



TOWN OF DISCOVERY BAY
A COMMUNITY SERVICES DISTRICT
SDLF Platinum-Level of Governance



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

TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT
AGENDA PACKET

Regular Board Meeting
Wednesday, June 16, 2021

7:00 P.M. Regular Board Meeting

Community Center
1601 Discovery Bay Boulevard





TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

SDLF Platinum-Level of Governance



PLATINUM LEVEL

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

**NOTICE OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
Wednesday June 16, 2021,
REGULAR MEETING 7:00 P.M.**

**NOTICE
Coronavirus COVID-19**

In accordance with the Governor's Executive Order N-33-20, and for the period in which the Order remains in effect, the Town of Discovery Bay Community Services District Board Chambers will be closed to the public.

To accommodate the public during this period of time that the Board's Chambers are closed to the public, the Town of Discovery Bay Community Services District Board of Directors has arranged for members of the public to observe and address the meeting telephonically.

**TO ATTEND BY TELECONFERENCE:
Toll-Free Dial-In Number: (877)778-1806
CONFERENCE CODE **891949****

Download Agenda Packet and Materials at <http://www.todb.ca.gov/>

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

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

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

During Public Comments, the public may address the Board on any issue within the District's jurisdiction which is not on the Agenda. The public may comment on any item on the Agenda at the time the item is before the Board for consideration. Any person wishing to speak will have 3 minutes to make their comment. There will be no dialog between the Board and the commenter as the law strictly limits the ability of Board members to discuss matters not on the agenda. We ask that you refrain from personal attacks during comment, and that you address all comments to the Board only. Any clarifying questions from the Board must go through the President. Comments from the public do not necessarily reflect the viewpoint of the Directors.

C. 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. Approve June 2, 2021, Regular Board of Directors DRAFT Meeting minutes.
2. Approve Register of District Invoices.
3. Approve the Extension of Luhdorff and Scalmanini Contract Engineers for Services into FY 2021-2022.
4. Approve the Extension of HERWIT Engineering Contract for Services into FY 2021-2022.
5. Annual Discovery Bay Lighting and Landscape Zone #8 Appropriations Limit for FY 2021/22 – Adopt and Approve Resolution No. 2021-10.

D. AREA AGENCIES REPORTS / PRESENTATION**E. PRESENTATIONS**

1. Monthly Water and Wastewater Report from Veolia – May 2021.

F. BUSINESS AND ACTION ITEMS

1. Discussion and Possible Action to Adopt the Fiscal Year 2021-22 District Operating, Capital and Revenue Budgets and Resolution 2021-07.
2. Discussion and Possible Action Regarding the Town of Discovery Bay Communications Placard.
3. Discussion and Possible Action to Approve the Notice of Completion and Final Payment for the Construction of the Ravenswood Park Playground Structure.
4. Discussion and Possible Action to Approve One (1) Vote to Elect a Candidate to the CSDA Board of Directors.
5. Discussion and Possible Action to Approve an Amended and Restated Pre-Annexation Agreement Between the Town of Discovery Bay and Pantages at Discovery Bay, LLC, et al.
6. Discussion and Possible Action to Approve Assessment for the Ravenswood Improvement District – Discovery Bay Lighting and Landscape Zone 9 for the Fiscal Year 2021-2022, Accept Engineer's Report and Adopt Resolution No. 2021-11.
7. Discussion and Possible Action Regarding the Operation of the Ravenswood Park Splash Pad.

G. MANAGER'S REPORT**H. GENERAL MANAGER'S REPORT**

1. Park, Recreation and Landscape Update.

I. DIRECTORS' REPORTS**J. DIRECTOR'S TRAINING****K. DIRECTOR'S REGIONAL MEETING REPORTS****L. CORRESPONDENCE RECEIVED****M. FUTURE AGENDA ITEMS****N. OPEN SESSION DISCLOSURE OF CLOSED SESSION AGENDA**

(Government Code Section 54957.7)

O. CLOSED SESSION:

1. THREAT TO PUBLIC SERVICES OR FACILITIES
Consultation with: [General Counsel, Mike Davies, General Manager, Dina Breitstein, Assistant General Manager, Justin Shobe, PE Luhdorff & Scalmanini, Consulting Engineers]

P. RETURN TO OPEN SESSION; REPORT ON CLOSED SESSION

(Government Code Section 54957.1)

Q. BUSINESS AND ACTION ITEMS**R. ADJOURNMENT**

1. Adjourn to the regular meeting on July 7, 2021, beginning at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard.

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

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



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**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
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REGULAR MEETING 7:00 P.M.**

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Coronavirus
COVID-19**

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REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Call business meeting to order 7:00 p.m. – by President Bryon Gutow.
2. Pledge of Allegiance – Led by President Bryon Gutow.
3. Roll Call – All present. Vice President Kevin Graves participated via teleconference.

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

None.

C. 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. Approve May 19, 2021 Regular Board of Directors DRAFT Meeting minutes.
2. Approve May 20, 2021 Special Budget Meeting of the Board of Directors DRAFT minutes.
3. Approve Register of District Invoices.

Motion made by Director Michael Callahan to approve Consent Calendar.

Second by Director Ashley Porter.

Vote: Motion Carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

D. AREA AGENCIES REPORTS / PRESENTATION

1. Assembly Member Jim Frazier, District 11 – Not in attendance.
2. Supervisor Diane Burgis, District III Report - Not in attendance.
3. Sheriff's Office Report. Sheriff Lieutenant Mark Johnson reported number of calls and arrests and criminal reports taken for the month of June 2021. Catalytic converter theft continues to be a problem. Bait car has been posted to assist in catching criminals. Additional deputies have been making rounds and have been more visible. Contra County Health Director has been receiving threats, research determined calls were

coming from Discovery Bay. Automatic license plate readers are still getting hits on stolen cars. There has been an increase in phone scam activity, in particularly targeting the elderly.

4. CHP Report. Officer Donnie Thomas provided CHP report at 8:17 p.m. Report advised the Board of speeding concerns along Discovery Bay Blvd, Clipper Drive and Newport Drive. Out of 27 speeding violations, only 2 (two) were not Town of Discovery Bay residents. He also mentioned increase inside show activity and the saturation by CHP to discourage that type of activity.
5. East Contra Costa Fire Protection District Report. East Contra Costa Fire Department Battalion Chief Ross Macumber reported on updates for months of April and May 2021. Focused on firework prevention. Extra units will be out on Independence Day distributing citations to anyone discharging fireworks. Drought conditions are a major concern. Everyone is encouraged to cut all dry vegetation and keep weeds and dry bushes and shrubs cut short.
Director Graham asked if Caltrans or ECCFPD is responsible for vegetation abatement along Highway 4. East Contra Costa Fire Department Battalion Chief Ross Macumber responded that he will research and if it is CalTrans area, he will have Prevention Bureau start abatement efforts in that area.

E. LIAISON REPORTS

As noted above in Area Agency Reports.

F. PRESENTATIONS

G. BUSINESS AND ACTION ITEMS

1. Public Hearing to Review and Adopt the Urban Water Management Plan.
Water Engineer Justin Shobe reported a public hearing to review and adopt the Urban Water Management Plan. He informed the Board of the plan contents. Staff recommendation was to open public hearing and move forward to approve resolution to adopt the explained Urban Water Management Plan. as presented if there are no recommended changes to the draft. The approved final is due on July 1, 2021 to the State Department of Water Resources. Plan has been updated to meet new requirements and make mandatory changes. Notifications have been made to the public wishing to review the proposed plan. Staff recommends adoption of the presented plan and approval of Resolution 2021-09 to approve the Urban Water Management Plan as presented.
President Bryon Gutow clarified the contents of the Urban Water Management Plan is to report on the anticipated water usage, and to provide an understanding on how the Town will deal with issues if any come up. Water Engineer Justin Shobe confirmed that is the reason for the Urban Water Management Plan.
Public comment regarding:
 - Concerns of water levels and conservation efforts.
 - Questions of legality of a rate increase for high water users.
 President Bryon Gutow asked how flexible the state is regarding the completion of this plan.
Water Engineer Justin Shobe advised the state provides the flexibility to address what we feel is an appropriate standard for our region and the usage needs we have in our area and conditions. We do not have severe water shortages so we have been successful in having the state impose lower usage objectives.
Director Carolyn Graham asked if Water Engineer Justin Shobe is familiar with other communities charging higher rates for higher usage and having any legal issues.
Project Manager Mike Yeraka stated tiered water rates for higher usage have to render strenuous demands on the water system, show a need for more capacity, employees working to meet higher demands, and it has to create a financial burden on the district to be established.
General Manager Mike Davies asked legal counsel if opening and closing public comment provides sufficient acceptance for compliance of a public hearing.
Legal counsel advised the opening of public comment was sufficient to satisfy a public hearing.
Motion made by Director Ashley Porter to adopt resolution 2021-08.
Second by Director Carolyn Graham.
Vote: Motion Carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0
Director Michael Callahan excused himself from participation in discussion and vote for Item G-2 due to potential conflict.
2. Discussion and Possible Action to Approve Car Show Event in Cornell Park on June 26, 2021.
General Manager Mike Davies advised the Board that Discovery Bay Community Foundations (DBCF) is seeking to put on a car show at Cornell Park on June 26, 2021. As the coordinator for this event, Jim Mattison was on the phone to answer questions. General Manager Mike Davies advised of planned details for the car show and introduced the Conditions of Approval set forth by Town of Discovery Bay Community Service District for the affair. Jim Mattison has complied with the requests. The event is planned to be on the Cornell Park grounds to discourage street parking. There will be food vendors and an anticipation of 250 cars will be exhibited during this public event.
Director Carolyn Graham asked if the Town would also be notifying the neighbors around Cornell Park of the planned event.

General Manager Mike Davies advised the announcement to the public is being done through the Agenda presented today. He also advised the Agenda is emailed to the public for review and public is given notification that the matter will be reviewed and discussed for approval by the Board.

President Bryon Gutow asked why this item was not mentioned during the Park and Recreation Committee meeting prior to being presented to the Board.

General Manager Mike Davies advised the Town has not had a Park and Recreation Committee meeting since the item was introduced to the Town. He stated the Town usually asks for 60 day notice for these events which allows items to be presented to the Park and Recreation Committee, that didn't happened with this event. Due to compressed time, it came directly to the Board to allow for sufficient advertising and preparation for the date planned.

President Bryon Gutow advised he believes monthly Park and Recreation Committee meetings are necessary because there are so many things happening in that department.

General Manager Mike Davies stated that could be something to bring to the Board.

President Bryon Gutow stated the fees for events should be revisited.

General Manager Mike Davies advised the rental fees and public event fees will be reviewed.

Point of Order was raised – Request for Public Comment before continuing to discuss this item.

Legal Counsel Rod Attebery advised to take public comment before continuing Board discussion on this item. He stated order of discussion was to make clarifying questions, public comments followed by Board discussion.

President Bryon Gutow requested public comment.

- Inquiry regarding cost of vehicle entry fee to the car show.

Jim Matteson advised fee is \$40 per car.

Director Ashley Porter asked about preventive measures being taken to care for the lawn at Cornell Park. Park and Landscape Manager Bill Engelman advised the Board of the projected plan to maintain lawn care. He states he doesn't foresee any additional landscaping issues coming from this event.

Director Carolyn Graham asked about liability of car porters causing damage.

General Manager Mike Davies advised that the event coordinators will provide insurance documents to the Town.

Director Ashley Porter asked what DBCF will do with the funds raised at this event.

Jim Matteson advised funds will be used to provide Active Shooter training at schools and will also support National Alliance of Mental Illness (NAMI) with the school district.

Vice President Kevin Graves expressed concern regarding the short notice being provided to the Board for this event. He also mentioned the fee structure for use of the entire park. Vice President Kevin Graves wants to know arrangements for public parking.

President Bryon Gutow commented on liking the idea, however he would like to have had 60 days, as is common, to better prepare for this event.

Motion made by President Bryon Gutow to move forward with the Car Show.

Second by Director Ashley Porter.

Vote: Motion is Not Carried – AYES: 2, NOES: 2, ABSTAINED: 0, ABSENT: 1

Director Carolyn Graham questioned if DBCF could schedule the event for another date in order to better plan all the arrangements.

General Manager Mike Davies advised the Board that the Town will work with Jim Matteson to try to schedule this event at another time.

Point of Order was raised – Regarding procedure for bringing back an item that was not carried.

Comment from Legal Counsel Rod Attebery declared motion for Agenda Item G-2 has been made and Chair can make a motion to bring it back to the Board with changes or make a motion to not allow the Car Show all together.

President Bryon Gutow clarified that if a new date was presented, then it would be a new Agenda Item.

Legal Counsel Rod Attebery confirmed that is correct. Stated a new date, time, changes to mitigation measures would be a new item for consideration.

3. Discussion and Possible Action to approve and adopt the Environmental Mitigation Monitoring Plan (EMMP) Prepared by Advisian for the Diffuser Repair Project.

District Water Engineer Gregory Harris discussed staff's recommendation to approve Resolution 2021-09. Part of the California Environmental Quality Act (CEQA) analysis needed for the diffuser project requires an Environmental Mitigation Monitoring Plan (EMMP). Adopting this resolution means anyone involved in this project will have to follow the EMMP being presented today to minimize environmental impact.

Director Ashley Porter advised the Board that this Item was presented to the Water and Wastewater Committee and the Committee supports it.

Motion made by Director Ashley Porter to approve Resolution 2021-09 presented as written.

Second by Director Carolyn Graham.

Board Secretary noted for the record that Director Michael Callahan returned to the Board meeting for the entirety of the presentation for Agenda Item G-3.

Vote: Motion Carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

4. Discussion and Possible Action Regarding Prop 68 Per Capita Grant Project Selection.
 Park and Landscape Manager Bill Engelman brought before the Board the project selection for landscaping improvements at Cornell Park. Staff is asking for Board approval of the arranged order of the projects selected for the Prop 68 Per Capita Grant. Park and Landscape Manager Bill Engelman advised of the need for a new basketball overlay with new hoops and benches, replacement of the barbeque area table, prep table and refurbishment of the lawn nearest the barbeque area, and then uniform benches, trash and recyclable receptacles throughout the park: in that order. Deadline to apply for the grant is December 31, 2021. Staff is also requesting authorization for General Manager to sign necessary forms associated with the application for the grant.
 Director Carolyn Graham asked if public suggestions were obtained for this park. Were the bocci courts discussed?
 Park and Landscape Manager Bill Engelman advised that to his knowledge, public input was not sought. He also stated there has been discussion regarding the removal of bocci courts.
 Director Ashley Porter advised the Board the Park and Recreation Committee discussed this at the meeting earlier today and was in accord with staff's recommendation.
 Director Michael Callahan asked Park and Landscape Manager Bill Engelman how close to completing the noted projects did he think the Town could get with the \$187,000 provided by the grant.
 Parks and Landscape Manager Bill Engelman replied that he was confident the Town could come close and with the required 20% Town match, the goals are feasible.
 Public comment regarding:
- Removing the required 20% match from the Zone 8 Hofmann money.
- Motion made by Director Carolyn Graham to accept the Prop 68 68 Per Capita Grant project selection.
 Second by President Bryon Gutow.
 Vote: Motion Carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

5. Fiscal Year 2021-22 Proposed DRAFT Operating, Capital and Revenue Budgets.
 Finance Manager Julie Carter presented the proposed budget to the Board and advised of the public hearing on June 16, 2021 to review and provide vote for budget adoption.
 Public comment regarding
- Movement of Town Office to new site.

H. MANAGER'S REPORT

Recreation Program Supervisor Monica Gallo provided update on the Community Center Pool. A timeline of projected actions to complete the pool construction was presented to the Board.
 General Manager Mike Davies advised he has been in contact with Adams Pool regarding delays and was notified of manufacturing delays of necessary supplies and lack of staff. He also advised the Board this timeline will be posted to the Town website for public accessibility.
 President Bryon Gutow asked about the delay of hiring lifeguards.
 General Manager Mike Davies advised the pool is not available for swimming therefore not requiring lifeguards at the moment.
 Director Ashley Porter asked General Manager Mike Davies to post delays in materials or vendor delays on the Town website.
 Director Carolyn Graham inquired about public interest in teaching classes at the pool and if those people are being frequently updated regarding pool status.
 Recreation Program Supervisor Monica Gallo advised she is in communication with the one interested party and has been giving constant updates.
 Director Carolyn Graham asked about possible price increases due to increase in supply cost.
 General Manager Mike Davies advised this would then be something to address with Legal Counsel.
 Director Ashley Porter inquired about the plan to open the pool once it is complete.
 Recreation Program Supervisor Monica Gallo replied that it would be available to 18 and older with a waiver signed since there will not be a lifeguard on duty.
 President Bryon Gutow asked Park and Landscape Manager Bill Engelman to provide a landscape update for Discovery Bay Blvd.
 Park and Landscape Manager Bill Engelman advised Seal Way landscaping will be complete by Friday. The Splash Pad is expected to be ready by June 15, 2021.

I. GENERAL MANAGER'S REPORT

J. DIRECTORS' REPORTS

1. Standing Committee Reports.
 - a. Internal Operations Committee Meeting (Committee Members Michael Callahan and

Carolyn Graham) June 2, 2021.

Director Michael Callahan gave report about boot policy update. Town placards were also presented and discussed.

- b. Finance Committee Meeting (Committee Members Kevin Graves and Bryon Gutow) June 2, 2021.

President Bryon Gutow reported that discussion centered around the proposed budget.

- c. Water and Wastewater Committee Meeting (Committee Members Kevin Graves and Ashley Porter) June 2, 2021.

Director Ashley Porter reported the end of rehabilitation on Well 1. EMMP was discussed and approved to be reviewed with the Board.

2. Other Reportable Items.

K. DIRECTOR'S TRAINING AND REGIONAL MEETING REPORTS

1. CSDA: SDLA Module 3 – Board's Role in Finance and Fiscal Accountability – May 12 & 13, 2021 – Director Ashley Porter, Director Carolyn Graham, Director Michael Callahan.
2. CSDA: SDLA Module 4– Board's Role in HR – May 26 & 27, 2021 – Director Ashley Porter, Director Carolyn Graham, Director Michael Callahan.

L. CORRESPONDENCE RECEIVED

M. FUTURE AGENDA ITEMS

N. OPEN SESSION DISCLOSURE OF CLOSED SESSION AGENDA

(Government Code Section 54957.7) Closed session commenced at 8:39 p.m.

O. CLOSED SESSION:

1. Conference With Legal Counsel-Anticipated Litigation
Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: one case
2. Conference with Labor Negotiator Pursuant to Government Code Section 54957.6
Agency Designated Representative: Michael R. Davies
Unrepresented Employee: All TODB Employees
3. Conference with Labor Negotiator Pursuant to Government Code Section 54957.6
Agency Designated Representative: Bryon Gutow/Rod Attebery
Unrepresented Employee: General Manager

P. RETURN TO OPEN SESSION; REPORT ON CLOSED SESSION

(Government Code Section 54957.1) Return to open session at 9:40 p.m.

Q. BUSINESS AND ACTION ITEMS

1. Discussion and Possible Action Regarding Town of Discovery Bay Employees Compensation.
General Manager Mike Davies reported discussion regarding employee compensation held to provide Town staff with closer match to local area wages. Staff requested salary increase for Town staff of 5% across the board.

Public comment regarding:

- Wage comparison

Motion to increase Town staff wages by 5% across the board on July 1, 2021 made by Director Michael Callahan.

Second by Director Ashley Porter.

Vote: Motion Carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

2. Discussion and Possible Action Regarding Town of Discovery Bay General Manager Compensation.

Board met to discuss possible increase to General Manager's compensation.

Public comment regarding:

- Stated none.

Director Carolyn Graham made a motion to increase General manager's wages to \$187,000 a year effective July 1, 2021.

Public comment regarding:

- Approval for the increase

Motion second by Director Ashley Porter.

Vote: Motion Carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

R. ADJOURNMENT

Adjourned at 9:45 p.m. to the regular meeting on June 16, beginning at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard.

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DRAFT



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

June 16, 2021

Prepared By: Julie Carter, Finance Manager & Lesley Marable, Accountant
Submitted By: Michael R. Davies, General Manager

Agenda Title

Approve Register of 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 \$ 765,326.94

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 2020/2021

AGENDA ITEM: C-2

Request for Authorization to Pay Invoices
For The Meeting On June 16, 2021
Town of Discovery Bay CSD
Fiscal Year 7/20 - 6/21

SDRMA	\$249,912.27
J.W. Backhoe & Construction, Inc.	\$201,728.35
Veolia Water North America	\$145,505.39
Herwit Engineering	\$31,912.18
Town of Discovery Bay CSD	\$23,179.94
Tuff Shed Inc.	\$17,788.90
U.S. Bank Corporate Payment System	\$16,761.90
Caselle, Inc.	\$15,561.00
Neumiller & Beardslee	\$10,563.00
Saviano Company Inc.	\$10,000.00
City Of Brentwood	\$8,642.61
McNabb Construction, Inc.	\$5,985.00
Badger Meter	\$5,456.59
Delta Regional Monitoring Program	\$4,791.00
Devil Mountain Wholesale Nurse	\$2,759.10
Pacific Landscape Supply, Inc.	\$2,469.37
Watersavers Irrigation Inc.	\$1,136.73
InContext	\$1,047.50
Verizon Wireless	\$902.80
Express Employment Professionals	\$859.88
Mt. Diablo Resource Recovery	\$825.49
R & B Company	\$824.17
Lechowicz & Tseng Municipal Consultants	\$770.00
Ashley Porter	\$690.00
Carolyn Graham	\$690.00
Kevin Graves	\$690.00
Michael Callahan	\$690.00
Univar Solutions USA Inc.	\$605.33
Bryon Gutow	\$575.00
Big O Tires	\$565.60
Office Depot	\$258.53
Brentwood Ace Hardware	\$254.23
Water Utility Customer Refund	\$180.74
Geotab USA, Inc.	\$177.75
Daniel Elliott	\$125.00
CCSDA	\$100.00
Discovery Pest Control	\$99.00
Discovery Bay Designs	\$84.43
Concentra	\$57.00
County Of Contra Costa, Dept of Info Tec	\$57.00
UniFirst Corporation	\$44.16
	\$765,326.94



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

June 16, 2021

Prepared By: Dina Breitstein, Assistant General Manager

Submitted By: Dina Breitstein, Assistant General Manager

Agenda Title:

Approve the Extension of Luhdorff and Scalmanini Contract Engineers for Services into FY 2021-2022.

