 32''$  EAST 315.28 FEET TO THE MOST SOUTHERLY CORNER OF THE LANDS SHOWN ON THE MAP OF



SUBDIVISION 4207 RECORDED IN BOOK 197 OF MAPS AT PAGES 41 THROUGH 51 CONTRA COSTA COUNTY RECORDS; THENCE ALONG THE GENERAL EASTERLY LINE OF LAST SAID LANDS THE FOLLOWING COURSES: NORTH 61° 08' 32" EAST 90.54 FEET, TANGENT TO THE PRECEDING COURSE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 800 FEET AND A CENTRAL ANGLE OF 73° 11' 08" AN ARC DISTANCE OF 1,021.86 FEET, TANGENT TO THE PRECEDING CURVE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1,220 FEET AND A CENTRAL ANGLE OF 1° 43' 03" AN ARC DISTANCE OF 36.57 FEET, NORTH 81° 05' 00" EAST 79.63 FEET, NORTH 8° 55' 00" WEST 180.00 FEET, SOUTH 81° 05' 00" WEST 12.78 FEET, TANGENT TO THE PRECEDING COURSE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 50 FEET AND A CENTRAL ANGLE OF 99° 50' 33" AN ARC DISTANCE OF 87.13 FEET, TANGENT TO THE PRECEDING CURVE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1,220 FEET AND A CENTRAL ANGLE OF 17° 24' 27" AN ARC DISTANCE OF 370.66 FEET, TANGENT TO THE PRECEDING CURVE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,150 FEET AND A CENTRAL ANGLE OF 5° 35' 10" AN ARC DISTANCE OF 112.12 FEET, TANGENT TO THE PRECEDING CURVE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 50 FEET AND A CENTRAL ANGLE OF 80° 30' 10" AN ARC DISTANCE OF 70.25 FEET, TANGENT TO THE PRECEDING CURVE SOUTH 86° 45' 00" EAST 46.45 FEET, NORTH 3° 15' 00" EAST 296.00 FEET, NORTH 86° 45' 00" WEST 46.45 FEET, TANGENT TO THE PRECEDING COURSE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 50 FEET AND A CENTRAL ANGLE OF 80° 30' 10" AN ARC DISTANCE OF 70.25 FEET, TANGENT TO THE PRECEDING CURVE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,150 FEET AND A CENTRAL ANGLE OF 4° 05' 10" AN ARC DISTANCE OF 82.01 FEET, TANGENT TO THE PRECEDING CURVE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 820 FEET AND A CENTRAL ANGLE OF 32° 41' 18" AN ARC DISTANCE OF 467.83 FEET, TANGENT TO THE PRECEDING CURVE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,550 FEET AND A CENTRAL ANGLE OF 14° 23' 29" AN ARC DISTANCE OF 389.32 FEET, TANGENT TO THE PRECEDING CURVE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 50 FEET AND A CENTRAL ANGLE OF 82° 53' 29" AN ARC DISTANCE OF 72.34 FEET, TANGENT TO THE PRECEDING CURVE SOUTH 89° 08' 42" EAST 42.30 FEET, NORTH 0° 51' 18" EAST 296.00 FEET, NORTH 89° 08' 42" WEST 42.30 FEET, TANGENT TO THE PRECEDING COURSE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 50 FEET AND A CENTRAL ANGLE OF 82° 53' 29" AN ARC DISTANCE OF 72.34 FEET TANGENT TO THE PRECEDING CURVE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,550 FEET AND A CENTRAL ANGLE OF 5° 54' 47" AN ARC DISTANCE OF 159.96 FEET, TANGENT TO THE PRECEDING CURVE NORTH 12° 10' 00" WEST 898.49 FEET AND TANGENT TO THE PRECEDING COURSE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 50 FEET AND A CENTRAL ANGLE OF 130° 24' 26" AN ARC DISTANCE OF 113.80 FEET TO THE SOUTHEASTERLY CORNER OF LOT 1 AS SAID LOT IS SHOWN ON THE MAP OF SUBDIVISION 4207; THENCE SOUTHERLY ALONG THE SOUTHERLY PROLONGATION OF THE EASTERLY LINE OF SAID LOT 1 SOUTH 2° 37' 56"

EAST 30.00 FEET TO THE SOUTHWEST CORNER OF THE LANDS LASTLY DESCRIBED IN EXHIBIT 1 IN THAT CERTAIN DEED OF TRUST RECORDED IN BOOK 8878 OF OFFICIAL RECORDS OF CONTRA COSTA COUNTY AT PAGE 989; THENCE ALONG THE SOUTHERLY LINE OF LAST SAID LANDS THE FOLLOWING COURSES; NORTH 87° 22' 04" EAST 14.786 FEET, TANGENT TO THE PRECEDING COURSE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,378 FEET AND A CENTRAL ANGLE OF 25° 41' 29" AN ARC DISTANCE OF 617.89 FEET, TANGENT TO THE PRECEDING CURVE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 424 FEET AND A CENTRAL ANGLE OF 72° 30' 54" AN ARC DISTANCE OF 536.63 FEET, TANGENT TO THE PRECEDING CURVE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 376 FEET AND A CENTRAL ANGLE OF 43° 26' 58" AN ARC DISTANCE OF 285.13 FEET AND TANGENT TO THE PRECEDING CURVE SOUTH 89° 15' 29" EAST 868.68 FEET (874.767 FEET AS DESCRIBED IN LAST SAID DEED OF TRUST) TO THE EASTERLY LINE OF THE AFORESAID PARCEL ONE RECORDED IN BOOK 8334 OF OFFICIAL RECORDS OF CONTRA COSTA COUNTY AT PAGE 59; THENCE SOUTHERLY ALONG LAST SAID LINE SOUTH 0° 44' 31" WEST 6,419.11 FEET TO THE NORTHEAST CORNER OF THE LANDS DESCRIBED IN THE DEED TO CONTRA COSTA COUNTY SANITATION DISTRICT NO. 19 RECORDED IN BOOK 6678 OF OFFICIAL RECORDS OF CONTRA COSTA COUNTY AT PAGE 355; THENCE ALONG THE NORTHERLY, WESTERLY AND SOUTHERLY LINES OF LAST SAID LANDS, THE FOLLOWING COURSES: NORTH 89° 15' 29" WEST 533.00 FEET, SOUTH 0° 44' 31" WEST 648.00 FEET AND SOUTH 89° 15' 29" EAST 533.00 FEET TO THE SOUTHEAST CORNER OF LAST SAID LANDS; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF THE AFORESAID PARCEL ONE SOUTH 0° 44' 31" WEST 1,202.00 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM:

1. THE UNDIVIDED  $\frac{1}{2}$  INTEREST "IN AND TO ALL OIL, GAS, HYDROCARBONS AND OTHER MINERALS OF EVERY KIND AND NATURE" GRANTED IN THE DEED TO FRANK A. WEST, ET AL, RECORDED DECEMBER 21, 1962, BOOK 4268, OFFICIAL RECORDS, PAGE 334, NOT EXCEPTING, HOWEVER, THE INTEREST IN THAT PORTION THEREOF "LYING WITHIN 500 FEET OF THE SURFACE" GRANTED IN THE DEED TO BIXLAND CORPORATION, RECORDED JANUARY 22, 1969, BOOK 5796, OFFICIAL RECORDS, PAGE 446.

2. THE UNDIVIDED  $\frac{1}{4}$  INTEREST "IN AND TO ALL OIL, GAS, HYDROCARBONS AND OTHER MINERALS" RESERVED IN THE DEED FROM FRED PEZZI, ET AL, RECORDED NOVEMBER 2, 1965, BOOK 4985, OFFICIAL RECORDS, PAGE 351, - NOT EXCEPTING HOWEVER, THE INTEREST IN THAT PORTION THEREOF "LYING WITHIN 500 FEET OF THE SURFACE" GRANTED IN THE DEED TO BIXLAND CORPORATION, RECORDED JANUARY 22, 1969, BOOK 5796, OFFICIAL RECORDS, PAGE 446.

3. ALL THAT PORTION LYING WITHIN THE BOUNDARIES OF SUBDIVISION 5586, FILED NOVEMBER 7, 1979, BOOK 233 OF MAPS, PAGE 13, CONTRA COSTA COUNTY RECORDS.

APRIL 6, 2010  
JOB NO. 0093-060

4. THAT PORTION DESCRIBED AS PARCEL ONE IN THE DEED TO BYRON UNION SCHOOL DISTRICT RECORDED AUGUST 19, 1980, AS INSTRUMENT NO. 1980-101326 IN BOOK 9963, PAGE 235, CONTRA COSTA COUNTY RECORDS.

5. ALL THAT PORTION LYING WITHIN THE BOUNDARIES OF SUBDIVISION 6026, FILED APRIL 21, 1981, BOOK 250 OF MAPS, PAGE 33, CONTRA COSTA COUNTY RECORDS.

6. ALL THAT PORTION AS SHOWN ON THE OFFER OF DEDICATION TO CONTRA COSTA COUNTY, RECORDED JULY 17, 1981 IN BOOK 10411, PAGE 64, OFFICIAL RECORDS.

7. ALL THAT PORTION LYING WITHIN THE BOUNDARIES OF SUBDIVISION 6145, FILED JUNE 17, 1982, BOOK 264 OF MAPS, PAGE 32, CONTRA COSTA COUNTY RECORDS, AND AS CORRECTED BY CERTIFICATE OF CORRECTION RECORDED IN BOOK 12471 OF OFFICIAL RECORDS, PAGE 655, SERIES NO. 85-113117.

8. THAT PORTION THEREOF CONVEYED TO THE CONTRA COSTA COUNTY SANITATION DISTRICT #19 BY DEED RECORDED JANUARY 31, 1985 IN BOOK 12167, PAGE 190, SERIES NO. 85-12614, CONTRA COSTA COUNTY RECORDS.

9. ALL THAT PORTION LYING WITHIN THE BOUNDARIES OF SUBDIVISION 6560, FILED MAY 10, 1985, BOOK 288 OF MAPS, PAGE 48, CONTRA COSTA COUNTY RECORDS.

10. ALL THAT PORTION LYING WITHIN THE BOUNDARIES OF SUBDIVISION 6698, FILED MAY 13, 1986, BOOK 303 OF MAPS, PAGE 7, CONTRA COSTA COUNTY RECORDS.

11. ALL THAT PORTION LYING WITHIN THE BOUNDARIES OF SUBDIVISION 6493, FILED JULY 30, 1986, BOOK 304 OF MAPS, PAGE 50, CONTRA COSTA COUNTY RECORDS.

12. ALL THAT PORTION LYING WITHIN THE BOUNDARIES OF SUBDIVISION 6729, FILED OCTOBER 7, 1987, BOOK 317 OF MAPS, PAGE 10, CONTRA COSTA COUNTY RECORDS.

13. THAT PORTION THEREOF WHICH LIES NORTHERLY OF THE NORTHERLY LINE OF SUBDIVISION 6698, FILED MAY 13, 1986, BOOK 303 OF MAPS, PAGE 7, CONTRA COSTA COUNTY RECORDS AND WESTERLY AND SOUTHWESTERLY OF THE SOUTHWESTERLY LINE OF SUBDIVISION 4086, AS SHOWN ON THE AMENDED MAP OF SUBDIVISION FILED FOR RECORD IN BOOK 142 OF MAPS, PAGE 45, ET SEQ., IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY.

14. ALL THAT PORTION LYING WITHIN THE BOUNDARIES OF SUBDIVISION

7026, FILED JULY 20, 1988, BOOK 323 OF MAPS, PAGE 35, CONTRA COSTA COUNTY RECORDS.

15. ALL THAT PORTION LYING WITHIN THE BOUNDARIES OF SUBDIVISION 7025, FILED AUGUST 19, 1988, BOOK 324 OF MAPS, PAGE 31, CONTRA COSTA COUNTY RECORDS.

16. ALL THAT PORTION LYING WITHIN THE BOUNDARIES OF SUBDIVISION 7093, FILED SEPTEMBER 19, 1988, BOOK 325 OF MAPS, PAGE 29, CONTRA COSTA COUNTY RECORDS.

17. ALL THAT PORTION LYING WITHIN THE BOUNDARIES OF SUBDIVISION 6730, FILED SEPTEMBER 19, 1988, BOOK 325 OF MAPS, PAGE 32, CONTRA COSTA COUNTY RECORDS.

18. ALL THAT PORTION LYING WITHIN THE BOUNDARIES OF SUBDIVISION 7094, FILED OCTOBER 10, 1988, BOOK 326 OF MAPS, PAGE 18, CONTRA COSTA COUNTY RECORDS.

19. ALL THAT PORTION LYING WITHIN THE BOUNDARIES OF SUBDIVISION 7106, FILED JUNE 21, 1989, BOOK 334 OF MAPS, PAGE 32, CONTRA COSTA COUNTY RECORDS.

20. THAT PORTION THEREOF CONVEYED IN THE DEED TO THE PRESBYTERY OF SAN FRANCISCO, RECORDED JUNE 21, 1991, BOOK 16701, PAGE 716, SERIES NO. 91-125800, OFFICIAL RECORDS.

21. THAT PORTION DESCRIBED AS PARCEL TWO IN THE DEED TO TIMOTHY A. WRIGHT, ET UX, RECORDED AUGUST 12, 1999, SERIES NO. 99-216561, OFFICIAL RECORDS.

22. THAT CERTAIN PARCEL OF LAND DESCRIBED AS FOLLOWS:

A PORTION OF PARCEL ONE, AS SAID PARCEL ONE IS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED ON APRIL 23, 1979, IN BOOK 9320 OF OFFICIAL RECORDS, AT PAGE 418, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERN CORNER OF PARCEL TWO, AS SAID PARCEL TWO IS DESCRIBED IN THAT CERTAIN DEED RECORDED AUGUST 12, 1999, IN DOCUMENT NO. 1999-0216561 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY;

THENCE, FROM SAID POINT OF BEGINNING, ALONG THE BOUNDARY LINE OF SAID PARCEL TWO (1999-0216561), THE FOLLOWING SIX (6) COURSES:

- 1) NORTH 24°25'53" WEST 53.45 FEET,

- 2) SOUTH 80°17'41" WEST 25.48 FEET,
- 3) SOUTH 87°30'12" WEST 27.51 FEET,
- 4) SOUTH 21°44'15" EAST 14.48 FEET,
- 5) SOUTH 75°03'50" WEST 27.11 FEET, AND
- 6) SOUTH 07°26'06" EAST 18.02 FEET TO THE SOUTHWESTERN CORNER OF SAID PARCEL TWO, SAID CORNER BEING A POINT ON THE NORTHERN LINE OF EDGEVIEW COURT, AS SAID EDGEVIEW COURT IS SHOWN AND SO DESIGNATED ON THE MAP OF SUBDIVISION 7025, RECORDED AUGUST 19, 1988, IN BOOK 324 OF MAPS, AT PAGE 31, IN SAID OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY;

THENCE, ALONG SAID NORTHERN LINE, THE FOLLOWING THREE (3) COURSES:

- 1) ALONG THE ARC OF A NON-TANGENT 1,681.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 07°26'06" EAST, THROUGH A CENTRAL ANGLE OF 07°36'26", AN ARC DISTANCE OF 223.19 FEET;
- 2) SOUTH 74°57'29" WEST 468.39 FEET, AND
- 3) SOUTH 76°43'21" WEST 65.63 FEET TO A POINT ON THE EAST LINE OF CLUBHOUSE DRIVE, AS SAID CLUBHOUSE DRIVE IS SHOWN AND SO DESIGNATED ON THE MAP OF SUBDIVISION 6560, RECORDED MAY 10, 1985, IN BOOK 288 OF MAPS, AT PAGE 48, IN SAID OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY;

THENCE, ALONG SAID EASTERN LINE, THE FOLLOWING THREE (3) COURSES:

- 1) ALONG THE ARC OF A NON-TANGENT 20.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 14°41'31" WEST, THROUGH A CENTRAL ANGLE OF 92°33'36", AN ARC DISTANCE OF 32.31 FEET,
- 2) NORTH 12°07'55" WEST 47.05 FEET, AND
- 3) ALONG THE ARC OF A TANGENT 20.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 87°19'31", AN ARC DISTANCE OF 30.48 FEET TO A POINT ON THE SOUTHERN LINE OF MARINA ROAD, AS SAID MARINA ROAD IS DESCRIBED IN THAT CERTAIN DEED RECORDED JULY 17, 1981, IN BOOK 10411 OF OFFICIAL RECORDS, AT PAGE 64, IN SAID OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY;

THENCE, ALONG SAID SOUTHERN LINE, THE FOLLOWING SEVEN (7)  
COURSES:

- 1) ALONG THE ARC OF A REVERSE 1,030.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH  $14^{\circ}48'24''$  WEST, THROUGH A CENTRAL ANGLE OF  $00^{\circ}14'07''$ , AN ARC DISTANCE OF 4.23 FEET,
- 2) NORTH  $74^{\circ}57'29''$  EAST 527.16 FEET,
- 3) ALONG THE ARC OF A TANGENT 1,770.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF  $02^{\circ}13'55''$ , AN ARC DISTANCE OF 68.95 FEET,
- 4) ALONG THE ARC OF A COMPOUND 20.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH  $12^{\circ}48'36''$  EAST, THROUGH A CENTRAL ANGLE OF  $91^{\circ}38'14''$ , AN ARC DISTANCE OF 31.99 FEET,
- 5) NORTH  $78^{\circ}49'38''$  EAST 60.00 FEET,
- 6) ALONG THE ARC OF A NON-TANGENT 20.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH  $78^{\circ}49'38''$  EAST, THROUGH A CENTRAL ANGLE OF  $91^{\circ}38'14''$ , AN ARC DISTANCE OF 31.99 FEET,
- 7) ALONG THE ARC OF A COMPOUND 1,770.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH  $09^{\circ}32'08''$  EAST, THROUGH A CENTRAL ANGLE OF  $10^{\circ}16'39''$ , AN ARC DISTANCE OF 317.50 FEET TO A POINT ON THE NORTHERN LINE OF LOT F, AS SAID LOT F IS SHOWN AND SO DESIGNATED ON THE MAP OF SUBDIVISION 7106, RECORDED JUNE 21, 1989, IN BOOK 334 OF MAPS, AT PAGE 39, IN SAID OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY;

THENCE, ALONG SAID NORTHERN LINE, THE FOLLOWING TWO (2) COURSES:

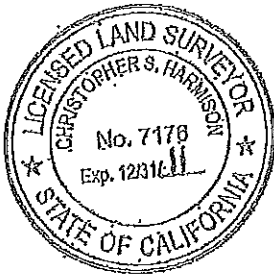
- 1) SOUTH  $42^{\circ}26'42''$  WEST 119.02 FEET, AND

LEGAL DESCRIPTION  
PAGE 8 OF 8

APRIL 6, 2010  
JOB NO. 0093-060

- 2) ALONG THE ARC OF A NON-TANGENT 165.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 69°29'49" WEST, THROUGH A CENTRAL ANGLE OF 00°43'52", AN ARC DISTANCE OF 2.11 FEET TO SAID POINT OF BEGINNING.

END OF DESCRIPTION



*Christopher S. Harmison*  
CHRISTOPHER S. HARMISON  
L.S. 7176  
EXPIRES: DECEMBER 31, 2011

CERTIFICATE OF ACCEPTANCE

This is to certify that the real property conveyed by the Grant Deed from NEW DISCOVERY Inc., a California corporation, to TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT, a community services district formed under the laws of California, is hereby accepted by authority granted in Resolution 2011-17 of the Board of the Town of Discovery Bay Community Services District adopted on July 6, 2011, and the grantee consents to recordation thereof by its duly authorized officer.

