



Town of Discovery Bay
RESOLUTION NO. 2002-01

RESOLUTION TO ADD MAUREEN MURRAY, APPOINTED BOARD TREASURER ON THE BANK OF AGRICULTURE AND COMMERCE BANK ACCOUNTS TO SIGN ON CHECKS WRITTEN FROM THE TOWN OF DISCOVERY BAY CHECKING ACCOUNTS

WHEREAS, the Town of Discovery Bay desires to add Maureen Murray, appointed Board Treasurer on their (4) public bank accounts with Bank of Agriculture and Commerce to sign on checks written from the Town of Discovery Bay Checking Accounts which are listed below:

- 50017249 – Water, Wastewater and Recreation (CSD)
- 50024288 – Discovery Bay Youth Council Committee
- 50020290 – Discovery Bay Municipal Advisory Committee
- 50020304 – Discovery Bay Community Center Committee

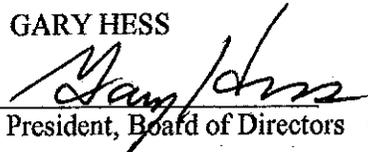
NOW, THEREFORE, BE IT RESOLVED that the Town of Discovery Bay does the following:

1. The Bank of Agriculture and Commerce, Discovery Bay Branch, 1520 Discovery Bay Boulevard, Discovery Bay, CA 94514, is hereby requested to add the name, Maureen Murray, on the above (4) checking accounts to be able to sign on checks written from these accounts.
2. The Town of Discovery Bay Board of Directors require that valid signatures on checks written from these accounts be two of the three elected officers of the Town of Discovery Bay Board of Directors (President and Treasurer, or by one of them, and one other Director).

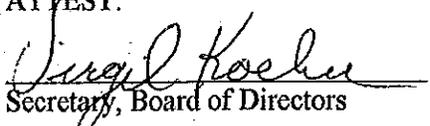
PASSED AND ADOPTED by the Board of Directors of the Town of Discovery Bay, at their regular meeting thereof, held on February 20, 2002, by the following vote:

AYES:	<u>5</u>
NOES:	<u>0</u>
ABSENT:	<u>0</u>
ABSTENTION:	<u>0</u>

GARY HESS


President, Board of Directors

ATTEST:


Secretary, Board of Directors



Town of Discovery Bay

RESOLUTION NO. 2002-02

**RESOLUTION AMENDING BYLAWS
OF THE TOWN OF DISCOVERY BAY**

WHEREAS, the Town of Discovery Bay ("Town") adopted an initial set of Bylaws for the governance of the District;

WHEREAS, the Town of Discovery Bay, desires to revise said Bylaws;

WHEREAS, notice of the proposed revision of the Bylaws has been mailed to each Director at least four days prior to February 20, 2002;

NOW, THEREFORE, BE IT RESOLVED:

1. The Revised Bylaws of the Town of Discovery Bay attached hereto as Exhibit "A" are adopted as the Bylaws of the Town of Discovery Bay.

PASSED AND ADOPTED by the Board of Directors of the Town of Discovery Bay, at their regular meeting thereof, held on February 20, 2002, by the following vote:

AYES:

5

NOES:

0

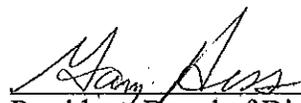
ABSTENTIONS:

0

ABSENT:

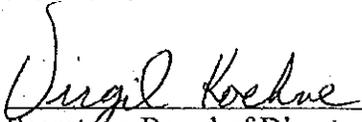
0

GARY HESS



President, Board of Directors

ATTEST:



Secretary, Board of Directors

TODB
RECEIVED
2-25-02

REVISED
BYLAWS
OF THE
TOWN OF DISCOVERY BAY

**REVISED BYLAWS
OF THE
TOWN OF DISCOVERY BAY**

ARTICLE I

NAME

This unit of local government shall be known as the Town of Discovery Bay, with powers and territorial boundaries as prescribed in Resolution No. 97/295 of the Board of Supervisors of Contra Costa County, State of California, dated June 10, 1997, and as provided by law.