Recommended Action:

Approve the Scope of Services contained in the Luhdorff and Scalmanini Contract Engineers (LSCE) Scope of Work and Budget, which provides contract engineering services for the Water Division of the Town of Discovery Bay for the fiscal year 2021-2022, and authorize the General Manager to execute the Town's standard form of Consulting Agreement with LSCE to perform the scope of work attached.

Executive Summary:

Luhdorff and Scalmanini Contract Engineers provides the District with the needed engineering work for the Water Services Division of the Town of Discovery Bay. In the coming fiscal year, the water division needs general engineering and capital improvement services from LSCE to perform and provide support for a number of projects.

Enclosed is LSCE's proposed Scope of Work, Budget, and Fee Schedule to continue General Engineering Services for FY 21/22. A primary component of work under the General Engineering Services has been to assist the District with the management, design, and construction oversight of the following:

- Contract Management
- Regulatory Assistance
- Capital Improvement Program Engineering
- Bi-Annual Well and Pump Testing

The enclosed scope of work and the proposed budget extend the assistance provided under General Engineering Services and continued improvements and maintenance services for FY 21/22.

The attached documents provide the basis for the budget estimate. The proposed budget of \$142,596 includes LSCE's labor rates and miscellaneous expenses. LSCE will continue to bill monthly for labor and materials, only as incurred, in accordance with LSCE's fee schedule.

Fiscal Impact: \$142,596

Previous Relevant Board Actions for This Item:

Attachments:

Exhibit A Scope of Work,
Budget
Fee Schedule

AGENDA ITEM: C-3

June 7, 2021
File No. 21-5-069

Ms. Dina Breitstein
Town of Discovery Bay
Community Services District
1800 Willow Lake Road
Discovery Bay, CA 94514

SUBJECT: SCOPE AND BUDGET FOR GENERAL ENGINEERING SERVICES - FISCAL YEAR 2021/2022

Dear Ms. Breitstein:

At your request, Luhdorff & Scalmanini Consulting Engineers (LSCE) is pleased to provide this proposed scope and budget for general engineering services in Fiscal Year 2021/2022 (FY 21/22) for the Town of Discovery Bay Community Services District (TODB).

Scope of Work

The scope of work outlined in this letter describes the ongoing and as-needed engineering support related to the TODB public water system. The tasks are separated into categories based on current and ongoing activities. Some activities are recurring tasks that are well-defined, such as participation in recurring meetings and regulatory compliance items. For FY 21/22, LSCE has also budgeted to assist the District with the Well and Pump Testing Program that is completed every two years.

There is also contingency provided for any as-needed services related to capital projects, engineering, and planning. This includes working with TODB staff on infrastructure planning, assessment, design, permitting, or construction. Budgets are proposed for these tasks based on the level of involvement from previous Fiscal Year general service contracts and anticipated items in FY 21/22.

Task 1 – Contract Management

The task is for overall management of invoices, scoping, contracting, and budget analysis.

Task 1: Contract Management		
Task	Description	Details
1.a	Contract Management	<ul style="list-style-type: none"> ▪ Review and approval of monthly invoices (12 total) ▪ Scoping and contracting ▪ Budget analysis memorandums (4 total)

Task 2 – Meetings

This task is for participation in monthly Water/Wastewater Committee meetings and District Board meetings. LSCE’s participation for meetings ranges from preparing project updates for staff prior to Committee or Board meetings, to LSCE’s attendance and providing presentations for the Committee and Board meetings. For budgeting, it is assumed 6 committee meetings and 6 board meetings. Other meetings may be included in separate contracts or task orders.

Task 2: Monthly Committee Meetings		
Task	Description	Details
2.a	Monthly Water/Wastewater Committee Meetings	<ul style="list-style-type: none"> ▪ Attendance at Water/Wastewater Committee meetings, and pre-meetings with District staff (6 meetings total) ▪ Prepare material, agenda, reports and figures to discuss water system related items with the Water/Wastewater Committee.
2.b	Board Meetings	<ul style="list-style-type: none"> ▪ Attendance and support at Board of Directors Public Meetings (6 meetings total) ▪ Regular Water system update at Board Meetings. ▪ Preparation and delivery of public presentations, including any supporting material such as technical exhibits and figures. ▪ Preparation of Staff Reports for the Board agenda.
2.c	B-Weekly Team Meetings	<ul style="list-style-type: none"> ▪ Discuss ongoing projects and items with District staff and Veolia in bi-weekly phone conferences. Maintain agenda and notes of ongoing discussions.

Task 3 – Regulatory Assistance

This task is for assistance with regulatory deliverables that are anticipated for FY 20/21. Some of the regulatory deliverables are recurring items, as listed in the table below. There are new regulations occurring in FY 20/21 that LSCE has included in the scope and budget to assist the District. LSCE will also provide guidance to the District on the new and emerging regulations, as outlined in the table below.

Task 3: Regulatory Assistance		
Task	Description	Details
3.a	Guidance on New Regulations	<ul style="list-style-type: none"> ▪ Report to the General Manager. ▪ Prepare two (2) memo to update on the emerging State and Federal regulations (SB 555, SB606/AB1668, AWIA). ▪ Develop strategy for compliance with Staff/Veolia.
3.b	CASGEM Well Monitoring and State Reporting	<ul style="list-style-type: none"> ▪ Twice per year (fall/spring), LSCE conducts field services for water level monitoring and reporting for DWR compliance. ▪ Two trips are required per event, due to the coordination of plant shutdown requirements with Veolia. ▪ LSCE maintains transducers, downloads data, updates groundwater level database, and reports to DWR.

		<ul style="list-style-type: none"> ▪ The cost of two (2) transducer replacements are assumed and included in the budget (\$675 per transducer).
3.c	SB555 Water Audit and State Reporting	<ul style="list-style-type: none"> ▪ Prepare the annual Water Loss Audit. ▪ Validate audit and submit to State DWR by October 1, 2021.
3.d	SB 606/AB 1668 Water Use Objectives	<ul style="list-style-type: none"> ▪ Assist with establishing the water use objective under new legislature. Discuss with District and Veolia. Review water use data, per prior scopes of work, and relate this with new regulations. Write a brief memo and discuss with the District.
3.e	Cross-Connection Control Program (CCCP) Development	<ul style="list-style-type: none"> ▪ Continue developing CCCP once new regs are available (January 2022). Update current policies. Update residential backflow proposal. Present memo to Board. Obtain direction and proceed to prepare draft ordinance. ▪ <i>(Additional CCCP assistance such as public workshops and implementation may require an additional Task Order.)</i>

Task 4 – Contingency for Capital Projects and Planning Assistance

This task provides contingency budget for LSCE to assist with any activities, as needed, related to capital projects or system planning. Specific activities would be developed on an as-needed basis at the request of the District. Assignments for LSCE may include evaluating project alternatives, conducting hydraulic model simulations, developing preliminary design basis, assessing feasibility, cost estimates, preliminary designs, condition assessments on facilities, or evaluating site-specific issues to address issues of water supply, production, quality, safety, etc. LSCE provides a proposed level of hours of assistance in terms of capital projects and general planning assistance.

Task 4: Capital Improvement Program Engineering Services		
Task	Description	Details
4.a	As-needed Capital Project Assistance	<ul style="list-style-type: none"> ▪ 120 hours included for project tasks such as, permitting, cost estimating, alternatives analysis, modeling, drafting, bidding, construction inspections, etc.
4.b	As-needed Planning Assistance	<ul style="list-style-type: none"> ▪ 120 hours for planning tasks such as, troubleshooting, consultation, condition assessments, water quality evaluation, policy development, standards development, system modeling.

Task 5 – Bi-Annual Well and Pump Testing Program

LSCE conducts testing and inspection of the District’s production wells and pump equipment biannually (every two years). The first year was Fall of 2007 and the last testing was conducted in Fall of 2019. For the Fall of 2021, LSCE will conduct testing as follows on each well, Production Wells 1B, 2, 6, 4A, 7, and 5A. This is assumed to be completed in two separate site visits.

LSCE will hire a testing company to collect independent measurements using calibrated field instruments used to compare the accuracy of the onsite station instruments. This includes flow rate, well level, electrical power, and water pressure. LSCE will oversee data collection to evaluate the well specific capacity, from constant rate drawdown testing, and the pump equipment performance and overall plant efficiency. LSCE will also collect field water quality parameters including well sand

production, specific conductivity, and temperature. LSCE will evaluate the results of testing in comparison to historic baseline tests and expected performance to assess trends in well or pump conditions and identify any potential deficiencies or maintenance requirements. After the testing, LSCE will prepare a report summarizing the results, evaluating any trends in well or pump performance, and provide recommendations to address deficiencies.

Task 5: Biannual Well and Pump Testing Program		
Task	Description	Details
5.a	Fall 2021 Field Testing and Report Development	<ul style="list-style-type: none"> ▪ Site visit field testing each well (1B, 2, 6, 4A, 7, 5A) – assumed two separate trips. ▪ Third party company for independent calibrated field instruments. ▪ Data evaluation and development of final report

Proposed Budget

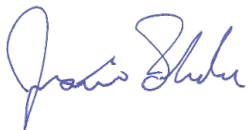
LSCE's proposed budget for General Engineering Services for FY 21/22 is **\$142,596.00** based on the anticipated activities this fiscal year and providing contingency to allow the District to utilize LSCE on an as-needed basis. A detailed budget estimate worksheet (attached) provides the estimated labor under each task for the activities outlined in the Scope of Work.

LSCE will bill monthly for labor and materials, only as incurred, in accordance with LSCE's current Schedule of Fees for Engineering and Field services (attached). In the event that LSCE is required to be involved in activities that deviate from the scope, LSCE will provide notification of any potential changes in the estimated budget for general engineering services.

We appreciate the opportunity to continue providing professional support services to the Town of Discovery Bay. Should you have any questions, please do not hesitate to contact me.

Sincerely,

LUHDORFF & SCALMANINI
CONSULTING ENGINEERS



Justin Shobe, P.E.
Supervising Engineer

Enclosures

- Budget Estimate Worksheet FY21/22
- 2021 Schedule of Fees for Engineering and Field services

Client: Discovery Bay Community Services District
Project: General Engineering Services FY21/22
Estimated By: J. Shobe
Date: 6/5/2021

Budget Estimate Worksheet



	Billing Level Billing Rate (\$/Hr)	PROFESSIONAL				Labor Subtotal	DIRECT EXPENSES		Direct Expenses Subtotal	Contract Budget Estimate
		Principal Professional \$225	Supervising Engineer \$215	Project Engineer \$170	Staff Engineer \$145		Travel Lump Sum	Copies/Equipment Lump Sum		
Task 1: Contract Management	1.a Contract Management	0	18	0	0	\$3,870	\$0	\$0	\$0	\$3,870
	Total Hours	0	18	0	0	18				
	Subtotal (cost)	\$0	\$3,870	\$0	\$0	\$3,870	\$0	\$0	\$0	\$3,870
Task 2: Meetings	2.a Committee Meetings (attend 6 per year)	0	50	0	0	\$10,750	\$750	\$100	\$850	\$11,600
	2.b Board Meetings (attend 6 per year)	0	30	0	0	\$6,450				\$6,450
	2.c Bi-Weekly Meetings	0	24	24		\$9,240				
	Total Hours	0	104	24	0	128				
	Subtotal (cost)	\$0	\$22,360	\$4,080	\$0	\$26,440	\$750	\$100	\$850	\$27,290
Task 3: Regulatory Assistance	3.a Assistance on New Regulations	0	16	0	24	\$6,920	\$0	\$0	\$0	\$6,920
	3.b CASGEM Well Monitoring and State Reporting	0	4	20	36	\$9,480	\$186	\$1,350	\$1,536	\$11,016
	3.c SB555 Water Audit and State Reporting	0	8	24	0	\$5,800	\$0	\$0	\$0	\$5,800
	3.d SB 606/AB 1668 Water Use Objective	0	20	30	20	\$12,300	\$0	\$50	\$50	\$12,350
	3.e Cross-Connection Control Program Development	0	20	20	20	\$10,600	\$0	\$50	\$50	\$10,650
	Total Hours	0	68	94	100	262	\$0	\$0	\$0	
	Subtotal (cost)	\$0	\$14,620	\$15,980	\$14,500	\$45,100	\$186	\$1,450	\$1,636	\$46,736
Task 4: Contingency for Capital Projects and Planning Assistance	4.a As-needed Capital Project Assistance	0	20	50	50	\$20,050	\$0	\$50	\$50	\$20,100
	4.b As-needed Planning Assistance	10	20	40	50	\$20,600	\$0	\$50	\$50	\$20,650
	Total Hours	10	40	90	100	240			\$0	\$0
	Subtotal (cost)	\$2,250	\$8,600	\$15,300	\$14,500	\$40,650	\$0	\$100	\$100	\$40,750
Task 5: Biannual Well and Pump Testing Program	5.a Field Services and Report Development	4	20	50	60	\$22,400	\$200	\$200	\$400	\$22,800
	Outside services (pump test data)					\$1,150				\$1,150
	Total Hours	4	20	50	60	134				
	Subtotal (cost)	\$900	\$4,300	\$8,500	\$8,700	\$23,550	\$200	\$200	\$400	\$23,950
Totals	Total Hours	14	250	258	260	782				
	Total (cost)	\$3,150	\$53,750	\$43,860	\$37,700	\$139,610	\$1,136	\$1,850	\$2,986	\$142,596



500 FIRST STREET • WOODLAND, CA 95695

2021 SCHEDULE OF FEES

ENGINEERING AND RELATED FIELD SERVICES

Professional*

Senior Principal	\$230/hr.
Principal Professional.....	\$225/hr.
Supervising Professional	\$215/hr.
Senior Professional	\$175 to 196/hr.
Project Professional	\$155 to 170/hr.
Staff Professional	\$140 to 150/hr.

Technical

Engineering Inspector	\$140/hr.
ACAD Drafting/GIS	\$138/hr.
Engineering Assistant.....	\$115 to 135/hr.
Scientist.....	\$115 to 135/hr.
Technician	\$115 to 135/hr.

Clerical Support

Word Processing, Clerical.....	\$83/hr.
Digital Communications Specialist.....	\$93/hr.
Project Admin/Accounting Assistant	\$93/hr.

Vehicle Use	\$0.58/mi.
Subsistence	Cost Plus 15%
Groundwater Sampling Equipment (Includes Operator)	\$170.00/hr
Copies	\$0.20 ea.
Professional or Technical Testimony	200% of Regular Rates
Technical Overtime (if required)	150% of Regular Rates
Outside Services/Rentals	Cost Plus 15%
Services by Associate Firms	Cost Plus 15%

* Engineer, Geologist, Hydrogeologist, and Hydrologist



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

June 16, 2021

Prepared By: Dina Breitstein, Assistant General Manager
Submitted By: Dina Breitstein, Assistant General Manager

Agenda Title

Discussion and Possible Action to Approve the Extension of HERWIT Engineering Contract for Services into FY 2021-2022.

Recommended Action

Approve the Scope of Services contained in the HERWIT Engineering Scope of Work which provides contract engineering services for the Wastewater Division of the Town of Discovery Bay for fiscal year 2021-2022 and authorize the General Manager to execute the Town's standard form of Consulting Agreement with HERWIT Engineering to perform the scope of work attached.

Executive Summary

HERWIT Engineering provides the District with the needed Engineering work for the Wastewater Services Division of the Town of Discovery Bay. In the coming Fiscal Year, the water division needs general engineering and capital improvement services from HERWIT to perform and provide support for a number of projects. The scope of work included general engineering services such as:

- Plan Checking
- Field Inspections
- Testing, Review and Witnessing
- Meeting Attendance
- General Administrative Services and;
- Project Design

Enclosed is HERWIT's proposed Scope of Work and Fee Schedule for continuation of General Engineering Services for FY 2021/22. The enclosed scope of work and proposed budget is to extend the assistance provided under General Engineering Services and continued improvements and maintenance services for FY 21/22.

The attached documents provide the basis for the budget estimate. The budget estimate is considered appropriate and as a not-to-exceed amount unless specifically approved in advance and in writing by the District. The proposed amount of \$77,000 includes HERWIT's labor rates and miscellaneous expenses. HERWIT will continue to bill monthly for labor and materials, only as incurred, in accordance with HERWIT's fee schedule.

Previous Relevant Board Actions for This Item

Fiscal Impact: \$77,000

Amount Requested:

Sufficient Budgeted Funds Available?

Prog/Fund # Category:

Attachments

Scope of work
 Herwit Engineering Fee Schedule

EXHIBIT A
SCOPE OF WORK
DISTRICT ENGINEER
ENGINEERING SUPPORT SERVICES
FOR THE
DISCOVERY BAY COMMUNITY SERVICES DISTRICT

The purpose of this Scope of Work is to provide engineering support services, on an as- needed consulting bases, as District Engineer for the Discovery Bay Community Services District.

CONSULTANT'S SERVICES

The CONSULTANT shall perform the following tasks in carrying out these services and shall perform all services in a manner consistent with the standards of the industry.

TASK 1- ENGINEERING SUPPORT SERVICES AS DISTRICT ENGINEER

- 1.1. PLAN CHECKING: Consultant shall review all subdivision plans and construction documents for wastewater facilities ultimately owned by the District. Consultant shall review, and return signed copies of each submittal to the District for distribution to project applicants. Where possible, Consultant's comments shall be summarized on a comment sheet attached to one submittal copy.
 - 1.1.1. Consultant shall review construction documents for construction materials and methods acceptable to the District as they relate to the construction of wastewater facilities only, including pipe lines, sewers systems, wastewater plants, wastewater pumping stations, as well as other ancillary facilities directly supporting wastewater facilities such as electrical and control buildings.
 - 1.1.2. The following submittals will not be reviewed by the Consultant: Temporary Construction Submittals including shoring submittals.
 - 1.1.3. The Consultant shall maintain a file of all project plans and submittals.
 - 1.1.4. The Consultant's review of plans and submittals shall be completed, and review comments sent to the District within twenty-five (25) calendar days following the receipt of the submittal in the Consultant's office. If for any reason the review cannot be performed within this twenty-five (25) day calendar day period, Consultant shall notify the District and give reason for the delay.
 - 1.1.5. The Consultant's review is not intended as acceptance of the work if plans and submittals contain errors, omissions, or inconsistencies not discovered by

Consultant, nor is the review intended to relieve the submitting applicant of his full responsibility for proper engineering and design, nor is the review intended to ensure or guarantee lack of errors, omissions, or inconsistencies in submitted construction documents.

- 1.2. FIELD INSPECTIONS: Consultant shall provide field inspection services including the following:
 - 1.2.1. The Consultant shall inspect the construction of wastewater facilities including sewers, manholes, pipelines, pump stations, treatment plants, and support facilities as requested by the District.
 - 1.2.2. The Consultant shall be present during a single final project “walk-through” inspection with the District. Consultant shall participate in review and development of final inspection “punch-list.”
- 1.3. TESTING, REVIEW, and WITNESSING: The Consultant will perform review of procedures and witness testing of mechanical and electrical facilities including the following:
 - 1.3.1. The Consultant shall witness the testing of wastewater facilities including mechanical and electrical equipment as requested by the District.
- 1.4. ATENDANCE AT MEETINGS: The Consultant shall attend meetings as District Engineer including the following
 - 1.4.1. Construction Meetings. Consultant shall attend and participate in certain project meetings at project sites in order to keep abreast of construction activities and be involved in questions which may arise concerning construction quality as requested by the District. During construction site visits, Consultant shall observe construction progress and shall discuss with Construction Manager relevant construction issues.
 - 1.4.2. Special Meetings. CONSULTANT shall attend special meetings to discuss and assist in resolving any construction issues as requested by the District.
 - 1.4.3. District Board Presentations. Attend and update District Board as requested.
- 1.5. GENERAL ADMINISTRATIVE SERVICES. Consultant shall furnish general administrative services to remain current on District projects and to provide for organized execution of work and retrieval of information. Such services shall include the following:
 - 1.5.1. Review and route, as appropriate, Project correspondence furnished by the Construction Manager and other entities. Maintain a logical and retrievable

filling system.