Dated: July 6, 2011

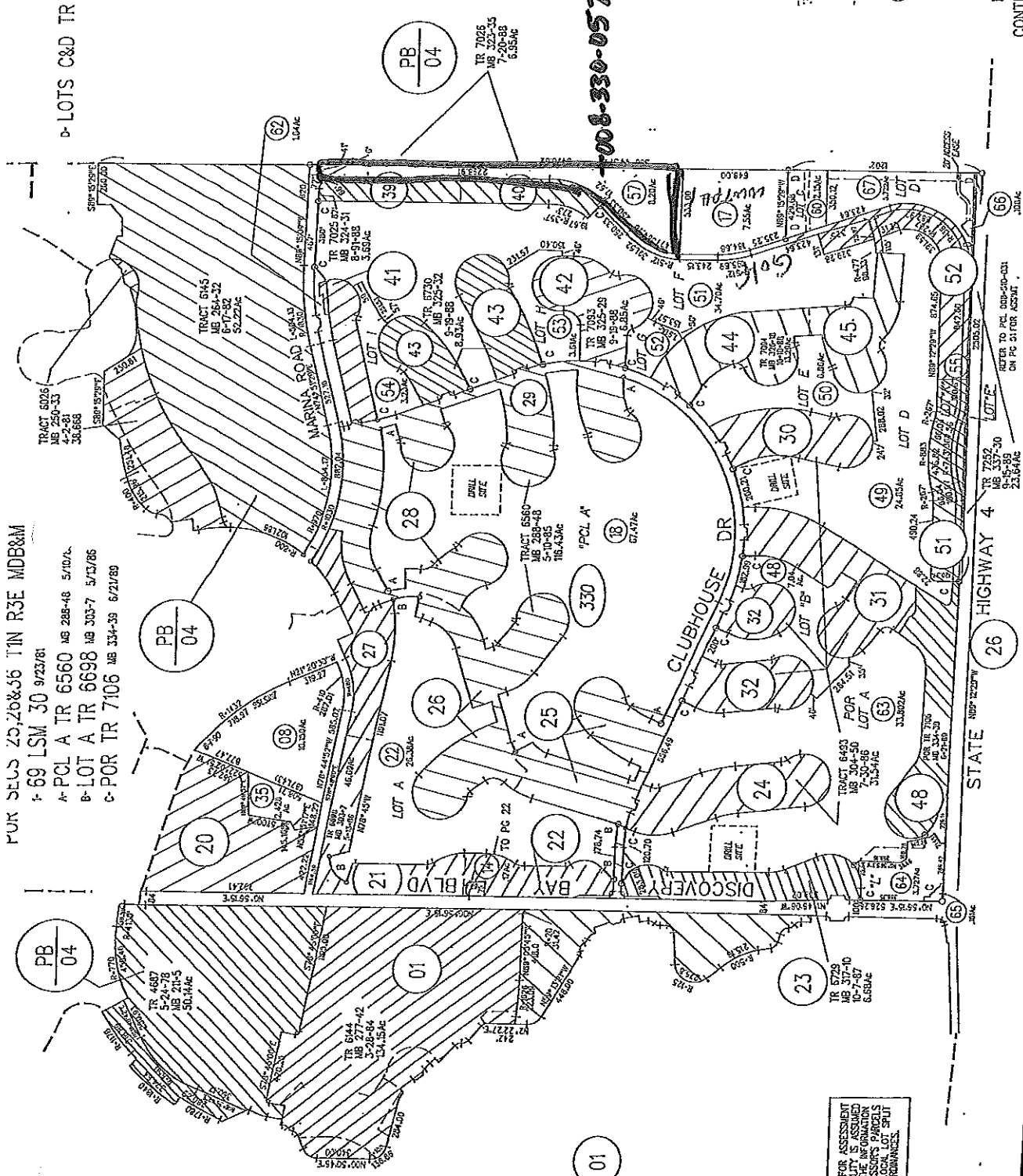
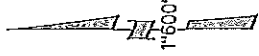
By: \_\_\_\_\_

Rick Howard  
General Manager  
Town of Discovery Bay Community Services District



PUR SELS 25,208.56 TIN R3E MDB&M  
 P-69 LSM 30 9/23/81  
 A-PCL A TR 6560 MB 288-48 5/10/84  
 B-LOT A TR 6698 MB 303-7 5/13/85  
 C-POR TR 7106 MB 334-39 6/21/89

D-LOTS C&D TR 7252 MB 337-30 9/15/89



THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ON THE BASIS OF THE INFORMATION PROVIDED BY THE ASSessor. THE ASSessor DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION DELINEATED HEREON. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT SPLIT REGULATIONS OR ZONING ORDINANCES.

FM 008-24  
 ASSESSOR'S MAP  
 BOOK 8 PAGE 33  
 CONTRA COSTA COUNTY, CALIF.

330 (67) 30/12/89

12-1-10

WHEN RECORDED MAIL TO:

TOWN OF DISCOVERY BAY  
1800 Willow Lake Road  
Discovery Bay, CA. 94505

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO:

TOWN OF DISCOVERY BAY  
1800 Willow Lake Road  
Discovery Bay, CA. 94505

The undersigned grantor(s) declare(s):

CITY TRANSFER TAX \$ \_\_\_\_\_

DOCUMENTARY TRANSFER TAX \$ \_\_\_\_\_

Computed on the consideration or value of property conveyed; OR  
Computed on the consideration or value less liens or encumbrances remaining  
at time of sale.

APN: 008-330-060-8

### GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

NEW DISCOVERY, INC., a California corporation


hereby GRANT(S) to TOWN OF DISCOVERY BAY


the following described real property in the incorporated area of Discovery Bay, County of Contra Costa, State of California:

All that certain parcel of land described in Exhibit "B" attached hereto, reserving there from an easement for access and incidental purposes over that portion of said land described in Exhibit "A" attached hereto in favor of New Discovery, Inc., a California corporation and Discovery Bay Yacht Harbor, LLC, a California limited liability company, their successors and assigns

Dated: 5/5/2011

NEW DISCOVERY, INC.,  
a California corporation

By:   
Tom Morgan, President

By:   
John E. Amaral, Chief Financial Officer

CALIFORNIA ACKNOWLEDGMENT

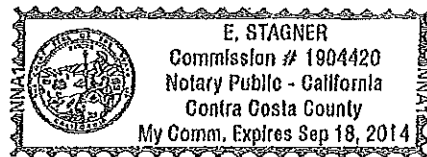
State of California )  
County of Contra Costa )

On 5/5/11, before me, E. Stagner a Notary Public, personally appeared Tom Morgan, who proved to me on the basis of satisfactory evidence to be the persons whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her signature on the instrument, the persons or the entity upon behalf of which the persons acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature E. Stagner (Seal)



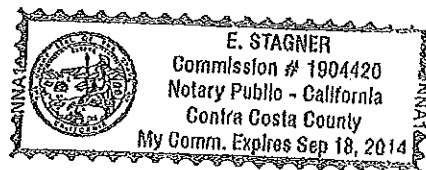
State of California )  
County of Contra Costa )

On 5/5/11, before me, E. Stagner a Notary Public, personally appeared John E. Amaral, who proved to me on the basis of satisfactory evidence to be the persons whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her signature on the instrument, the persons or the entity upon behalf of which the persons acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature E. Stagner (Seal)



APRIL 6, 2010  
JOB NO.: 093-60

EXHIBIT 'A'  
LEGAL DESCRIPTION  
LOT 'C', SUBDIVISION 7252 (337 M 30)  
DISCOVERY BAY, CONTRA COSTA COUNTY, CALIFORNIA

REAL PROPERTY, SITUATE IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF LOT 'C', AS LOT 'C' IS SHOWN AND SO DESIGNATED ON THAT CERTAIN MAP OF SUBDIVISION 7252, RECORDED SEPTEMBER 15, 1989, IN BOOK 337 OF MAPS AT PAGE 30, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERN CORNER OF SAID LOT 'C';

THENCE, FROM SAID POINT OF BEGINNING, ALONG THE EASTERN AND SOUTHERN LINES OF SAID LOT 'C', THE FOLLOWING TWO (2) COURSES:

- 1) SOUTH 00°44'31" WEST 240.00 FEET, AND
- 2) NORTH 89°15'29" WEST 64.68 FEET;

THENCE, LEAVING SAID SOUTHERN LINE, NORTH 01°18'19" EAST 240.00 FEET TO A POINT ON THE NORTHERN LINE OF SAID LOT 'C';

THENCE, ALONG SAID NORTHERN LINE, SOUTH 89°15'29" EAST 62.32 FEET TO SAID POINT OF BEGINNING.

ATTACHED HERETO IS A PLAT TO ACCOMPANY LEGAL DESCRIPTION, AND BY THIS REFERENCE MADE A PART HEREOF.

END OF DESCRIPTION



*Christopher S. Harmison*  
CHRISTOPHER S. HARMISON  
L.S. NO. 7176  
EXPIRES; DECEMBER 31, 2011

Exhibit "A" continued:

EXCEPTING THEREFROM:

1. THE UNDIVIDED 1/2 INTEREST "IN AND TO ALL OIL, GAS, HYDROCARBONS AND OTHER MINERALS OF EVERY KIND AND NATURE", GRANTED IN THE DEED TO FRANK A. WEST, ET AL, RECORDED DECEMBER 21, 1962 IN BOOK 4268, OFFICIAL RECORDS, PAGE 334, NOT EXCEPTING HOWEVER, THE INTEREST IN THAT PORTION THEREOF, "LYING WITHIN 500 FEET OF THE SURFACE" GRANTED IN THE DEED TO BIXLAND CORPORATION, RECORDED JANUARY 22, 1969, BOOK 5796, OFFICIAL RECORDS, PAGE 446.

2. THE UNDIVIDED 1/4 INTEREST "IN AND TO ALL OIL, GAS, HYDROCARBONS AND OTHER MINERALS", RESERVED IN THE DEED FROM FRED PEZZI, ET AL, RECORDED NOVEMBER 2, 1965 IN BOOK 4985, OFFICIAL RECORDS, PAGE 351, NOT EXCEPTING HOWEVER, THE INTEREST IN THAT PORTION THEREOF "LYING WITHIN 500 FEET OF THE SURFACE" GRANTED IN THE DEED TO BIXLAND CORPORATION, RECORDED JANUARY 22, 1969, BOOK 5796, OFFICIAL RECORDS, PAGE 446.

3. THE UNDIVIDED 1/4 INTEREST IN ALL OIL, GAS, CASINGHEAD GASOLINE AND OTHER HYDROCARBON SUBSTANCES OF ANY KIND BELOW A POINT 500 FEET BELOW THE SURFACE OF THE LANDS TOGETHER WITH THE RIGHT TO TAKE, REMOVE, PASS THROUGH AND DISPOSE OF ALL SAID OIL, GAS, CASINGHEAD GASOLINE AND OTHER HYDROCARBON AND MINERAL SUBSTANCES BUT WITHOUT MY RIGHT WHATSOEVER TO ENTER UPON THE SURFACE OF SAID LAND OR UPON ANY PART OF SAID LANDS WITHIN 500 FEET FROM THE SURFACE THEREOF, AS GRANTED IN THE DEED FROM NEW DISCOVERY, INC., A CALIFORNIA CORPORATION TO ALTA MORTGAGE COMPANY, A CALIFORNIA CORPORATION, RECORDED MARCH 14, 1989, BOOK 14934, PAGE 407, OFFICIAL RECORDS.

APN #: **Portion of 008-330-060-8**

EX. 20' S.S.E. PER  
2004-0370539 O.R.

EX. POLE LINE EASEMENT  
PER 25 OR 277  
NO WIDTH OF RECORD

LOT C  
337 M 30

LOT D  
337 M 30

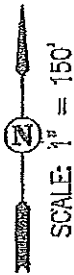
POB

ACCESS EASEMENT

40' PT&T EASEMENT  
PER 10710 OR 719

EX 50' S.S.E. PER  
85-64203 O.R.

EX 50' S.D.E. PER  
337 M 30



CERRY HILLS DRIVE

LINE TABLE		
NO.	BEARING	LENGTH
L1	S00°44'31"W	240.00'
L2	N89°15'29"W	64.68'
L3	N01°18'19"E	240.00'
L4	S89°15'29"E	62.32'

**EXHIBIT 'B'**  
**ACCESS EASEMENT**  
**PORTION OF LOT C, SUBDIVISION 7252 (337 M 30)**  
**CONTRA COSTA COUNTY, CALIFORNIA**

APRIL 2010

**Carlson, Barbee, & Gibson, Inc.**

CIVIL ENGINEERS • SURVEYORS • PLANNERS  
6111 BOLLINGER CANYON ROAD, SUITE 150 SAN RAMON, CALIFORNIA 94583  
TELEPHONE: (925) 866-0322 FAX: (925) 866-8575

**CERTIFICATE OF ACCEPTANCE**

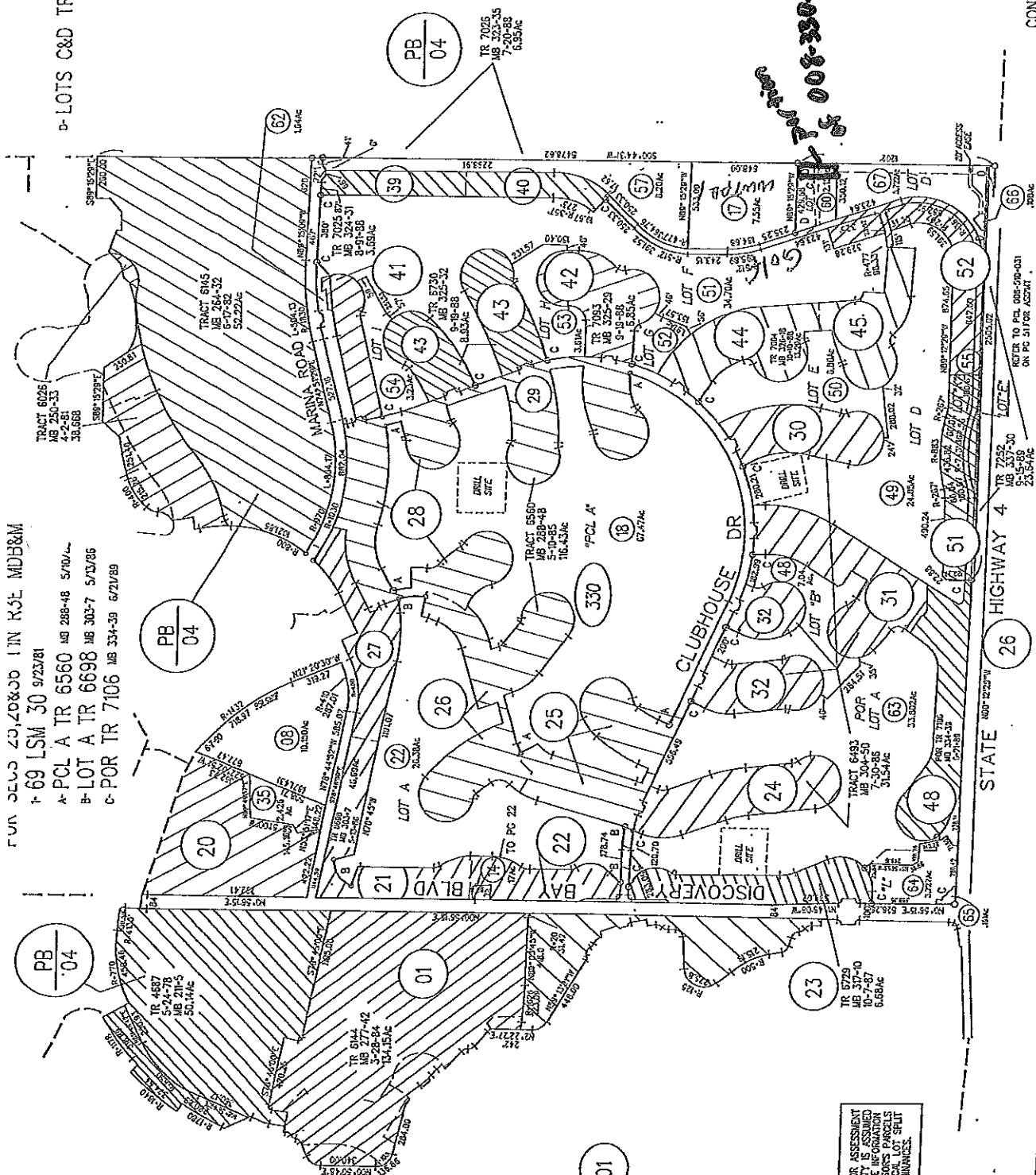
This is to certify that the real property conveyed by the Grant Deed from NEW DISCOVERY Inc., a California corporation, to TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT, a community services district formed under the laws of California, is hereby accepted by authority granted in Resolution 2011-17 of the Board of the Town of Discovery Bay Community Services District adopted on July 6, 2011, and the grantee consents to recordation thereof by its duly authorized officer.

Dated: July 6, 2011

By: \_\_\_\_\_  
Rick Howard  
General Manager  
Town of Discovery Bay Community Services District

FUN 3500 20140800 1 IN K5E MUB&M  
 1-69 LSM 30 9/23/81  
 A-PCL A TR 6560 MB 288-48 5/10/84  
 B-LOT A TR 6698 MB 303-7 5/13/86  
 C-POR TR 7106 MB 334-39 6/21/89

P-LOTS C&D TR 7252 MB 337-30 9/15/89



008-330-060  
 12-10

FN 009-24  
 ASSESSOR'S MAP  
 BOOK 8 PAGE 33  
 CONTRA COSTA COUNTY, CALIF.

NOTES: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY AND THE COUNTY IS ASSUMED TO BE CORRECT. THE COUNTY IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PREPARED. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PREPARED. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PREPARED.





# Town of Discovery Bay CSD AGENDA REPORT

Meeting Date

July 6, 2011

Prepared By: Fairin Perez, Landscape Manager  
Submitted By: Rick Howard, General Manager

### Agenda Title

Approval and Adoption of Resolution No. 2011-12 accepting the Dedication of Ravenswood Park (Subdivision 8710) and open space parcels (APN's 011-600-060, 011-610-099, 011-610-100, 011-620-047, & 011-620-048) from Contra Costa County

### Recommended Action

Approval and Adoption of Resolution No. 2011-12 accepting the Dedication of Ravenswood Park (Subdivision 8710) and open space parcels (APN's 011-600-060, 011-610-099, 011-610-100, 011-620-047, & 011-620-048) from Contra Costa County and authorize the General Manager to execute all necessary corresponding Dedication documentation including the acceptance of the terms of Army Corps of Engineers Permit No. 199400928.

### Executive Summary

The Ravenswood development park and open space parcels (Subdivision 8710) was granted final acceptance by the Contra Costa County Board of Supervisors on February 2, 2010. The lien guarantee period expired on August 2, 2010. As part of the approval of the Final Map, Parcels A, B, C, D & E were to be dedicated to the Town of Discovery Bay Community Services District (District).

The District has already accepted responsibility for the maintenance and service of these areas. Maintenance and improvements to these open space and park areas are funded through Discovery Bay Lighting and Landscape Zone #9, which is also already managed by the District. Staff recommends approving and adoption of Resolution No. 2011-12 which will provide for the dedication and acceptance of Parcel "A" (011-600-060), Parcel "B" (011-620-047), Parcel "C" (011-620-048), Parcel "D" (011-610-099), and Parcel "E" (011-610-100) from Western Pacific Housing, Inc.

Please note that by accepting dedication of Parcel "B", which is the conservation easement area in Ravenswood, the District will also have to sign and accept the terms and conditions of the Army Corps of Engineers permit number 199400928 (attached for your review).

### Fiscal Impact:

There is no fiscal impact associated with this action other than existing obligations pursuant to L&L Zone #9.

### Previous Relevant Board Actions for This Item

N/A.

### Attachments

Subdivision 8710 Final Map, Cover Sheet and Index Map (Page 1 & 3 of 16)  
Grant Deed, Parcels A, B, C, D & E in Subdivision 8710  
Department of the Army Permit No. 199400928  
Resolution 2011-12  
Certificate of Acceptance

AGENDA ITEM: E-5

**BASIS OF BEARING:**  
 THE BASIS OF BEARINGS FOR THIS MAP IS DETERMINED BY FOUND MONUMENTS SHOWN HEREON; THE BEARINGS BEING NOT TO EXCEED BETWEEN 867' (283 M 34), DISTANCES SHOWN ALONG AUSEURY STREET AS SHOWN ON SUBDIVISION CONVEY TO GRID, MULTIPLE GROUND DISTANCES BY CURVES.