ARTICLE II

PURPOSE

The purposes of the Town of Discovery Bay, as approved by the Local Agency Formation Commission and by law, are

- A. To provide for those exercise of those powers set forth in Government Code § 61600 approved by the electors of the Town;
- B. To continue the advisory responsibilities of the Discovery Bay Municipal Advisory Council;
- C. To serve the residents of the Town of Discovery Bay, in the manner provided by law.

ARTICLE III

BOARD OF DIRECTORS

Section 1. Number.

The governing body of the District shall consist of five (5) elected Directors, each of whom shall serve for a term of four (4) years. Such terms of office to be established on a staggered basis. Initially two (2) Directors will serve a two year term and three (3) members will serve a four year term. Thereafter, all terms shall be four years.

The initial Directors, their terms and term expirations, are:

William Slifer	4 years	Expires December 1, 2001
Mike Dohren	4 years	Expires December 1, 2001
David Piepho	4 years	Expires December 1, 2001
Virgil Koehne	2 years	Expires December 1, 1999
Chet Loveland	2 years	Expires December 1, 1999

Section 2. Compensation.

The Board may authorize each Director to receive compensation of One Hundred Dollars (\$100.00) for each meeting of the Board attended by him/her, and One Hundred Dollars (\$100.00) for each day's service performing duties for the District other than attending meetings, subject to the following limitation: Total compensation shall not exceed Six Hundred Dollars (\$600) per month. Traveling and such other necessary expenses actually incurred by him/her in performing District Duties shall be reimbursed, and such reimbursement shall be in addition to the compensation specified herein.

Section 3. Vacancies.

- A. Vacancies on the Board shall be filled in accordance with Government Code § 1780.
- B. Vacancies shall be deemed to exist as provided in Government Code § 1770.

Section 4. Resignation.

A Director may resign at any time by giving written notice to the Board, to the President, or to the Secretary of the Board. Any such resignation shall take effect at the date of the receipt of such notice or at any later time specified therein; and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

ARTICLE IV

OFFICERS

Section 1. Elected Officers.

The elected officers shall be chosen by the Board from among the five (5) members of the Board and shall consist of a President (who may be called "Chair"), a Vice-President (who may be called "Vice-Chair"), and a Treasurer.

Section 2. Terms of Elected Officers.

Elected Officers of the Board, as provided in Article IV, Sec. 1, shall be elected by the Board at the January meeting and shall serve for one (1) year, said term to commence upon election. All elected officers shall be eligible to serve successive terms, except that the President shall be eligible to serve not more than two (2) full successive terms as President.

Section 3. Duties of Elected Officers.

A. President.

1. Shall preside at all meetings of the board and such other meetings approved by the Board.
2. Shall serve as official spokesperson for the Board.
3. Shall appoint such committees and other working groups as prescribed by the Board.
4. Shall designate Directors or others to represent the Board at various meetings, hearings, and conferences.
5. Shall co-sign all checks for warrants drawn by the Treasurer and approved by the Board.
6. Shall perform such other duties as necessary to carry out the work of the Board.
7. Shall serve as ex-officio member of all committees.
8. Shall perform such duties as prescribed by law.

B. Vice-President.

1. Shall serve in the absence of the President.

C. Treasurer.

1. Shall keep and maintain, or cause to be kept and maintained, adequate and correct accounts of all financial transactions of the District, including accounts of its assets, liabilities, receipts, disbursements, gains, losses, and capital surplus, and assure that Town funds are properly secured. The books of the account shall at all reasonable times be open to inspection by any Director.

2. Shall prepare, or cause to be prepared, and supervise the preparation of an annual budget, together with reliable estimates of income and a publicly announced semi-annual report of expenditures.
3. Shall deposit all moneys and other valuables in the name of and to the credit of the District with such depositories and in such accounts as may be designated by the Board.
4. Shall provide all records and documents necessary for, and shall supervise, an annual, independent audit of expenditures.
5. Shall disburse the funds of the District as may be ordered by the Board and co-sign all warrants authorized by the Board; shall ensure that all bills, invoices and vouchers are paid in a timely manner; render to the Board, whenever they request it, an account of all his/her transactions as Treasurer and of the financial condition of the District; and shall have such other powers and perform such other duties as may be prescribed by the Board or the Bylaws.
6. In the absence of the Treasurer, another Director shall be designated by the Board as a temporary Treasurer, and he or she shall perform the duties of Treasurer in the Treasurer's absence, except as provided in Article VII, Section 1.