- 1.5.2. Identify subject on correspondence and transmittals in accordance with a subject identification procedure established by the Construction Manager.
 - 1.5.3. Provide DISTRICT each month during the term of this Project, a brief written progress report on the services performed. Such reports shall include the cumulative percentage of the overall budget expended hereunder, a brief description of the work performed during the reporting period, and such other information as may be appropriate.
- 1.6. PROJECT DESIGN: The Consultant shall prepare plans and specifications for the construction of wastewater facilities to support District activities as requested by the District. Consultant shall prepare a separate scope and fee estimate for such services to be approved by the District. When design services are performed, they shall be completed in the following manner:
- 1.6.1. CONSULTANT shall prepare a set of civil, mechanical, structural, and electrical design drawings and technical specifications (CSI format) suitable for assignment by the owner to a general contractor for construction.
 - 1.6.2. The drawings shall conform to Consultant's typical CADD guidelines.
 - 1.6.3. Plans and specifications shall include the technical information required for the construction of the civil, mechanical, electrical, and structural facilities.
 - 1.6.4. Preparation of the plans and specifications shall include the submittal of 30 and 90 percent complete documents for review by the District, as well as 100 percent complete documents, incorporating the District's comments.
 - 1.6.5. Consultant shall deliver the reproducible technical specifications and construction drawings for the each project. Electronic files shall also be delivered to the District.
 - 1.6.6. CONSULTANT shall prepare an estimate for the construction cost of the work at the 30 percent and 90 percent completion stages of the project.
 - 1.6.7. Bid Period Assistance: Consultant shall assist the District prior to awarding construction contracts by:
 - 1.6.7.1. Responding to questions from prospective General Contractor's prior to OWNER awarding contract.
 - 1.6.7.2. Preparing addenda.

- 1.6.7.3. OWNER shall be responsible for distribution of original documents and addenda to prospective General Contractor's.
- 1.6.8. Engineering Deliverables: Consultant shall provide the following deliverables as part of design services:
 - 1.6.8.1. 30 percent (30%) design plans and technical specifications (2 copies).
 - 1.6.8.2. 90 percent (90%) design plans and technical specifications (2 copies).
 - 1.6.8.3. One hundred percent (100 %) design plans and technical specifications (reproducible originals).
 - 1.6.8.4. Addenda to plans and specifications (reproducible originals).
- 1.7. PROCESS ASSISTANCE: Consultant shall inspect and make recommendations for improvements to wastewater collection and treatment systems as requested by the District.
- 1.8. PERMIT AND PUBLIC AGENCY ASSISTANCE: Consultant shall assist the District in negotiating with and permitting facilities through other public agencies as requested by the District. Such work to include Environmental Impact Report (EIR) review, permit negotiations, permit applications, and meetings and correspondence with other public agencies.
- 1.9. Assist the District with water facilities or other facilities as requested.

PROJECT PERSONNEL

- 2. Consultant shall assign the following project personnel to this project:
 - 2.1. Kurt A. Gardner, a registered civil engineer, shall serve as project manager for the Consultant and shall personally oversee the performance of Consultant's Services. Mr. Gardner shall be responsible for civil engineering services.
 - 2.2. Gregory P. Harris, a registered mechanical engineer, shall be responsible for mechanical engineering services and civil engineering services under the direction of the project manager.
 - 2.3. Subconsultants: Consultant shall hire subconsultants in other engineering disciplines as required to assist in performing support services under this contractor.

HERWIT
ENGINEERING

HERWIT ENGINEERING

7/01/21 - 06/30/22 FEE SCHEDULE

<u>Personnel</u>	<u>Hourly Rate</u>
Engineering (Process, Mechanical, Civil)	\$200.00
Drafting	\$105.00
Word Processing	\$100.00
<u>Subconsultants</u>	
Engineering (Electrical - Structural)	\$160.00
 Other Direct Costs	
Travel, \$/mi	Federal Reimbursement
Subconsultants	Cost + 10%
Internal Printing	@ direct cost
Misc. travel and other indirect expenses	@ direct cost



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

June 16, 2021

Prepared By: Julie Carter, Finance Manager
Submitted By: Dina Breitstein, Assistant General Manager

Agenda Title

Annual Discovery Bay Lighting and Landscape Zone #8 Appropriations Limit for FY 2021/22 – Adopt and Approve Resolution No. 2021-10.

Recommended Action

Adoption of Resolution No. 2021-10, establishing the Discovery Bay Lighting and Landscape Zone #8 2021/22 Appropriation Limit.

Executive Summary

The Discovery Bay Lighting and Landscape Zone #8 (Zone 8) receives annual funding through a portion of property taxes collected within its boundaries. Each year, the Town of Discovery Bay Community Services District (District) is responsible for identifying the appropriation limit in accordance Article XIII B of the California Constitution, known as the Proposition 4 or the GANN Limit.

Staff has collected the necessary information from the California Department of Finance and has calculated the Appropriations Limit for Zone 8 for FY 2020/21 to be \$740,708.83. The calculation is based on last year's appropriation limit and factors in the change of California's per capita personal income and local population percentage change.

Staff requests that the Board review and adopt Resolution No 2021-10, which establishes the FY 2021/22 Appropriation's Limit for Discovery Bay Lighting and Landscape Zone #8 at \$740,708.83.

Fiscal Impact:

Amount Requested

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

Prog/Fund # Category:

Previous Relevant Board Actions for This Item

None

Attachments

Resolution 2021-10

Department of Finance – Price and Population Information (May 2021)

(DB Zone 8) Appropriation Limit Calculation Worksheet.

AGENDA ITEM: C-5



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT**

RESOLUTION 2021-10

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY,
A CALIFORNIA COMMUNITY SERVICES DISTRICT,
ANNUAL DISCOVERY BAY LIGHTING AND LANDSCAPE ZONE #8
APPROPRIATIONS LIMIT FOR FY 2021/22**

WHEREAS, Section 7910 of the Government Code requires that each year the governing body of each local jurisdiction establish an appropriations limit for each jurisdiction for the following fiscal year pursuant to Article XIII B of the California Constitution; and

WHEREAS, Article XIII B of the California Constitution provides for the establishing of an appropriations limit based on the change in the cost of living shall be either the percentage change in California per capita personal income from the preceding year, or the percentage change in the local assessment roll from the preceding year for the jurisdiction due to the addition of local non-residential new construction; and

WHEREAS, the percentage change in California per capita personal income is available for the unincorporated areas of Contra Costa County, therefore, the Town of Discovery Bay Community Services District staff has calculated the Appropriation Limit using the change factors as permitted by Article XIII B of the California Constitution; and

WHEREAS, the calculated Appropriation Limit for the Discovery Bay Lighting and Landscape Zone 8 for the FY 2021-2022 is \$740,708.83 as reflected in Attachment A.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Board of Directors selects the percentage change in California per capita personal income from the preceding year as a factor to be used in calculating appropriations limits; and

SECTION 2. The Board of Directors selects the change of population within the unincorporated area of Contra Costa County as the change of population factor to be used in establishing the appropriation limit; and

SECTION 3. The appropriations limit for the District for FY 2021-22 for the Discovery Bay Lighting and Landscape Zone 8 is hereby established at \$740,708.83; and

SECTION 4. The Board Secretary shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED THIS 16^h DAY OF JUNE, 2021.

Bryon Gutow
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 June 16, 2021, by the following vote of the Board:

AYES:
NOES:
ABSENT:
ABSTAIN:

Michael R. Davies
Board Secretary



May 2021

Dear Fiscal Officer:

Subject: Price Factor and Population Information

Appropriations Limit

California Revenue and Taxation Code section 2227 requires the Department of Finance (Finance) to transmit an estimate of the percentage change in population to local governments. Each local jurisdiction must use their percentage change in population factor for January 1, 2021, in conjunction with a change in the cost of living, or price factor, to calculate their appropriations limit for fiscal year 2021-22. Attachment A provides the change in California's per capita personal income and an example for utilizing the price factor and population percentage change factor to calculate the 2021-22 appropriations limit. Attachment B provides the city and unincorporated county population percentage change. Attachment C provides the population percentage change for counties and their summed incorporated areas. The population percentage change data excludes federal and state institutionalized populations and military populations.

Population Percent Change for Special Districts

Some special districts must establish an annual appropriations limit. California Revenue and Taxation Code section 2228 provides additional information regarding the appropriations limit. Article XIII B, section 9(C) of the California Constitution exempts certain special districts from the appropriations limit calculation mandate. The code section and the California Constitution can be accessed at the following website: <http://leginfo.legislature.ca.gov/faces/codes.xhtml>.

Special districts required by law to calculate their appropriations limit must present the calculation as part of their annual audit. Any questions special districts have on this requirement should be directed to their county, district legal counsel, or the law itself. No state agency reviews the local appropriations limits.

Population Certification

The population certification program applies only to cities and counties. California Revenue and Taxation Code section 11005.6 mandates Finance to automatically certify any population estimate that exceeds the current certified population with the State Controller's Office. **Finance will certify the higher estimate to the State Controller by June 1, 2021.**

Please Note: The prior year's city population estimates may be revised. The per capita personal income change is based on historical data. Given the stay-at-home orders due to COVID-19, growth in the coming years may be substantially lower than recent trends.

If you have any questions regarding this data, please contact the Demographic Research Unit at (916) 323-4086.

KEELY MARTIN BOSLER

Director

By:

/s/ Erika Li

Erika Li

Chief Deputy Director

Attachment

May 2021

Attachment A

- A. **Price Factor:** Article XIII B specifies that local jurisdictions select their cost of living factor to compute their appropriation limit by a vote of their governing body. The cost of living factor provided here is per capita personal income. If the percentage change in per capita personal income is selected, the percentage change to be used in setting the fiscal year 2021-22 appropriation limit is:

Per Capita Personal Income

Fiscal Year (FY)	Percentage change over prior year
2021-22	5.73

- B. Following is an example using sample population change and the change in California per capita personal income as growth factors in computing a 2021-22 appropriation limit.

2021-22:

Per Capita Cost of Living Change = 5.73 percent
 Population Change = -0.46 percent

Per Capita Cost of Living converted to a ratio: $\frac{5.73 + 100}{100} = 1.0573$

Population converted to a ratio: $\frac{-0.46 + 100}{100} = 0.9954$

Calculation of factor for FY 2021-22: $1.0573 \times 0.9954 = 1.0524$

Fiscal Year 2021-22

Attachment B
Annual Percent Change in Population Minus Exclusions*
January 1, 2020 to January 1, 2021 and Total Population, January 1, 2021

County City	Percent Change	--- Population Minus Exclusions ---		Total Population
	2020-2021	1-1-20	1-1-21	1-1-2021
Contra Costa				
Antioch	0.55	112,236	112,848	112,848
Brentwood	1.28	65,263	66,097	66,097
Clayton	-0.19	11,290	11,268	11,268
Concord	-0.14	129,453	129,273	129,273
Danville	0.15	43,840	43,906	43,906
El Cerrito	0.04	24,835	24,846	24,846
Hercules	1.45	25,494	25,864	25,864
Lafayette	0.15	25,321	25,358	25,358
Martinez	-0.32	36,946	36,827	36,827
Moraga	0.38	16,756	16,820	16,820
Oakley	1.48	42,268	42,895	42,895
Orinda	0.50	18,984	19,078	19,078
Pinole	-0.11	19,390	19,369	19,369
Pittsburg	0.00	74,501	74,498	74,498
Pleasant Hill	0.02	34,127	34,133	34,133
Richmond	-0.14	110,288	110,130	110,130
San Pablo	-0.12	31,078	31,041	31,041
San Ramon	0.58	83,376	83,863	83,863
Walnut Creek	1.03	70,592	71,317	71,317
Unincorporated	0.35	173,731	174,339	174,423
County Total	0.35	1,149,769	1,153,770	1,153,854

*Exclusions include residents on federal military installations and group quarters residents in state mental institutions, state and federal correctional institutions and veteran homes.

ATTACHMENT "A"

Discovery Bay Lighting Landscape Zone 8
Appropriations Limit Calculation

	Historical Limit (With Permitted Increases)	Per Capita Personal Income Change	Per Capita Ratio*	Population Change	Population Ratio*	Fiscal Year Factor
Year 04/05	\$ 352,279.00					
Year 05/06	\$ 379,708.29	5.26	1.0526	2.4	1.024	1.0778624
Year 06/07	\$ 402,876.48	3.96	1.0396	2.06	1.0206	1.06101576
Year 07/08	\$ 431,200.71	4.42	1.0442	2.5	1.025	1.070305
Year 08/09	\$ 461,481.34	4.29	1.0429	2.62	1.0262	1.07022398
Year 09/10	\$ 469,171.69	0.62	1.0062	1.04	1.0104	1.01666448
Year 10/11	\$ 458,900.84	-2.54	0.9746	0.36	1.0036	0.97810856
Year 11/12	\$ 474,747.11	2.51	1.0251	0.92	1.0092	1.03453092
Year 12/13	\$ 497,620.79	3.77	1.0377	1.01	1.0101	1.04818077
Year 13/14	\$ 525,557.54	5.12	1.0512	0.47	1.0047	1.05614064
Year 14/15	\$ 530,903.12	-0.23	0.9977	1.25	1.0125	1.01017125
Year 15/16	\$ 556,915.93	3.82	1.0382	1.04	1.0104	1.04899728
Year 16/17	\$ 592,397.12	5.37	1.0537	0.95	1.0095	1.06371015
Year 17/18	\$ 619,784.89	3.69	1.0369	0.9	1.009	1.0462321
Year 18/19	\$ 644,137.32	3.67	1.0367	0.25	1.0025	1.03929175
Year 19/20	\$ 672,615.76	3.85	1.0385	0.55	1.0055	1.04421175
Year 20/21	\$ 698,122.95	3.73	1.0373	0.06	1.0006	1.03792238
Year 21/22	\$ 740,708.83	5.73	1.0573	0.35	1.0035	1.06100055

* Based on factors provided in the annual
Price and Population Information letter from
the California Department of Finance.
Dated May 2021



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

June 16, 2021

Prepared By: Julie Carter, Finance Manager
Submitted By: Dina Breitstein, Assistant General Manager

Agenda Title

Public Hearing, Discussion and Possible Action to Adopt the Fiscal Year 2021-22 District Operating, Capital and Revenue Budgets and Resolution 2021-07.

Recommended Action

Open the public hearing on Resolution 2021-07 Fiscal Year 2021-22 Operating, Capital and Revenue Budgets, accept any public comments, close the public hearing, and adopt Resolution 2021-07.

Executive Summary

At the Board Meeting on May 20, 2021, the Board of Directors were presented with the fiscal year 2021-22 preliminary budget to review and provide input to staff regarding the Town of Discovery Bay's revenue and spending plans for the coming Fiscal Year. The presentation detailed the various components of the budget, including the programs, goals, and milestones.

The budget document continues to reflect the same two-year forecast as has been the case for the past budget cycles. Staff has found the two-year budget process to be extremely beneficial for longer term planning purposes. While the Board is presented with a two-year budget, only the upcoming fiscal year budget will be adopted. Each successive year's budget will result in the adoption of that year's budget prior to the next fiscal year.

Administration, Water & Wastewater Division

The FY 2021-22 projected Operations and Maintenance (O&M) expenditures are \$9,643,752 and the projected Capital Improvement Projects (CIP) total \$15,873,500.

Lighting & Landscaping Divisions

The FY 2021-22 projected Zone #8 O&M budget is \$859,309 with a CIP budget of \$151,000.

The FY 2021-22 projected Zone #9 O&M budget is \$145,106 with a CIP budget of \$25,000.

Staff Recommends:

1. Open the public hearing for public comment.
2. Close the public hearing.
3. Adopt Resolution 2021-07.

Fiscal Impact:

Amount Requested - None

Sufficient Budgeted Funds Available?: N/A

Previous Relevant Board Actions for This Item

Presentation of the Preliminary Budget May 20, 2021

Presentation of the Proposed Budget June 2, 2021

Attachments

1. FY 2021-22 Operating, Capital Improvement Program, and Revenue Budgets.
2. Notice of Public Hearing re Budget FY 2021-22.
3. Resolution 2021-07.

AGENDA ITEM: F-1



*Town of Discovery Bay Community Services District
Contra Costa County, California*



TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT FISCAL YEAR 2021-2022 PROPOSED BUDGET

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Draft

Discovery Bay at a Glance

The Town of Discovery Bay Community Service District: At a Glance

Discovery Bay was established in the early 1970's as a weekend and summer resort community. Today, Discovery Bay has evolved into a thriving year-round home for more than 15,000 residents who enjoy small-town living against the backdrop of over 1,200 miles of Delta waterways. Discovery Bay boasts a full-service marina, three (3) public schools, one (1) private school, as well as two (2) shopping centers. However, this small town is no longer limited to Delta waterfront homes; it has developed into a community that provides something for everyone. Discovery Bay offers gated waterfront homes as well as Country Club homes located on an 18-hole championship golf course. There are four (4) gated communities, Clipper Estates, The Country Club, Lakeshore and The Lakes.

Town of Discovery Bay Community Services District "District" is approximately 9 square miles and was formed in 1998 following a vote of the people to form an Independent Special District with the purpose of providing essential public services to its residents. The Contra Costa County Local Agency Formation Commission (LAFCO) has authorized the District the responsibility of providing the following special services to the residents of Discovery Bay:

- Water supply collection, treatment, and distribution
- Wastewater collection, treatment, and distribution
- Parks and Landscape Maintenance
- Recreational Activities

District Form of Government

California's Independent Special Districts are legislatively authorized under California Government Code Sections 61000-61850. The Town of Discovery Bay Community Services District is governed by an elected five (5) member Board serving staggered four (4) year terms. The Board employs a General Manager to administer the day to day operations of the District.

Population

The census report states the total population in Discovery Bay to be 15,277 people.

Water Services

The Town of Discovery Bay CSD owns and maintains over fifty (50) miles of water mains in seven (7) residential developments: Discovery Bay West (Village 1, 2, 3 and 4, and Ravenswood); and two (2) of the older developments (Discovery Bay Proper and Centex). Currently, the District owns and operates six (6) water production wells that are located throughout the District and are capable of producing seven million gallons of domestic water per day. The raw water is then treated in two (2) water treatment facilities with water storage capacity of 2.5 million gallons of treated water for customer distribution. The total

water requirements of Discovery Bay are currently about 900 million gallons per year, which equates to an average daily demand of 2.5 million gallons per day.

Wastewater Services

The District provides wastewater collection, treatment, and distribution services to approximately 6,000 homes and businesses located in the town. The wastewater treatment process goes through two (2) separate conveyance systems; Plant 1 and Plant 2. Wastewater Treatment Plant 1 is located just north of Highway 4, within the Discovery Bay Development area. Wastewater Treatment Plant 2 is located south of Highway 4 at the Town's eastern boundary. The two (2) plants are interconnected and are dependent upon each other for various functions.

To facilitate and transport the raw wastewater to the main wastewater treatment, the District utilizes 15 wastewater lift stations to move the waste through 50 miles of sewer mains. The plants are capable of producing an average of 1.2 million gallons of wastewater per day. The wastewater treatment plants currently include an influent pump station, influent screening, and secondary treatment facilities using oxidation ditches, sand filters, and ultraviolet (UV) disinfection before discharging the treated water into Old River.

The water and wastewater facilities are operated and maintained by Veolia North America. Under a multi-year agreement with the District.

Parks and Landscaping Services

The District maintains all the public parks and landscaped areas in Discovery Bay. Every budget year, the Board of Directors establishes priorities to improve the landscape areas of Discovery Bay. The landscape areas in Discovery Bay are broken down into five (5) landscape zones. Two (2) of those zones are owned by the District, with the remaining three (3) owned by Contra Costa County and maintained under contract by the District. The five Landscaping & Lighting zones are:

Discovery Bay Landscape & Lighting Zone #8

Zone 8 is owned and maintained by the Town of Discovery Bay CSD. This zone includes the Discovery Bay entrance from Highway 4, Clipper Drive, Discovery Bay Boulevard, Willow Lake Road, and a variety of smaller landscaped areas. Cornell Park & Roberta Fuss Tot Lot are also included in this zone.

Discovery Bay Landscape & Lighting Zone #9 (Ravenswood)

Zone 9 is owned and maintained by the Town of Discovery Bay CSD. This zone includes the landscape streetscape frontages along Wilde Drive and Poe Drive. Ravenswood Park is also included in this zone.

Contra Costa County Landscape & Lighting Zone #35

Zone 35 is owned by Contra Costa County but is maintained by the Town of Discovery Bay CSD. The zone includes the landscaped median islands on Bixler Road at the intersection of Highway 4 and a pedestrian

pathway from the Sandy Cove Shopping Center to Newport Drive. There are also included two pedestrian bridges along the path.

Contra Costa County Landscape & Lighting Zone #57

Zone 57 is owned by Contra Costa County but is maintained by Town of Discovery Bay CSD. This zone includes all landscaped streetscape frontages in and outside of the Centex Development, along Highway 4, a portion of Bixler Road, and two (2) small parking areas. Regatta Park is also included in this zone.

Contra Costa County Landscape & Lighting Zone #61

Zone 61 is owned by Contra Costa County but is maintained by Town of Discovery Bay CSD. This zone includes landscaped streetscape frontages along a significant portion of Bixler Road, Point of Timber Road, the Park & Ride lot, a part of Newport Drive, Preston Drive, and Slifer Drive. Slifer Park is also included in this zone.