**LEGEND**

————	SUBDIVISION BOUNDARY
———	LAY LINE
———	EASEMENT LINE
———	MONUMENT LINE
———	CENTERLINE

(1) TOTAL  
 (R) RADIAL  
 (M-N) MONUMENT TO MONUMENT  
 (M-PA) MONUMENT TO PROPERTY LINE  
 SET STANDARD STREET MONUMENT, LS 7775  
 SET 3/8" REBAR AND CAP, LS 7176  
 FOUND STANDARD STREET MONUMENT AS NOTED  
 FOUND FROM PIPE, RAILROAD SPIKE OR REBAR AS NOTED  
 RECORD DATA AS NOTED  
 PUBLIC UTILITY EASEMENT  
 SF SQUARE FEET  
 AC ACRES  
 REINFORCEMENT OF ADJUTER'S RIGHTS

**REFERENCES**

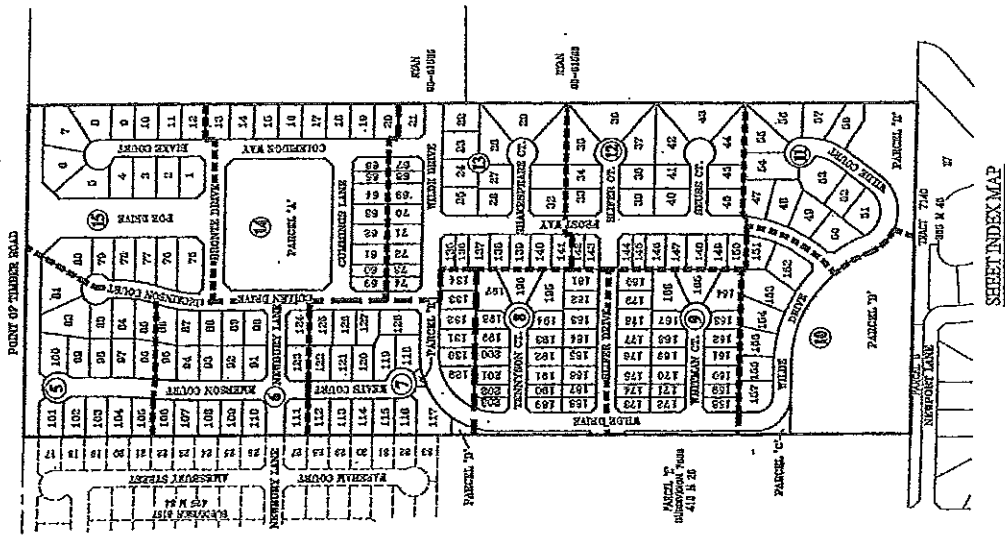
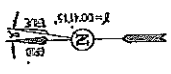
- (1) RECORD OF SURVEY (00 LSN 17)
- (2) SUBDIVISION MS 91-88 (140 PA 47)
- (3) SUBDIVISION 7088 (418 M 26)
- (4) TRACT 7140 (388 M 43)
- (5) PARCEL MAP (24 PA 19)
- (6) SUBDIVISION 8167 (403 M 34)
- (7) SUBDIVISION 0023 (433 M 32)

**NOTE:**

THE FOLLOWING IS FOR INFORMATIONAL PURPOSES ONLY, AND IS NOT INTENDED TO AFFECT RECORDED TITLE INTERESTS; THERE MAY BE A POTENTIAL FOR FUTURE SEA LEVEL RISE.

**SUBDIVISION 8710, RAVENSWOOD**

BEING A SUBDIVISION OF A PORTION OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 3 EAST, COUNTY OF COCALA COUNTY, CALIFORNIA  
 CARLSON, BARBEE & GIBSON, INC.  
 CIVIL ENGINEERS & SURVEYORS & PLANNERS  
 SAN RAMON, CALIFORNIA  
 SCALE: 1" = 40'  
 NOVEMBER 2014



**SUBDIVISION 8710  
RAVENSWOOD**

BEING A SUBDIVISION OF A PORTION OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 4 NORTH, RANGE 3 EAST, MOUNT DIABLO MERRIDIAN

CARLSON, BARBEE & GIBSON, INC.  
CIVIL ENGINEERS • SURVEYORS • PLANNERS  
SAN FRANCISCO, CALIFORNIA  
NOMBER 2004

**OWNER'S STATEMENT**

THE UNDERSIGNED, BEING THE PARTY HAVING A RECORD TITLE INTEREST IN THE LANDS DELINEATED AND EMBARRASSED WITHIN THE HEAVY BLACK LINES UPON THIS MAP, DO HEREBY CONSENT TO THE MAKING AND RECORDATION OF THE SAME, AND DOES HEREBY DEDICATE TO THE PUBLIC THE FOLLOWING DESIGNATED AREAS FOR ROADWAY AND UTILITY PURPOSES:

DISCOVERY BAY DRIVE, BLAKE COURT, BRONTE DRIVE, EMERSON COURT, CHILLEN DRIVE, HENRY WAY, COLLETT WAY, PARKWAY DRIVE, SHERMAN COURT, TENNYSON COURT, SHAGBUSH COURT, FRISBY WAY, SUTHERLAND COURT, WILDE DRIVE, WICKHAM COURT, SELLS COURT, WILDE COURT AND POINT OF TIMBER ROAD MERRIDIAN.

THE UNDERSIGNED DEDICATES THE FOLLOWING DESIGNATED AREAS TO THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT: PARCEL "A" FOR PARK OPERATION AND MAINTENANCE PURPOSES; PARCEL "B" FOR OPEN SPACE PURPOSES; AND ACCESS, CONSTRUCTION, AND MAINTENANCE OF DAMAGE PREVENTION PARCELS "C", "D", AND "E" FOR LANDSCAPE PURPOSES.

THE UNDERSIGNED DEDICATES EASEMENTS TO THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT OVER THE AREAS DESIGNATED AS "WALL MAINTENANCE EASEMENT FOR ACCESS, CONSTRUCTION, REPAIR, AND MAINTENANCE OF WALLS."

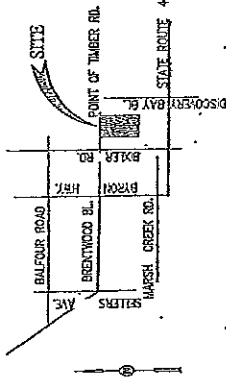
THE AREAS DESIGNATED AS "UTILITIES PUBLIC UTILITY EASEMENT ARE HEREBY DEDICATED TO CONTRA COSTA COUNTY AS ITS JURISDICTION OVER THE UNDERGROUND ELECTRIC, GAS, CABLE TELEVISION, TELEPHONE, LIGHT, SANITARY SEWER, STORM DRAIN, AND WATER USE AND ANY AND ALL IMPROVEMENTS AND APPURTENANCES INSTALLED, INCLUDING THE CONSTRUCTION, ACCESS AND MAINTENANCE EASEMENT OF THESE IMPROVEMENTS AND APPURTENANCES.

THE UNDERSIGNED RELINQUISHES ALL ABUTTERS' RIGHTS OF ACCESS ALONG POINT OF DIBER ROAD TO CONTRA COSTA COUNTY WITH REGARD TO THOSE AREAS SPECIFICALLY INDICATED ON THIS MAP. THE UNDERSIGNED RELINQUISHES ALL ABUTTERS' RIGHTS OF VEHICULAR ACCESS AT ALL PEDESTRIAN RAMPS, AND AT ALL OTHER LOCATIONS AS INDICATED BY THE FOLLOWING SYMBOL:

THIS MAP SHOWS ALL THE EASEMENTS ON THE PREMISES, OR OF RECORD.

WESTERN PACIFIC HOUSING, INC., A DELAWARE CORPORATION

BY: Robert Williams DATE: 11/15/04  
 PRINT: Robert Williams TITLE: VP, WESTERN PACIFIC  
 BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
 PRINT: \_\_\_\_\_ TITLE: \_\_\_\_\_



VICINITY MAP  
NOT TO SCALE

**SURVEYOR'S STATEMENT**

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEYING MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF WESTERN PACIFIC HOUSING, INC., A DELAWARE CORPORATION ON MARCH 2, 2004 AND IS TRUE AND COMPLETE AS SHOWN. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP, I HEREBY STATE THAT THE MONUMENTS WILL BE SET IN THE POSITIONS INDICATED BEFORE DECEMBER 3, 2005. THE MONUMENTS WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

DATE: 11-15-04  
Christopher S. Harmonson, P.L.S.  
 CHRISTOPHER S. HARMONSON, P.L.S.  
 L.S. NO. 7776  
 EXPIRES DECEMBER 31, 2005



**PLANNING COMMISSION'S STATEMENT**

I, HEREBY STATE THAT THE PLANNING COMMISSION OF THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA HAS APPROVED THE TENTATIVE MAP OF THIS SUBDIVISION UPON WHICH THIS FINAL MAP IS BASED.

DATE: 9-12-05  
 DENNIS J. BARRY  
 DIRECTOR OF COMMUNITY DEVELOPMENT  
 COUNTY OF CONTRA COSTA  
 STATE OF CALIFORNIA  
 BY: Dennis J. Barry (SO)

**BUILDING INSPECTION STATEMENT**

A GEOTECHNICAL SERVICES REPORT PREPARED BY KLENFELDER, INC. FILE NO. 27164001, DATED APRIL 22, 2003 HAS BEEN RECEIVED AND APPROVED. THIS REPORT IS ON FILE IN THE BUILDING INSPECTION DEPARTMENT, CONTRA COSTA COUNTY.

DATE: October 17, 2005  
 CARLOS BALTOIANO  
 DIRECTOR OF BUILDING INSPECTION  
 BY: Carlos Baltoiano  
 DEPUTY

**RECORDING REQUESTED BY**  
First American Title Company

**AND WHEN RECORDED MAIL DOCUMENT  
AND TAX STATEMENT TO:**

Town of Discovery Bay CSD  
1800 Willow Lake Road  
Discovery Bay, CA 94505-9376

Space Above This Line for Recorder's Use Only

A.P.N.: 011-600-060, 011-610-099  
011-610-100, 011-620-047, 011-620-048

File No.: Accommodation

### GRANT DEED

The Undersigned Grantor(s) Declare(s): DOCUMENTARY TRANSFER TAX \$0.00; CITY TRANSFER TAX \$0.00; R&T 11922  
SURVEY MONUMENT FEE \$

- computed on the consideration or full value of property conveyed, OR  
 computed on the consideration or full value less value of liens and/or encumbrances remaining at time of sale,  
 unincorporated area;

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

**Western Pacific Housing, Inc., a Delaware corporation**

hereby GRANTS to

**Town of Discovery Bay Community Services District**

the following described property in the unincorporated County of **Contra Costa**, State of **California**:

**Parcels A, B, C, D, and E, as shown on the map of subdivision 8710, filed October 27, 2005,  
Book 485, Page 1, Contra Costa County Records.**

Dated: 6/21/11

**Western Pacific Housing, Inc.,  
a Delaware Corporation**

By: *Nicholas Arenson*  
Name: NICHOLAS ARENSON  
Its: VICE PRESIDENT

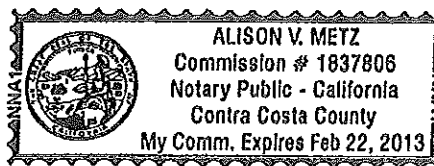
STATE OF California )ss  
COUNTY OF Alameda )

On June 21, 2011, before me, Alison V. Metz, Notary  
Public, personally appeared Nicholas Arenson

\_\_\_\_\_, who proved to me on 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 his/her/their signature(s) on  
the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is  
true and correct.

WITNESS my hand and official seal.



Signature

Alison V. Metz

My Commission Expires: Feb. 22, 2013

*This area for official notarial seal*

Notary Name: Alison V. Metz

Notary Phone: 925-225-7445

Notary Registration Number: 1837806

County of Principal Place of Business: Alameda

**PRELIMINARY CHANGE OF OWNERSHIP REPORT**

To be completed by the transferee (buyer) prior to a transfer of subject property, in accordance with section 480.3 of the Revenue and Taxation Code. A *Preliminary Change of Ownership Report* must be filed with each conveyance in the County Recorder's office for county where the property is located. Please answer all questions in each section, and complete the certification before filing. This form may be used in all 58 California counties. If a document evidencing a change in ownership is presented to the Recorder for recordation without the concurrent filing of a *Preliminary Change of Ownership Report*, the Recorder may charge an additional recording fee of twenty dollars (\$20).

**NOTICE:** The property which you acquired may be subject to a supplemental assessment in an amount to be determined by the County Assessor. Supplemental assessments are not paid by the title or escrow company at close of escrow, and are not included in lender impound accounts. **You may be responsible for the current or upcoming property taxes even if you do not receive the tax bill.**

SELLER/TRANSFEROR  
**Western Pacific Housing Inc, a Delaware corporation**

ASSESSOR'S PARCEL NUMBER  
 011-600-060, 011-610-099, 011-610-100, 011-620-047 011-620-048

BUYER/TRANSFEEE  
**Town of Discovery Bay Community Service District**

BUYER'S DAYTIME TELEPHONE NUMBER  
 (925) 634-1131

STREET ADDRESS OR PHYSICAL LOCATION OF REAL PROPERTY  
**A, B, C, D, E - Tract 8710 - Cullen Drive, Wilde Drive**

MAIL PROPERTY TAX INFORMATION TO (NAME)  
**Town of Discovery Bay Community Service District**

ADDRESS 1800 Willow Lake Road	CITY Discovery Bay	STATE CA	ZIP CODE 94505
----------------------------------	-----------------------	-------------	-------------------

<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	This property is intended as my principal residence. If YES, please indicate the date of occupancy or intended occupancy.	MO	DAY	YEAR
---	---	----	-----	------

**PART 1. TRANSFER INFORMATION** *Please complete all statements.*

- YES  NO A. This transfer is solely between spouses (*addition or removal of a spouse, death of a spouse, divorce settlement, etc.*)
- YES  NO B. This transfer is solely between domestic partners currently registered with the California Secretary of State (*addition or removal of a partner, death of a partner, termination settlement, etc.*)
- YES  NO \*C. This is a transfer between:  parent(s) and child(ren)  grandparent(s) and grandchild(ren).
- YES  NO \*D. This transaction is to replace a principal residence by a person 55 years of age or older. Within the same county?  YES  NO
- YES  NO \*E. This transaction is to replace a principal residence by a person who is severely disabled as defined by Revenue and Taxation Code section 69.5. Within the same county?  YES  NO
- YES  NO F. This transaction is only a correction of the name(s) of the person(s) holding title to the property (*e.g., a name change upon marriage*). If YES, please explain: \_\_\_\_\_
- YES  NO G. The recorded document creates, terminates, or reconveys a lender's interest in the property.
- YES  NO H. This transaction is recorded only as a requirement for financing purposes or to create, terminate, or reconvey a security interest (*e.g., cosigner*). If YES, please explain: \_\_\_\_\_
- YES  NO I. The recorded document substitutes a trustee of a trust, mortgage, or other similar document.
- YES  NO J. This is a transfer of property:
  - 1. to/from a revocable trust that may be revoked by the transferor and is for the benefit of  the transferor, and/or  the transferor's spouse  registered domestic partner.
  - 2. to/from a trust that may be revoked by the creator/grantor/trustor who is also a joint tenant, and which names the other joint tenant(s) as beneficiaries when the creator/grantor/trustor dies.
  - 3. to/from an irrevocable trust for the benefit of the  creator/grantor/trustor and/or  grantor's/trustor's spouse  grantor's/trustor's registered domestic partner.
  - 4. to/from an irrevocable trust from which the property reverts to the creator/grantor/trustor within 12 years.
- YES  NO K. This property is subject to a lease with a remaining lease term of 35 years or more including written options.
- YES  NO L. This is a transfer between parties in which proportional interests of the transferor(s) and transferee(s) in each and every parcel being transferred remain exactly the same after the transfer.
- YES  NO M. This is a transfer subject to subsidized low-income housing requirements with governmentally imposed restrictions.
- YES  NO \*N. This transfer is to the first purchaser of a new building containing an active solar energy system.

\* If you checked YES to statements C, D, or E, you may qualify for a property tax reassessment exclusion, which may allow you to maintain your present tax base. If you checked YES to statement N, you may qualify for a property tax new construction exclusion. A claim form must be filed and all requirements met in order to obtain any of these exclusions. Contact the Assessor for claim forms.

Please provide any other information that will help the Assessor understand the nature of the transfer.

**PART 2. OTHER TRANSFER INFORMATION**

*Check and complete as applicable.*

- A. Date of transfer, if other than recording date: \_\_\_\_\_
- B. Type of transfer:
- Purchase     Foreclosure     Gift     Trade or exchange     Merger, stock, or partnership acquisition (Form BOE-100-B)
- Contract of sale. Date of contract: \_\_\_\_\_     Inheritance. Date of death: \_\_\_\_\_
- Sale/leaseback     Creation of a lease     Assignment of a lease     Termination of a lease. Date lease began: \_\_\_\_\_
- Original term in years (including written options): \_\_\_\_\_ Remaining term in years (including written options): \_\_\_\_\_
- Other. Please explain: \_\_\_\_\_
- C. Only a partial interest in the property was transferred.     YES     NO    If YES, indicate the percentage transferred: \_\_\_\_\_ %

**PART 3. PURCHASE PRICE AND TERMS OF SALE**

*Check and complete as applicable.*

- Bank or savings & loan     Fixed rate     New loan
- A. Total purchase or acquisition price. Do not include closing costs or mortgage insurance. \$ 0
- Down payment: \$ \_\_\_\_\_ Interest rate: \_\_\_\_\_ %    Seller-paid points or closing costs: \$ \_\_\_\_\_
- Balloon payment: \$ \_\_\_\_\_
- Loan carried by seller     Assumption of Contractual Assessment\* with a remaining balance of: \$ \_\_\_\_\_
- \* An assessment used to finance property-specific improvements that constitutes a lien against the real property.
- B. The property was purchased:     Through real estate broker. Broker name: \_\_\_\_\_ Phone number: \_\_\_\_\_
- Direct from seller     From a family member
- Other. Please explain: \_\_\_\_\_
- C. Please explain any special terms, seller concessions, financing, and any other information (e.g., buyer assumed the existing loan balance) that would assist the Assessor in the valuation of your property.
- \_\_\_\_\_
- \_\_\_\_\_


**PART 4: PROPERTY INFORMATION**

*Check and complete as applicable.*

- A. Type of property transferred
- Single-family residence     Co-op/Own-your-own     Manufactured home
- Multiple-family residence. Number of units: \_\_\_\_\_     Condominium     Unimproved lot
- Other. Description: (i.e., timber, mineral, water rights, etc.)     Timeshare     Commercial/Industrial
- B.  YES     NO    Personal/business property, or incentives, are included in the purchase price. Examples are furniture, farm equipment, machinery, club memberships, etc. Attach list if available.
- If YES, enter the value of the personal/business property: \$ \_\_\_\_\_
- C.  YES     NO    A manufactured home is included in the purchase price.
- If YES, enter the value attributed to the manufactured home: \$ \_\_\_\_\_
- YES     NO    The manufactured home is subject to local property tax. If NO, enter decal number: \_\_\_\_\_
- D.  YES     NO    The property produces rental or other income.
- If YES, the income is from:     Lease/rent     Contract     Mineral rights     Other: \_\_\_\_\_
- E. The condition of the property at the time of sale was:     Good     Average     Fair     Poor

**CERTIFICATION**

*I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing and all information hereon, including any accompanying statements or documents, is true and correct to the best of my knowledge and belief. This declaration is binding on each and every buyer/transferee.*

SIGNATURE OF BUYER/TRANSFeree OR CORPORATE OFFICER 	DATE <b>6-21-2011</b>
NAME OF BUYER/TRANSFeree/LEGAL REPRESENTATIVE/CORPORATE OFFICER (PLEASE PRINT) <b>WESTERN PACIFIC HOUSING, INC. / VICE PRESIDENT</b>	TITLE <b>VP</b>
E-MAIL ADDRESS	

The Assessor's office may contact you for additional information regarding this transaction.



DEPARTMENT OF THE ARMY  
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO  
CORPS OF ENGINEERS  
1325 J STREET  
SACRAMENTO, CALIFORNIA 95814-2922

REPLY TO  
ATTENTION OF

December 3, 2004

Regulatory Branch (199400928)

Reed Onate  
Western Pacific Housing  
1210 Central Boulevard  
Brentwood, California 94513

Dear Mr. Onate:

We are enclosing your copy of Department of the Army Permit 199400928. Please note you are only authorized to complete the work described in the permit.

If you sell the property associated with this permit, the terms and conditions of this permit will continue to be binding on the new owner. To validate the transfer of this permit, have the succeeding party sign the permit transfer section at the end of the permit and forward a copy to this office, along with their printed name, address, telephone number, and other contact information.

The time limit for completing the work is specified in General Condition 1. If the work will not be completed prior to that date, you may request a time extension. Your request for an extension must be received by this office for consideration at least 30 days before the time limit date.

Please refer to identification number 199400928 in any correspondence concerning this project. If you have any questions, please contact William Guthrie at our Delta Office, 1325 J Street, Room 1480, Sacramento, California 95814-2922, email [William.H.Guthrie@usace.army.mil](mailto:William.H.Guthrie@usace.army.mil), or telephone 916-557-5269. You may also use our website: [www.spk.usace.army.mil/regulatory.html](http://www.spk.usace.army.mil/regulatory.html).

Sincerely,

Michael S. Jewell  
Chief, Central California/Nevada  
Section

Enclosure(s)

Copy furnished without enclosure(s):

Sean Micallef, Zentner & Zentner, 95 Linden Street, Suite 6, Oakland, California 94607





REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO  
CORPS OF ENGINEERS  
1325 J STREET  
SACRAMENTO, CALIFORNIA 95814-2922

November 24, 2004

Regulatory Branch (199400928)

Reed Onate  
Western Pacific Housing  
1210 Central Boulevard  
Brentwood, California 94513

Dear Mr. Onate:

This letter concerns your request for modification of the special conditions of your September 30, 2004, Department of the Army permit number 199400928 for the Ravenswood residential subdivision.