ARTICLE V

APPOINTED OFFICERS

Section 1. Appointed Officers:

- A. The appointed officers of the District shall be General Manager, and a Secretary, who may be the same person, but neither of whom shall be a Director. The duties of the appointed officers shall be as specified in law, and as directed by the Board.
- B. The Board may appoint such other officers as it deems necessary.

Section 2. General Manager Duties.

The general manager is employed by the board to run the day-to-day business of the Town of Discovery Bay.

Duties of the general manager (GM) include, but are not limited to:

- A. Prepare a detailed job description of the general manager.

- B. Prepare detailed job descriptions for all employees of the District. These must be updated and reviewed by the Board as any new functions are added.
- C. In preparation for Board review, do an annual evaluation of employees.
- D. Spend the major portion of his/her time on the items in the detailed job description of the GM.
- E. Dispatch the contractor hired for operations on all water and wastewater problems in Town of Discovery Bay that require fieldwork. The GM will respond only if the situation is too complicated for the contractor hired for operations to handle.
- F. Prepare and maintain a current timeline for all major projects, such as, but not limited to, potable water treatment, wastewater plants, land acquisitions, modular meeting building, pipe replacements, repairs or additions in the parks, Sandy Cove Shopping Center, Lake View Business Park, community center, water reclamation and conservation.
- G. Establish regular office hours and ensure that there is at least one person in the office during those hours.
- H. Such other duties as may from time to time be assigned by the Board.

ARTICLE VI

MEETINGS

Section 1. Regular and Special Meetings.

- A. The Board shall hold a regular meeting during the last week of each month, at a time and place specified by Resolution of the Board. Such regular meetings shall be for considering reports of the affairs of the District and for transacting such other business as may be properly brought before the meeting. Such meetings may be altered as to date, time and place, as provided for in the Resolution adopted by the Board.
- B. Special meetings may be called in accordance with the California Ralph M. Brown Act.
- C. All meetings shall be conducted in accordance with the Ralph M. Brown Act.

Section 2. Quorum.

The Board shall be empowered to conduct the business of the District whenever there is present at a properly called meeting, a quorum, as defined as comprising a majority of the existing Directors; normally three (3); except as otherwise provided by law. Pursuant to

Government Code § 61225, the affirmative votes of three members of the Board are required for action to be taken.

Section 3. Voting.

- A. Voting shall only be conducted at proper noticed meeting where a quorum has been established and members are physically present.
- B. Voting shall be by voice, show of hands, or roll call vote.

Section 4. Notice of Regular and Special Meetings.

- A. Notices of regular meetings shall be sent in writing to each Director at his/her home address at least four calendar (4) days prior to such meetings. Such notices shall specify the place, the day, and the hour of the meeting and accompanying the notice shall be a copy of the agenda for that meeting.
- B. In the case of special meetings, the notice, written or by telephone, shall specify the specific nature of the business to be transacted.

ARTICLE VII

PAYMENTS, CONTRACTS, AND REPORTS

Section 1. Payments.

All checks, warrants, drafts, or other orders for payment of money, notes, or other evidences of indebtedness issued in the name of, or payable to, the District, shall be signed or endorsed by both the President and Treasurer, or by the Treasurer, and one other Director, or, in the absence of the Treasurer, any two Directors.

Section 2. Contracts.

The Board, except as in the Bylaws otherwise provided, may authorize any officer or officers, agent or agents, to enter into any contract or execute any instrument in the name of, and on behalf of, the District. Such authority may be general or confined to specific instances. Unless so authorized by the Board, no officer, agent, or employee shall have any power or authority to bind the District by any contract or engagement, to pledge its credit, or to render it liable for any purpose or to any amount.

Section 3. Reports.

The Board shall prepare and cause to be sent an annual quality report to the residents of the District.

ARTICLE VIII

PARLIAMENTARY AUTHORITY

Robert's Rules of Order, current edition or such other authority as may be subsequently adopted by resolution of the Board is to apply to all questions of procedure and parliamentary law not specified in these Bylaws or otherwise by law.

ARTICLE IX

AMENDMENTS

The Bylaws may be repealed or amended, or new Bylaws may be proposed, by the affirmative vote of the majority of the Board at any regular meeting of the Board, provided notice of such proposal shall have been mailed to each Director at least four (4) days prior to the meeting at which the matter is to be acted upon.