Recreation Services

The Town of Discovery Bay Community Services District is also responsible for providing recreational activities to the residents of the District. The Community Center opened its doors to the public on January 2, 2014. The Community Center offers a wide variety of programs for all ages and will continue to develop programming that will stimulate, educate and enrich the lives of people within Discovery Bay, and that is complemented by a system of parks, recreation areas and other facilities aimed to encourage recreational and leisure time activities.

DRAFT

Board of Directors

The Town of Discovery Bay is a California independent Community Services District (CSD) and is governed by a five-member Board of Directors. Directors are publicly elected and serve four-year staggered terms.

The Town of Discovery Bay is responsible for water, sewer, landscaping, parks and recreation. While the District does not have the jurisdiction or authority over land use, zoning, law enforcement or fire protection services, the District does advise the County on decisions that affect Discovery Bay. The District's General Manager is tasked to carry out the policy decisions of the Board and oversee the day-to-day operations of the Town of Discovery Bay.



Kevin Graves, Ashley Porter, Bryon Gutow, Carolyn Graham, Michael Callahan

Board Position and Term

President Bryon Gutow	12/2018 to 12/2022
Vice-President Kevin Graves	12/2018 to 12/2022
Director Ashley Porter	10/2020 to 12/2022*
Director Carolyn Graham	12/2020 to 12/2024
Director Michael Callahan	12/2020 to 12/2024

*Director Porter was appointed in October 2020 to complete the remainder of Director Leete's term, Director Leete resigned effective September 2020

Message from the General Manager

The Town of Discovery Bay is not a city; rather we are a type of local government known as a Community Services District, or “CSD.” In unincorporated areas such as Discovery Bay, basic services like water, sewer, law enforcement and fire protection are usually provided by the County. Because counties often consist of large and diverse geographical areas, providing a consistent and adequate service level across all areas can be difficult. Consequently, the Community Services District Law (Government Code §61000 61850) was created to provide an alternate method of providing services in unincorporated areas. In most cases, and due to the scope of their requirements, counties cannot provide tailored services to any one community. This leaves residents with little if any local control over services and no easy way to address problems or complaints. A CSD provides a method of offering local control on essential local services.

The Town of Discovery Bay Community Services District provides domestic water supply, treatment, and delivery, as well as wastewater collection, treatment, and disposal to the approximately 15,000 residents and businesses that call Discovery Bay home. We are also responsible for park maintenance and landscaping on many of our boulevards, streets, and roads.

The COVID-19 pandemic created the suspension of many Town activities during 2020 and the first half of 2021; however, we are optimistic that during this FY21/22 budget year we will again see our Community Center and parks become a recreational hub with pickleball, tennis, swimming, dog park, Zumba, soccer, and many other year-round activities for all ages. Besides a lazy afternoon fishing off your dock, taking a turn at the end of the tow rope, or hitting the links, there’s a lot to do in Discovery Bay!

Discovery Bay is a great place to not only “Live Where You Play,” but it is also a great place to do business. The Discovery Bay Chamber of Commerce hosts monthly business “mixers” at different locations around town to show off the local business community. Check the Chamber’s website at www.discoverybaychamber.org for additional information on their many community activities.

From the standpoint of your local government, the CSD operates the water and wastewater utilities on a combined operating and capital budget of \$16.6 million for the Fiscal Year 2021-22 . The Capital Improvement Program are projects that continue to address the long-term capital needs of the District. A robust capital replacement fund represents an ongoing structural element of long-term financial sustainability.

As Discovery Bay continues to mature, I can assure you that the Board of Directors and the entire staff are working diligently to provide a comfortable place where residents can live, work and play and where we can enjoy the many qualities of life we all like in a small town. Please join us at one of our Board of Directors’ meetings that are held the first and third Wednesday of the month at 7:00 p.m. Each meeting agenda is posted on the Town’s website: www.todb.ca.gov. The District Office can be reached during normal business hours at (925) 634-1131 or visit the main office at 1800 Willow Lake Road, Discovery Bay CA 94505. Remember to Like us on Facebook!

Sincerely,

Michael R. Davies, General Manager

Finance Services Department

The Town of Discovery Bay CSD Finance Services Department operates under the Board of Directors who are the policy-making body of the District. The General Manager serves as the administrative head of the District. The Finance program operates a governmental accounting, reporting, and records maintenance system that provides financial information to management. This program controls and monitors the receipt and disbursement of public funds in compliance with statutory requirements and professional accounting standards. The Finance Services Department also has the responsibility for coordinating all external auditing functions.

The finance function is responsible for the continuing development of financial accounting software and implementation of new technology to increase efficiency in accounting processes and to improve both internal and external reporting. This program also oversees the implementation of any new accounting pronouncements by the Governmental Accounting Standards Board (GASB).

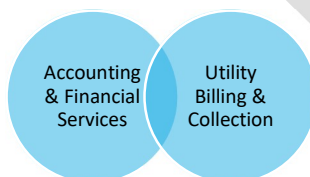
The payroll function of this program processes payroll for all District employees including interfacing with the District's payroll service provider to assure compliance with all regulatory requirements, laws and District policies pertaining to payroll.

Key Achievements

- ✓ Timely completion of annual audits with unqualified (clean) audit findings
- ✓ Structurally balanced budget
- ✓ Sufficient Reserves

Goals

- Ensure expenditures are consistent with adopted policies
- Move towards paperless documentation. Continue implementation and updating technologies to increase efficiencies to ensure accurate reporting
- Move Town treasury services from Contra Costa County
- Develop and execute financing plan for upcoming Water and Wastewater Projects



Water & Wastewater Services Department

WATER

This Program provides water production, treatment and distribution to over 6,000 homes and businesses. Specifically, the Water Program includes information necessary for the Board of Directors to establish priorities and make well-informed decisions concerning the Town's water systems. The Water Quality program is responsible for the enforcement of regional water quality regulations. Response procedures have been developed to react to citizen water quality complaints and to pursue water misuse observed in the field. The program also assists with the development of water quality educational materials and outreach.

The Water Utility function maintains and operates automated water meters for the District's 6,000+ water accounts. The technology transmits hourly water consumption data to our billing system by a wireless network. This reliable and frequent water usage information allows customers to monitor use and detect leaks. The Eye on Water portal <https://eyeonwater.com/signup> is a tool for account holders to monitor daily water usage data and learn ways to conserve.

WASTEWATER

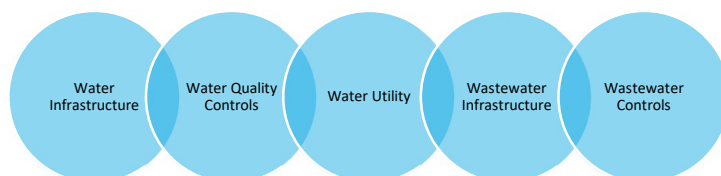
The Town of Discovery Bay Wastewater Program provides for the collection, conveyance, treatment, and discharge of treated effluent. Specifically, the Wastewater Program includes information necessary for the Board of Directors to establish priorities and make well-informed decisions regarding the Town's wastewater matters. In general, the wastewater program supports and directs the wastewater contractor, enabling them to carry out day-to-day operations, services and planning efforts. This program negotiates, administers, implements, and approves contracts for the provision of municipal services.

Key Achievements

- ✓ Edgeview Pipeline Replacement
- ✓ Design for denitrification completed
- ✓ Completed Willow/Laguna Underwater Crossing Replacement

Goals

- ✓ Complete construction of the Denitrification upgrade
- ✓ Complete design for Outfall Diffuser



Lighting and Landscaping Services Department

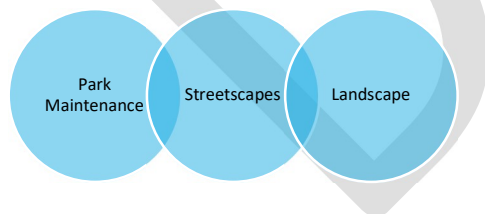
The Parks and Landscaping Program provides for the planning, maintenance and capital needs of the parks and landscaping network in Discovery Bay. Specifically, the Parks and Landscaping Program includes information necessary for the Board of Directors to establish priorities and make well-informed decisions concerning Town parks and landscaping matters. This program offers a comprehensive maintenance and rehabilitation program for five (5) parks and the streetscapes inside Discovery Bay. The maintenance and rehabilitation program includes repair and maintenance of the parks within Zones 8, 9, 35, 57, 61 and the Park and Ride. This program conducts preventative maintenance on streetscapes, which includes design and planting and ensuring proper drainage. This program maintains and replaces plants and trees to provide health, vitality and visual appeal as well as manage annual inventory lists to project funding and scheduling of future repairs, projects, and replacement.

Key Achievements

- ✓ Front entrance enhancement
- ✓ Poe Drive enhancements
- ✓ New play structure installed at Ravenswood Park
- ✓ Discovery Bay Blvd enhancements
- ✓ Submitted Prop 68 Competitive Grant Application

Goals

- Dryscaping Discovery Bay Blvd medians
- Clipper Drive enhancements
- Complete Prop 68 'Per Capita" Grant – Cornell Park Upgrades
- Dryscaping Zone 57 parking area landscapes



Recreation Services Department

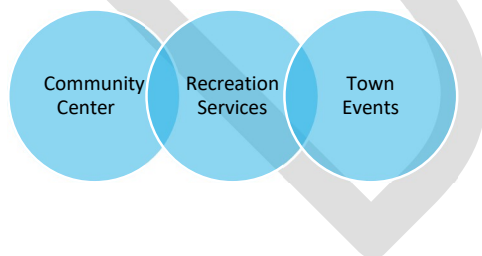
Recreation Services provides community-based and age-appropriate recreational programming. The Discovery Bay Community Center acts as the hub for these activities and is complimented by a network of parks, fields and other recreational and educational venues.

Key Achievements

- ✓ Partnered with local Pickleball Club to convert 2 tennis courts to 6 pickleball courts
- ✓ Community Pool and adjacent structure rehabilitation completed
- ✓ Purchased and installed new windscreens on all tennis and pickleball courts at Community Center
- ✓ Reopened new and improved dog park with updated amenities
- ✓ Activity Guide distributed digitally resulting in annual savings
- ✓ Resurfaced 3 tennis courts and painted 1 tennis court

Goals

- Rebuilding community recreational programming stalled by COVID-19 shutdowns, update safety protocols as required
- Examine current special interest recreational opportunities offered and look for new and creative ways to expand current offerings
- Continue the development and expansion of community relationships with local groups and organizations such as the Discovery Bay Lions Club, Discovery Bay Pickleball Club, Discovery Bay Chamber of Commerce, and the Contra Costa Sheriff's Office in expanding community-wide programming and special events at the Discovery Bay Community Center
- Expand community programming to include aquatic programs and further expand community use of the pool



District Consultants

General Counsel

Law Office of Neumiller & Beardslee

The District's General Counsel provides legal advice and training to the Board of Directors, General Manager and Department Heads. The General Counsel investigates and defends claims against the District and resolves them as directed by the Board of Directors. At the direction of the Board of Director's General Counsel may initiate litigation to enforce the District's rights or to protect the public health, safety or welfare. The General Counsel also drafts and approves the form of contracts and other legal documents, including ordinances, resolutions and legal notices.

<http://neumiller.com/>

Luhdorff & Scalmanini Consulting Engineers (Water)

Luhdorff & Scalmanini, Consulting Engineers (LSCE) is a recognized leader in groundwater resources investigation, planning, development, use, protection, and management. LSCE's multi-disciplinary staff of engineers, geologists, hydrologists, and hydrogeologists apply scientific methods and develop forward-thinking engineering solutions to today's complex water resource problems.

<http://lsce.com/>

Herwit Engineering (Wastewater)

HERWIT ENGINEERING plans and designs water and wastewater treatment plants and pump stations of all sizes with a specialty in mechanically intensive systems. HERWIT provides services for all elements necessary to develop projects from ground zero through operations and completion of construction. These services include: overall project management, initial site assessment and selection, management of the California Environmental Quality Act (CEQA) permitting, negotiation and preparation of National Pollution Discharge Elimination System (NPDES) discharge permits, preparing Army Corps of Engineers permits, Department of Fish and Game stream bed alteration permits, development of pre-design reports and preliminary cost estimates, final design of all mechanical, electrical and civil facilities, bidding support services, construction management, engineering support services during construction, and startup and operations assistance.

<http://herwit.com>

District Mission, Vision, Goals & Values

The Town of Discovery Bay Board of Directors has adopted its Mission, Vision, Goals, and Values.

These ideals serve as an important guide as the Town of Discovery Bay conducts its day-to-day business and interacts with the public.

MISSION

Provide effective and fiscally responsible municipal services in a manner which promotes a high standard of community life with a focus on the environment and the Delta in partnership with the community.

VISION

Maintain a full service and sustainable community

Grow in harmony with the environment and the Delta

Ensure assets and facilities are maintained, serviceable, and in compliance with all regulatory laws, regulations, and rules

Promote practices that provide enhanced and sustainable life now and for future generations

GOALS

Responsible management of public funds

Preservation of our neighborhoods and natural resources

Provide timely, effective and transparent communications between government and our citizens

Continually improve the quality of our services

Promote and protect the environment

Take pride in community assets

Champion diversity and inclusion

Provide leadership while considering all points of view, to ultimately set policy and make decisions based on what is in the best interest of the entire community

Recognize pioneers of the community

VALUES

Innovation * Accountability * Respect * Integrity * Professionalism

Budget Message

Dear Board of Directors,

I am honored to submit to the Town of Discovery Bay Board of Directors the District's financial plan for the fiscal period July 1, 2021, through June 30, 2022. The annual Revenue, Operating, and Capital Improvement Program budgets are the planning tools utilized by staff and the Board to track revenues and expenditures over the respective forecast period.

This budget states program goals for each department, considering the desires of the Board, the expectations of the public, the needs of the department, and available resources. Each manager was given the opportunity to directly participate in the budget process, allowing them to share their expertise and to offer options and solutions. Adoption of a budget that includes specified program goals ensures a unified effort and sets forth a work plan for the year.

Several major projects are expected to continue or commence this year, including a water well, the state-mandated denitrification project, mainline pipe replacements, lift station upgrades, and the purchase of a new Vac Truck. The District will once again be accessing the relocation of the office building located on Willow Lake Road. The Lighting and Landscaping department will be working on the upgrade of Cornell Park under the Prop 68 'Per Capita' Grant along with the upgrade of the Community Pool lawn to artificial turf. District security continues to be an ongoing project to ensure our cybersecurity and assets are protected.

From an operational standpoint, the District continues to operate efficiently and in a manner that is financially prudent. The water and wastewater departments continue to refine their perspective capital plans into the future to enable timely replacement and funding of aging infrastructure. The Community Center has not been able to offer any programming for over 12 months due to the COVID-19 pandemic. As restrictions are lifted and the pool is completed, the Recreation Department prepares to 're-start' popular programs such as swim lessons and Zumba classes. The opening of programs and activities will be assessed and refined to meet new guidelines as required by the County Health Officer.

I am pleased to present a budget where the District's operating and infrastructure necessities are met while offering a strategic look at the overall assets of the District. Staffing levels meet projected needs; ongoing training continues to improve service levels and financial management policies continue to guide the District in decision-making that is grounded and consistent over time.

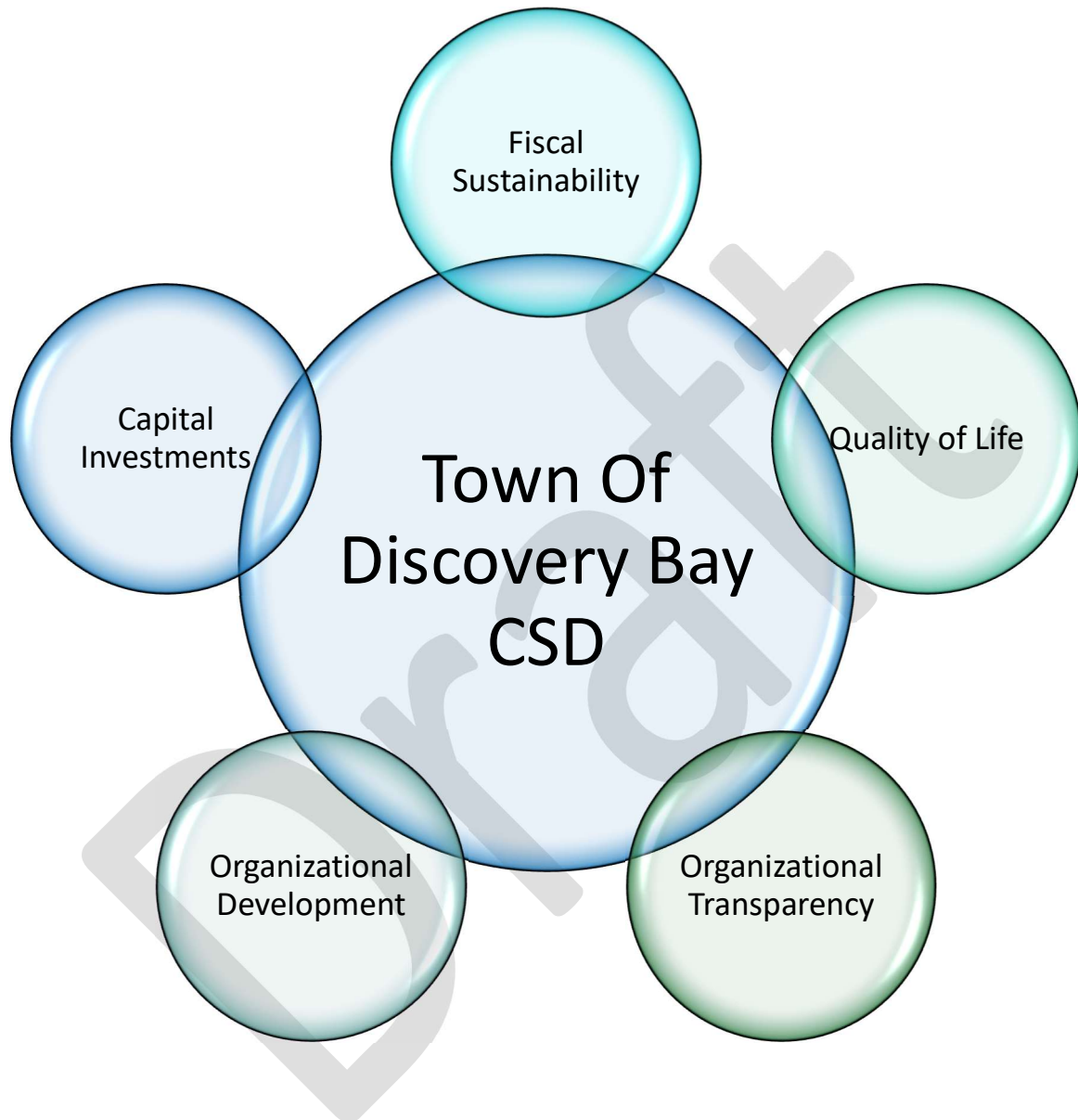
I would like to thank the District staff for their contributions toward producing the budget. I am delighted to work with employees that care deeply about the Town of Discovery Bay. I, along with staff, look forward to serving the community, executing the District's capital projects, and working together to build and maintain long-term fiscal sustainability.

I would also like to thank the entire Board of Directors for their support over the past fiscal year. In preparing for the next fiscal year and continuing into the future, I expect that the District will continue to remain resourceful, innovative, and successful.