We are hereby modifying the special conditions as follows:

Special Condition 3 is replaced with: You must implement all of the measures in the document entitled *Ravenswood, Brentwood Contra Costa County, Wetland Mitigation Program*, Dated April 28, 2003, including the comprehensive mitigation and monitoring plan. You must follow mitigation design drawings and vegetation plans including target species to be planted and final success criteria. The purpose of this requirement is to insure replacement of the function and values of the aquatic environment that would be lost due to project construction.

Special Condition 6 is replaced with: To minimize external disturbance to preserved waters of the United States, you shall establish a buffer consisting of native upland vegetation of at least 50 feet in width from all preserved waters of the United States with the exception of wetland D and wetland K, as shown in the attached drawings, which would each be provided with a 10-foot buffer of native upland vegetation.

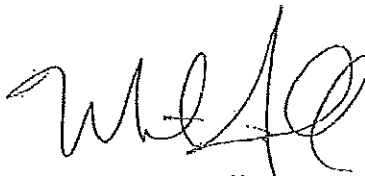
Special Condition 8 is replaced with: Prior to initiating any home construction, you shall, to insure long-term viability of mitigation, preservation, and avoidance areas:

Special Condition 8d is replaced with: Provide copies of the recorded documents to the Corps of Engineers no later than 30 days prior to the initiating any home construction.

All other terms and conditions of DA permit 199400928 remain in full force and effect.

Please attach this letter to your permit. If you have any questions, please contact William Guthrie at our Delta Office, 1325 J Street, Room 1480, Sacramento, California 95814-2922, email [William.H.Guthrie@usace.army.mil](mailto:William.H.Guthrie@usace.army.mil), or telephone 916-557-5269. You may also use our website: [www.spk.usace.army.mil/regulatory.html](http://www.spk.usace.army.mil/regulatory.html).

Sincerely,

A handwritten signature in black ink, appearing to read "M. Jewell". The signature is fluid and cursive, with a large initial "M" and a stylized "J".

Michael S. Jewell  
Chief, Central California/Nevada  
Section

Copies Furnished:

Sean Micallef, Zentner & Zentner, 95 Linden Street, Suite 6, Oakland, California 94607

DEPARTMENT OF THE ARMY PERMIT

Permittee: Western Pacific Housing  
1210 Central Boulevard  
Brentwood, California 94513  
Attention: Reed Onate

Permit Number: 199400928

Issuing Office: U.S. Army Engineer District, Sacramento  
Corps of Engineers  
1325 "J" Street  
Sacramento, California 95814-2922

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below. A notice of appeal options is enclosed.

Project Description: Construction of the Ravenswood residential subdivision project including 220 homes, and associated infrastructure and onsite wetland mitigation. This project involves constructing one outfall and filling no more than 0.55 acres of seasonal wetlands adjacent to Kellogg Creek. All work is to be completed in accordance with the attached plan(s).

Project Location: The 60-acre project site is located in Section 26, Township 1 North, Range 3 East, MDB&M, near Discovery Bay, in Contra Costa County, California.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on September 30, 2009. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. To insure your project complies with the Federal Endangered Species Act and the Magnuson-Stevens Fishery and Conservation Act, you must implement all of the mitigating measures and Essential Fish Habitat Conservation Recommendations identified in the attached National Marine Fisheries Service letter of concurrence (SWR-03-SA-9017:SRB, dated March 3, 2004), including those ascribed to the Corps therein. If you are unable to implement any of these measures, you must immediately notify this office and the National Marine Fisheries Service so we may consult as appropriate, prior to initiating the work, in accordance with Federal law.

2. This Corps permit does not authorize you to take an endangered species, in particular the vernal pool fairy shrimp (*Branchinecta lynchi*), or designated critical habitat. In order to legally take a listed species, you must have separate authorization under the Endangered Species Act (e.g., an Endangered Species Act Section 10 permit, or a Biological Opinion under Endangered Species Act Section 7, with "incidental take" provisions with which you must comply). The attached Fish and Wildlife Service Biological Opinion and letter of appendage (Number 1-1-96-F-1, dated February 28, 1996, and Number 1-1-03-F-0332 respectively), contain mandatory terms and conditions to implement the reasonable and prudent measures that are associated with "incidental take" that is also specified in the Biological Opinion. Your authorization under this Corps permit is conditional upon your compliance with all of the mandatory terms and conditions associated with incidental take of the attached Biological Opinion and letter of appendage, which terms and conditions are incorporated by reference in this permit. Failure to comply with the terms and conditions associated with incidental take of the Biological Opinion, where a take of the listed species occurs, would constitute an unauthorized take, and it would also constitute non-compliance with your Corps permit. The Fish and Wildlife Service is the appropriate authority to determine compliance with the terms and conditions of its Biological Opinion, and with the Endangered Species Act. The permittee must comply with all conditions of this Biological Opinion and letter of appendage, including those ascribed to the Corps.

3. You must implement all of the measures in the document entitled *Ravenswood, Brentwood Contra Costa County, Wetland Mitigation Program*, dated April 28, 2003, except as modified by the following special conditions: You shall develop a final comprehensive mitigation and monitoring plan, which must be approved by the Army Corps of Engineers prior to initiation of construction activities. The plan shall include mitigation location and design drawings, vegetation plans, including target species to be planted, and final success criteria, presented in the format of the Sacramento District's Habitat Mitigation and Monitoring Proposal Guidelines, dated October 25, 1996. The purpose of this requirement is to insure replacement of functions and values of the aquatic environment that would be lost through project implementation.

4. You shall purchase 0.72 seasonal wetland credits at a Corps approved wetland mitigation

bank and create at least 1.28 acres of alkali seasonal wetlands on the project site. The selected mitigation bank shall include the area of the permitted project within its service area. Evidence of this purchase shall be provided to this office prior to proceeding with any activity otherwise authorized by this permit.

5. You shall establish and maintain a 5.20-acre on-site preserve containing 2.19 acres of created, avoided, and preserved waters of the United States, as depicted on the exhibit entitled Ravenswood, Brentwood, Contra Costa County, CA Wetland Mitigation Program, dated April 28, 2003, in perpetuity. The purpose of this preserve is to insure the functions and values of the aquatic environment are protected.

6. To minimize external disturbance to preserved waters of the United States, you shall establish a buffer, consisting of native upland vegetation of at least 50 feet in width from the outer limit of jurisdiction of the entire perimeter of all created, preserved, and avoided waters of the United States, including wetlands within the proposed preserve.

7. To insure that the preserve is properly managed, you shall develop a specific and detailed final preserve management plan for the on-site mitigation, preservation, and avoidance areas. This plan shall be submitted to and specifically approved, in writing, by the Corps of Engineers prior to engaging in any work authorized by this permit. This plan shall describe in detail any activities that are proposed within the preserve area(s) and the long term funding and maintenance of each of the preserve areas.

8. Prior to initiating any activity authorized by this permit, you shall, to insure long-term viability of mitigation, preservation, and avoidance areas:

a. Establish a Corps approved fully-funded endowment to provide for maintenance and monitoring of on-site mitigation, preservation, and avoidance areas.

b. Designate an appropriate Corps-approved conservation-oriented third party entity to function as preserve manager and to hold the required conservation easements.

c. Record permanent conservation easements and deed restrictions maintaining all mitigation, preservation, and avoidance areas as wetland preserve and wildlife habitat in perpetuity. Copies of the proposed deed restriction and conservation easement language shall be provided to the Corps of Engineers for approval prior to recordation.

d. Provide copies of the recorded documents to the Corps of Engineers no later than 30 days prior to the start of construction of any of the activities authorized by this permit.

9. To protect the integrity of the preserve and avoid unanticipated future impacts, no roads, utility lines, trails, benches, equipment or fuel storage, grading, firebreaks, mowing, grazing, planting, discing, pesticide use, burning, or other structures or activities shall be constructed or occur within the on-site and off-site mitigation, preservation, and avoidance areas without specific, advance written approval from the Corps of Engineers.

10. To prevent unauthorized access and disturbance, you shall install fencing and appropriate signage around the entire perimeter of the preserve. All fencing surrounding mitigation, preservation, avoidance, and buffer areas shall allow unrestricted visibility of these areas to discourage vandalism or disposing of trash or other debris in these areas. Examples of this type of fencing include chain link, split rail and wrought iron.

11. All terms and conditions of the attached May 17, 2004, Section 401 Water Quality Certification are expressly incorporated as conditions of this permit.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
  - (✓) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
  - (✓) Section 404 of the Clean Water Act (33 U.S.C. 1344).
  - ( ) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
2. Limits of this authorization.
  - a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
  - b. This permit does not grant any property rights or exclusive privileges.
  - c. This permit does not authorize any injury to the property or rights of others.
  - d. This permit does not authorize interference with any existing or proposed Federal projects.
3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
  - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
  - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
  - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
  - d. Design or construction deficiencies associated with the permitted work.
  - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
4. Reliance on Applicant's Data. The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant.
  - Circumstances that could require a reevaluation include, but are not limited to, the following:
    - a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

Robert Sellers  
Permittee

20/4/03  
Date

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

Michael S. Jewell  
Michael S. Jewell, Chief,  
Central California/Nevada Section  
(For the District Engineer)

10 DEC 04  
Date

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

\_\_\_\_\_  
Transferee

\_\_\_\_\_  
Date



**TOWN OF DISCOVERY BAY  
COMMUNITY SERVICES DISTRICT**

**RESOLUTION 2011-12**

**A RESOLUTION OF THE TOWN OF DISCOVERY BAY  
COMMUNITY SERVICES DISTRICT  
ACCEPTANCE OF GRANT DEED AND CERTIFICATE OF ACCEPTANCE  
(Ravenswood Subdivision Park and Open Space Parcels)**

WHEREAS, Western Pacific Housing, Inc., a Delaware corporation ("Grantor") has executed a Grant Deed ("Grant Deed") conveying those park and open space parcels (APN 011-600-060, 011-610-099, 011-610-100, 011-620-047, and 011-620-048) located within the Ravenswood Development to the Town of Discovery Bay Community Services District ("District"), a copy of which is attached hereto as "Exhibit A;"

WHEREAS, pursuant to Government Code Section 27281, all deeds conveying any interest in real property to a governmental agency shall not be accepted for recordation without the consent of the grantee as evidenced by its Certificate of Acceptance.

NOW, THEREFORE, IT IS RESOLVED by the Board of Directors of the District that the Grant Deed and Certificate of Acceptance are hereby accepted by and on behalf of the District, and that the District's General Manager is hereby authorized to execute the Certificate of Acceptance on behalf of the District;

IT IS FURTHER RESOLVED, that the Board Secretary for the District is hereby instructed to affix the District Stamp and record the above mentioned Grant Deed and Certificate of Acceptance together with a copy of this Resolution in the office of the County Recorder of Contra Costa County, California.

PASSED, APPROVED AND ADOPTED THIS 6th DAY OF JULY 2011.

---

J. Kevin Graves  
Board President

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Town of Discovery Bay Community Services District at a regularly scheduled meeting, held on July 6, 2011, by the following vote of the Board:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

Richard J. Howard  
Board Secretary



**CERTIFICATE OF ACCEPTANCE**

This is to certify that the real property conveyed by the Grant Deed from WESTERN PACIFIC HOUSING, Inc., a Delaware corporation, to TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT, a community services district formed under the laws of California, is hereby accepted by authority granted in Resolution 2011-12 of the Board of the Town of Discovery Bay Community Services District adopted on July 6, 2011, and the grantee consents to recordation thereof by its duly authorized officer.

Dated: July 6, 2011

By: \_\_\_\_\_  
Rick Howard  
General Manager  
Town of Discovery Bay Community Services District



# Town of Discovery Bay CSD

## AGENDA REPORT

Meeting Date

July 6, 2011

Prepared By: Liz Hardy, Sr. Account Clerk  
Submitted By: Rick Howard, General Manager ✓

### Agenda Title

Caselle Clarity Software & Services Proposal

### Recommended Action

Approve purchase of Caselle Clarity Financial Services Software and authorize the General Manager to issue a Purchase Order in the amount of \$20,290.

### Executive Summary

Presently, the District utilizes QuickBooks software for bank reconciliation and the Districts financials. Concurrently, Caselle Clarity software is utilized for all water billing and related financial processes. The acquisition of the Caselle financial module will incorporate the current Caselle Clarity software being used for the Water meter billings allowing staff to process all income and expense in the same program. This will eliminate the need to perform double entry of the Water meter billing system. The purchase of this system was also recommended by our independent financial auditors to improve accuracy and improved financial reporting. The new software includes general ledger setup; bank reconciliation; accounts payable; purchase orders; accounts receivable and all associated data conversion.

This item is included in the 2011/2012 Budget.

### Fiscal Impact:

Amount Requested \$ 20,290.00

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

Prog/Fund # 7670 Category: Operating Expenses – Office Equipment and Software

### Previous Relevant Board Actions for This Item

June 15, 2011 adoption of FY 2011-12 Budget

### Attachments

Caselle Clarity Software & Services Proposal for Town of Discovery Bay CSD (dated May 9, 2011)

AGENDA ITEM: E-6

TOWN OF DISCOVERY BAY

RECEIVED

5/11/11

*Caselle*® Clarity Software & Services Proposal

for

# Town of Discovery Bay

**May 9, 2011**

(Valid for 90 days)

From:

David Snow, Territory Manager  
dgs@caselle.com

*Caselle*® Clarity Software & Services Proposal  
Town of Discovery Bay  
May 9, 2011

**Proposal Summary**

Total Software License	\$19,200
Special Consideration Discount	<4,800>
	<hr/>
Net Software License	\$14,400
Total Training	3,000
Total Setup	1,500
Total Conversion	1,390
	<hr/>
<b>Total Investment</b>	<b>\$20,290</b>
	<hr/> <hr/>

Your Software Maintenance & Support will increase by \$270 per month.

*Caselle*® Clarity Software & Services Proposal  
 Town of Discovery Bay  
 May 9, 2011

**Proposal Detail**

<i>Caselle</i> ® Clarity Application Software	License Fees	Training	Setup	Conversion	Total
General Ledger	\$5,500	\$1,500	\$500	\$130	\$7,630
Budgeting	Incl. w/GL	Included	-	-	-
Bank Reconciliation	Incl. w/GL	Included	-	1,000	1,000
Accounts Payable	5,500	375	500	200	6,575
Requisitions & Purchase Orders	2,700	375	-	-	3,075
Accounts Receivable	5,500	750	500	60	6,810
<b>Sub Total</b>	<b>\$19,200</b>	<b>\$3,000</b>	<b>\$1,500</b>	<b>\$1,390</b>	<b>\$25,090</b>
<b>Special Consideration Discount</b>	<b>(4,800)</b>	-	-	-	<b>(4,800)</b>
<b>Grand Total</b>	<b>\$14,400</b>	<b>\$3,000</b>	<b>\$1,500</b>	<b>\$1,390</b>	<b>\$20,290</b>

Note: The training quoted above will take place at Caselle.

*Caselle*® Clarity Software & Services Proposal  
Town of Discovery Bay  
May 9, 2011

### **Caselle Implementation: Data Conversion Services**

Data conversion is an involved, sometimes complicated procedure that must be completed with a high level of accuracy and precision. To make this process run smoothly, Caselle requires your assistance in providing the required materials for preliminary data conversion, offering clarification as needed during the conversion process, and supplying updated materials for the final data conversion. Please read the following information carefully.

#### ***Gathering Preliminary Data***

Assemble this information and send it to Caselle.

- Complete the **Information Worksheets** for appropriate packages.
- Provide **data to be converted**.
  - You may need to clarify the data, as needed, during the conversion process.
  - Caselle will not convert the prior period detail during data conversion unless optional history conversion is specified in the contract.
- Send **printed reports** to verify account balances at the time data are sent to Caselle for preliminary conversion and again for final data conversion.

#### ***Submitting Conversion Data to Caselle***

These items are required before Caselle begins data conversion:

- Conversion data in a readable format.
  - It is your responsibility to provide Caselle with data in a readable format. If data is not accessible, it may be necessary to contract a third party to assist in the gathering and conversion of usable data. **Any additional costs incurred for this activity will be your responsibility.**
  - Caselle will balance the conversion data to the account balances that you provided.
  - An additional fee is required to delete or change your existing data during conversion. This service will be billed at Caselle's normal rate of \$145.00 per hour. Caselle will notify you before any additional charges are incurred.
  - If the system balances change during data conversion, you will need to provide a letter stating the converted balances have changed and you would like to update the data conversion information.

#### ***Keeping the Data Conversion Timeline***

Data conversion can only be completed per the agreed timeline, when:

- Data is submitted in a readable format by the due date, including necessary reports.
- All data must be sent in the same format.
- If requested, the preliminary converted databases can be sent to you for review prior to training.

#### ***Scheduling Training***

**Important!** Training will only be scheduled after Caselle receives the preliminary information: Conversion data in a readable format, Information Worksheets, and printed reports.

After training is scheduled, a representative from the Implementation team will review the remaining steps to ensure a successful implementation.

*Caselle*® Clarity Software & Services Proposal  
Town of Discovery Bay  
May 9, 2011

**Software Setup & Data Conversion**

This section contains the items, per directory, that will be setup and converted in each module. Since estimating the exact quantity may be difficult, we will adjust the calculated conversion cost if the actual number of items converted is greater than or less than 25% of the original estimate.

- General Ledger Setup**
- Set up the control table in the General Ledger and Account Masks with the appropriate segments for funds, departments, revenue sources, object codes, and other account classifications.
  - Modify the existing chart of accounts to utilize the advanced reporting features available with Caselle, if needed.
  - Format five standard financial statements:
    - Balance Sheet with Revenue/Expenditures compared to budget
    - Allocation Reconciliation
    - Income Statement (All Funds)
    - Balance Sheet (All Funds)
    - Fund Summary Income Statement

**Note:** Fees may be required to set up additional financial statements.

- Establish all necessary journals for interfaced subsystems to allow the subsystems to update transactions to the General Ledger.
- Create a custom “Steps Checklist” to document your organization’s daily, monthly, and fiscal year-end steps; as well as budget procedures.

- Data Conversion**
- The current year-to-date trial balance and budget will be entered and balanced to your existing system. Caselle will provide supporting reports that document the balance sheet accounts, revenues, and expenditure balance for auditing purposes. A trial balance period will be established and all periods from that period forward will contain detail transaction information, if provided.  
65 accounts are included

- Bank Reconciliation Data Conversion**
- Bank reconciliation for the desired cash accounts with outstanding deposits and checks will be established. A bank reconciliation will be completed and balanced to cash for the appropriate beginning period.  
2 bank accounts are included

*Caselle*® Clarity Software & Services Proposal  
Town of Discovery Bay  
May 9, 2011

**Accounts Payable Setup**

- Establish vendor defaults.
- Format one check form with requested stub detail.
- Create a "Steps Checklist" to document Accounts Payable procedures, including the printing of 1099's.

**Data Conversion**

- Each vendor's information will be converted. This information includes the vendor name, street address, mailing address, remittance addresses, city, state, zip code, and 1099 status.

– Exception: 1099 balances can be established, if provided.

**100 vendors are included**

**Purchase Orders Setup**

- Format one purchase order form.
- Create a "Steps Checklist" to document Purchase Order procedures.

**Additional Options:**

- Format additional custom purchase order forms (available at the regular Caselle rate of \$145.00 per hour).

**Accounts Receivable Setup**

- Set up the appropriate billing categories and penalty rates.
- Format standard reports for reporting and balancing of customer accounts.
- Format one of each of the following: statements, invoices, and delinquent notices.
- Create a "Steps Checklist" to document Accounts Receivable procedures.

**Additional Options (available at the regular Caselle rate of \$145.00 per hour):**

- Format additional form layouts for statements, invoices, and delinquent notices.

**Data Conversion**

- Each customer's account information will be converted. This information includes the customer's name, street address, mailing address, bill to information, city, state, and zip code.
- Customer open invoices will be converted.

**30 accounts are included**





# Town of Discovery Bay CSD

## AGENDA REPORT

Meeting Date

July 6, 2011

Prepared By: Jordan Flint, Management Intern /  
Submitted By: Rick Howard, General Manager

**Agenda Title**

California Special Districts Association 2011 Board Elections

**Recommended Action**

It is recommended that the Board of Directors authorize the President of the Board to cast a vote for CSDA Board of Directors candidate Stanley R. Caldwell.

**Executive Summary**

The Town of Discovery Bay CSD is a member of the California Special Districts Association (CSDA). The CSDA provides education and training, insurance programs, legal advice, industry-wide litigation and public relations support, legislative advocacy, capital improvement and equipment funding, collateral design services, and, most importantly, current information that is crucial to a Special Districts management and operational effectiveness.