TOWN OF DISCOVERY BAY

RESOLUTION NO. 2002-03

RESOLUTION OF APPLICATION OF THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY, A COMMUNITY SERVICES DISTRICT (TOWN) REQUESTING THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION (LAFCO) APPROVE THE EXERCISE OF A NEW SERVICE BY THE TOWN

WHEREAS, the Hofmann Land Development Co., Inc., a California Corporation, herein called "Developer", pursuant to that certain condition of approval number 44.E.4.a. on the rezoning approval approved by Contra Costa County on July 9, 1996, (Application # 2963-RZ), has constructed a dry levee in the Lakeshore Project (also known as Discovery Bay West Village II; and

WHEREAS, Developer has determined that the inspection and maintenance of that dry levee will be performed by a homeowners' association, but has been informed by the Federal Emergency Management Agency (FEMA) that, in order to revise the Flood Insurance Rate Map for the Lakeshore Project, a governmental agency must assume ultimate authority for the maintenance of the dry land levee; and

WHEREAS, Developer has requested of Town that Town assume such ultimate authority, and has proposed a method of financing Town's cost in doing so by preparing a First Amendment to the Declaration of Covenant, Conditions and Restrictions of Lakeshore, a Planned Development Project, Tract 8023 (CCRs), which provides that the homeowners' association shall pay all such costs, and if it shall not, the Town shall have the right to impose liens for such costs on the Lots subject to the CCRs; and

WHEREAS, FEMA requires that an officially adopted maintenance plan be prepared; and

WHEREAS, Developer has prepared such a plan, entitled Levee Operation, Inspection and Maintenance Manual for Lakeshore, a Planned Development Project Discovery Bay West Village II (the Maintenance Plan); and

WHEREAS, the Board of Supervisors of Contra Costa County has approved the exercise by Town of the power specified in California Government Code § 61600(q), the exercise of which has previously been approved by the voters of the Town; and

WHEREAS, this proposal to exercise the functions specified in Government Code § 61000(q) is made pursuant to Division 3, Part 1 of the California Government Code;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Board finds and certifies as lead agency pursuant to the California Environmental Quality Act (CEQA), that activation of the voter – approved power to construct, maintain, and operate flood protection works and facilities, as set forth in California Government Code § 61600(q) (the "latent power") is not a project subject to CEQA, pursuant to the standards

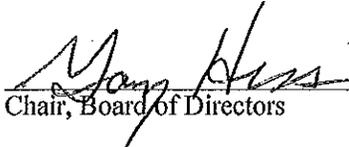
expressed in Simi Valley Recreation and Park District v. Local Agency Formation Commission (1975) 51 Cal.App. 3d 648 and City of Agoura Hills v. Local Agency Formation Commission 198 Cal.App. 3d 480, in that there is no physical change to the environment, there is not anticipated to be, nor is it reasonably foreseeable there will be, any construction or physical change to the environment caused by activation of the latent power, and such activation neither accommodates nor presages a change in the type or extent of use of the land involved, because the dry levee has already been constructed, and Contra Costa County has already given approval for the construction of the Lakeshore Project.

2. A public hearing, as required by Government Code § 56824.12, was held on April 3, 2002.
3. The Board hereby adopts the Maintenance Plan.
4. The Board hereby adopts the Plan of Services attached hereto.
5. The Board finds that this proposal is consistent with the sphere of influence of the Town.
6. The Board states that the reason for this proposal is to aid the residents of the Town.
7. The Board hereby requests that the Contra Costa County Local Agency Formation Commission review and approve the exercise by the Town of Discovery Bay, a Community Services District, of the functions specified in California Government Code § 61000(q).
8. The General Manager and Attorney of the Town are hereby authorized and directed to make such filings and execute such documents as may be required to carry out the intent of this Resolution.