Respectfully submitted,

Julie Carter, Finance Manager

Strategic Goals



Goals, Objectives, and Action

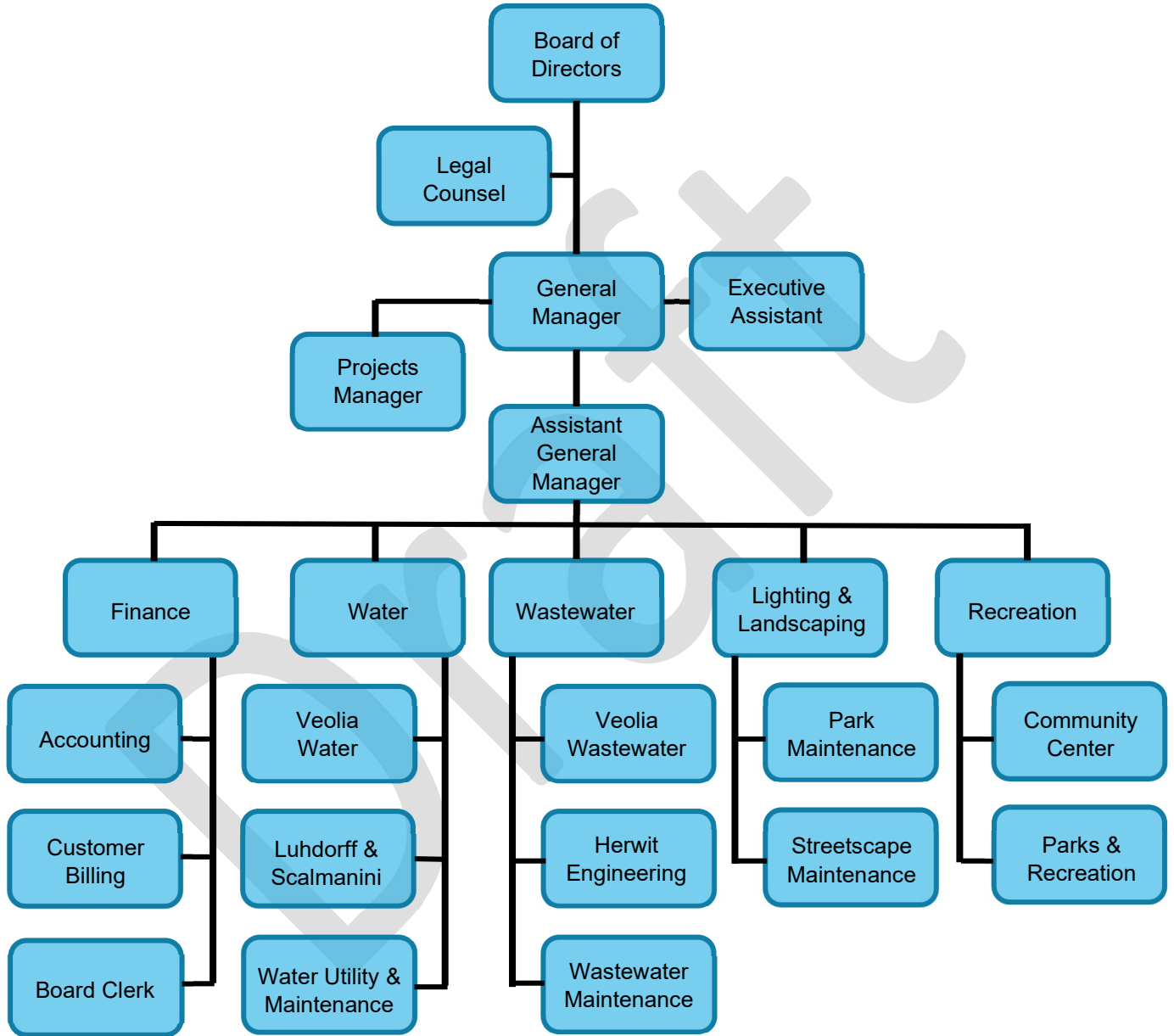
Goal	Objective	Performance Outlook
Fiscal Sustainability	<ul style="list-style-type: none"> • Balance Revenues and expenditures to ensure fiscal stability • Monitor trends in key revenue sources • Provide core services in an efficient and effective manner 	<ul style="list-style-type: none"> • Review expenditure vs. budget reports for each department on a monthly basis • Conduct a quarterly review and make adjustments as needed
Quality of Life	<ul style="list-style-type: none"> • Focus on key services, programs, and activities for seniors and youth. • Partner with service clubs to promote community-wide events • Maintain and expand parks throughout the community 	<ul style="list-style-type: none"> • Provide quarterly reports on activities for youth, seniors, and park & recreation programs
Organizational Transparency	<ul style="list-style-type: none"> • Post key information on the District's website • Use media to inform and engage the public • Prepare the budget in a user-friendly, informative & transparent format 	<ul style="list-style-type: none"> • Post all agendas, reports, and contracts on the District's website • Post all policy documents and resolutions on the website • Prepare the budget in a user-friendly, informative & transparent format
Organizational Development	<ul style="list-style-type: none"> • Evaluate staffing levels to ensure adequate delivery of core services • Provide training and resources to sustain a talented workforce • Maintain accountability and recognition of employees 	<ul style="list-style-type: none"> • Prepare a long-term staffing plan • Develop training of key management and supervisory staff • Uphold and maintain safety training
Capital Investments	<ul style="list-style-type: none"> • Prioritize and evaluate needed capital investments 	<ul style="list-style-type: none"> • Deliver capital projects on time and within budget • Seek funding opportunities to fund infrastructure projects • Continuous updates to District master plans

Authorized Positions

Current Positions

Position Title	FY 2019-2020	FY 2020-2021	FY 2021-2022	FY 2022-2023
Office Assistant	2	2	2	2
Administrative Assistant	2	2	2	2
Executive Assistant	1	1	1	1
Accountant	1	1	1	1
Water Services Technician I	2	2	2	2
Water Services Technician II	1	1	1	1
Parks & Maintenance Worker I	1	1	1	1
Parks & Maintenance Worker II	2	2	2	2
Parks & Maintenance Worker III	1	1	1	1
Recreation Programs Supervisor	1	1	1	1
Parks & Landscape Manager	1	1	1	1
Water & Wastewater Manager	1	1	1	1
Finance Manager	1	1	1	1
Projects Manager	1	1	1	1
Assistant General Manager	1	1	1	1
General Manager	1	1	1	1
Total	20	20	20	20

Organizational Chart by Department



Salary & Wages

	Range #	Bottom Step Hourly	Biweekly•	Monthly•	Top Step Hourly*	Biweekly•	Monthly•
100 Series – Temporary/Intermittent Staff							
Recreation Leader I	100	\$14.00	\$1,120	\$2,427	\$14.20	\$1,136	\$2,461
Recreation Leader II	105	\$14.25	\$1,140	\$2,470	\$14.45	\$1,156	\$2,505
Lifeguard	110	\$14.50	\$1,160	\$2,513	\$14.90	\$1,192	\$2,583
Lifeguard/Swim Instructor and Recreation Leader III	115	\$15.00	\$1,200	\$2,600	\$15.40	\$1,232	\$2,669
Pool Supervisor	125	\$15.50	\$1,240	\$2,687	\$17.30	\$1,384	\$2,999
200 Series – Non-Management Staff							
	Range #	16.5	Monthly•	Annual•	Top Step Hourly	Monthly•	Annual•
Park/Landscaper/Maintenance I	220	\$21.63	\$3,749	\$44,993	\$24.47	\$4,242	\$50,905
Park/Landscaper/Maintenance II	235	\$25.73	\$4,460	\$53,524	\$29.11	\$5,046	\$60,557
Park/Landscaper/Maintenance III	250	\$28.39	\$4,921	\$59,058	\$32.12	\$5,568	\$66,819
Office Assistant/Customer Service Representative A	225	\$22.17	\$3,843	\$46,112	\$25.08	\$4,347	\$52,171
Office Assistant/Customer Service Representative B	230	\$24.46	\$4,240	\$50,887	\$27.68	\$4,798	\$57,573
Account Clerk	240	\$26.37	\$4,570	\$54,842	\$29.83	\$5,171	\$62,049
Administrative Assistant/Parks-Recreation Assistant A	245	\$27.01	\$4,682	\$56,181	\$30.56	\$5,297	\$63,564
Administrative Assistant/Parks-Recreation Assistant B	260	\$29.81	\$5,168	\$62,015	\$33.73	\$5,847	\$70,164
Sr. Account Clerk	255	\$29.11	\$5,046	\$60,556	\$32.94	\$5,709	\$68,514
Accountant I	275	\$30.75	\$5,329	\$63,950	\$40.34	\$6,992	\$83,907
Executive Assistant A	270	\$33.75	\$5,850	\$70,206	\$38.19	\$6,619	\$79,435
Executive Assistant B	280	\$37.27	\$6,460	\$77,519	\$42.17	\$7,309	\$87,714
Water Tech I	210	\$23.30	\$4,039	\$48,469	\$26.36	\$4,569	\$54,829
Water Tech II	270	\$33.75	\$5,850	\$70,206	\$38.19	\$6,619	\$79,435
Water Tech III	280	\$37.79	\$6,550	\$78,596	\$41.71	\$7,230	\$86,757
Series 300: Management Staff							
	Range #	Bottom Step Hourly	Monthly•	Annual•	Top Step Hourly	Monthly•	Annual•
Recreation Programs Supervisor	300	\$32.93	\$5,708	\$68,497	\$42.16	\$7,308	\$87,693
Manager: Parks/Landscape	345	\$41.53	\$7,198	\$86,373	\$51.86	\$8,989	\$107,869
Managers: Finance; Water/Wastewater	350	\$42.33	\$7,336	\$88,038	\$52.86	\$9,162	\$109,949
Series 400: Senior Management Staff							
	Range #	Bottom Step Hourly	Monthly•	Annual•	Top Step Hourly	Monthly•	Annual•
Assistant General Manager	400	\$50.80	\$8,805	\$105,664	\$63.44	\$10,996	\$131,955
General Manager					\$120.19	\$20,833	\$250,000
Projects Manager	425	\$76.07					

Minimum Wage Adjustment January 2022

The State of California minimum wage will increase year over year. The below table represents how the minimum wage increase affects the District Temporary & Intermittent Staff Salary Range Table.

	Step 1	Step 2	Step 3	Step 4	Step 5
Recreation Leader I	\$15.00	\$15.05	\$15.10	\$15.15	\$15.20
Recreation Leader II	\$15.25	\$15.30	\$15.35	\$15.40	\$15.45
Lifeguard	\$15.50	\$15.60	\$15.70	\$15.80	\$15.90
Lifeguard/Swim Instructor & Rec Leader III	\$16.00	\$16.00	\$16.20	\$16.30	\$16.40
Assist. Pool Supervisor	\$16.50	\$16.70	\$16.90	\$17.10	\$17.30
Pool Supervisor	\$17.50	\$17.70	\$17.90	\$18.10	\$18.30

- The number in blue represents the immediate effect.
- The numbers in red are the new pay scale rates.

Draft

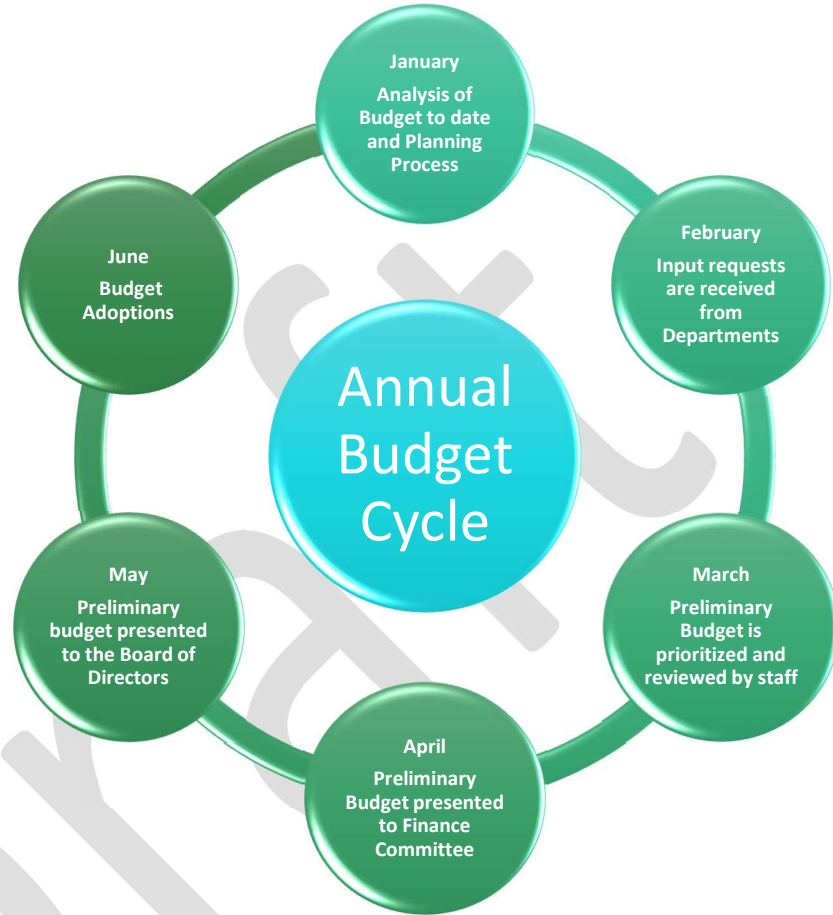
The Budget Process

Fiscal Years 2022 & 2023

2 Year Budget Build

The Budget is a spending management plan for the District’s financial resources. Through the use of these resources, services are provided to meet the needs of the Town of Discovery Bay’s residents.

The District’s annual budget process begins in January and concludes in June where the final budget is adopted.



January: Operating budget preparations begin with the analysis of the current year’s budget, which helps to determine the base budget for the following year, including capital projects.

February: Budget guidelines and instructions are distributed to each Department Manager. Department Managers meet with Finance Manager to discuss their budget requests.

March: Department Managers meet with the Finance Manager to review the preliminary budget, the budget is prioritized, refined, and compiled into the preliminary budget to present to the Finance Committee.

April: Preliminary Budget is presented to Finance Committee for input and guidance.

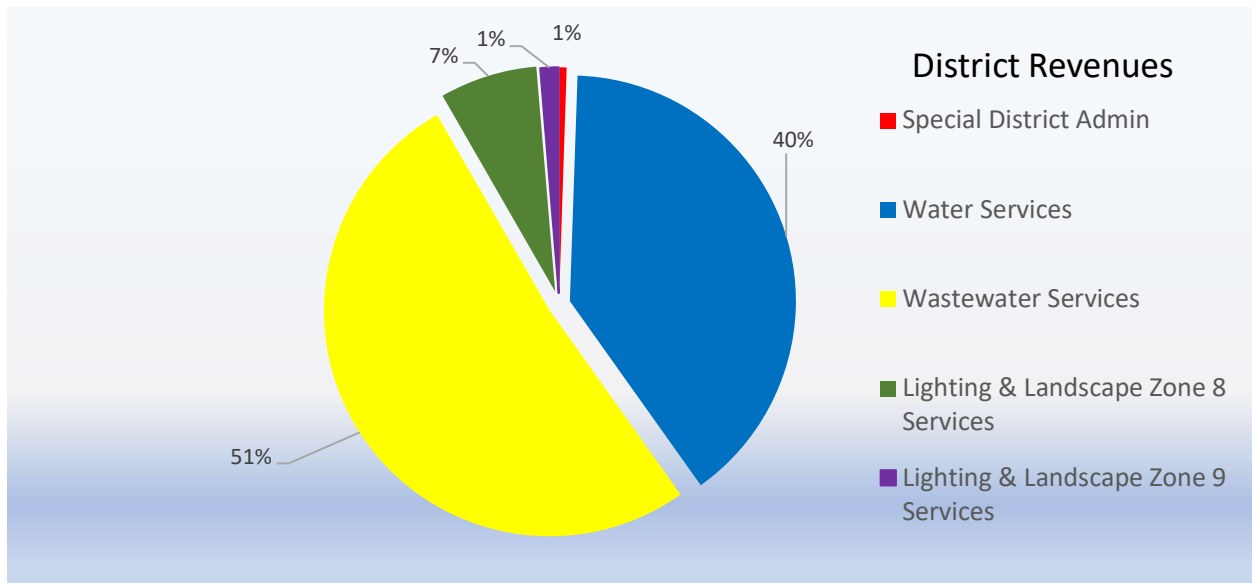
May: The preliminary budget is presented to the Board of Directors at the Budget Workshop; Finance Manager completes final budget.

June: The final budget is presented and adopted by the Board of Directors.

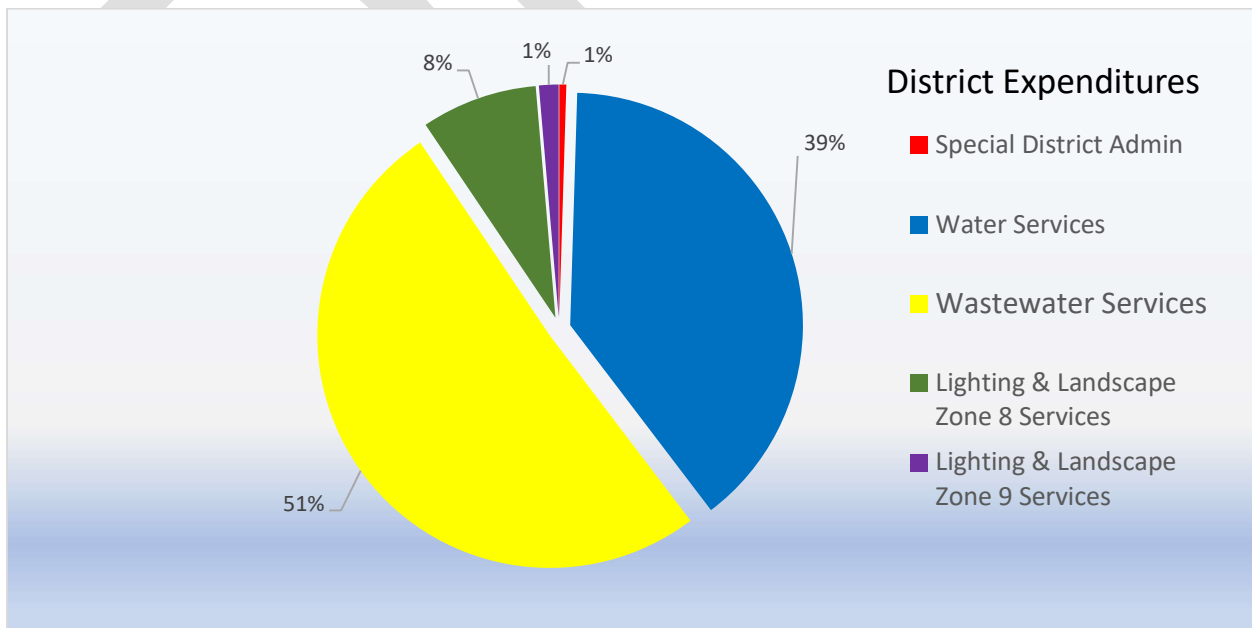
Budget Overview

The Town of Discovery Bay supports the Water Department, Wastewater Department, two Lighting and Landscaping Department Zones 8 & 9 and Special District Administration (Zone 35, 57, 61). Data is for budget year 2021-2022.

District Revenue



District Expenditures



Special District Administration Services Revenue, Operations & Maintenance, and Capital Improvements

The Special District Administration Fund revenue and expenditures cover all the Contra County Special District transactions for Contra Costa Lighting and Landscaping Zones 35, 57, & 61 which are maintained by the Town of Discovery Bay and reimbursed back to the District from Contra Costa County. These Zones included the following:

- Zone 35 includes the landscaped median islands on Bixler Road at the intersection of Highway 4, and a pedestrian pathway from the Sandy Cove Shopping Center to Newport Drive and two pedestrian bridges along the path.
- Zone 57 includes all landscaped streetscape frontages in and outside of the Centex Development along Highway 4, a portion of Bixler Road, and two (2) small parking areas. Regatta Park is also included in this zone.
- Zone 61 includes landscaped streetscape frontages along a major portion of Bixler Road, Point of Timber Road, the Park & Ride lot, a portion of Newport Drive, Preston Drive, and Slifer Drive. Slifer Park is also included in this zone.

Revenue

Account Code	Revenue	Actuals FY 2019-2020	Budgeted FY 2020-2021	Actuals to Date FY 2020-2021 thru 4/30/2021	Budgeted FY 2021-2022	Budgeted FY 2022-2023
10-31-5150	Landscape Related Payroll Rmb	126,849	0	0	0	0
10-31-5226	Landscape Reimbursable	21,602	35,000	15,790	35,000	35,000
	Total	\$148,450	\$35,000	\$15,790	\$35,000	\$35,000

Expenditures

Account Code	Expenditures	Actuals FY 2019-2020	Budgeted FY 2020-2021	Actuals to Date FY 2020-2021 thru 4/30/2021	Budgeted FY 2021-2022	Budgeted FY 2022-2023
10-41-7000	Salary & Wages	85,748	0	0	0	0
10-41-7005	Payroll Taxes	6,371	0	0	0	0
10-41-7526	Miscellaneous Bank Charges	84	0	0	0	0
10-41-7529	Landscape Related Reimbursable	18,984	35,000	60,870	35,000	35,000
10-41-8000	Operating Transfers Out	211,089	0	0	0	0
10-41-8005	Operating Transfers In	(128,451)	0	0	0	0
	Total	\$193,826	\$35,000	\$60,870	\$35,000	\$35,000

Capital Improvements

There are no capital improvements planned for Zones 35, 57 and 61 in the fiscal year 2021-2022.

Special District Administration Services Notations

Contra Costa County increased the budgets for the Landscaping & Maintenance Zones 35, 57 and 61 by an aggregate of \$3,621 from the 2020/2021 budget. The District is continuing with its review of these zones and the sustainability to financially maintain them.

Separate payroll and vehicle budgets are no longer included the wastewater department. The expenses are paid out and reimbursed to wastewater monthly. Any amounts due from the county at 6/30/2022 will be recorded in Accounts Receivable for the wastewater department.

Draft

Water Services Revenue, Operations & Maintenance, and Capital Improvements

The revenue table below identifies the various sources of revenue that are anticipated during the next fiscal year. The primary source of the water revenue is derived from monthly volume water usage.