On June 21, 2011 the Town of Discovery Bay CSD received an Official Ballot to select a new CSDA Board Member. There is presently one (1) available seat. The incumbent members of the Board are seeking reelection to their respective positions.

Mr. Caldwell has served as the Region 3 Director, which includes Discovery Bay, for the past three (3) years. He has also served on the Board of Directors for the Mt. View Sanitary District (MVSD) since 1993. He is currently an active Board Member of MVSD and has served several terms as Board President. In addition, Mr. Caldwell is the MVSD representative to the Local Agency Formation Commission (LAFCo).

A copy of the CSDA Election materials is attached for the Board of Directors consideration.

**Fiscal Impact:**

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

**Previous Relevant Board Actions for This Item**

N/A

**Attachments**

CSDA Election Materials

Received 6-21-11



## CALIFORNIA SPECIAL DISTRICTS ASSOCIATION

### 2011 BOARD ELECTIONS

#### MAIL BALLOT INFORMATION

Dear Member:

A mail ballot has been enclosed for your district's use in voting to elect a representative to the CSDA Board of Directors in your Region for Seat C. Each of CSDA's six (6) regional divisions has three seats on the Board. Each of the candidates is either a board member or management-level employee of a member district located in your geographic region. Each Regular Member (district) in good standing shall be entitled to vote for one (1) director to represent its region.

We have enclosed the candidate statements for each candidate who submitted one. Please vote for **only one** candidate to represent your region in Seat C and be sure to sign, date and fill in your member district information (*in some regions, there may only be one candidate*). If any part of the ballot is not complete, the ballot will not be valid and will not be counted.

Please utilize the enclosed return envelope to return the completed ballot. Ballots must be received at the CSDA office at 1112 I Street, Suite 200, Sacramento, CA 95814 by **5:00pm on Friday, August 5, 2011**.

If you do not use the enclosed envelope, please mail in your ballot to:

**California Special Districts Association**

**Attn: 2011 Board Elections**

**1112 I Street, Suite 200**

**Sacramento, CA 95814**

Please contact Charlotte Lowe toll-free at 877.924.CSDA or [charlottel@cdda.net](mailto:charlottel@cdda.net) with any questions.

Stanley R. Caldwell  
75 Cecilia Lane  
Martinez, California 94553-1455  
925-228-8922 (home)  
Stan\_Caldwell@comcast.net

California Special Districts Association  
1112 I Street, Suite 200  
Sacramento, CA 95814

RE: Election Region 3, Seat C

Dear Region 3 Special District,

It has been an honor and a pleasure to serve the California Special Districts Association (CSDA) Membership as Region 3 Director these past 3 years. I look forward to the opportunity to continue to be of service. I have been active and involved in CSDA activities. I have served on the Membership and Recruitment Committee & Fiscal Committee. I am currently chair of the Fiscal Committee and CSDA Treasurer. I am semi-retired and I have the time, and the commitment required to continue to serve as a director.

I have served on the board of directors for the Mt. View Sanitary District (MVSD) in Region 3 since November of 1993. I have faithfully and diligently served within my local community. I am a dedicated active board member of MVSD and have served several times as the board president. By being an active participant at the California Association of Sanitation Agencies (CASA) and the California Special District Association, I enhance my ability to serve in a director position. I am the current MVSD representative to the Local Agency Formation Commission (LAFCO) in Contra Costa County. Contra Costa County has a local CSDA chapter, the Contra Costa Special Districts Association (CCSDA) of which I have been active participant and contributor. For CCSDA I provide Legislative updates at each meeting and I am the current Newsletter Editor.

If re-elected I would continue to provide the leadership that makes CSDA a success. I will apply my experience, commitment and leadership to be effective, efficient, and responsive to special district needs. Together, through continued advocacy, education, and the value-added services that CSDA provides, we can positively affect all special districts, their operations and service to constituents.

Please consider me for the upcoming election for Director of Region 3 where I will continue to bring my experience and dedication to CSDA.

Thank you for your consideration,



Stanley R. Caldwell  
Incumbent CSDA Region 3 Director  
Mt. View Sanitary District Board Member



# Town of Discovery Bay CSD

## AGENDA REPORT

Meeting Date

July 6, 2011

Prepared By: Liz Hardy, Sr. Account Clerk  
Submitted By: Rick Howard, General Manager

### Agenda Title

Draft Audited Financial Statements for FY 2009-10

### Recommended Action

Provide comment and feedback to the Draft FY 2009-10 Audited Financial Statements

### Executive Summary

The Draft Year-end Audit for Fiscal Year 2009-10 is presented for Board comment and feedback.

Croce and Company will present the Draft audited financial statements for FY 2009-10 at tonight's meeting.

Once Croce has received Board input and comments, they will complete the final audit for Board adoption at a later meeting.

### Fiscal Impact:

Amount Requested n/a

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

Prog/Fund # Category:

### Previous Relevant Board Actions for This Item

January 19, 2011 Board Authorization to perform Audit for the FY 2009-10.

### Attachments

Draft Audit to be distributed prior to the July 6, 2011 Board Meeting.

AGENDA ITEM: F-1



# Town of Discovery Bay CSD

## AGENDA REPORT

Meeting Date

July 6, 2011

Prepared By: Fairin Perez, Parks & Landscape Manager  
Submitted By: Rick Howard, General Manager

### Agenda Title

Award of contract for the Cornell Park Play Area Renovation (Ph. II) project to Community Playgrounds, Inc.

### Recommended Action

Accept bid and award construction contract in the amount of \$52,238.00 to Community Playgrounds, Inc.

### Executive Summary

Staff received Board authorization to contract design services for the Cornell Park Play Area Renovation Project on September 15, 2010 and project funding was approved on the 2010-2011 Operating and Capital Improvement Budget (June 16, 2010). Final drawings and specifications were received on May 2, 2011 and Phase II of the project was released for public bid on May 27, 2011. On June 23, 2011 at 2:00 p.m. Staff collected and publicly opened all bids.

Out of the two (2) responsive bidders, Community Playgrounds, Inc., was the lowest at a total package (Mobilization/Site Protection, Play Structure Installations and Poured in Place Safety Surfacing) bid amount of Fifty-two thousand, two hundred and thirty-eight dollars (\$52,238.00)

Staff thoroughly reviewed the complete bid package and licenses(s) status and found all documents and requirements to be satisfactory.

Staff recommends accepting the lowest responsible bid and awarding the contract for the Cornell Park Play Area Renovation (Ph. II) Project to Community Playgrounds, Inc. in the amount of \$52,238.00.

### Fiscal Impact:

Amount Requested - \$52,238

Sufficient Budgeted Funds Available?: Yes

Zone # 8 Category: Capital Fund# 4789

### Previous Relevant Board Actions for This Item

Approved award of Contract for Cornell Park Play Area Renovation Design Services (Consent) – September 15, 2010  
Approval and Adoption of the Proposed Final 2010-2011 Operating and Capital Improvement Budgets for the Discovery Bay Lighting & Landscaping Zone #8 & Zone #9 – June 16, 2010  
Approval & Authorization to Staff to sign and record the Notice of Exemption (CEQA) for the Cornell Park Play Area Renovation (Consent) – January 19, 2011  
Bid Acceptance & Contract Award Cornell Park Ph I. – June 1, 2011

### Attachments

Cornell Park Play Area Renovation (Ph. II), Bid Summary  
Cornell Park Play Area Renovation (Ph. II) – Itemized Bid Breakdown  
Complete Bid Package for Community Playgrounds, Inc.  
Contract for Cornell Park Play Area Renovation (Ph. II)

**BID SUMMARY**  
**Cornell Park – Play Area Renovation (Ph. 2)**

**Owner:** Town of Discovery Bay CSD  
**Project:** Cornell Park – Play Area Renovation (Ph. 2)  
**Date:** June 23, 2011 - 2:00 p.m.

**Bids Opened by:** Calista Anderson  
**Witnesses:** Faith Perez and Sue Heint

CONTRACTOR /COMPANY NAME	DATE RCVD	TIME RCVD	Acknowledgement	NON COLLUSION AFFIDAVIT	GUARANTEE/ BOND	BIDDER'S RESPON.	BID FORM	Subcontractor	Bid dollar Amount
Community Playgrounds	6/23/2011	8:00a.m.	Yes	Yes	Yes	Yes	Yes	Yes	\$52,238.00
Blossom Valley Construction	6/23/2011	1:50p.m.	Yes	Yes	Yes	Yes	Yes	Yes	\$58,377.00

**Cornell Park Play Area Renovation - Itemized Bid Breakdown**

	Bid Item #1 Mobilization & Site Protection	Bid Item #2 Playland Structure Installation	Bid Item #3 Lunar Burst Installation	Bid Item #4 Single Blender Installation	Bid Item #5 Omni Spinner Installation	Bid Item #6 Play Sign Installation	Bid Item #7 Poured in Place Safety Surfacing	TOTAL
Contractor								
Community Playgrounds	\$3,214	\$6,572	\$4,577	\$342	\$446	\$288	\$36,799	\$52,238
Blossom Valley	\$1,850	\$10,505	\$6,137	\$560	\$604	\$496	\$38,225	\$58,377

COPY


## ACKNOWLEDGEMENT

### CORNELL PARK PLAY AREA RENOVATION (Ph. II)

To ensure all bid materials were received, this Acknowledgement must be completed and returned in a sealed envelope prior to 2:00 p.m. Thursday, June 23, 2011. This sheet acknowledges receipt of the following materials:

1. Notice Inviting Sealed Bids
2. Instructions for Bidders
3. Sample Contract and General Conditions
4. Bid Table (A)
5. List of Subcontractors (B)
6. Bidders Responsibility Statement (C1-C6)
7. Non Collusion Affidavit (D)
8. Bid Guarantee (E)
9. Cornell Park Play Area Specifications  
Sections: 02870 dated April 27, 2011
10. Cornell Park Play Area Specifications:  
L0.0, L2.1, L2.2, L2.3, L4.1, L4.2 and L4.3, all dated April 27, 2011
11. Addenda(s) receipt(s) through No. 2, if applicable

**Bid submittals received without this completed sheet will be deemed incomplete and will not be considered in the award process.**

Acknowledged by: 

Company: Community Playgrounds, Inc.

License No. 362950

Bidder: Community Playgrounds, Inc.

Title: Vice President

Date: 6/22/2011



COPY

CERTIFICATION BY CONTRACTOR

I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

CONTRACTOR:

Community Playgrounds, Inc.

BY:



TITLE: Vice President

CONTRACTOR'S LICENSE NUMBER: 362950

TELEPHONE NUMBER: 415.892.8100

COPY

Bid Table

Cornell Park Play Area Renovation (Ph. II)

Bid Dollar Amount: 52,238

Bid Item #1 – Mobilization & Site Protection	\$ 3,214
Bid Item #2 – Playland Structure Installation	\$ 6,572
Bid Item #3 – Lunar Burst Installation	\$ 4,577
Bid Item #4 – Single Blender Installation	\$ 342
Bid Item #5 – Omni Spinner Installation	\$ 446
Bid Item #6 – Play Sign Installation	\$ 288
Bid Item #7 – Poured in Place Safety Surfacing	\$ 36,799

Written total dollar amount fiftytwo thousand, two hundred thirty eight

Authorized signature of Bidder:

  
Signature

Christian Velasquez  
Printed Name

6/22/2011  
Dated

COPY

LIST OF SUBCONTRACTORS

CORNELL PARK PLAY AREA RENOVATION (Ph. II)


In Compliance with the provisions of Sections 4100 to 4113 of the Government Code of the State of California, and any amendments thereof, each Bidder shall set forth below the names and locations of the mill, shop or office of each subcontractor who will perform work or labor or render service to the Contractor on or about the construction of the Work or improvement to be performed under these specifications and the portion of the Work which will be done by each subcontractor.

If the Contractor fails to specify a subcontractor for any portion of the Work to be performed under the contract, he shall be deemed to have agreed to perform such portion himself, and he shall not be permitted to subcontract that portion of the Work except under the conditions hereinafter set forth.

Subletting or subcontracting of any portion of the Work as to which no subcontractor was designated in the original Bid shall only be permitted in cases of public emergency or necessity.

<u>DIVISION OF WORK</u>	<u>SUBCONTRACTOR</u>	<u>LOCATION</u>
POURED IN PLACE RUBBER	Tot Turf	401 Chesnut St. #310 Chattanooga, TN 37402

FIRM NAME: Community Playgrounds, Inc.

BY: 

TITLE: Vice President

COPY

BIDDER'S RESPONSIBILITY STATEMENT

CORNELL PARK PLAY AREA RENOVATION (Ph. II)

1. SCOPE OF THIS STATEMENT

In order to allow the Town of Discovery Bay CSD to make a determination of the Bidder's responsibility, the Bidder shall provide the following information as a part of its Bid. The Town of Discovery Bay CSD shall consider the information contained in this Statement as personal and proprietary to the Bidder, and the Town of Discovery Bay CSD shall use the information for the sole purpose of determining the Bidder's responsibility. Unless otherwise compelled by a court order, the Town of Discovery Bay CSD shall not consider this Statement to be a public record; provided, however, that the Bidder shall indemnify, defend, and hold the Town of Discovery Bay CSD harmless from any claim or litigation related to the Town of Discovery Bay CSD's classification of this document as exempt from disclosure under the Public Records Act. If additional pages are required to respond to any of the questions set forth in this Statement, the Bidder shall describe and list the additional pages in Section 8, below.

2. EXPERIENCE

- a. How many years has the Bidder been performing work as a contractor under the present business name? 33
- b. If any of the experience listed in this document refers to work performed under a different name, list the different business names and describe the relationship to the present business name on a separate page (list the additional pages in Section 8 below). N/A

3. CURRENT WORK IN PROGRESS

- a. How many construction projects, which are currently under construction, is the Bidder under contract to perform?

5

- b. What is the total dollar amount of the construction contracts listed in Section 3.a. above?

\$195,976

COPY

- c. List the name of the project and a client contact person, with telephone number, for three current active projects referred to in Section 3.a.

Project Name: Venetia Valley School Playground

Contract Amount: \$77,000

City/Client Contact: San Rafael City Schools

Name and Phone: Chris Thomas 415.492.3257

Project Name: Marina Vista Apts. Playground

Contract Amount: \$36,978

City/Client Contact: John Stewart Company

Name and Phone: Lashon Miles 707.643.8639

Project Name: Potero Hill Playground

Contract Amount: \$47,552

City/Client Contact: Sean Warren Smith, Inc.

Name and Phone: Sean 415.290.2921

COPY

- c. List the name of the project and a client contact person, with telephone number, for three current active projects referred to in Section 3.a.

Project Name: Kidango - Helen Turner Site  
Contract Amount: \$ 17,808  
City/Client Contact: Kidango, Inc.  
Name and Phone: Kate Breitzman 510.897.6961

Project Name: Calpella Preschool Playground  
Contract Amount: \$ 16,638  
City/Client Contact: Mendocino Co. Office of Education  
Name and Phone: Steve Turner - 707.467.5021

Project Name: \_\_\_\_\_  
Contract Amount: \_\_\_\_\_  
City/Client Contact: \_\_\_\_\_  
Name and Phone: \_\_\_\_\_

4. COMPLETED WORK SEE ATTACHED REFERENCE LIST

Provide the requested information set forth below for the: (a.) three (3) most recent projects completed and (b.) three (3) most recent public works projects completed.

a. Three (3) most recent projects completed:

Project Name: \_\_\_\_\_

Project Description: \_\_\_\_\_

Contract Amount: \_\_\_\_\_

Date Completed: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Contact Person's Phone: \_\_\_\_\_

Project Name: \_\_\_\_\_

Project Description: \_\_\_\_\_

Contract Amount: \_\_\_\_\_

Date Completed: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Contact Person's Phone: \_\_\_\_\_

Project Name: \_\_\_\_\_

Project Description: \_\_\_\_\_

Contract Amount: \_\_\_\_\_

Date Completed: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Contact Person's Phone: \_\_\_\_\_

COPY

SEE ATTACHED REFERENCE LIST

- b. Three (3) most recent public works project (City, State, and County) completed:

Project Name: \_\_\_\_\_

Project Description: \_\_\_\_\_  
\_\_\_\_\_

Contract Amount: \_\_\_\_\_

Date Completed: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Contact Person's Phone: \_\_\_\_\_

Project Name: \_\_\_\_\_

Project Description: \_\_\_\_\_  
\_\_\_\_\_

Contract Amount: \_\_\_\_\_

Date Completed: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Contact Person's Phone: \_\_\_\_\_

Project Name: \_\_\_\_\_

Project Description: \_\_\_\_\_  
\_\_\_\_\_

Contract Amount: \_\_\_\_\_

Date Completed: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Contact Person's Phone: \_\_\_\_\_



COPY

## Experience & References List

The following projects are from a partial list of work recently completed.  
No claims were filed during this period.

### Preschools, Childcare Centers & Elementary Schools

• West Contra Costa USD Joe Mayes 510.812.0732	June 2010	\$ 225,800
• Vista Christian School, Richmond Don Adreus, 707.419.5200	June 2009	\$ 120,000
• Marin Horizons School, Mill Valley Anna Shubeau, 415.388.8408, Director of Finance	August 2010	\$88,000
• Rocketship Elementary School, San Jose Greg Kubo, 408-279-2277, Robert A Bothman Inc.	August 2008	\$39,000
• Mt View Child Care Center, Mt View Rob Gerolamy, 916-224-6910, Waters Contracting	July 2008	\$ 79,000
• Electronic Arts, Redwood City Ken Bozzuto, 650-302-8029, Facility Supervisor	April 2008	\$ 101,000
• Holbrook & Woodside Schools Jeff McDaniels, 925-825-7440, Mt. Diablo Unified School District	February 2009	\$125,000

### Public Parks

• Presidio Heights Playground, San Francisco Mike Neumann, 415-334-9465, Neumann Construction Management	June 2010	\$502,000
• Marin Civic Center Playground, San Rafael Nancy Peake, 415-507-2865, Marin County Open Space & Rec District	September 2008	\$215,000
• Peach & Grove Tot Lot Leslie Byrd, 559-621-5600, City of Fresno	June 2009	\$85,000
• Children's Wonderland Park, Vallejo Steve Pressley, 707-648-4600, Greater Vallejo Recreation District	September 2007	\$365,000
• Potrero Hill Park, San Francisco Jen Worth, 415-495-5660, Trust for Public Land	August 2007	\$350,000
• Alta Plaza, San Francisco Brook Mebrahtu, 415-557-4642, City of San Francisco Parks Dept	January 2006	\$715,000
• Compton Playground Upgrades, San Francisco Rania Rayes, 415.561.5314, The Presidio Parks Trust	May 2010	\$219,000
• Five Public Parks for City of Bakersfield Greg Cronk, 661.326.3360, City of Bakersfield	June 2010	\$170,000



5. CLAIMS HISTORY

- a. Has any claim (whether mediated, arbitrated, or litigated) been made against your company in the past five (5) years? NO
- b. Has your company made any claim (whether mediated, arbitrated, or litigated) against any Public Agency or claim in the past five (5) years? NO
- c. If you answered "yes" to subsections 5.a. or 5.b. above, describe the claim(s) using the format below: (use additional sheets if necessary).

Project Name: N/A

Claim Amount: \_\_\_\_\_

Other Party Contact: \_\_\_\_\_

Name and Phone: \_\_\_\_\_

Describe the claim(s) on a separate sheet (see Section 8, below).

6. CONTRACT TERMINATION

- a. Has your company ever been terminated by a City or client, or rejected from bidding on a public works project in the last five- (5) years? NO. If yes, provide an explanation below:

Project Name: N/A

City/Client Contact  
Name and Phone: \_\_\_\_\_

Date of Termination/Rejection: \_\_\_\_\_

Explanation: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If more than one (1), describe on additional sheet (see Section 8 below).

7. COMPLETION BY SURETY

- a. Has your company every failed to satisfactorily complete a construction contract, or has a surety ever completed any portion of a construction contract of your company within the last five (5) years? NO. If yes, provide an explanation below:

COPY

Project Name: N/A

Surety Contact  
Name and Phone: \_\_\_\_\_

Date of Surety Took Over: \_\_\_\_\_

Explanation: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

If more than one (1), describe on additional sheet (see Section 8, below).

8. ADDITIONAL PAGES

The Bidder declares that the pages listed in this Subsection were added and included with these Bid Documents in order to accurately respond to the Bidding Requirements.

Experience and Reference List (List Pages)

9. PENALTY OF PERJURY

Bidder hereby declares and certifies under penalty of perjury that the information contained herein is true, correct, and complete.