PASSED AND ADOPTED by the Board of Directors of the Town of Discovery Bay, at their regular meeting thereof, held on April 3, 2002, by the following vote:

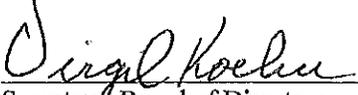
A YES: 5
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

GARY HBSS



Chair, Board of Directors

ATTEST:



Secretary, Board of Directors

PLAN FOR SERVICES
FOR PROVISION
BY TOWN OF DISCOVERY BAY,
A COMMUNITY SERVICES DISTRICT,
OF CONSTRUCTION, MAINTENANCE
AND OPERATION OF FLOOD
PROTECTION WORKS AND FACILITIES

Pursuant to Government Code §§ 56824.12 and 56653, the Town of Discovery Bay ("Town") submits this plan for providing the services specified in Government Code § 61600(q).

The Town is authorized to exercise certain functions and powers, and provide certain services, pursuant to Government Code § 61600, upon approval by the voters of Town, and upon complying with that section, and upon approval by the Contra Costa County Local Agency Formation Commission ("LAFCO") of the exercise by the Town of a new or different function, pursuant to Government Code § 56824.10 and following.

In this proposal, an approved residential project within the boundaries of the Town has constructed a dry levee, as required by Contra Costa County, and has proposed the inspection and maintenance of that levee be financed and constructed by a homeowners' association.

However, in order to obtain a revision of the Flood Insurance Rate Map issued by the Federal Emergency Management Agency (FEMA), which revision would be favorable for the residents of the residential project, FEMA requires that a governmental agency must have ultimate responsibility for maintenance of the dry levee.

No other agency is willing or able to assume such responsibility, and the Town is so willing. However, the assumption of such responsibility is dependent on the activation of the latent power set forth in Government Code § 61600(q). The voters of the Town have already approved the exercise of such power, and the requirements of Government Code § 61600(q)(1) and 61600(q)(2) have been met.

1. Services to be provided: Oversight of, and, if necessary, assumption of, the duties of inspection and maintenance of the dry levee in Discovery Bay West Village II.
2. Level and range of services: The Town will review the activities of the homeowners' association and shall receive copies of inspections, and maintenance logs for maintenance, performed by that association. The Town will review such inspection reports and maintenance logs to ensure that inspection and maintenance is performed in accordance with the adopted Levee System Inspection and Maintenance Plan. If there is non-compliance, the Town will notify the homeowners' association, and if that association does not then comply, the Town will perform the necessary inspection and/or maintenance.
3. When can services be provided: As soon as approval of LAFCO is obtained.
4. Improvement or upgrading required: None.

5. Financing of Services: The homeowners' association will levy dues on its members sufficient to pay costs and expenses of the Town in performing the services; in the event of failure of the association to pay the Town, the Town shall have the right to impose liens for the proportionate share of such costs and expenses against the Lots in the association.
6. The total estimated costs to provide such services: If the Town is not required to actually perform inspections and maintenance, the total costs would be approximately \$1,000 per year. If the Town is so required, the total cost is unknown, but would be the cost of such inspections and maintenance.
7. The estimated cost to customers within the Town's boundaries: The cost would all be on the lots within Discovery Bay West Village II homeowners' association, and would be as set forth in 6. Above. There are approximately 450 lots. There would be no cost to the other customers or residents of the Town.
8. Identification of existing providers of the services: None.
9. Plan for financing the services: Please see 5. Above.
10. Alternatives for providing the services: The services could be provided by Contra Costa County Flood Protection District, but that District has declined to provide the services.



TOWN OF DISCOVERY BAY

RESOLUTION NO. 2002-04

A RESOLUTION OF APPLICATION OF THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY, A COMMUNITY SERVICES DISTRICT APPLYING TO THE LOCAL AGENCY FORMATION COMMISSION OF CONTRA COSTA COUNTY FOR THE ANNEXATION OF ±25 ACRES (6 LOTS) TO THE TOWN OF DISCOVERY BAY

BE IT RESOLVED by the Board of Directors of the Town of Discovery Bay ("TODB") that this District hereby applies to the Local Agency Formation Commission of Contra Costa County ("LAFCO") for the annexation to the Town of Discovery Bay of ±25 Acres (6-parcels). In support of this application the Town of Discovery Bay states:

1. This proposal is made pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, as amended (California Government Code Title 5, Division 3) Part 3 and the TODB requests that proceedings be taken for this annexation pursuant to said Act.
2. A map showing the territory to be annexed to the TODB is attached hereto and marked "Exhibit A".
3. A description of the boundaries of the land to be annexed (by reference to Assessor Parcel Numbers), and the current land use of such land is attached hereto and marked "Exhibit B".
4. The terms and conditions proposed for this annexation are that the affected territory shall be subject to the ordinances and regulations of the TODB.
5. The proposal is not consistent with the adopted sphere of influence for TODB in that the adopted sphere of influence is coterminous with TODB's boundaries, and TODB hereby requests that LAFCO concurrently amend the sphere of influence of the TODB to correspond to the new boundaries.
6. No change in organization other than said annexation is proposed.
7. The purpose of the proposed annexation is to enable the TODB to provide potable water and wastewater services for beneficial use to the land described in "Exhibit B".
8. TODB hereby certifies that as lead agency pursuant to the California Environmental Quality Act (CEQA), it has determined that this proposed annexation, and the extension of sewer and water services to the land to be annexed, is exempt from the requirements of CEQA pursuant to Title 14, California Code of Regulations, §§ 15319(a) and 15319(b).

9. The General Manager of TODB is directed to file a Notice of Exemption from CEQA upon approval of this annexation.

10. A plan for providing services for the territory to be annexed to the TODB is attached hereto and marked "Exhibit C".

11. Communications regarding this application should be addressed to Virgil Koehne, General Manager, Town of Discovery Bay, 1037 Discovery Bay Boulevard, Discovery Bay, CA 94514, telephone no. 925-634-1131, or fax of 925-513-2705, and it is requested that LAFCO furnish copies of reports, and notices, to him.

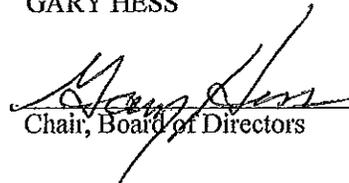
BE IT FURTHER RESOLVED that TODB hereby waives all rights to a property tax exchange, and requests no property tax exchange from Contra Costa County for the proposed annexation to TODB.

BE IT FURTHER RESOLVED that the Secretary is directed to send certified copies of this resolution to the Executive Officer of LAFCO.

I certify that the foregoing is a true and complete copy of a resolution duly and regularly adopted by the Board of Directors of the Town of Discovery Bay, at their regular meeting thereof, held on August 21, 2002, by the following vote:

AYES:	<u>5</u>
NOES:	<u>0</u>
ABSTENTIONS:	<u>0</u>
ABSENT:	<u>0</u>

GARY HESS


Chair, Board of Directors

ATTEST:


Secretary, Board of Directors

T I N R 3 E M . D . F & M .

Y 43 L . S . M . 43 7 - 25 - 66

3
6
170

18

"EXHIBIT A"
1 OF 3

SEE
ATTACHED
CLAIMER

5-45 (PACIFIC WATERWAYS UNIT 3)

25

ROAD

28

TRACT 5820
M.B. 271-5
6-16-83
38.86 AC.

28

20 "B"
4.75 Ac.

22 "D"
4.75 Ac.

19 4.75 Ac.
"A"

21 4.75 Ac.
"C"

32

POR TR 7908

29

TR 7679
MB 375 35
9-14-94
13.05 AC

31

34

34

34

TR 7909
MB 392-43
5-22-97
R=3057

30

TR 7907
M.B. 383-27
11-30-95
23.32 AC.

33

TR 7881
MB 392-37
5-22-97
12.80 AC.

22

STATE HIGHWAY ROUTE 4

BIXLER ROAD

1" = 400'