Revenue Details

Account Code	Revenue	Actuals FY 2019-2020	Budgeted FY 2020-2021	Actuals to Date FY 2020-2021 thru 4/30/2021	Budgeted FY 2021-2022	Budgeted FY 2022-2023
20-31-5102	SEC Collections Account Charge	1,469,061	1,440,000	1,513,354	1,569,961	1,598,240
20-31-5145	Meter Installation Fee	335,139	335,218	278,045	335,218	335,218
20-31-5179	Misc-Water Service Fees	22,161	10,000	3,053	10,000	10,000
20-31-5151	Grant	61,716	0	0	0	0
20-31-5226	Water Meter Rental	425	0	400	500	500
20-31-5243	Other	9,978	2,000	52,141	2,000	2,000
20-31-6000	Water Charges	2,863,915	2,775,000	2,336,979	2,816,625	2,901,124
20-31-6030	Connection Fees CIP	3,900	6,000	300	6,000	6,000
20-31-6045	Capacity Fee CIP	189,150	15,000	14,550	15,000	15,000
20-31-6046	Permit Fee	1,950	5,000	150	5,000	5,000
20-31-6047	Inspection Fee	6,240	5,000	480	5,000	5,000
20-31-6086	Meter Charge-Commercial	85,782	69,000	72,820	80,000	80,000
	Total Revenue	5,049,416	4,662,218	4,272,273	4,845,304	4,958,082

Expenditure Details

Account Code	Revenue	Actuals FY 2019-2020	Budgeted FY 2020-2021	Actuals to Date FY 2020-2021 thru 4/30/2021	Budgeted FY 2021-2022	Budgeted FY 2022-2023
20-41-7000	Salary & Wages	372,526	540,000	420,240	608,549	638,977
20-41-7001	Overtime	0	2,000	0	2,000	2,000
20-41-7003	ER Taxes	28,913	0	24,194	60,855	63,898
20-41-7030	Group Insurance	86,658	121,000	77,574	121,000	124,630
20-41-7045	Workers Comp	17,196	25,000	5,105	14,720	15,162
20-41-7060	457 B/401a Plans	0	27,925	24,179	44,800	40,000
20-41-7105	Reimbursement of Insurance	0	0	0	(40,000)	(40,000)
20-41-7150	Temporary Employees	12,846	3,000	0	3,000	3,000
20-41-7165	Board of Directors Compensation	10,304	14,400	8,196	22,500	22,950

Account Code	Expenditures	Actuals FY 2019-2020	Budgeted FY 2020-2021	Actuals to Date FY 2020-2021 thru 4/30/2021	Budgeted FY 2021-2022	Budgeted FY 2022-2023
20-41-7180	Training Conferences Travel	1,456	31,000	572	31,000	31,620
20-41-7210	Dues & Subscriptions	59	2,200	0	500	500
20-41-7225	Memberships	7,982	8,000	8,158	8,000	8,000
20-41-7255	TODB Sponsored Events	0	2,400	0	4,000	4,000
20-41-7271	Consulting Services	174,936	192,000	256,192	306,300	265,300
20-41-7272	Water Service Contract	666,143	680,181	567,768	700,000	714,000
20-41-7275	Preventative & Corrective-V	17,223	30,000	0	0	0
20-41-7276	Contract Mailing	33,455	41,000	29,394	41,000	41,000
20-41-7277	Large Replacement-V	17,615	25,000	0	0	0
20-41-7280	Veolia Pass-Thru Expenses	0	0	55,206	132,500	132,500
20-41-7286	Legal - General	54,271	51,700	22,948	59,455	59,455
20-41-7288	Legal - Litigation	2,975	18,800	215	18,800	18,800
20-41-7301	Annual Audit Services	11,761	25,000	11,589	27,500	27,500
20-41-7316	Election Expense	0	5,000	5,132	0	6,000
20-41-7317	Advertising	1,892	2,000	309	2,000	2,000
20-41-7318	Public Relations	5,680	6,000	0	6,000	6,000
20-41-7319	Internet Website	0	4,800	1,200	4,800	4,800
20-41-7345	Public Communications and Noti	0	2,400	186	2,400	2,400
20-41-7361	Telephone - general	5,628	5,500	3,559	5,500	5,500
20-41-7362	Telecom - networking	5,537	5,000	4,595	5,600	5,600
20-41-7363	Telephone - cellular	3,119	6,000	2,795	6,000	6,000
20-41-7376	Construction Material for Repairs	61,790	50,000	115,292	125,000	125,000
20-41-7392	Vehicle & Equipment - Fuel	5,097	6,500	7,516	10,000	10,000
20-41-7393	Vehicle & Equipment Sup & Rep	3,059	4,400	6,978	4,400	4,400
20-41-7404	Water Meter and Registers	81,107	50,000	62,989	70,000	70,000
20-41-7405	General Repairs - Pumps-V	0	30,000	0	0	0
20-41-7406	General Repairs	239,650	300,000	382,213	450,000	450,000
20-41-7409	Info System - Maintenance	23,409	10,000	17,121	22,000	22,000
20-41-7410	Equipment Maintenance	1,400	3,600	2,017	3,600	3,600
20-41-7411	Software Hosting	28,952	33,000	23,786	35,845	35,845
20-41-7412	Computer Equipment & Supplies	3,445	3,500	236	3,500	3,500
20-41-7413	Miscellaneous Small Tools	4,995	3,000	3,290	4,000	4,000
20-41-7414	Equipment Repair	0	400	378	400	400
20-41-7415	Computer Software	641	4,000	810	4,000	4,000
20-41-7417	Instrument & Controls-V	176	12,500	0	0	0
20-41-7422	Minor Equipment/Furniture	0	2,000	0	2,000	2,000
20-41-7423	Office Furniture	0	0	3,152	5,000	5,000
20-41-7424	Postage	1,053	1,000	695	1,000	1,000

Account Code	Expenditures	Actuals FY 2019-2020	Budgeted FY 2020-2021	Actuals to Date FY 2020-2021 thru 4/30/2021	Budgeted FY 2021-2022	Budgeted FY 2022-2023
20-41-7425	Office Supplies	12,414	10,000	8,874	10,000	10,000
20-41-7437	Rent Public Meetings	0	200	0	200	200
20-41-7438	Building Rent	13,200	13,200	13,200	13,200	13,200
20-41-7439	Equipment Rental/Leasing	372	2,000	850	3,000	3,000
20-41-7440	Facility Maintenance - Landsca	975	1,600	5,760	5,000	5,000
20-41-7441	Building Maintenance	13,296	6,000	9,350	12,000	12,000
20-41-7451	Insurance Liability & Property	46,982	65,775	67,856	94,365	117,956
20-41-7466	Permits & Fees	30,782	45,000	32,660	45,000	45,000
20-41-7469	Personal Protective Equipment	1,236	3,000	1,578	3,000	3,000
20-41-7470	Safety Equipment & Supplies	1,277	1,400	(344)	1,400	1,400
20-41-7481	Utilities/Electrical Cost	500,012	460,000	380,045	567,069	595,423
20-41-7483	Utilities/Waste Cost	6,985	0	14,232	12,000	12,000
20-41-7495	Chemicals	27,354	32,000	0	0	0
20-41-7510	Freight	0	800	0	800	800
20-41-7511	UPS/Courier	0	320	0	320	320
20-41-7526	Miscellaneous Bank Charges	23,837	25,000	19,362	25,000	25,625
20-41-7527	Miscellaneous Services & Suppl	1,821	1,200	889	1,500	1,538
20-41-7532	Miscellaneous	15,720	2,000	0	2,000	2,000
20-41-7533	Bad Debt	35,916	5,000	0	5,000	5,000
20-41-7536	Debt Service Bond/Operating Transfer Out	143,712	260,000	144,224	455,844	746,940
20-41-7545	Revenue Collection	0	2,400	1,787	2,400	2,460
20-41-7547	Payroll Wire Transfer Fee	308	1,040	205	1,040	1,040
20-41-7549	Public Works - Permits	2,548	20,000	0	20,000	20,000
20-41-7550	Property Taxes	200	1,200	643	1,200	1,200
20-41-7587	Developer Deposit Reimbursement	1,439	0	12,481	3,000	3,000
20-41-8000	Operating Transfers In	(53,958)	0	0	0	0
20-41-8005	Operating Transfers Out	149,132	0	0	0	0
	Total	2,990,280	3,361,141	2,871,006	4,223,863	4,580,438

Capital Improvement Details

Account Code	Capital Improvements	Actual FY 2019-2020	Budgeted FY 2020-2021	Actual YTD FY 2020-2021	Budgeted FY 2021-2022	Budgeted FY 2022-2023
20-1156	CIP for Water Supply Capacity (Source, Treatment and Storage)		750,000		1,248,000	2,480,000
20-1170	Upgrades and Maintenance for Existing Water Supply Facilities		350,000		755,500	330,000
20-1170	Water Distribution System/Pipeline Replacements		1,440,000		750,000	750,000
20-1170	Additional Capital Improvements - Water Distribution System & Maintenance		25,000			
20-1170	Master Plans		315,000		50,000	
20-1135/20-1120	Water/WW Combined Project Total (trucks, building repairs, equipment)		296,000		384,000	1,064,000
	Total	\$175,435	\$3,176,000	\$443,512	\$3,187,500	\$4,624,000

In fiscal year 2021/2022, the District will begin the Capital Improvement Projects which include:

- the design and site acquisition for Well #8
- begin long-term mainline pipeline replacement program
- Filter repair at Newport & Willow Treatment Plants
- cathodic protection

For a complete listing of capital projects, scheduled year and associated costs please see page 46.

Budgeted Fund Summary

Water Fund Summary	Year End Fund Balance FY 19/20	Budgeted Revenues FY 20/21	Budgeted Expenses FY 20/21	Budgeted Fund Balance FY 20/21	Estimated Revenues FY 21/22	Estimate Expenses FY 21/22	Estimate Fund Balance FY 21/22	Estimated Revenues FY 22/23	Estimate Expenses FY 22/23	Estimate Fund Balance FY 22/23
Beginning Fund Balance(Carryover)		7,778,889			5,903,966			3,337,907		
O&M Funds	1,929,219	3,361,141	3,361,141	1,929,219	4,223,863	4,223,863	1,929,219	4,580,438	4,580,438	1,929,219
Capital Improvement Funds	3,407,516	1,051,077	3,176,000	1,282,593	371,441	3,187,500	(1,533,466)	127,644	4,624,000	(6,029,822)
Revolving Funds	1,012,154	250,000	0	1,262,154	250,000		1,512,154	250,000	0	1,762,154
Reserve Funds	1,430,000	0	0	1,430,000	0	0	1,430,000	0	0	1,430,000
YE Fund Balance	\$7,778,889	\$12,441,107	\$6,537,141	\$5,903,966	\$10,749,270	\$7,411,363	\$3,337,907	\$8,295,989	\$9,204,438	(\$908,449)

The water revenue is distributed to the O&M Funds, the Capital Improvements Funds, the Revolving Funds and the Reserve Funds per the annual budget.

O&M Funds are District revenues and expenses needed to operate the Water Services Department. This fund maintains a balance of 20-22% of the O&M expenses for operational cash flow.

Capital Improvement Funds are District revenues and expenses needed for capital improvements of the water distribution systems. These funds are generally budgeted revenues comprised of water volume use and capacity and connection fees.

Revolving Funds are for the future maintenance or improvements of the water infrastructure system, pumps, generator facilities, and vehicles replacements.

Reserve Funds have been established for emergency use for the water utility system. This reserve is 30% of the water operating budget.

As of fiscal year 21/22, the District will need to identify funding opportunities to complete the necessary capital projects. In fiscal year 19/20, the District completed a rate study to properly plan for the costs of these future projects.

Water Utility Rates

TABLE 1: ADOPTED WATER RATES

WATER	FY 2020-21		FY 2021-22		FY 2022-23		FY 2023-24		FY 2024-25	
	Monthly (\$/month)	Use (\$/ccf)	Monthly (\$/month)	Use (\$/ccf)	Monthly (\$/month)	Use (\$/ccf)	Monthly (\$/month)	Use (\$/ccf)	Monthly (\$/month)	Use (\$/ccf)
Unmetered Account Charge	\$ 14.67		\$ 14.67		\$ 14.67		\$ 14.67		\$ 14.67	
All Metered	Monthly (\$/month)	Yearly (\$/DU)	Monthly (\$/month)	Yearly (\$/DU)	Monthly (\$/month)	Yearly (\$/DU)	Monthly (\$/month)	Yearly (\$/DU)	Monthly (\$/month)	Yearly (\$/DU)
<i>Non-Irrigation Account Charge</i>										
5/8" Meter	\$ 21.46	\$ 257.52	\$ 21.84	\$ 262.08	\$ 22.22	\$ 266.64	\$ 22.62	\$ 271.44	\$ 23.02	\$ 276.24
3/4" Meter	\$ 21.46	\$ 257.52	\$ 21.84	\$ 262.08	\$ 22.22	\$ 266.64	\$ 22.62	\$ 271.44	\$ 23.02	\$ 276.24
1" Meter	\$ 21.46	\$ 257.52	\$ 21.84	\$ 262.08	\$ 22.22	\$ 266.64	\$ 22.62	\$ 271.44	\$ 23.02	\$ 276.24
1 1/2" Meter	\$ 40.08	\$ 480.96	\$ 40.78	\$ 489.36	\$ 41.50	\$ 498.00	\$ 42.24	\$ 506.88	\$ 42.98	\$ 515.76
2" Meter	\$ 62.98	\$ 755.76	\$ 63.96	\$ 767.52	\$ 64.94	\$ 779.28	\$ 65.92	\$ 791.04	\$ 66.94	\$ 803.28
3" Meter	\$ 124.56	\$ 1,494.72	\$ 126.10	\$ 1,513.20	\$ 127.64	\$ 1,531.68	\$ 129.20	\$ 1,550.40	\$ 130.80	\$ 1,569.60
4" Meter	\$ 193.84	\$ 2,326.08	\$ 196.00	\$ 2,352.00	\$ 198.20	\$ 2,378.40	\$ 200.40	\$ 2,404.80	\$ 202.64	\$ 2,431.68
6" Meter	\$ 386.30	\$ 4,635.60	\$ 390.22	\$ 4,682.64	\$ 394.18	\$ 4,730.16	\$ 398.18	\$ 4,778.16	\$ 402.22	\$ 4,826.64
<i>Irrigation Account Charge</i>										
5/8" Meter	\$ 19.24	\$ 230.88	\$ 19.58	\$ 234.96	\$ 19.92	\$ 239.04	\$ 20.26	\$ 243.12	\$ 20.62	\$ 247.44
3/4" Meter	\$ 19.24	\$ 230.88	\$ 19.58	\$ 234.96	\$ 19.92	\$ 239.04	\$ 20.26	\$ 243.12	\$ 20.62	\$ 247.44
1" Meter	\$ 19.24	\$ 230.88	\$ 19.58	\$ 234.96	\$ 19.92	\$ 239.04	\$ 20.26	\$ 243.12	\$ 20.62	\$ 247.44
1 1/2" Meter	\$ 37.12	\$ 445.44	\$ 37.38	\$ 448.56	\$ 37.64	\$ 451.68	\$ 37.90	\$ 454.80	\$ 38.18	\$ 458.16
2" Meter	\$ 58.54	\$ 702.48	\$ 58.72	\$ 704.64	\$ 58.90	\$ 706.80	\$ 59.06	\$ 708.72	\$ 59.24	\$ 710.88
3" Meter	\$ 115.73	\$ 1,388.76	\$ 115.73	\$ 1,388.76	\$ 115.73	\$ 1,388.76	\$ 115.73	\$ 1,388.76	\$ 115.73	\$ 1,388.76
4" Meter	\$ 180.27	\$ 2,163.24	\$ 180.27	\$ 2,163.24	\$ 180.27	\$ 2,163.24	\$ 180.27	\$ 2,163.24	\$ 180.27	\$ 2,163.24
6" Meter	\$ 359.54	\$ 4,314.48	\$ 359.54	\$ 4,314.48	\$ 359.54	\$ 4,314.48	\$ 359.54	\$ 4,314.48	\$ 359.54	\$ 4,314.48
Newly Metered Customers :										
Meter Install Fee (10 yr)	\$8.01		\$8.01		\$8.01		\$8.01		\$8.01	
Metered Usage Charge:		Use (\$/ccf)		Use (\$/ccf)		Use (\$/ccf)		Use (\$/ccf)		Use (\$/ccf)
		2.266		2.34		2.405		2.479		2.577
<small>DW= Dwelling Unit ccf=100 cubic feet=748 gallons</small>										

TABLE 2: ADOPTED WASTEWATER RATES

SEWER	FY 2020-21		FY 2021-22		FY 2022-23		FY 2023-24		FY 2024-25	
	Monthly (\$/month)	Yearly (\$/DU)	Monthly (\$/month)	Yearly (\$/DU)	Monthly (\$/month)	Yearly (\$/DU)	Monthly (\$/month)	Yearly (\$/DU)	Monthly (\$/month)	Yearly (\$/DU)
Residential/Unmetered										
Single Family (Each DU)	\$ 83.34	\$ 1,000.08	\$ 84.59	\$ 1,015.08	\$ 85.86	\$ 1,030.32	\$ 87.15	\$ 1,045.80	\$ 88.46	\$ 1,061.52
Multifamily/Condos (Each DU)	\$ 63.89	\$ 766.68	\$ 65.92	\$ 791.04	\$ 68.01	\$ 816.12	\$ 70.17	\$ 842.04	\$ 72.40	\$ 868.80
Vacant	\$ 18.67	\$ 224.00	\$ 18.67	\$ 224.00	\$ 18.67	\$ 224.00	\$ 18.67	\$ 224.00	\$ 18.67	\$ 224.00
Non-Residential/Metered		Use (\$/ccf)		Use (\$/ccf)		Use (\$/ccf)		Use (\$/ccf)		Use (\$/ccf)
Business/Government/Clubs		6.05		6.384		6.737		7.109		7.501
Restaurants/Bars/Dining Facilities		17.337		17.899		18.479		19.078		19.696
Schools		5.462		5.781		6.118		6.475		6.853
Other Domestic Strength Users		6.05		6.384		6.737		7.109		7.501

Wastewater Services Revenue, Operations & Maintenance, and Capital Improvements

The revenue table below identifies the various sources of revenue that can be anticipated during the next fiscal year. The primary source of the Wastewater revenue is derived from Property Tax charges for the collection, conveyance, treatment, and discharge of treated effluent.

Revenue

Account Code	Revenue	Actuals FY 2019-2020	Budgeted FY 2020-2021	Actuals to Date FY 2020-2021 thru 4/30/2021	Budgeted FY 2021-2022	Budgeted FY 2022-2023
21-31-5101	SEC Collections Wastewater	5,876,245	5,965,127	5,854,483	6,037,153	6,130,027
21-31-5177	Reimbursements	1,142	6,300	0	6,300	6,300
21-31-5179	Misc	24,396	0	2,233	0	0
21-31-5243	Other	149,716	1,000	50,793	10,000	10,000
21-31-6015	Sewer Charges	115,397	157,000	86,303	157,000	157,000
21-31-6030	Connection Fees CIP	3,900	0	300	10,000	10,000
21-31-6045	Capacity Fee CIP	254,619	65,000	36,090	65,000	65,000
21-31-6046	Permit Fee	0	5,000	0	5,000	5,000
21-31-6047	Inspection Fee	6,240	5,000	480	5,000	5,000
21-31-6086	CO ZONES VEHICLE REIMBURSABLE	0	81,000	87,103	0	0
21-31-6087	CO ZONES PAYROLL REIMBURSABLE	0	162,000	149,339	0	0
	Total	6,431,655	6,447,427	6,267,124	6,295,453	6,388,327

Expenditures

Account Code	Expenditures	Actuals FY 2019-2020	Budgeted FY 2020-2021	Actuals to Date FY 2020-2021 thru 4/30/2021	Budgeted FY 2021-2022	Budgeted FY 2022-2023
21-41-7000	Salary & Wages	448,269	610,000	425,158	677,607	711,488
21-41-7001	Overtime	0	2,000	0	2,000	2,000
21-41-7003	ER Taxes	33,948	0	38,905	67,761	71,149
21-41-7030	Group Insurance	129,988	180,000	118,934	180,000	180,000
21-41-7045	Workers Comp	25,794	33,000	7,658	22,080	25,392
21-41-7060	457 B/401a Plans	0	14,125	34,440	67,200	60,000
21-41-7105	Reimbursement of Insurance	0	0	(54,071)	(50,000)	(50,000)
21-41-7150	Temporary Employees	19,269	5,000	0	5,000	5,000
21-41-7165	Board of Directors Compensation	15,456	22,000	12,274	22,500	22,950
21-41-7180	Training Conferences Travel	1,836	30,000	870	30,000	30,000