IN WITNESS WHEREOF, the undersigned represent and warrant that they have the right, power, legal capacity and authority to sign this document on behalf of the Bidder, and have caused this document to be executed by setting hereto their names, titles and signatures.

BIDDER:

  
(Signature)

DATE: 6/22/2011

Christian Velasquez - Vice President  
(Name and Title of Signatories)

Community Playgrounds, Inc.  
(Legal Name of Bidder)

1620 Grant Ave., Suite 5, Novato, CA 94945  
(Address)

415.892.8100  
(Phone Number)

COPY


**"NONCOLLUSION AFFIDAVIT"  
TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID**

**CORNELL PARK PLAY AREA RENOVATION (Ph. II)**

State of California  
County of Marin

Christian Velasquez, being first duly sworn, deposes and says under penalty of perjury under the laws of the State of California, that he or she has the right, power, legal capacity, and authority to execute this Affidavit, as Vice President of Community Playgrounds, Inc. the party making the foregoing Bid, that the Bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the Bid is genuine and not collusive or sham; that the Bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the Bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the Bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the Bid are true; and, further, that the Bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid."

IN WITNESS WHEREOF, the undersigned represent and, warrant that they have the right, power, legal capacity, and authority to sign this document on behalf of the Bidder, and have caused this document to be executed by setting thereto their names, titles and signatures at Marin, County, in the State of California.

BIDDER:  6/22/2011  
(Signature) (Date)  
Christian Velasquez - Vice President

(Name and Title of Signatories)

Community Playgrounds, Inc.  
(Legal Name of Bidder)

1620 Grant Ave, Suite 5  
(Address)

Novato, CA 94945

**BID GUARANTEE**

COPY

Attached hereto and made a part hereof is United States Currency, Cashier's Check, Certified Check or Surety Bond No. N/A in the amount of 10% of Bid which is not less than ten percent (10%) of the total amount of the total bid, as a guaranty that the Bidder will enter into a Contract in the form bound with these Specifications within five (5) days after the notice of award of the Contract by the Owner (hereinafter "Security").

The undersigned hereby agrees that, in case his Bid is accepted, he will within five (5) days after notice thereof, execute a Contract with the Owner in the form hereto attached and, if required by law, shall furnish a bond in the sum of the Contract price to secure the payment of all labor and material bills, and also a bond in the sum of the Contract price to secure the faithful performance of the Contract according to the terms and provisions therein; and in case of failure to execute the Contract and furnish the bonds within said period or such extension thereof as may be allowed by resolution duly passed and adopted, it is expressly agreed that the Town of Discovery Bay CSD may award the Contract to the second lowest bidder and the amount of Bidder's Security shall be applied by the Town of Discovery Bay CSD to the difference between Bidder's Bid and the second lowest Bid, and the surplus, if any, shall be returned to Bidder if cash or a check is used, or to the surety on Bidder's bond if a bond is used.

It is understood by the undersigned that the quantities of material of work specified in the "Notice Inviting Sealed Bids" are estimated and are given only for the purpose of comparing bids and that the prices quoted are not conditioned upon the accuracy or approximate accuracy of the estimate.

It is understood that the Owner may award a Contract as the interests of the Owner may dictate.

Attached hereto and made a part of this Bid is a Bidder's Responsibility Statement, and a List of Subcontractors as required by the provisions of Sections 4100 to 4113 of the Government Code of the State of California.

CONTRACTOR: Community Playgrounds Inc.

BY: [Signature]

TITLE: Vice President

ADDRESS: 1620 Grant Ave., Suite 5

Novato, CA 94945

CONTRACTOR'S LICENSE NUMBER: 362950

TELEPHONE NUMBER: 415.892.8100

COPY

**BID BOND**

Conforms with The American Institute of Architects, A.I.A. Document No. A-310

KNOW ALL BY THESE PRESENTS, That we, Community Playgrounds, Inc.

\_\_\_\_\_ as Principal, hereinafter called the Principal,

and the SureTec Insurance Company,

of Houston, TX, a corporation duly organized under

the laws of the State of Texas, as Surety, hereinafter called the Surety, are held and firmly bound unto

Town of Discovery Bay as Obligee, hereinafter called the Obligee,

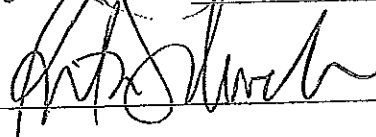
in the sum of Ten Percent of Bid Amount - - - - -

Dollars (\$ 10% of Bid Amount ), for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.


WHEREAS, the Principal has submitted a bid for Cornell Park Play Area Renovation Phase 2

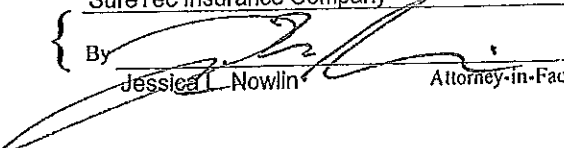
NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 16th day of June, 2011.

  
\_\_\_\_\_  
Witness

Community Playgrounds, Inc. (Seal)  
\_\_\_\_\_  
Principal  
Vice President Title

  
\_\_\_\_\_  
Debbie L. Welsh  
Witness

SureTec Insurance Company  
By   
\_\_\_\_\_  
Jessica L. Nowlin  
Attorney-in-Fact

COPY

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

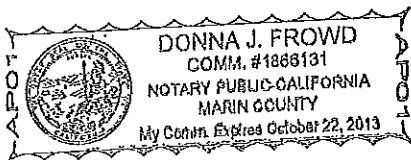
County of Marin

On June 16, 2011 before me, Donna J. Frowd, Notary Public, personally appeared Jessica L. Nowlin who proved to me on 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 ~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(seal)



Signature Donna J. Frowd

COPY

POA #: 510009

# SureTec Insurance Company LIMITED POWER OF ATTORNEY

Know All Men by These Presents, That SURETEC INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Texas, and having its principal office in Houston, Harris County, Texas, does by these presents make, constitute and appoint

Michael B. McGowan, Donna J. Frowd, Debbie L. Welsh, Michelle L. Sweeney, Donna L. Welsh, Jessica L. Nowlin its true and lawful Attorney-in-fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include waivers to the conditions of contracts and consents of surety, providing the bond penalty does not exceed

Five Million Dollars and no/100 (\$5,000,000.00)

and to bind the Company thereby as fully and to the same extent as if such bond were signed by the President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment shall continue in force until 10/31/12 and is made under and by authority of the following resolutions of the Board of Directors of the SureTec Insurance Company:

*Be it Resolved*, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

*Attorney-in-Fact* may be given full power and authority for and in the name of and of behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

*Be it Resolved*, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached. (Adopted at a meeting held on 20<sup>th</sup> of April, 1999.)

*In Witness Whereof*, SURETEC INSURANCE COMPANY has caused these presents to be signed by its President, and its corporate seal to be hereto affixed this 28th day of October, A.D. 2008.

SURETEC INSURANCE COMPANY

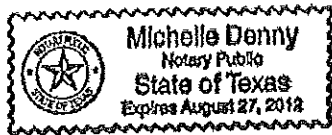
By:   
B.J. King, President

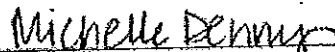
State of Texas  
County of Harris

ss:



On this 28th day of October, 2008 before me personally came B.J. King, to me known, who, being by me duly sworn, did depose and say, that he resides in Houston, Texas, that he is President of SURETEC INSURANCE COMPANY, the company described in and which executed the above instrument; that he knows the seal of said Company; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company; and that he signed his name thereto by like order.



  
Michelle Denny, Notary Public  
My commission expires August 27, 2012

I, M. Brent Beaty, Assistant Secretary of SURETEC INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Company, which is still in full force and effect; and furthermore, the resolutions of the Board of Directors, set out in the Power of Attorney are in full force and effect.

Given under my hand and the seal of said Company at Houston, Texas this 16th day of June, 20 11, A.D.

  
M. Brent Beaty, Assistant Secretary

Any instrument issued in excess of the penalty stated above is totally void and without any validity.  
For verification of the authority of this power you may call (713) 812-0800 any business day between 8:00 am and 5:00 pm CST.



COPY



# TOWN OF DISCOVERY BAY CSD

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

## Cornell Park Play Area Renovation (Ph. II) DISCOVERY BAY, CA

### ADDENDUM # 001

June 15, 2011

**BID DATE: JUNE 23rd, 2011 2:00 PM**

**This document contains information that affects all contractors.**

- See attached RFI responses and additional information. All are to be incorporated by bidders.
  1. RFI #001-002 from Bidder #4
  2. Installation Instructions/Details - Landscape Structures OmniSpin™ Spinner (Attachment 'A')
  3. Installation Instructions/Details - Landscape Structures Lunar Burst™ Net Climber (Attachment 'B')
  4. Installation Instructions/Details - Landscape Structures Blender (Attachment 'C')
  5. Installation Instruction/Details - Play Land PSS-28274 (Attachment 'D')
  6. Approved Poured-In-Place Safety Surfacing Alternates
  7. Poured-In-Place Safety Surfacing - Color Selection Changes

COPY

Cornell Park Play Area Renovation (Ph. II)  
DISCOVERY BAY, CA

BID DATE: JUNE 23rd, 2011 2:00 PM



## ADDENDUM #001

### 1. Gates & Associates Response to RFI #001 from Bidder #4

Q: Confusion exist between 02870 – 3.01/C/5 which list UV Protective Sealer and Detail 3/L4.1 which shows aliphatic binder being used for the cushion or base layer. Normally, aliphatic is used for the wear course not the base course. We believe that this is just an oversight as the colors (Teal and Yellow) will perform better with Aliphatic binder. Using Aliphatic binder for the Base Course is not recommended as it is far more expensive than standard aromatic binder. Should Aliphatic binder be used for the Wear Course only?

A: "The aliphatic binder is not required for the base. Ok to only use aliphatic binder for wear course."

### 1. Town of Discovery Bay CSD Response to RFI #002 from Bidder #4

Q: The listed vendor VitriTurf in Detail 3/L4.1 has not been certified by the International Playground Equipment Manufacturer's Association (IPEMA) as being in compliance with ASTM 1292-04 Standard Specification for Impact Attenuation of Surface Systems Under and Around Playground Equipment. Is IPEMA Certification to ASTM 1292-04 required at time of bid?

A: Compliance with ASTM 1292-04 and IPEMA Certification IS required at time of bid.

### 2. Landscape Structures Installation Instructions/Details - OmniSpin™ Spinner

Please see **Attachment 'A'** for installation instructions, footing details and specifications required for construction of the OmniSpin™ Spinner.

### 3. Landscape Structures Installation Instructions/Details - Lunar Burst™ Net Climber

Please see **Attachment 'B'** for installation instructions, footing details and specifications required for construction of the Lunar Burst™ Net Climber.

### 4. Landscape Structures Installation Instructions/Details - Blender

Please see **Attachment 'C'** for installation instructions, footing details and specifications required for construction of the Blender.

### 5. PlayLand structure Installation Instructions/Details - Model #PS5-28274

Please see **Attachment 'D'** for installation instructions, footing details and specifications required for construction of the PlayLand structure.

COPY

Cornell Park Play Area Renovation (Ph. II)  
DISCOVERY BAY, CA

BID DATE: JUNE 23rd, 2011 2:00 PM



## ADDENDUM #001

### 6. List of Approved alternates for Poured-In-Place Safety Surfacing

\*\* Alternates are only accepted when installed per construction documents, including sub-base requirements. \*\*

- TotTurf, a PlayCore Company
- Dura Turf, Sport Surface Specialties

### 7. Poured-In-Place Safety Surfacing – COLOR SELECTION CHANGES

Color selections for the Poured-In-Place surfacing shall be as follows:

<u>Original Selection</u>	<u>New Color</u>
Blue	Red
Teal	Blue
Yellow	No Change

COPY



# TOWN OF DISCOVERY BAY CSD

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

---

Cornell Park Play Area Renovation (Ph. II)  
DISCOVERY BAY, CA

## **ADDENDUM # 002**

June 22, 2011

**BID DATE: JUNE 23rd, 2011 2:00 PM**

This document contains information that affects all contractors.

- See attached updated list of approved substitutions – Poured In Place Safety Surfacing
  1. Approved Poured-In-Place Safety Surfacing Alternates

COPY

Cornell Park Play Area Renovation (Ph. II)  
DISCOVERY BAY, CA

BID DATE: JUNE 23rd, 2011 2:00 PM



## ADDENDUM #002

### 1. UPDATED List of Approved alternates for Poured-In-Place Safety Surfacing

\*\* Alternates are only accepted when installed per construction documents, including sub-base requirements. \*\*

- TotTurf, a PlayCore Company
- Dura Turf, Sport Surface Specialties
- SpectraPour, SpectraTurf



**DRAFT**

## TOWN OF DISCOVERY BAY CSD

---

1800 Willow Lake Road, Discovery Bay, CA 94505-9376  
Telephone: (925) 634-1131 Fax: (925) 513-2705

### CONTRACT FOR

#### CORNELL PARK PLAY AREA RENOVATION (Ph. II)

This CONTRACT is made and entered into this \_\_\_\_ day of July, 2011, by and between the Town of Discovery Bay Community Services District (hereinafter "Owner") whose address is 1800 Willow Lake Road Discovery Bay, CA 94505 and Community Playgrounds, Inc., whose address is 1620 Grant Avenue, Suite 5, Novato, CA 94945 (hereinafter "Contractor").

#### WITNESSETH

That the Owner has awarded to the Contractor, upon his Bid duly submitted in the amount of \$52,238.00, the Contract for doing the work and furnishing the materials and equipment for the work (hereinafter "Work") described in the Contract Documents bound herewith on the terms stated as follows:

1. Contractor Agrees:
  - a. To do all the Work and furnish all the labor, material, equipment and appliances to complete the Work in accordance with the Contract Documents. See attached "Exhibit A"
  - b. To do and perform said Work diligently as directed by the Owner until completion is evidenced by written acceptance by the Owner.
  - c. To start said Work within five (5) working days after receipt of Notice to Proceed and Completion of all work in 20 working days, which are part of "Exhibit A" from date established by the Notice to Proceed. A working day shall be defined in accordance with the provision of Section 8 of the California Standard Specifications.
  - d. To remedy, at his expense, any defects in the Work, which shall appear within a period of twelve (12) months from the date of the final acceptance of the Work.
  - e. To do and perform the Work contemplated hereby and furnish all labor, material, appliances, equipment, tools and pay all taxes therefore, at the bid price specified in the Bid form submitted by the Contractor, a conformed copy of which is attached and made a part of the Contract.
  - f. To maintain during the life of the Contract, Workers' Compensation, Public Liability and Property Damage Insurance as provided in the General Conditions. Certificates of such insurance shall be delivered to the Owner. The Contractor must comply with Labor Code §3700.

**DRAFT**

- g. Should the Contractor fail to complete the Work included in the Contract within the time limit agreed upon or such extensions thereof as may be granted, a deduction of Two Hundred Fifty dollars (\$250.00) per day will be made from amounts otherwise due the Contractor for each and every calendar day, or fraction thereof, that the work, or each stated portion, remains incomplete after the date set for its completion.
- 2. The Owner will cause payment to be made to the Contractor for the Contract prices provided herein in the following manner:
  - a. On or about the tenth day of each month after the start of the Work, an amount equal to ninety percent (90%) of the value of all Work completed as of the 20<sup>th</sup> day of the preceding month, based on quantities of Work completed, as determined by the Engineer at the unit prices stated, less the aggregate of all previous payments made to the Contractor.
  - b. Thirty-five (35) days after completion of the Contract and its acceptance by the Owner, the balance of the Contract price will be paid. Such final payment will not be made until completion of the entire Work and acceptance of the whole by the Owner.
  - c. Contractor may substitute securities in lieu of retained funds in accordance with Public Contracts Code Section 22300.
- 3. It is further agreed by the parties that before each payment is made as provided above, receipts and releases of liens of all kinds for all labor and materials and all other indebtedness connected with the Work shall be presented to the Owner by the Contractor upon the request of the Owner.
- 4. It is expressly understood and agreed that a waiver of any of the conditions or covenants of this Contract shall not be considered a waiver of any of the provisions hereof
- 5. Contractor shall comply with all Federal, State and local laws and ordinances applicable to the work. This includes compliance with prevailing wage rates and their payment in accordance with California Labor Code, Section 1775.

5A. A determination of the general prevailing rate of per diem wages and holiday and overtime work where the work is to be performed is available for review upon request at the Town of Discovery Bay CSD offices. Contractor and subcontractors will not pay less than the prevailing rates of wages. Contractor will post on copy of the prevailing rates of wage at the job site. Contractor shall forfeit as penalty the sum of up to fifty dollars (\$50.00) for each calendar day or portion thereof, and for each worker paid less than the prevailing rates under this contract. Travel and subsistence payments shall be paid to each worker as defined in the applicable collective bargaining agreements filed with the Department of Industrial Relations for the particular craft, classification or type of work.

5B. Eight (8) hours labor constitutes a legal day's work. Workers shall be paid at a rate of one and on-half times the basic rate of pay for work in excess of eight (8) hours during a calendar day or forty hours during a calendar week of the foregoing hours. Contractor shall keep and make available an accurate record showing the name of each worker and hours worked each day and each week by each worker. As a penalty to the Town of Discovery Bay CSD, Contractor shall forfeit twenty-five dollars (\$25.00) for each worker, including subcontractors' workers, for each calendar day during which the worker is required or permitted to work more than eight (8) hours in any one calendar day and forty (40) hours in any one calendar week in

violation of Labor Code Sections 1810 through 1815.

**DRAFT**

5C. Pursuant to California Labor Code Section 1776, Contractor and each Subcontractor shall keep accurate records, showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by him or her in connection with the work. Each payroll record shall contain or be verified by a written declaration that it is made under penalty of perjury, stating both of the following: The information contained in the payroll record is true and correct. The employer has complied with the requirements of Labor Code Section 1771, 1811, and 1815 for any work performed by his or her employees on the public work project. A certified copy of all payroll records shall be made available for inspection or furnished upon request to the Town of Discovery Bay CSD, the Division of Labor Standards Enforcement, and the Division of Apprenticeship Standards of the Department of Industrial Relations. A certified copy of all payroll records shall be made available upon request by the public for inspection or for copies thereof. However, a request by the public shall be made through the Town of Discovery Bay CSD, the Division of Apprenticeship Standards, or the Division of Labor Standards Enforcement. If the requested payroll records have not been provided pursuant to Labor Code Section 1776 (b)(2), the requesting party shall, prior to being provided the records, reimburse the costs of preparation as provided in Title 13 California Code of Regulations Section 16402 by the Contractor, subcontractors, and the entity through which the request was made. The public shall not be given access to the records at the principal office of the Contractor. The certified payroll records shall be on forms provided by the Division of Labor Standards Enforcement or shall contain the same information as provided by the division. The Contractor or subcontractor shall file a certified copy of the records enumerated with the entity that requested the records within ten (10) days after receipt of a written request.

5D. Any copy of records made available for inspection as copies and furnished upon request to the public or any public agency by the Town of Discovery Bay CSD, the Division of Apprenticeship Standards, or the Division of Labor Standards Enforcement shall be marked or obliterated in such a manner as to prevent disclosure of an individual's name, address, and social security number as provided in Labor Code Section 1776. The name and address of the Contractor awarded the contract or the subcontractor performing the contract shall not be marked or obliterated. The Contractor shall inform the Town of Discovery Bay CSD of the location of the records enumerated under paragraph (1.3) including the street address, city and county, and shall within five (5) working days, provide a notice of change of location and address. The Contractor or Subcontractor shall have ten (10) days in which to comply subsequent to receipt of written notice requesting the records. In the event that the Contractor or Subcontractor fails to comply within the 10-day period, he or she shall, as a penalty to the Town of Discovery Bay CSD, forfeit twenty-five dollars (\$25.00) for each calendar day, or portion thereof, for each worker until strict compliance is effectuated. Upon the request of the Division of Labor Standards Enforcement, these penalties shall be withheld from progress payments then due. The Contractor is not subject to a penalty assessment pursuant to this section due to the failure of a subcontractor to comply with this section.