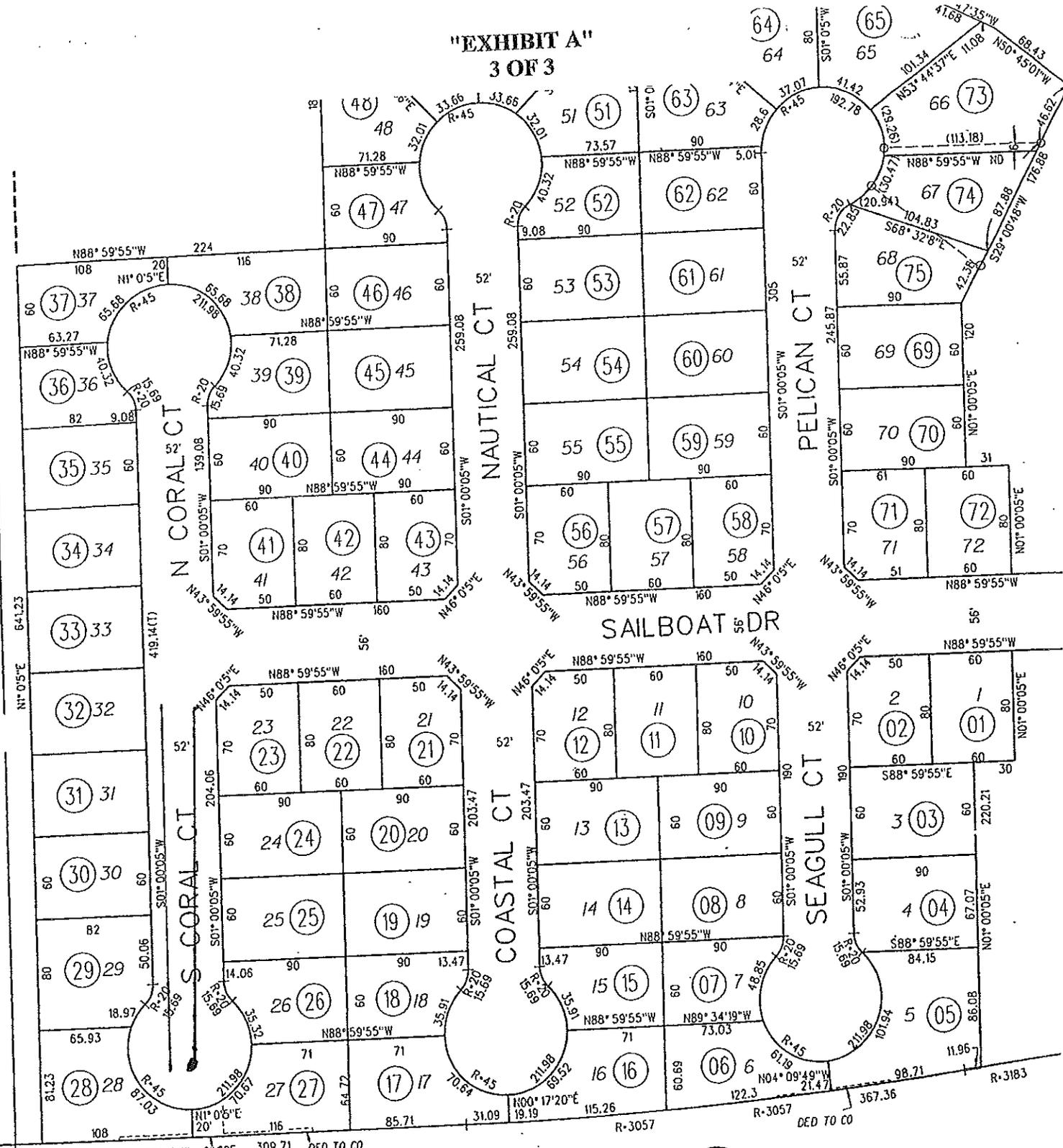
20

190

REVISED	CHANGE	BY
06-19-97	TRACT 7881	KR
1-5-95	PCL 33 To Pg 29	
8-13-95	PCLs 34, 35	MJ
02-12-96	PCLs 36, 39, TR 7907	I.B.
8-2-96	POR, T 7908	MJ

ASSESSOR'S MAP
BOOK II PAGE 19
CONTRA COSTA COUNTY, CALIF.

"EXHIBIT A"
3 OF 3



20

HWY 4

CTR SEC 34

HOME

011-200-020-3

"Exhibit B"
Part of
Town of Discovery Bay Resolution 2002-04

Current or Proposed Land Use of Properties to be annexed into District:

1. Parcel No. **011-190-019**, Mr. & Mrs. Reid, address of 3170 Bixler Road, Brentwood, CA 94513, has a single family home and a barn. Their well is constantly pulling a lot of sand into their supply line, and their septic system is marginal as well.
2. Parcel No. **011-190-020**, Mr. and Mrs. Peterson, address of 3160 Bixler Road, Brentwood, CA 94513, has one single family home and a barn as well. This parcel has an existing water well, which has lately been a maintenance issue for them in the way of sand and a septic system, which with they are having problems in the winter.
3. Parcel No. **011-190-021**, Mr. & Mrs. Delay, address of 3180 Bixler Road, Brentwood, CA 94513, has a single family home and what looks like a storage area. This parcel has an existing water-well as well as a marginal septic system on site.
4. Parcel No. **011-190-022**, Mr. & Mrs. Driscoll, address of 3150 Bixler Road, Brentwood, CA 94513 has a single family home and a barn. LAFCO in October of 2001 allowed this District to serve them with water for one-year only, since they had a well failure. Parcel has also a septic system that is marginal in operation.
5. Parcel No. **011-190-012**, Mr. & Mrs. Delay, unknown address, parcel sits to the right of 3150 Bixler Road. This parcel is uninhabited.
6. Parcel No. **011-200-020-3**, Mr. & Mrs, Bowman, address of 14051 Highway 4, Byron, CA 94514, has a single family home with a water-well and septic system. This parcel is having problems with their septic system, mainly during the winter months.

“Exhibit C”
Part of
Town of Discovery Bay Resolution 2002-04

Proposed Plan of Providing Water & Wastewater Services for proposed annexation of six-parcels:

Water:

- Currently today, the Town of Discovery Bay has a 10-inch water main that is no more than 10-feet away from the eastern edge of these parcel numbers, with the exception of parcel number 011-200-020-3. Also late last year LAFCO granted the Town of Discovery Bay, authority to provide emergency water services, via a 1-inch metered line to parcel No. 011-190-022.
- Parcel numbers 011-190-012, 011-190-019, 011-190-020, & 011-190-021 would pay the total cost of providing any water services that would be needed to connect to the District’s 10-inch water main, as well as the District’s connection fee.
- For parcel number 011-200-020-3, the District has a 8-inch water main installed on the north edge of Highway 4; all cost and needed permits would have to be borne by this parcel owner, plus the District’s connection fee.
- All proposed annexed parcel owners would be charged the District’s current annual usage fee. If metered, than billed every quarterly based on District’s established metered rate.

Wastewater:

- Currently the District has a sewer manhole located about 100 +/- feet Southeast of parcel number 011-190-021 that could service the five parcels in this area. Also the District has a sewer manhole located across Highway 4, Northeast of parcel number 011-200-020-3 that could be used for this parcel.
- All proposed annexed parcels would have to pay for all associated cost in the installation of new sewer mains, service lines and any sewer lift stations if needed, as well as the District’s connection fees.
- All proposed annexed parcel owners would be charged the District’s current annual usage fee.

RESOLUTION 2002-05

BE IT RESOLVED by the Governing Board, OR by the Chief Administrative Officer of those organizations which do not have a governing board, and hereby ordered that the official(s) and/or employee(s) whose name(s), title(s), and signature(s) are listed below shall be and is (are) hereby authorized as our representative(s) to acquire federal surplus property from the California State Agency for Surplus Property under the Terms and Conditions listed on the reverse side of this form.

NAME-(Print or type)	TITLE	SIGNATURE	E-MAIL ADDRESS
<u>VIRGIL KOEHNE</u>	<u>GEN. MGR.</u>	<u>Virgil Koehne</u>	<u>VKoehne@dbcsl.org</u>

B. PASSED AND ADOPTED this 21st day of August, 2002, by the Governing Board of Town of Discovery Bay, a Community Services District
by the following vote: AYES: 5; NOES: 0; ABSENT: 0

I, Virgil Koehne, Clerk of the Governing Board of Town of Discovery Bay do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the Board at a AUG 21st, 2002 meeting thereof held at its regular place of meeting at the date and by the vote above stated, which resolution is on file in the office of the Board.

Town of Discovery Bay
Name of organization
1037 Discovery Bay Boulevard
Mailing address
Discovery Bay, CA 94514 (Signed) [Signature]
City County ZIP code

OR

C. AUTHORIZED this _____ day of _____, 20____, by:

Name of Chief Administrative Officer Title

Name of organization

Mailing address

(Signed) _____
City County ZIP code

NOTE: IF YOU HAVE A GOVERNING BOARD, SECTIONS "A" AND "B" SHOULD BE COMPLETED.
IF YOU DO NOT HAVE A GOVERNING BOARD, SECTIONS "A" AND "C" SHOULD BE COMPLETED.