Account Code	Expenditures	Actuals FY 2019-2020	Budgeted FY 2020-2021	Actuals to Date FY 2020-2021 thru 4/30/2021	Budgeted FY 2021-2022	Budgeted FY 2022-2023
21-41-7210	Dues & Subscriptions	20	2,600	0	2,600	2,600
21-41-7225	Memberships	6,352	12,000	8,814	12,000	12,000
21-41-7255	TODB Sponsored Events	0	3,600	0	6,000	6,000
21-41-7270	Environmental Studies	0	0	4,791	0	0
21-41-7271	Consulting Services	448,160	180,000	101,059	234,000	153,000
21-41-7272	Wastewater Service Contract	999,214	1,020,271	851,651	1,044,000	1,064,880
21-41-7275	Preventative & Corrective-V	62,798	70,000	0	0	0
21-41-7277	Large Replacement -V	67,533	110,000	0	0	0
21-41-7280	Veolia Pass-Thru Expenses	0	0	51,052	340,000	340,000
21-41-7286	Legal - General	61,084	106,000	28,800	121,900	121,900
21-41-7288	Legal - Litigation	5,194	25,000	323	25,000	25,000
21-41-7301	Annual Audit Services	17,581	30,000	17,341	36,300	33,000
21-41-7316	Election Expense	0	10,000	7,697	0	10,000
21-41-7317	Advertising	2,676	3,000	962	3,000	3,000
21-41-7345	Public Communications and Noti	0	3,600	0	3,600	3,600
21-41-7361	Telephone - general	13,248	15,000	7,434	15,000	15,000
21-41-7362	Telecom - networking	10,809	15,000	8,927	15,000	15,000
21-41-7363	Telephone - cellular	3,336	6,000	2,462	6,000	6,000
21-41-7376	Construction Material for Repairs	0	3,000	0	3,000	3,000
21-41-7392	Vehicle & Equipment - Fuel	1,574	6,000	1,015	6,000	6,000
21-41-7393	Vehicle & Equipment Sup & Rep	6,806	30,000	8,331	30,000	30,000
21-41-7405	General Repairs - Pumps-V	60,736	30,000	0	0	0
21-41-7406	General Repairs	20,674	100,000	(18,279)	150,000	150,000
21-41-7409	Info System - Maintenance	34,863	15,000	25,681	33,000	33,000
21-41-7410	Equipment Maintenance	3,500	5,400	1,850	5,400	5,400
21-41-7411	Software Hosting	13,070	15,000	10,170	17,400	17,400
21-41-7412	Computer Equipment & Supplies	5,089	6,000	355	6,000	6,000
21-41-7413	Miscellaneous Small Tools	299	3,000	297	3,000	3,000
21-41-7414	Equipment Repair	0	600	0	600	600
21-41-7415	Computer Software	1,075	1,500	700	1,500	1,500
21-41-7416	UV Parts	16,450	50,000	0	0	0
21-41-7417	Instrument & Controls-V	20,220	47,000	0	0	0
21-41-7424	Postage	1,060	1,500	922	1,500	1,500
21-41-7425	Office Supplies	7,936	10,000	5,599	10,000	10,000
21-41-7438	Building Rent	19,800	19,800	19,800	19,800	19,800
21-41-7439	Equipment Rental/Leasing	544	3,000	584	4,000	4,000
21-41-7440	Facility Maintenance - Landsca	2,658	2,400	275	2,400	2,400

Account Code	Expenditures	Actuals FY 2019-2020	Budgeted FY 2020-2021	Actuals to Date FY 2020-2021 thru 4/30/2021	Budgeted FY 2021-2022	Budgeted FY 2022-2023
21-41-7441	Building Maintenance	12,349	12,000	5,476	12,000	12,000
21-41-7451	Insurance Liability & Property	70,473	98,662	101,647	141,547	176,934
21-41-7466	Permits & Fees	55,970	55,000	41,119	55,000	55,000
21-41-7468	NPDES Permits & Fines	35,182	70,000	0	70,000	70,000
21-41-7469	Personal Protective Equipment	525	1,020	0	1,000	1,000
21-41-7470	Safety Equipment & Supplies	803	3,000	(339)	3,000	3,000
21-41-7481	Utilities/Electrical Cost	495,418	575,000	390,340	557,007	584,857
21-41-7483	Utilities/Waste Cost	1,025	2,000	2,649	2,000	2,000
21-41-7495	Chemicals-Veolia	50,633	33,000	17,743	0	0
21-41-7510	Freight	0	1,000	0	1,000	1,000
21-41-7526	Miscellaneous Bank Charges	118	1,000	30	1,000	1,000
21-41-7527	Miscellaneous Services & Suppl	2,321	4,500	1,072	4,500	4,500
21-41-7533	Bad Debt	(230)	5,000	0	5,000	5,000
21-41-7534	Special Expense	1,523	3,000	1,836	2,000	2,000
21-41-7536	Debt Service Bond/Operating Transfer Out	1,208,266	1,102,000	1,207,013	1,342,687	1,704,591
21-41-7545	Revenue Collection	0	6,500	3,627	7,000	7,000
21-41-7547	Payroll Wire Transfer Fee	462	1,560	308	1,500	1,500
21-41-7549	Public Works - Permits	3,292	3,500	0	3,500	3,500
21-41-7550	Property Taxes	11,923	17,000	11,501	18,000	18,000
21-41-7587	Developer Deposit Reimbursement	6,150	0	3,960	10,000	10,000
21-41-8000	Operating Transfers In	(1,063,888)	0	0	0	0
21-41-8005	Operating Transfers Out	223,699	0	0	0	0
	Total	3,730,638	4,868,539	3,524,350	5,419,889	5,825,441

Capital Improvements

Account Code	Capital Improvements	Actual FY 2019-2020	Budgeted FY 2020-2021	Actual YTD FY 2020-2021	Budgeted FY 2021-2022	Budgeted FY 2022-2023
	Annual Wastewater Lift Station Improvements		150,000		200,000	-
	Clarifier Rehabilitation-Wastewater System		5,000		-	
	Wastewater Treatment Plant 1 Refurbishment		178,112		-	
	Additional Capital Improvements - Wastewater System & Maintenance		110,000		80,000	132,000
	Denitrification Project		427,168		10,000,000	9,000,000
	Wastewater Equipment and vehicle replacements(Vac Truck/V Truck Pumpstations/Solar Dryer Panels)		-		930,000	-
	Wastewater Infrastructure Repair (Outfall Diffuser)				800,000	
	Master Plans		-		100,000	-
	Water/WW Combined Project Total (trucks, building repairs, equipment)		444,000		576,000	1,578,000
	Total	\$190,731	\$1,314,280	\$870,406	\$12,686,000	\$10,710,000

In fiscal year 2021/2022, the District will begin the Capital Improvement Projects which include multiple wastewater treatment plant modifications such as:

- Denitrification Completion
- Lift Station upgrades
- New Vac Truck
- Solar dryer panel replacements at Plant 2
- Outfall Diffuser Repair

District Staff and the Board of Directors will continue to discuss and plan to fund the Denitrification in fiscal year 2021/2022. For a complete listing of capital projects and associated costs please see page 46.

Budgeted Fund Summary

Wastewater Fund Summary	Year End Fund Balance FY 19/20	Budgeted Revenues FY 20/21	Budgeted Expenses FY 20/21	Budgeted Fund Balance FY 20/21	Estimated Revenues FY 21/22	Estimate Expenses FY 21/22	Estimate Fund Balance FY 21/22	Estimated Revenues FY 22/23	Estimate Expenses FY 22/23	Estimate Fund Balance FY 22/23
Beginning Fund Balance(Carryover)		14,994,347			15,268,955			3,458,519		
O&M Funds	7,788,126	4,759,280	4,868,539	7,678,867	5,419,889	5,419,889	7,678,867	5,825,441	5,825,441	7,678,867
Capital Improvement Funds	3,048,195	1,423,147	1,314,280	3,157,062	600,564	12,686,000	(8,928,374)	287,886	10,710,000	(19,350,488)
Revolving Funds	2,357,426	275,000	0	2,632,426	275,000		2,907,426	275,000	0	3,182,426
Reserve Funds	1,800,600	0	0	1,800,600	0	0	1,800,600	0	0	1,800,600
YE Fund Balance	\$14,994,347	\$21,451,774	\$6,182,819	\$15,268,955	\$21,564,408	\$18,105,889	\$3,458,519	\$9,846,846	\$16,535,441	(\$6,688,595)

The wastewater revenue is distributed to the O&M Funds, the Capital Improvements Funds, the Revolving Funds and the Reserve Funds per the annual budget.

O&M Funds are District revenues and expenses needed to operate the Wastewater Services Department. This fund maintains a balance of 20-22% of the O&M expenses for operational cash flow.

Capital Improvement Funds are District revenues and expenses needed for capital improvements of the water distribution systems. These funds are generally budgeted revenues comprised of rate payers and capacity and connection fees.

Revolving Funds are for the future maintenance or improvements of the wastewater infrastructure system, pumps, generators facilities, and vehicles replacements.

Reserve Funds have been established for emergency use for the wastewater system. This reserve is 30% of the water operating budget.

As of fiscal year 21/22, the District will need to identify funding opportunities to complete the necessary capital projects. In fiscal year 19/20, the District completed a rate study to properly plan for the costs of these future projects.

Wastewater Utility Rates

SEWER	FY 2020-21		FY 2021-22		FY 2022-23		FY 2023-24		FY 2024-25	
	Monthly (\$/month)	Yearly (\$/DU)	Monthly (\$/month)	Yearly (\$/DU)	Monthly (\$/month)	Yearly (\$/DU)	Monthly (\$/month)	Yearly (\$/DU)	Monthly (\$/month)	Yearly (\$/DU)
Residential/Unmetered										
Single Family (Each DU)	\$ 83.34	\$ 1,000.08	\$ 84.59	\$ 1,015.08	\$ 85.86	\$ 1,030.32	\$ 87.15	\$ 1,045.80	\$ 88.46	\$ 1,061.52
Multifamily/Condos (Each DU)	\$ 63.89	\$ 766.68	\$ 65.92	\$ 791.04	\$ 68.01	\$ 816.12	\$ 70.17	\$ 842.04	\$ 72.40	\$ 868.80
Vacant	\$ 18.67	\$ 224.00	\$ 18.67	\$ 224.00	\$ 18.67	\$ 224.00	\$ 18.67	\$ 224.00	\$ 18.67	\$ 224.00
Non-Residential/Metered	Use (\$/ccf)		Use (\$/ccf)		Use (\$/ccf)		Use (\$/ccf)		Use (\$/ccf)	
Business/Government/Clubs	6.05		6.384		6.737		7.109		7.501	
Restaurants/Bars/Dining Facilities	17.337		17.899		18.479		19.078		19.696	
Schools	5.462		5.781		6.118		6.475		6.853	
Other Domestic Strength Users	6.05		6.384		6.737		71.09		7.501	

DW= Dwelling Unit

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Lighting & Landscaping, Community Center Zone #8 Services Revenue, Operations & Maintenance, and Capital Improvements

The Lighting and Landscaping Zone #8 (Zone 8) receives its revenues from property taxes (appropriations limit set by the California Department of Finance); and from cost recovery fees and charges derived from the recreational classes, facility rentals, donations, novelty/beverage/food sales and community center events.

Revenue

Account Code	Revenue	Actuals FY 2019-2020	Budgeted FY 2020-2021	Actuals to Date FY 2020-2021 thru 4/30/2021	Budgeted FY 2021-2022	Budgeted FY 2022-2023
40-31-5106	Current Secured Property Tax	703,402	684,000	696,732	690,840	704,657
40-31-5148	Advertising Revenue	980	0	300	500	510
40-31-5149	Community Center Program Fees	26,628	40,000	0	30,000	30,600
40-31-5150	Community Center Events	484	3,000	0	1,500	1,530
40-31-5195	Interest Income	32,819	26,255	26,849	0	0
40-31-5226	CCC Vehicle Reimbursement	67,787	14,200	0	75,000	76,500
40-31-5243	Other	119	6,000	6,000	6,000	6,000
40-31-6000	Recreation Revenue	3,390	0	8,957	2,500	2,550
40-31-6050	Gifts & Contributions	3,661	0	30,000	4,000	4,080
40-31-6695	Rentals	38,489	38,000	0	38,000	38,760
40-31-6996	Community Center Apparel	115	300	0	50	50
40-31-6997	Community Center Food	0	100	0	50	50
40-31-6998	Community Center Beverage	232	500	0	100	100
40-31-6999	Community Center Pool Fee	0	1,000	0	6,000	6,120
	Total	875,456	819,355	768,838	854,540	871,507

Expenditures

Account Code	Expenditures	Actuals FY 2019-2020	Budgeted FY 2020-2021	Actuals to Date FY 2020-2021 thru 4/30/2021	Budgeted FY 2021-2022	Budgeted FY 2022-2023
40-41-7000	Salary & Wages	152,100	175,000	146,529	130,000	136,500
40-41-7003	ER Taxes	12,161	0	0	13,009	13,269
40-41-7105	Reimbursement of Insurance	0	0	0	13,009	13,269
40-41-7150	Temporary Employees	2,552	0	4,125	0	0
40-41-7180	Training Conferences Travel	624	1,500	28	2,000	2,040
40-41-7225	Memberships	0	525	208	600	612

Account Code	Expenditures	Actuals FY 2019-2020	Budgeted FY 2020-2021	Actuals to Date FY 2020-2021 thru 4/30/2021	Budgeted FY 2021-2022	Budgeted FY 2022-2023
40-41-7286	Legal - General	1,235	1,000	65	1,000	1,020
40-41-7301	Annual Audit Services	2,200	2,200	2,200	2,200	2,244
40-41-7317	Advertising	667	50	70	50	51
40-41-7361	Telephone - general	0	1,125	0	600	612
40-41-7362	Telecom - networking	1,718	900	924	0	0
40-41-7363	Telephone - cellular	1,472	2,000	1,260	2,000	2,040
40-41-7376	Road/Construction Materials	0	500	0	500	510
40-41-7392	Vehicle & Equipment - Fuel	7,253	6,500	7,495	10,000	10,200
40-41-7393	Vehicle & Equipment Sup & Rep	4,900	3,500	3,213	3,500	3,570
40-41-7409	Info System - Maintenance	266	800	0	800	816
40-41-7410	Equipment Maintenance & Repair	2,668	500	2,702	4,000	4,080
40-41-7412	Computer Equipment & Supplies	278	150	0	150	153
40-41-7413	Miscellaneous Small Tools	716	1,000	2,048	2,000	2,040
40-41-7414	Equipment Repair	1,101	1,000	746	0	0
40-41-7421	Cleaning Supplies	131	500	59	500	510
40-41-7424	Postage	0	150	0	150	153
40-41-7425	Office Supplies	1,460	1,000	590	1,000	1,020
40-41-7438	Building Rent	7,800	9,000	0	0	0
40-41-7439	Equipment Rental/Leasing	736	1,500	1,202	2,460	2,509
40-41-7440	Facility Maintenance - Landscape	19,688	30,000	99,161	45,000	35,700
40-41-7441	Building Maintenance	8,009	10,000	1,007	6,500	6,630
40-41-7451	Insurance Liability & Property	4,311	2,611	1,809	5,000	5,100
40-41-7466	Permits & Fees	0	0	50	100	102
40-41-7469	Personal Protective Equipment	2,631	3,000	2,046	3,000	3,060
40-41-7481	Utilities/Electrical Cost	82,763	92,000	65,414	92,000	93,840
40-41-7482	Utilities/Water Cost	49,542	50,000	39,985	50,000	51,000
40-41-7483	Utilities/Waste Cost	9,930	5,000	5,297	5,000	5,100
40-41-7527	Miscellaneous Services & Suppl	209	2,000	234	500	510
40-41-7544	Reimbursement for County Admin	0	500	0	500	510
40-41-7545	Revenue Collection	5,207	5,500	5,515	5,500	5,610
40-41-7549	Public Works - Permits	0	500	0	500	500
40-41-7550	Property Taxes	1,463	3,000	911	2,000	2,040
40-41-7551	CCC DB Sign Replacement	979	2,000	244	2,000	2,040
40-41-8000	Salary & Wages	158,194	204,394	107,444	137,792	144,682
40-41-8002	Parttime Time & Seasonal Staff	0	0	0	93,137	95,000
40-41-8003	ER Taxes	13,016	0	0	23,093	24,248

Account Code	Expenditures	Actuals FY 2019-2020	Budgeted FY 2020-2021	Actuals to Date FY 2020- 2021 thru 4/30/2021	Budgeted FY 2021-2022	Budgeted FY 2022-2023
40-41-8075	Reimbursement of Wages	0	0	0	13,779	14,055
40-41-8150	Temporary Employees	1,465	0	418	0	0
40-41-8180	Training Conferences Travel	301	1,000	354	1,000	1,020
40-41-8225	Memberships	1,058	500	912	1,000	1,020
40-41-8255	Donation Expenditures	7,422	6,000	0	29,000	6,000
40-41-8256	Events	463	1,500	0	1,500	1,530
40-41-8286	Legal - General	10,311	10,000	1,697	3,500	3,570
40-41-8301	Annual Audit Services	1,000	1,000	1,000	1,000	1,020
40-41-8317	Advertising	14,214	15,000	10,680	5,250	5,355
40-41-8361	Telephone - general	4,243	4,000	1,928	3,560	3,631
40-41-8362	Telecom - networking	2,508	2,500	2,424	3,000	3,060
40-41-8363	Telephone - cellular	595	1,000	456	720	734
40-41-8406	General Repairs	77,587	5,000	0	2,000	2,040
40-41-8408	Special Equipment	313	100	0	0	0
40-41-8409	Info System - Maintenance	3,266	2,000	0	2,000	2,040
40-41-8410	Equipment Maintenance	0	800	140	800	816
40-41-8411	Software Hosting	4,921	5,000	3,647	5,000	5,100
40-41-8412	Computer Equipment & Supplies	125	500	0	500	510
40-41-8413	Miscellaneous Small Tools	0	500	0	500	510
40-41-8415	Computer Software	0	0	904	1,000	1,020
40-41-8424	Postage	3,173	3,500	2,136	250	255
40-41-8425	Office Supplies	3,629	4,000	2,343	4,000	4,080
40-41-8440	Facility Maintenance - Landscape	1,870	12,000	4,965	12,000	12,240
40-41-8441	Building Maintenance	7,199	13,000	5,177	8,000	8,160
40-41-8442	Pool Maintenance	0	2,500	816	3,000	3,060
40-41-8451	Insurance Liability & Property	3,600	10,439	0	6,000	6,120
40-41-8466	Permits & Fees	4,697	2,000	4,387	2,000	2,040
40-41-8469	Personal Protective Equipment	289	600	0	600	612
40-41-8470	Safety Equipment & Supplies	492	1,000	138	1,000	1,020
40-41-8481	Utilities/Electrical Cost	8,029	13,000	4,074	28,000	28,560
40-41-8482	Utilities/Water Cost	12,984	14,000	8,709	14,000	14,280
40-41-8483	Utilities/Waste Cost	3,090	6,000	2,886	6,000	6,120
40-41-8495	Chemicals	0	1,000	0	10,000	10,200
40-41-8526	Miscellaneous Bank Charges	2,306	2,500	1,300	3,500	3,570
40-41-8527	Miscellaneous Services & Suppl	335	500	0	500	510
40-41-8536	Operating Transfer Out	425,797	0	0	0	0
40-41-8537	Operating Transfer In	(450,226)	0	0	0	0

Account Code	Expenditures	Actuals FY 2019-2020	Budgeted FY 2020-2021	Actuals to Date FY 2020-2021 thru 4/30/2021	Budgeted FY 2021-2022	Budgeted FY 2022-2023
40-41-8541	Food Exp	0	100	0	100	102
40-41-8542	Beverage Exp	0	100	0	500	510
40-41-8543	Program Fees	20,239	30,000	788	22,500	22,950
40-41-8550	Property Taxes	470	500	470	500	510
	Total	\$749,737	\$800,844	\$566,916	\$859,309	\$851,432

Capital Improvements

Account Code	Capital Improvements	Actual FY 2019-2020	Budgeted FY 2020-2021	Actual YTD FY 2020-2021	Budgeted FY 2021-2022	Budgeted FY 2022-2023
	Landscaping/Streetscapes		85,000	-	-	-
	Parks		495,000	182,539	151,000	-
	Building/Equipment			2,000		
	Total	\$66,177	\$580,000	\$184,539	\$151,000	\$0

Zone #8 maintains the front entrance into Discovery Bay, the streetscapes, Cornell Park, and manages the Community Center park grounds. In fiscal year 21/22 plans are underway to complete:

- Resurface tennis courts 1, 2 & 3
- Complete Cornell Park upgrades funded by Prop 68 'Per Capita' Grant
- Replace pool lawn area with artificial turf

For a complete listing of capital projects and associated costs please see page 46.

Budgeted Fund Summary

Zone 8 Fund Summary	Year End Fund Balance FY 19/20	Budgeted Revenues FY 20/21	Budgeted Expenses FY 20/21	Budgeted Fund Balance FY 20/21	Estimated Revenues FY 21/22	Estimate Expenses FY 21/22	Estimate Fund Balance FY 21/22	Estimated Revenues FY 22/23	Estimate Expenses FY 22/23	Estimate Fund Balance FY 22/23
Beginning Fund Balance(Carryover)		2,286,470			1,830,375			1,674,606		
O&M Funds	1,449,696	885,450	885,450	1,449,696	859,309	859,309	1,449,696	871,507	851,432	1,469,771
Capital Improvement Funds	331,774	(101,095)	390,000	(159,321)	(39,769)	151,000	(350,090)	(35,000)	-	(385,090)
Revolving Funds	105,000	35,000	-	140,000	35,000		175,000	35,000	-	210,000
Reserve Funds	400,000	-	-	400,000	-	-	400,000	-	-	400,000
YE Fund Balance	2,286,470	3,105,825	1,275,450	1,830,375	2,684,915	1,010,309	1,674,606	2,546,113	851,432	1,694,681

The Zone 8 revenue is distributed to the O&M Funds, the Capital Improvements Funds, the Revolving Funds and the Reserve Funds per the annual budget.

O&M Funds are District revenues and expenses needed to operate the Lighting & Landscaping Zone 8 Services Department. This fund maintains a balance of 20-22% of the O&M expenses for operational cash flow.

Capital Improvement Funds are Zone 8 revenues and expenses needed for capital improvements of the landscaping and parks including the Community Center. These funds are generally budgeted revenues comprised of property taxes; and from cost recovery fees and charges derived from the recreational classes, facility rentals, donations, novelty/beverage/food sales and community center events.

Revolving Funds are for the future maintenance or improvements of the landscaping, parks, and vehicles replacements.

Reserve Funds have been established for emergency use for the Lighting and Landscape Zone 8 Department. This reserve is 50% of the Zone 8 operating budget.