6. It is mutually agreed and understood that the complete Contract shall consist of this Contract, and the following component documents, all of which are fully a part hereof as if herein set out in full, or if not attached, as if attached, and which together constitute the Contract Documents:
- Instructions for Bidders (Attached)
  - "Noncollusion Affidavit" (Attached)
  - Accepted Bid with Attached List of Subcontractors and Attached Bidder's Responsibility Statement (Attached)



- Faithful Performance Bond and Labor and Materials Bond (if applicable)
- General Conditions (Attached)
- Plans and Specifications, including any amendments (Not Attached)
  - Specification Sections: 02870 dated April 27, 2011
  - Drawings: L0.0, L2.1, L2.2, L2.3, L4.1, L4.2, & L4.3 all dated April 27, 2011

DRAFT

7. The provisions of California Labor Code Sections 1777.5 and 1777.6 shall apply to the employment of apprentices by Contractor or any subcontractor under him.
8. If the total bid amount as set forth in the Bid is in excess of \$25,000, then Contractor shall provide a Faithful Performance Bond and a Labor and Materials Bond, in the sum of 100% of the contract price; the Faithful Performance Bond will be retained by the Town of Discovery Bay for twelve months following final acceptance by the Town of Discovery Bay of the improvements constructed to guarantee correction of failures attributable to workmanship and materials.
9. All provisions of the California Occupational Safety and Health Act of 1973 (CALOSHA), as amended, shall be adhered to.
10. The statutory provisions for penalties for failing to comply with the State of California wage and labor laws will be enforced, as well as that for failing to pay prevailing wages.
11. Eight hours labor constitutes a legal day's work.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed in duplicate, on the day and year first above written.

TOWN OF DISCOVERY BAY  
 1800 Willow Lake Road  
 Discovery Bay, CA 94505

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

CONTRACTOR: \_\_\_\_\_

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_



# Town of Discovery Bay CSD

## AGENDA REPORT

Meeting Date

July 6, 2011

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

**Agenda Title**

Agency Comment Request – 1020 Discovery Bay Boulevard Home Remodel

**Recommended Action**

Review applicants' submittal to the Contra Costa County Department of Conservation and Development and comment as necessary.

**Executive Summary**

The Contra Costa County Department of Conservation and Development has requested Board input into the proposed modification to a residence located at 1020 Discovery Bay Boulevard.

The remodel proposes a number of modifications and exterior as well as interior enhancements. The proposed modification would require a variance however, to allow the addition of a third story where two (2) and one (1) stories are allowed. The home is presently two (2) and one-half (1/2) stories.

The Contra Costa County Department of Conservation and Development is seeking Board input into these proposed

**Fiscal Impact:**

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

**Previous Relevant Board Actions for This Item**

**Attachments**

Contra Costa County Department of Conservation and Development Agency Request Form

AGENDA ITEM: F-3

CONTRA COSTA COUNTY  
 DEPARTMENT OF CONSERVATION AND DEVELOPMENT  
 COMMUNITY DEVELOPMENT DIVISION  
 651 Pine Street, 4<sup>th</sup> Floor, North Wing  
 Martinez, CA 94553-0095  
 Phone: 925-335-1210  
 Fax: 925-335-1222

(8) 6/21/11 JAMS RECEIVED 6/22/11



\* Revised drawings for your files. No major changes to project from 5-23-2011 drawings

**AGENCY COMMENT REQUEST**

Date 6-21-2011

We request your comments regarding the attached application currently under review.

**DISTRIBUTION**

Building Inspection  Grading Inspection

HSD, Environmental Health, Concord

HSD, Hazardous Materials

P/W - Flood Control (Full Size)

P/W - Engineering Svcs (Full Size)

Date Forwarded \_\_\_\_\_

P/W Traffic (Reduced)

P/W Special Districts (Reduced)

P/W—APC Floodplain Tech (2<sup>nd</sup> Floor)

Advance Planning

Redevelopment Agency/Housing

Historical Resources Information System

CA Native American Heritage Comm.

CA Fish & Game, Region # \_\_\_\_\_

U.S. Fish & Wildlife Service

Fire District East Contra Costa/Consolidated

Sanitary District Discovery Bay CSD

Water District Discovery Bay CSD

City of \_\_\_\_\_

School District \_\_\_\_\_

East Bay Regional Park District \_\_\_\_\_

MAC/TAC \_\_\_\_\_

Diablos Discovery Bay CSD

DOIT - Deputy Director, Communications

CDD-GIS

LAFCO

East CCC Habitat Conservancy (HCP/NCCP)

County Geologist

Airport Land Use Commission Staff (ALUC)

Community Organizations:

Reclamation District 799

Discovery Bay Property Owners Association

Please submit your comments as follows:

Project Planner Christine Louie

Phone # 925-335-1237

E-mail Christine.louie@dcd.cccounty.us

County File # VE11-1014

Prior to July 18, 2011

\*\*\*\*\*

We have found the following special programs apply to this application:

Redevelopment Area

Active Fault Zone

Flood Hazard Area, Panel # \_\_\_\_\_

60 dBA Noise Control

CA EPA Hazardous Waste Site

Mineral Rights Holder: \_\_\_\_\_

\*\*\*\*\*

**AGENCY:** Please indicate the code section of recommendations required by law or ordinance. Send copies of your response to the Applicant & Owner.

Comments:  None  Below  Attached

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

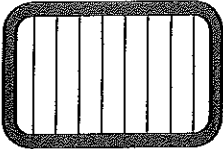
\_\_\_\_\_

Print Name \_\_\_\_\_

Signature \_\_\_\_\_ DATE \_\_\_\_\_

Agency phone # \_\_\_\_\_





CUSTOM REMODEL FOR MICHAEL AND JENNIFER JACKSON  
 1020 DISCOVERY BAY BLVD, DISCOVERY BAY CALIFORNIA

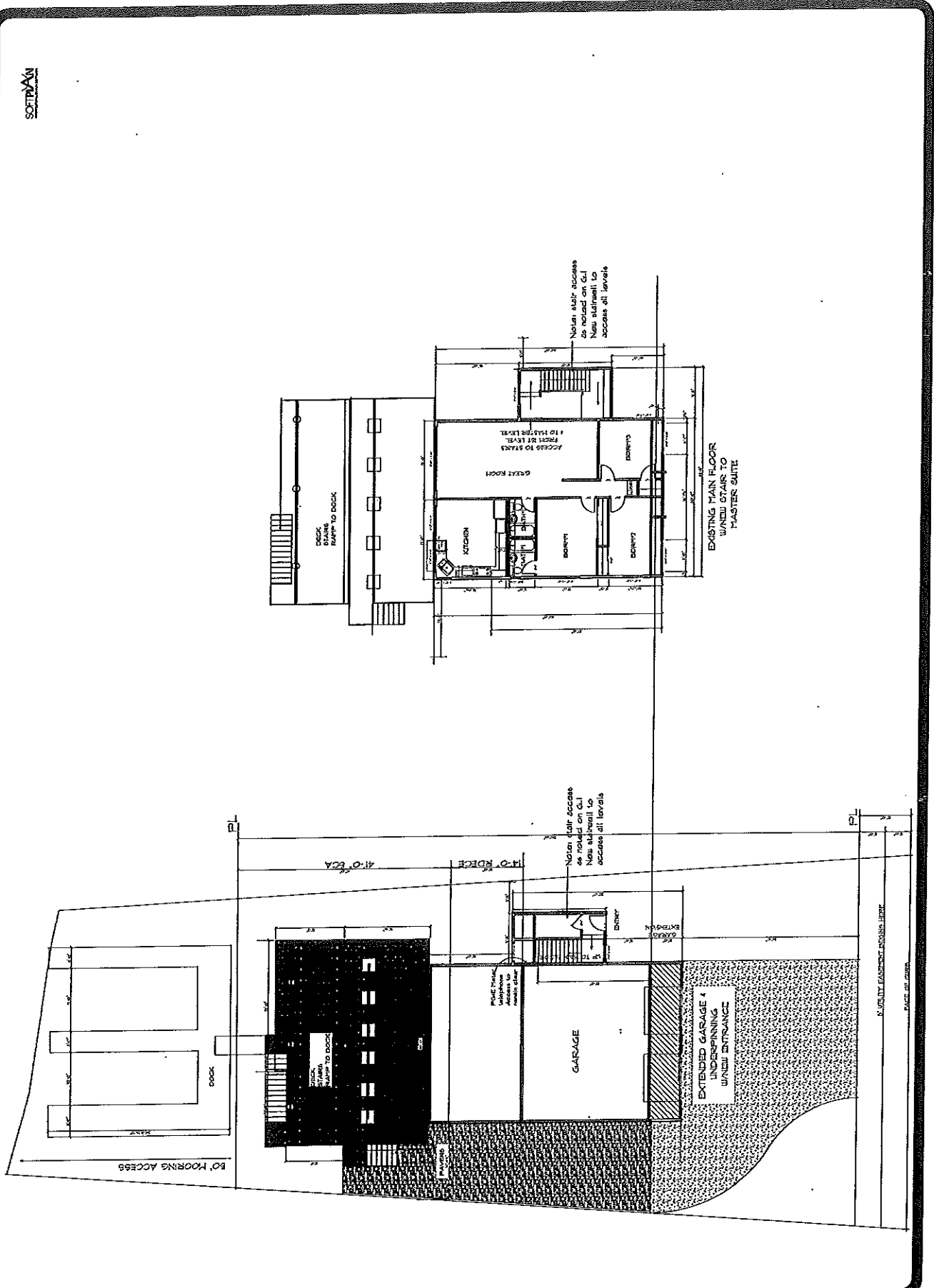
**Jackson Mills Const.**  
 1050 Highway 101, Suite 100  
 Discovery Bay, CA 94926  
 (415) 435-1111  
 Fax: (415) 435-1112

Project Name: Discovery Bay  
 Job Number: JPC-17  
 Date: 1/20/17

Site Plan

**A1**

SOTPA/AN

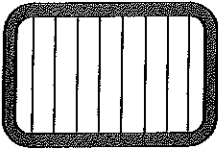


10' MOORING ACCESS

EXISTING GARAGE UNDERPINNING UNDER DECK

EXISTING MAIN FLOOR W/ NEW STAIR TO MASTER SUITE

10' MOORING ACCESS



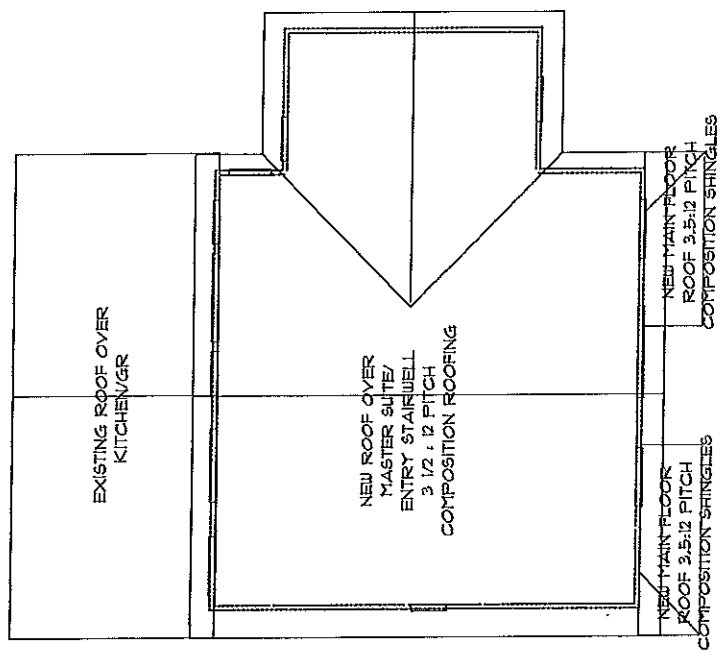
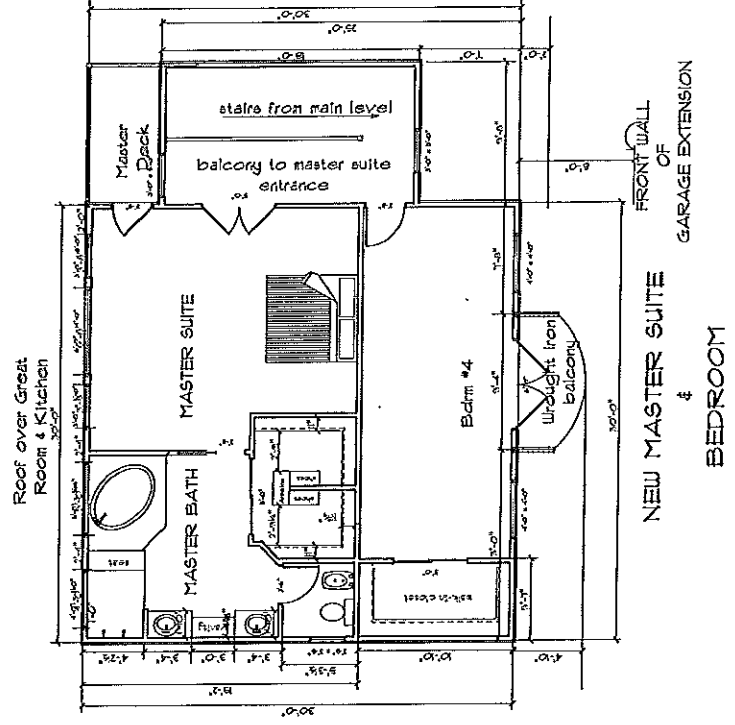
CUSTOM REMODEL FOR MICHAEL AND BENNIE JACKSON  
 1020 DISCOVERY BAY BLVD, DISCOVERY BAY CALIFORNIA

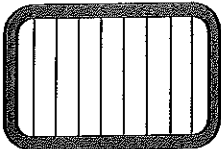
**Jackson Millie Const**  
 1800 Discovery Bay Blvd  
 Discovery Bay, CA 94924  
 Cell: 415.452.2709  
 Fax: 415.452.2709

Project Name	Discovery
Project No.	1020
Revision No.	1020
Revision Date	10/20/09
Revision Description	

Site Plan  
**A.2**

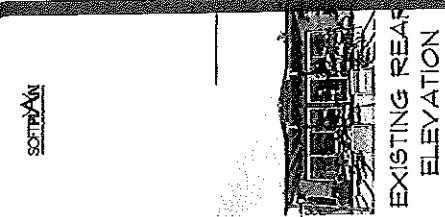
SCOTT  
 ARCHITECT



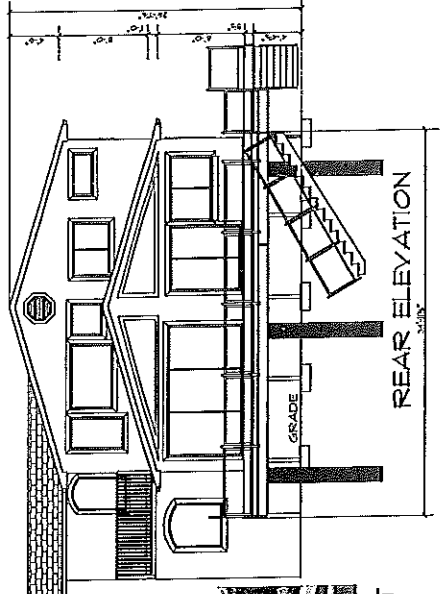


CUSTOM REMODEL FOR MICHAEL AND JENNIE JACKSON  
1020 DISCOVERY BAY BLVD, DISCOVERY BAY CALIFORNIA

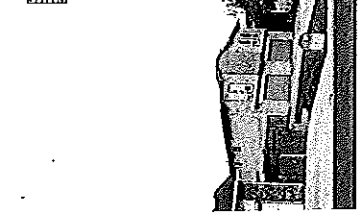
Jackson Mills Coast		
100 Discovery Bay Blvd Discovery Bay, CA 94921 City of Sausalito San Francisco County		
Project Name	Project No.	Project Date
1020 Discovery Bay Blvd		10/10/2017
Architect	Architect No.	Architect License No.
Michael and Jennie Jackson		14876
City/County	State	City/County
Sausalito/CA	CA	Sausalito/CA
Sheet No.	Sheet Title	Scale
A.8	Site Plan	1/8" = 1'-0"



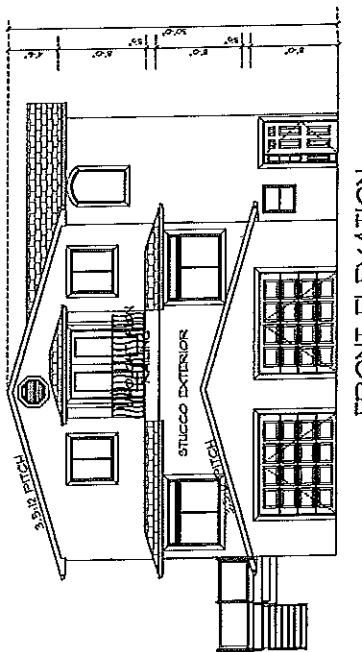
EXISTING REAR ELEVATION



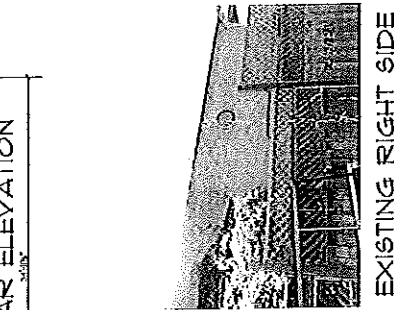
REAR ELEVATION



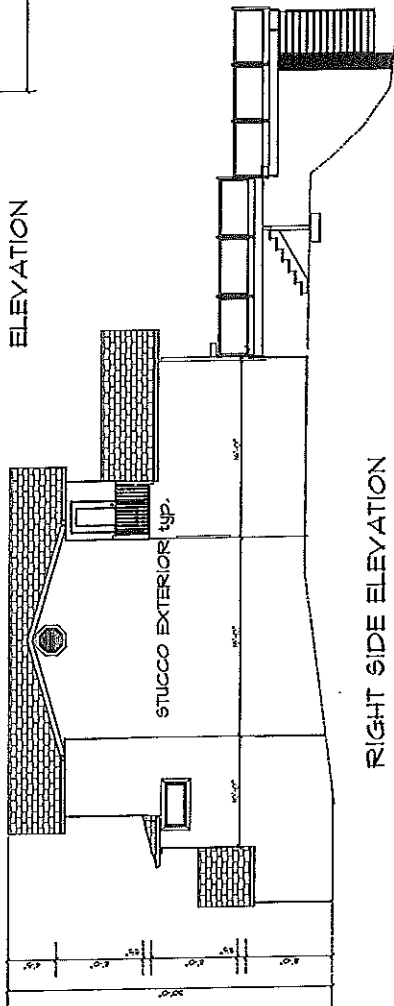
EXISTING FRONT ELEVATION



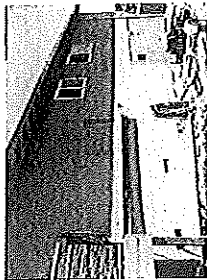
FRONT ELEVATION



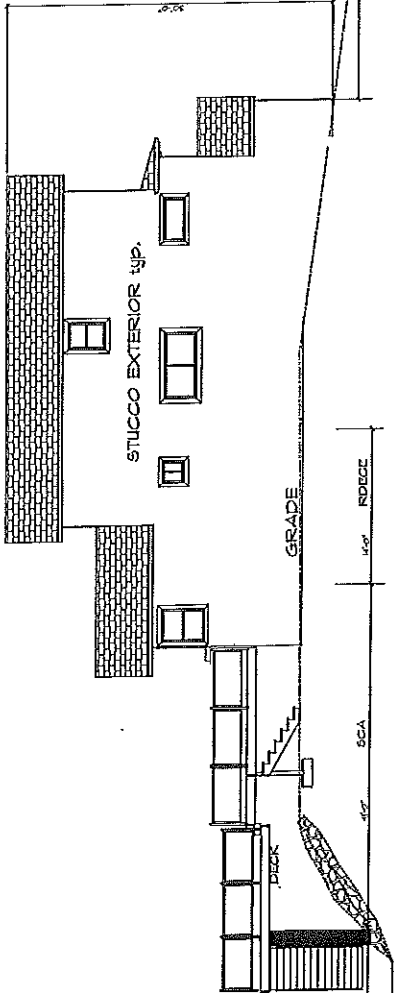
EXISTING RIGHT SIDE



RIGHT SIDE ELEVATION

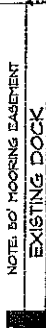


EXISTING LEFT SIDE



LEFT SIDE ELEVATION

NOTE: BO MOORING EASIMENT  
EXISTING DOCK



Department of  
Conservation &  
Development

Community Development Division

County Administration Building  
651 Pine Street  
North Wing, Fourth Floor  
Martinez, CA 94553-1229

Phone: (925) 335-1237

Contra  
Costa  
County



Catherine O. Gilmore  
Director  
Discovery Bay CSI

Received 6-23-11  
Aruna Bhat  
Deputy Director  
Community Development Division

June 22, 2011

**Notice of Intent to Render  
Administrative Decision**

Dear Property Owner:

An application for a variance has been submitted to this department and is currently under review. The County Zoning Administrator will render a decision on this application following a public comment period. If you wish to comment or request a public hearing in this matter, you must submit a written statement by **5:00 p.m., Tuesday, July 5, 2011**, to:

Department of Conservation & Development  
Community Development Division  
Attn: Christine Louie  
651 Pine Street, 4th Floor, North Wing  
Martinez, CA 94553

This application is described as follows:

**MICHAEL & JEANETTE JACKSON (Applicants & Owners), County File #VR11-1014:** The applicant is requesting approval for a variance to allow three stories (where two and one-half stories is required) for a residential addition and enclosed stairway. The subject property is located at 1020 Discovery Bay Boulevard in the Discovery Bay area. (APN: 004-071-002) (General Plan: SM) (Zoning: F-1) (Zoning Atlas: N-28/N-29) (CT: 3040.00)

**Following the public comment period, the Zoning Administrator will (1) schedule a public hearing if one is requested, or (2) consider comments as suggested conditions of approval or as reasons for denying the application.**

If you have any questions, please call me at (925) 335-1237.

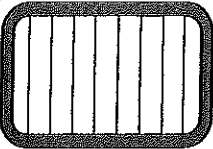
Sincerely,

A handwritten signature in cursive script that reads "Christine Louie".

Christine Louie  
Project Planner

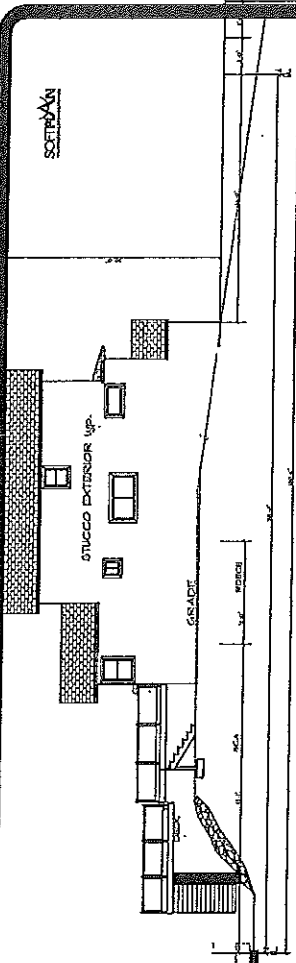
cc: File# VR11-1014



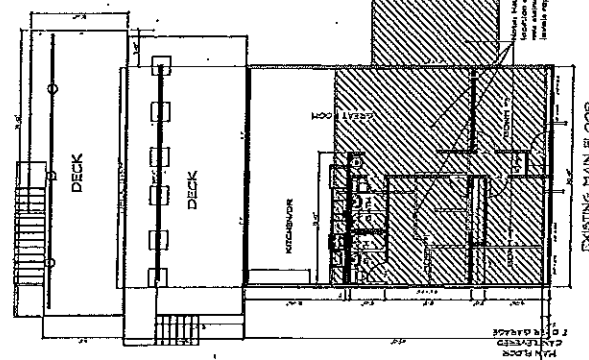


CUSTOM REMODEL FOR MICHAEL AND JENNIE JACKSON  
1020 DISCOVERY BAY BLVD, DISCOVERY BAY CALIFORNIA

Architect: SETH A. V. ARCHITECTS	
1020 Discovery Bay Blvd Discovery Bay, CA 94924 Tel: (415) 442-1234 Fax: (415) 442-1234	
Project No:	1020-01
Client:	Michael & Jennie Jackson
Date:	1/10/11
Scale:	1/8" = 1'-0"
Sheet No:	G.1
Site Plan	



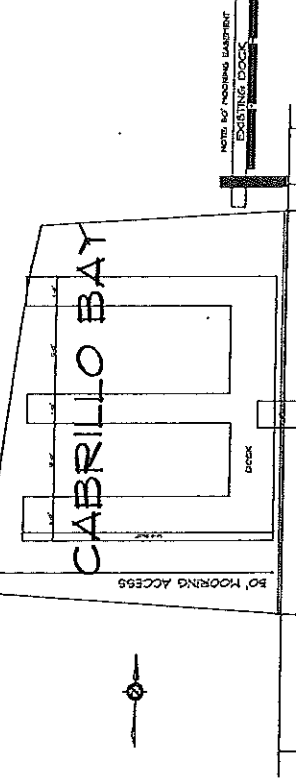
PROPOSED LEFT SIDE ELEVATION



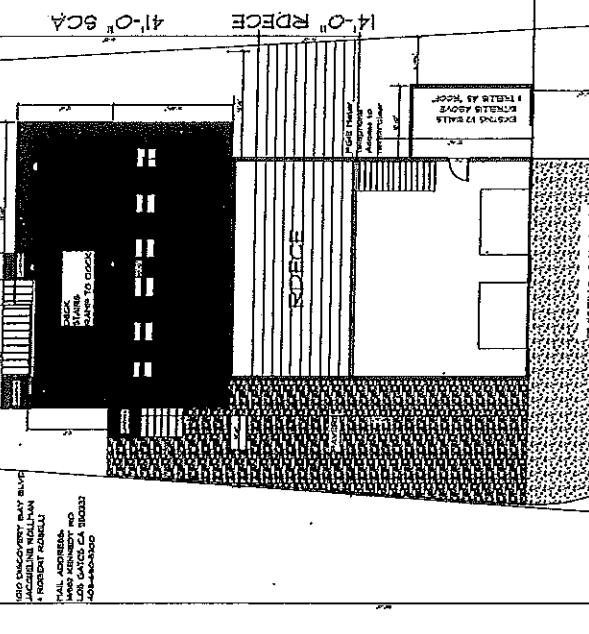
EXISTING MAIN FLOOR

Revised

RECEIVED  
JUN 20 2011  
VE 11-1014



PROPOSED FRONT ELEVATION



EXISTING MAIN FLOOR

NOTE:  
LOT SIZE: 7100 SQ. FT.  
EXISTING HOUSE SIZE: 1000 SQ. FT.  
PROPOSED HOUSE SIZE: 2300 SQ. FT.  
LANDSCAPED AREAS: APPROX. 1950 SQ. FT.

EXISTING PLANS



NO BACK UP  
DOCUMENTATION  
FOR THIS AGENDA  
ITEM # G

NO BACK UP  
DOCUMENTATION  
FOR THIS AGENDA  
ITEM # H



# Town of Discovery Bay CSD

## AGENDA REPORT

Meeting Date

July 6, 2011

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

### Agenda Title

Management Internship Progress Update

### Recommended Action

Receive and File

### Executive Summary

The Board officially authorized the establishment of an Internship Program at the District at its meeting of February 2, 2011.

In mid-May, a local Discovery Bay resident and student at Arizona State University has been working approximately twenty (20) hours each week at the District office. The intern has worked on a number of projects, including the following:

- Drafted Automobile Travel Reimbursement policy;
- Summarized the current responsibilities of the Town of Discovery Bay CSD relating to water, wastewater, parks, and landscaping for inclusion in the FY 2010-11 Operating and Capital Improvement Program Budget;
- Analyzed possible Community Center Costs and researched average square foot price of Community Centers in the San Francisco Bay Area;
- Created a collaboration of various emergency action plans to create a DRAFT Discovery Bay CSD Emergency Action Plan;
- Drafted agenda items regarding CSDA and SDRMA Voting and made voting recommendations;
- Summarized and condensed Rosenberg's Rules of Order into a one (1) page reference sheet available to the board; and
- Assisted with a number of other office related projects.

The management intern has been an asset to the District.

### Fiscal Impact:

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

### Previous Relevant Board Actions for This Item

September 15, 2010 request by Director Dawson to consider implementing a District Internship Program  
October 20, 2010 Board Meeting

### Attachments

AGENDA ITEM: I-1

NO BACK UP  
DOCUMENTATION  
FOR THIS AGENDA  
ITEM # I-2

NO BACK UP  
DOCUMENTATION  
FOR THIS AGENDA  
ITEM # I-3

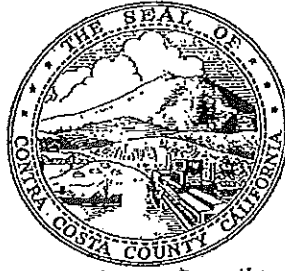
NO BACK UP  
DOCUMENTATION  
FOR THIS AGENDA  
ITEM # I-4



NO BACK UP  
DOCUMENTATION  
FOR THIS AGENDA  
ITEM # J

NO BACK UP  
DOCUMENTATION  
FOR THIS AGENDA  
ITEM # K

**Byron  
Municipal  
Advisory  
Council**



6:13-11  
Office of Supervisor Mary N. Piepho  
Contact: Karyn Cornell  
181 Sand Creek Road, Suite L  
Brentwood, CA 94513  
925-240-7260

Respectfully submitted by: \_\_\_\_\_

**DRAFT**

*The Byron Municipal Advisory Council serves as an advisory body to the  
Contra Costa County Board of Supervisors and the County Planning Agency.*

**Record of Actions**  
**Meeting start time: 7:01 p.m.**  
**Thursday, May 19, 2011**

1.) Meeting called to order by Vice Chair Schmit at 7:01 p.m. Council members Della Nina, Beltran and Lopez present. Absent: Chair Juarez.

2.) **Public Comment:** Annette Holdiman discussed her personal support and the support of ECHO (East County Horseman's Association) for the Brentwood Feed store to remain open. Michelle Bautista, owner of Brentwood Feed, also spoke about her concerns and desire for the Brentwood Feed store to remain open in its current location. Mike Nisen discussed his concerns with the possible closure of the Brentwood Feed store.

3.) **Review of Record of Actions of 1-20-11 meeting:** Council member Lopez made a motion to accept the Record of Actions as prepared. Second by Council member Della Nina. Motion carried 4-0.

4.) **Agency Reports**

a.) **East Contra Costa Fire Protection District:** Field Representative Cornell distributed the monthly report from April 2011.

b.) **Contra Costa County Sheriff's Department:** No representative present.

c.) **California Highway Patrol:** No representative present.

d.) **Office of Supervisor Mary N. Piepho:** Field Representative Cornell reported on the following items: Re-districting is taking place based on the 2010 Census and workshops are being held throughout the County. There will be a workshop taking place on Wednesday, May 25<sup>th</sup> in Brentwood. Flyers were distributed listing all the re-districting workshops; distributed flyers regarding the upcoming Household Hazardous Waste events hosted by Delta Diablo Sanitation District for East County residents; distributed flyers regarding the upcoming work at the Vasco Road and Camino Diablo intersection; distributed copies of the 2011 Harvest Time maps; updated the group that the CHP anticipates doubling patrol staff in the area beginning in July 2011; the 2010 Annual Crop report has been completed by the Agricultural Department and is available for review; County staff is looking into applying for a Airport Improvement Program grant to perform an infrastructure analysis at the Byron Airport; distributed copies of the Public Works 2011 spring newsletter; reminded the Byron MAC that their 2011 Keller Canyon Mitigation funds will expire at the end of June 2011 and lastly provided the group with an update on the Brentwood Feed situation regarding the General Plan designation.

5.) **Items for Discussion and/or Action**

a.) **Discuss 2011 Byron Community Clean-up Day-June 25, 2011:** Supervisor Piepho's office will be sending 200 flyers to the community in the months of May and June. Discussion of using Keller Canyon monies to purchase water and lunch for the volunteers.

*This meeting record is provided pursuant to Better Government Ordinance 95-6, Article 25-2.205(d) of the Contra Costa County Ordinance Code.*

b.) Agency Comment Request for a land-use permit renewal of land-use permit LP99-2070 to operate a wireless telecommunications facility (50' monopole) at 575 Camino Diablo Road, Byron CA APN 003-020-032; Motion to approve the application without comment made by Council member Lopez. Second made by Council member Beltran.

c.) Agency Comment Request for a land-use permit to establish a new telecommunications facility to include 45' monopole with a total of 9 antennas, one equipment cabinet and back-up generator of Longwell Ave, southeast of Vasco Road; Motion to approve the application without comment made by Council member Lopez. Second made by Council member Beltran.

d.) Invoice for Byron MAC P.O. Box -\$70.00: Motion to approve made by Council member Lopez. Second made by Council member Della Nina. Motion carried 4-0.

**6.) Correspondence Key: R= Received S= Sent**

a.) R-4/25/11 Contra Costa County Zoning Administrator Special Meeting Agenda for Monday, April 25, 2011

b.) R-5/2/11 Contra Costa County Zoning Administrator Agenda for Monday, May 2, 2011

c.) R-5/10/11 Contra Costa County Planning Commission notice of meeting cancellation for Tuesday, May 10, 2011

d.) R-5/11/11 Supervisor Piepho regarding request for CHP presence on Marsh Creek Road

e.) R-5/11/11 Supervisor Piepho regarding National Safe Boating Week in Contra Costa County

f.) R-5/12/11 Supervisor Piepho regarding funding recommendation for a School Resource Officer at the Byron Union School District

g.) R-5/16/11 Contra Costa County Zoning Administrator Agenda for Monday, May 16, 2011

h.) R-5/16/11 Contra Costa County Zoning Administrator Notice of Public Hearing

**7.) Future Agenda Items:**

a.) 2011 Byron Community Clean-up-June 25

b.) Discuss Brentwood Feed

c.) Keller Canyon Fund Expenditures

d.) Park Dedication Fund Update

8.) Adjourned to next meeting scheduled for June 16, 2011.

Ph W Town of Discovery Bay CSDA  
on file  
Received 6/8/11  
Emailed to Board +  
GM ca

MEMORANDUM

DATE: June 1, 2011  
TO: California Special Districts Association (CSDA) Voting Members  
FROM: Jo MacKenzie, CSDA Board President  
Neil McCormick, CSDA Executive Director  
SUBJECT: Proposed CSDA Bylaws Amendments

---

The CSDA Board of Directors has approved that attached recommended changes to the CSDA Bylaws to bring forward to CSDA voting members for consideration.

These recommended changes only affect one section of the bylaws (Article VIII – Local Chapters) as indicated in the attached document. The main reason for the proposed change to the bylaws is to require all newly formed chapters to have 100% of their members as dues paying members of the state association (CSDA) as well.

**Approving this bylaws change will not affect any existing CSDA chapter or its members. This is for newly formed chapters only.**

CSDA strongly encourages all chapters to promote membership in CSDA at the statewide level as it significantly helps in supporting the wide variety of efforts by the association throughout California and delivered on behalf of all districts. Ultimately, CSDA is trying to build and strengthen the relationship and connection between the statewide organization and chapters so we can better work together, communicate and have consistency in membership which makes us stronger.

The proposed changes are indicated in mark-up form on the attached excerpt from the Bylaws. A full version of the current CSDA bylaws can be found online at [www.csda.net/bylaws](http://www.csda.net/bylaws).

Once your district has reviewed the proposed CSDA bylaws updates, please use the enclosed official ballot with the prepaid postage to cast your vote by mail in favor or not in favor of the changes. **Completed ballots must be received by Friday, July 29, 2011 at 5:00 pm to be counted.** Only official and fully completed ballots returned via regular mail will be counted. The results of the Bylaws ballot will be announced in the CSDA e-News and on the CSDA website -- [www.csda.net](http://www.csda.net). If approved, the updated bylaws will take effect on August 1, 2011.

If you have any questions or require hard copies of any of any of these documents, you may contact Charlotte Lowe, Executive Assistant at [charlottel@csda.net](mailto:charlottel@csda.net) or (916) 442-7887.

**Thank you for your participation and continued support of CSDA!**

## **ARTICLE VIII – LOCAL CHAPTERS**

### **Section 1. Purpose:**

The purpose of local chapters is to provide a local forum of members for the discussion, consideration and interchange of ideas concerning matters relating to the purposes and powers of special districts and the CSDA.

The local chapters may meet to discuss issues bearing upon special districts and the CSDA. The chapters may make recommendations to the CSDA's Board of Directors.

### **Section 2. Organization:**

The regular voting members of the CSDA are encouraged to create and establish local chapters. Each of the following existing chapters must have at least one (1) CSDA member in their membership at all times: Alameda, Butte, Contra Costa, Kern, Marin, Monterey, Orange (ISDOC), Placer, Sacramento, San Bernardino, San Diego, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara and Ventura. These existing chapters are strongly encouraged to have all district members as CSDA members, however, the existing local chapter may include members of local organizations, districts and professionals who are not members of the CSDA.

New chapters formed after {DATE OF BYLAWS UPDATE} are required to have 100 percent of their district members as CSDA members in order to be a chapter affiliate of CSDA. The existing local chapter may include members of local organizations and professionals who are not members of CSDA.

Local chapters shall be determined to be affiliates of the CSDA upon approval and ratification by the Board of Directors of the CSDA. The chapters shall be required to provide updated membership lists to the CSDA at least annually.

CSDA and its local chapters shall not become or deem to be partners or joint ventures with each other by reason of the provisions of these Bylaws.

### **Section 3. Rules, Regulations and Meetings:**

Each local chapter shall adopt such rules and regulations, meeting place and times as the membership of such local chapter may decide by majority vote. Rules and regulations of the local chapter shall not be inconsistent with the Articles of Incorporation or Bylaws of the CSDA.

### **Section 4. Financing of Local Chapters:**

No part of the CSDA's funds shall be used for the operation of the local chapter affiliates. The CSDA is not responsible for the debts, obligations, acts or omissions of its local chapters.

### **Section 5. Legislative Program Participation:**

Local chapters may function as a forum in regard to federal, state and local legislative issues. The chapters may assist the CSDA in the distribution of information to their members.

**From:** Lucia Becerra  
**Sent:** Wed 6/29/2011 7:39 PM  
**Subject:** Discovery Bay Egeria Densa

Hello. Following is an update on DBW's egeria densa treatment at Discovery Bay.

**Egeria Densa.** Last Thursday, June 23, DBW's treatment team conducted a field visit. The treatment team included DBW's environmental scientists and pesticide manager, the State's federal nexus with the US Agricultural Research Service who is a noted expert in egeria densa and other invasive plants control, an herbicide biologist with SEPRO Corporation, and myself. During this trip we visited all of Discovery Bay, carefully examined egeria plants in all parts of the Bay, and took plant and water samples. In addition, we met with a Discovery Bay resident who went over in detail what his experience has been with the egeria this season. We walked his dock and a neighbor's dock.

Based on all of the scientific data that DBW has collected during the course of treatment (which includes more sampling than any other control project that we can find) and our extensive work on Thursday, we found the following.

It is clear that the egeria densa is *dying back throughout the Bay*, and we fully expect it to *continue dying back over the coming weeks and months*. The symptoms we saw included translucent leaves, dark brown leaves, loss of plant growing tip, loss of leaves, floating plants (which had not been cut by a harvester), and egeria densa canopies which have dropped (sinking).

However, *some areas of Discovery Bay are showing the effects of treatment less than others*. This is due to several variables including water flows, water temperature, water depth, wind direction, initial amounts of egeria densa, and area herbicide levels.

Consequently, DBW has modified its treatment. DBW now plans to *treat all areas of areas 1 and 2 for 16 weeks, and to increase treatment levels for the areas which have not progressed to the same extent as others*. DBW will continue to conduct its treatment in full compliance with its federal and state law. As you are aware, treating Discovery Bay requires some very difficult balancing because the adjacent agricultural lands receive irrigation water from Discovery Bay.

**Other Invasive plants.** Currently, many aquatic plants exist in Discovery Bay.

Bright green filamentous algae is currently floating on the water in many areas in Discovery Bay. It is not egeria densa. This algae should float away or dissipate when the egeria drops. DBW has asked the federal government for permission to treat this algae; however, no approval has been received at this time.

Large mats of pennywort are also floating in Discovery Bay. They will likely float away.

Several other types of algae and plants were also seen on the team's visit.

**Short-Term Versus Long-Term.** As you are aware Discovery Bay has experienced many years of egeria densa infestation. DBW's treatment this year is *the best solution for addressing the problem in 2011*. Any belief that the treatment is not working is not based on scientific or observational evidence. Harvesting the egeria will only exacerbate the problem. During our visit we spoke with harvesters who were using machetes to cut the egeria, and we are aware that certain residents have hired a mechanical harvester. The entire community of Discovery Bay will experience the effects of such

treatments. DBW has contacted the enforcement arms of USFWS, NOAA, and CDFA for enforcement of laws on unpermitted harvesting which adversely affects water, plants, and wildlife.

Please note that *DBW will not be conducting this type of treatment in the future*. This extensive effort (\$3-\$6 million) was implemented to obtain control of the plant at this time. However; the local entities, such as Discovery Bay and County, will be responsible for developing a comprehensive vegetative management plan and carrying out treatment in the future. If DBW's effort is successful this year, the subsequent treatments will be minor in comparison. DBW's role in the future will be primarily to provide technical assistance and supplemental application assistance to the County and community.

DBW strongly urges the community to maintain patience and consider short-term v. long-term benefits. DBW thanks the community for all of the updates, information, and suggestions.

Lucia C. Becerra  
Chief Deputy Director / Acting Director  
Department of Boating & Waterways  
[lbecerra@dbw.ca.gov](mailto:lbecerra@dbw.ca.gov)  
(916) 263-0782

**Confidentiality Notice:** This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.