Lighting & Landscaping Zone #9 Services Revenue, Operations & Maintenance, and Capital Improvements

The Lighting and Landscaping Zone #9 (Zone 9) receives its revenues from an Assessment. Annually an engineering report is completed by Herwit Engineering. The District uses this engineering report to calculate the operating revenue needed to maintain and operate the Lighting and Landscaping Zone 9.

Revenue

Account Code	Revenue	Actuals FY 2019-2020	Budgeted FY 2020-2021	Actuals to Date FY 2020-2021 thru 4/30/2021	Budgeted FY 2021-2022	Budgeted FY 2022-2023
41-31-5120	Assessment Income	145,637	146,391	143,325	150,634	153,647
41-31-5226	CCC Vehicle Reimbursement	16,947	13,000	0	13,000	13,000
	Total Revenue	\$162,583	\$159,391	\$143,325	\$163,634	\$166,647

Expenditures

Account Code	Expenditures	Actuals FY 2019-2020	Budgeted FY 2020-2021	Actuals to Date FY 2020-2021 thru 4/30/2021	Budgeted FY 2021-2022	Budgeted FY 2022-2023
41-41-7000	Salary & Wages	31,751	42,000	29,407	50,000	52,500
41-41-7003	ER Taxes	2,486	0	0	4,678	4,912
41-41-7105	Reimbursement of Insurance	0	0	0	4,678	4,912
41-41-7150	Temporary Employees	1,316	0	1,836	0	0
41-41-7180	Training Conferences Travel	1,264	1,000	12	1,000	1,000
41-41-7210	Dues & Subscriptions	20	200	0	50	50
41-41-7225	Memberships	0	400	0	400	400
41-41-7271	Consulting Services	2,075	3,900	0	2,000	3,900
41-41-7286	Legal - General	1,800	1,000	0	1,000	1,000
41-41-7301	Annual Audit Services	2,000	2,000	2,000	2,000	2,000
41-41-7317	Advertising	804	0	70	100	100
41-41-7361	Telephone - general	142	1,000	199	500	500
41-41-7362	Telecom - networking	166	700	0	700	700
41-41-7363	Telephone - cellular	1,418	1,200	1,236	1,200	1,200
41-41-7376	Road/Construction Materials	0	200	0	200	200
41-41-7392	Vehicle & Equipment - Fuel	5,080	5,000	3,074	5,000	5,000
41-41-7393	Vehicle & Equipment Sup & Rep	1,979	2,000	595	2,000	2,000
41-41-7406	General Repairs	0	100	0	100	100
41-41-7409	Info System - Maintenance	247	1,000	0	1,000	1,000
41-41-7410	Equipment Maintenance & Repair	1,305	1,500	984	1,500	1,500

Account Code	Expenditures	Actuals FY 2019-2020	Budgeted FY 2020-2021	Actuals to Date FY 2020-2021 thru 4/30/2021	Budgeted FY 2021-2022	Budgeted FY 2022-2023
41-41-7412	Computer Equipment & Supplies	278	750	0	750	750
41-41-7413	Miscellaneous Small Tools	1,026	2,500	1,368	2,500	2,500
41-41-7414	Equipment Repair	2,294	1,250	1,179	1,250	1,250
41-41-7421	Cleaning Supplies	29	500	50	500	500
41-41-7422	Minor Equipment/Furniture	0	500	0	500	500
41-41-7424	Postage	0	50	0	50	50
41-41-7425	Office Supplies	267	500	29	500	500
41-41-7438	Building Rent	0	9,000	6,500	0	0
41-41-7439	Equipment Rental/Leasing	144	1,000	587	1,000	1,000
41-41-7440	Facility Maintenance - Landscape	8,408	17,000	19,212	21,000	21,000
41-41-7441	Building Maintenance	3,669	4,000	0	1,000	4,000
41-41-7451	Insurance Liability & Property	2,880	1,680	129	3,000	3,100
41-41-7466	Permits & Fees	1,700	0	3,247	500	500
41-41-7469	Personal Protective Equipment	2,880	3,000	1,617	3,000	3,000
41-41-7481	Utilities/Electrical Cost	1,130	1,350	839	1,350	1,350
41-41-7482	Utilities/Water Cost	20,760	25,000	13,025	25,500	26,000
41-41-7483	Utilities/Waste Cost	3,599	3,000	0	3,000	3,000
41-41-7527	Miscellaneous Services & Suppl	320	500	122	1,000	500
41-41-7536	Operating Transfer Out	60,694	0	0	0	0
41-41-7537	Operating Transfer In	(58,574)	0	0	0	0
41-41-7545	Revenue Collection	0	600	423	600	600
	Total	\$107,793	\$136,880	\$87,738	\$145,106	\$153,074

Capital Improvements

Account Code	Capital Improvements	Actual FY 2019-2020	Budgeted FY 2020-2021	Actual YTD FY 2020-2021	Budgeted FY 2021-2022	Budgeted FY 2022-2023
	Landscaping/Streetscapes	0	0	0	25,000	100,000
	Parks	0	173,000	0	0	0
	Building/Equipment	1,565	0	0	0	0
	Total	\$1,565	\$173,000	\$160,000	\$25,000	\$100,000

Lighting and Landscaping Zone 9 is the Ravenswood area of Discovery Bay. The capital improvement plan for FY21/22 consists of a streetscape enhancement on Wilde Drive.

Budgeted Fund Summary

Zone 9 Fund Summary	Year End Fund Balance FY 19/20	Budgeted Revenues FY 20/21	Budgeted Expenses FY 20/21	Budgeted Fund Balance FY 20/21	Estimated Revenues FY 21/22	Estimate Expenses FY 21/22	Estimate Fund Balance FY 21/22	Estimated Revenues FY 22/23	Estimate Expenses FY 22/23	Estimate Fund Balance FY 22/23
Beginning Fund Balance(Carryover)		353,334			202,845			196,373		
O&M Funds	60,334	136,880	136,880	60,334	145,106	145,106	60,334	153,074	153,074	60,334
Capital Improvement Funds	173,000	2,511	173,000	2,511	(1,472)	25,000	(23,961)	(6,427)	100,000	(130,388)
Revolving Funds	45,000	20,000	-	65,000	20,000		85,000	20,000	-	105,000
Reserve Funds	75,000	-	-	75,000	-	-	75,000	-	-	75,000
YE Fund Balance	353,334	512,725	309,880	202,845	366,479	170,106	196,373	363,020	253,074	109,946

The Zone 9 revenue is distributed to the O&M Funds, the Capital Improvements Funds, the Revolving Funds and the Reserve Funds per the annual budget.

O&M Funds are District revenues and expenses needed to operate the Lighting & Landscaping Zone 9 Services Department. This fund maintains a balance of 20-22% of the O&M expenses for operational cash flow.

Capital Improvement Funds are Zone 9 revenues and expenses needed for capital improvements of the landscaping and parks. These funds are generally budgeted revenues comprised of the Engineering Report Assessment.

Revolving Funds are for the future maintenance or improvements of the landscaping, parks, and vehicles replacements.

Reserve Funds have been established for emergency use for the Zone 9 Lighting & Landscape Department. This reserve is 50% of the Zone 9 operating budget.

Lighting & Landscaping Zone #9 Engineer's Report

As part of the annual assessment process for the Ravenswood Improvement District (Zone 9), the Town of Discovery Bay Board of Directors adopt a Resolution annually, which directs HERWIT Engineering to prepare the assessment report. HERWIT provides the Draft of the Final Assessment Engineer's Report to District Staff. In that report, HERWIT determines assessed costs per parcel based on the operating budget.

HERWIT Engineering lists all factors leading to any increased assessment as well as the funds needed to maintain the reserve amount and cover the increased cost of operations.

The Annual Assessment can be viewed on the Districts website at <http://www.todb.ca.gov/>.

Draft

Capital Projects

The Capital Improvement Projects for Fiscal Year 2021/2022 are valued at \$12.6M. The budgeted projects include funding necessary to properly service, maintain and support the essential functions of District operations; continued rehabilitation of the wastewater lift stations as well as Water and Wastewater pipeline maintenance and replacements, Lighting & Landscaping Projects, and equipment purchases.

Wastewater Capital Improvements and Structures & Replacements

For FY 2021/2022 the Wastewater CIP and Structures & Replacements include the state-mandated Denitrification Project, design was completed FY20/21, currently the FY21/22 CIP for this project is estimated at \$7.4M to begin construction, the total construction budget will be finalized in the near future. \$600K is budgeted for the purchase of a new Vac Truck, and \$800K for the Outfall Diffuser Repair along with other misc other capital purchases and CIP items such as lift station improvements, solar dryer panel replacements and a Recycle Water Master Plan are budgeted as well.

Water Capital Improvements and Structures & Replacements

For FY 2021/2022 The Water CIP and Structures & Replacements includes four (4) projects at a total combined cost of \$2.7M. The CIP projects include Water Supply Capacity (source, treatment & storage) and Upgrades & Maintenance of the Existing Water Supply Facilities, Water Distribution System Upgrades and Replacements, as well as Infrastructure Replacements as required.

Building and Improvements Capital

In fiscal year 2021/2022, the District plans to improve upon its physical security systems at our Water & Wastewater plant facilities along with an upgrade to its Cyber Security and Information Technology platforms. The District plans to begin the process of relocating its offices away from Treatment Plant on Willow Lake Road.

Revolving funds for Infrastructure Replacements and Maintenance

In fiscal year 2021/2022, the District plans to add additional funds into the infrastructure replacement funds. \$275,000 for wastewater, \$250,000 for water.

Lighting & Landscaping Zone #8, Community Center & Zone #9 Capital

Zone #8 Community Center Pool project will be completed in June 2021, for FY21/22 the pool lawn will be replaced with artificial turf. In FY 2021/2022 the TODB CSD is using the Prop 68 "Per Capita" Grant to upgrade facilities at Cornell Park. Zone #9 Ravenswood Park Play Structure will be completed in May 2021. Zone #9 budget includes a streetscape refresh in FY 2020/2021.

Capital Project Listing

Project #	Project Name	FY 21/22 Year (1)	FY 22/23 Year (2)	FY 23/24 Year (3)	FY 24/25 Year (4)	FY 25/26 Year (5)
Water						
CIP for Water Supply Capacity (Source, Treatment and Storage)						
6001	Well 8 - Site Acquisition, CEQA, Exploratory, Production Well, Pipeline, Design & Construction for 1,800 gpm well (STAND ALONE WELL PROJECT) Entire Project, including engineering, studies, monitoring well	1,248,000	2,400,000	912,000		
	Well 9 - Site Acquisition, CEQA, Exploratory, Production Well, Pipeline, Design & Construction					1,310,000
	Abandon and Destroy Well 5A and Site Decommissioning		80,000			120,000
Upgrades and Maintenance for Existing Water Supply Facilities						
6003	Well Rehab every 3-4 years (Wells 2, 4A, 6)			465,000		
6007	Filter Repair (Newport & Willow)	660,000	330,000			
6008	Stabilization Soils	12,500				256,000
6017	Upgrade Hypo Tanks	83,000				
Water - Replacements						
6010	Mainline CIP Program Long-Term (budget to replace/upgrade 46 Miles total for DB) REPLACE 18 MILES OF ORIGINAL AC PIPE	500,000	750,000	1,000,000	1,500,000	2,000,000
6011	Cathodic Protection	250,000				
Master Plans						
6020	America's Water Infrastructure Act (AWIA) Emergency Response & Emergency Preparedness Plans	50,000				

Capital Project Listing (Continued)

Project #	Project Name	FY 21/22 Year (1)	FY 22/23 Year (2)	FY 23/24 Year (3)	FY 24/25 Year (4)	FY 25/26 Year (5)
Wastewater						
7001	Annual Wastewater Lift Station Improvements	200,000				
7018	Denitrification Project	10,000,000	9,000,000		-	-
7019	Mainline Piping Replacement - 235 ft of pipe replacement Lakeview Business Plaza from Cherry Hills			250,000		
7006	RAS & WAS Pumping System		132,000			
7022	V Truck Pumpstation Lagoons	100,000				
7014	Emergency Storage Drain to Pump Sta. W				75,000	
7015	Solids Handling Improvements				180,000	
7016	WAS Pumps and Check Valves Replacement				107,000	
7017	Collection System Pump Stations			180,000		
7023	O&M Manual Update			100,000		
7021	Recycle Water Master Plan	100,000				
7024	Vac Truck Replacement	600,000				
7025	Solar Dryer Panel Replacement Program	230,000				260,000
7026	Mole Replacement Program	80,000		83,000		
7012	Outfall Diffuser Repair	800,000				
Relocate District Office						
8002	Move District Main Office Building to new site due to Willow Lake Storage Tank	400,000	2,600,000			
8003	Vehicle & Equipment Purchases - Truck	30,000	30,000			
8004	District Security Phase 3	380,000				
8005	Cyber Security/Information Technology - system and hardware upgrades	150,000		100,000		
Zone 8						
Landscaping						
4001	Medians landscape replacement-DB BLVD Median landscape replacement	40,000				
Community Center						
	Tennis Courts – Resurface Courts 1,2&3	30,000				
	Community Center Pool lawn replacement with artificial turf	81,000				

Capital Project Listing (Continued)

Project #	Project Name	FY 21/22 Year (1)	FY 22/23 Year (2)	FY 23/24 Year (3)	FY 24/25 Year (4)	FY 25/26 Year (5)
Zone 9						
5002	Landscaping					
	Wilde enhancements	25,000				
	Poe Drive enhancement		100,000			
	Total Capital Budget	16,049,500	15,422,000	3,090,000	1,862,000	3,946,000

Draft

Public Financing Authority

A Public Financing Authority or (PFA) is a tax-exempt bond issuing authority that was created by local governments, for local governments, with the goal of increasing and streamlining economic development projects. PFA was established to simplify the issuance of conduit bonds.

The Town of Discovery Bay, prior to issuing Revenue Bonds that will be necessary to finance large capital projects, must first become a member of a financing authority. While there are a number of financing authorities throughout the state which the District could join and become a member, it is also not uncommon for two agencies to form their own Joint Powers Authority (JPA) to facilitate the establishment of a financing authority.

In 2012 District staff met with the staff of the Byron Bethany Irrigation District (BBID) and both parties along with their Board of Directors decided that the two agencies create a JPA to establish a financing authority. As a result, two separate JPA's were formed – one for the benefit of Discovery Bay and one for the benefit of the BBID. This provides both agencies the ability to utilize the JPA as a financing authority as they deem appropriate. Each JPA is solely responsible for their Authority.

The JPA's mutually benefit both the Town as well as the BBID in that either district could utilize the financing powers of their respective JPA to issue Municipal Bonds as future needs arise.

The formation of the JPA's requires two separate legal public entities to facilitate the creation of a new legal entity in accordance with Article 1 of Chapter 5 of Division 7 of Title 1 of the Government Code of the State of California. It is a five-member board governs the Town of Discovery Bay JPA, comprised of the Board of Directors for the Town and a five-member board governs the BBID JPA, comprised of the Board of Directors for the BBID (the "Governing Board(s)").

At the time of the formation, there were minimal cost implications to the Town of Discovery. The costs were related to staff time spent on administrative tasks associated with meetings of the JPA. In the future, there would be significant interest cost savings for financings associated with the JPA.

Debt Service

The 2012 Municipal bonds were issued for \$14,100,000. The projects under this bond are listed below:

** to date all monies have been expended.*

2012 Bonded Projects	Bond Year	Project Cost
Water Project Improvements		
Planning & Construction of Well #7	2012	\$1,500,000.00
Wastewater Project Improvements		\$250,000.00
UV Bank 4 Installation	2012	\$500,000.00
Lift Station F Rehabilitation	2012	\$1,050,000.00
Influent Pump station	2012	\$400,000.00
Re-Activate Pump Station W	2012	\$250,000.00
Emergency Storage Facilities	2012	\$6,050,000.00
Splitter Box, Ox Ditch, Clarifier, RAS Pumps at Plant 2, Standby Aerators	2012	\$3,800,000.00
New Solar Dryer and Belt Presses	2012	\$300,000.00
Contingency	2012	
Total		*\$14,100,000.00

In 2017 the District issued its second Municipal bond for \$8,825,000. The projects under this bond are listed below: ** investors paid a premium for these bonds, variance between \$8.825M and \$8.900M.*

2017 Bonded Projects	Bond Year	Project Cost
Water Project Improvements		
Water Meter Completion Project	2017	\$1,500,000.00
Wastewater Project Improvements		
Filtration Project	2017	\$7,400,000.00
Total		*\$8,900,000.00

Debt Service Payments

Debt Service Payments	Bond	Date	Amount Paid
Deutsche Bank	2012	Fiscal Year 2013	\$393,450.86
US Bank	2012	Fiscal Years 2014 to 2020	\$5,771,848.50
US Bank	2012	Fiscal Year 2021	\$823,162.51
Total 2012 Bond			\$6,988,461.87
US Bank	2017	Fiscal Years 2018 to 2020	\$1,052,109.11
US Bank	2017	Fiscal Year 2021	\$526,565.76
Total 2017 Bond			\$1,578,674.87
Grand Total			\$8,567,136.74

Future Debit Service Payments	Bond	Date	Annual Amount
US Bank	2012	Fiscal Year 2021-2022	\$831,562.50
US Bank	2017	Fiscal Year 2021-2022	\$523,868.76

Bond Balance 6/30/2021 (Estimated)

Financial Institution	Bond	Total Balance (Est)
US Bank	2012	\$11,675,000
US Bank	2017	\$8,245,000
Total		\$19,920,000

District Awards

The Town has earned the following awards and recognition:

- District of Distinction
- District Transparency Certificate of Excellence
- Special District Governance Platinum-Level through *Special District Leadership Foundation (SDLF)*.
- 2020 SDRMA Safety Award Recipient

The Board of Directors and the General Manager of the Town of Discovery Bay have each achieved individual recognition in SDLF Special District Governance

Draft

Supplemental Information

Glossary

ADOPTED OPERATING BUDGET: The official budget as approved by the Board of Directors at the start of each fiscal year.

APPROPRIATION: A legal authorization by a legislative body to make expenditures and to incur obligations for specific purposes. An appropriation is usually limited in amount and to the time when it may be expended.

BENEFITS: These include retirement/pension, health, life and disability insurance, worker's compensation, vacation, administrative, medical, and special leave of absence time.

BUDGET: A plan of financial operation comprised of estimated expenditures for a given period (a single fiscal year for the District) and the proposed means of financing the expenditures (through revenues).

BUDGET MESSAGE: A written discussion of the proposed budget presented by the Finance Manager to the Board of Directors.

CAPITAL IMPROVEMENT PROJECT (CIP): The budget unit to group all activities and costs necessary to implement a specific capital improvement and/or acquisition. A project can include the construction, acquisition, expansion, replacement, or rehabilitation of a physical facility or improvement. Projects often include planning and design, land acquisition, and project management costs related to such facilities and improvements.

DEBT SERVICE: Established for the payment of interest and principal on all debt other than payable exclusively from special assessments.

DEPARTMENT: A major organizational group of the District with overall management responsibility for an operation or a group of related operations within a functional area.

EXPENSES: Decreases in net total assets. Expenses represent the total cost of operations during a period regardless of the timing of related expenditures.

FISCAL YEAR: A 12-month period to which the annual operating budget applies and at the end of which a government determines its financial position, the results of the operations, and adopts a budget for the coming year. The Town of Discovery Bay's fiscal year is from July 1 to June 30.

FUND: A fund is defined as an independent fiscal and accounting entity with a self-balancing set of accounts, recording resources, related liabilities, obligations, reserves, and equities segregated for the purpose of carrying out specific activities of attaining certain objectives in accordance with special regulations, restrictions, or limitations.

FUND BALANCE: Is an accumulation of revenues minus expenditures. Each fund maintained by the District has a fund balance. Fund balance can be used in future years for purposes determined by Board of Directors.

OBJECTIVE: A simply stated, readily measurable statement of aim or expected accomplishment within the fiscal year. A good statement of objective should imply a specific standard of performance for a given program.

PRELIMINARY BUDGET: A budget in its preliminary preparation stage prior to review and formulation by the Board of Directors. In the preliminary stage, a budget forecasting current costs into the future and new or modified spending proposals for the future.

PROPOSED BUDGET: The budget as formulated and proposed by Finance Manager; it is submitted to the Board of Directors for review and approval.

RESOLUTION: A special or temporary order of a legislative body requiring less formality than an ordinance.

REVENUE: Money that the District receives as income such as utility payments, fees from specific services, receipts from other governments, fines, grants, and interest income.

SALARIES AND BENEFITS: Compensation paid to or on behalf of District employees for salaries and wages, and overtime. Benefits include health, and life, Dental and Vision.

Draft

**NOTICE OF PUBLIC HEARING
TOWN OF DISCOVERY BAY COMMUNITY
SERVICES DISTRICT
FISCAL YEAR 2021-2022 REVENUE, OPERATING
AND CAPITAL BUDGETS**

Notice is hereby given that on Wednesday June 16, 2020, at 7:00 p.m., in accordance with Government Code section 61110, the Town of Discovery Bay Community Services District ("District") Board of Directors, will hold a public hearing at their Regular Meeting to consider adopting a Resolution establishing the adoption of the draft budget for fiscal years 2021/22. A copy of the draft budget is available during normal business hours at the District Office, 1800 Willow Lake Road, Discovery Bay CA and on the District's website: www.todb.ca.gov. The public hearing will take place at the Discovery Bay Community Center, 1601 Discovery Bay Blvd., Discovery Bay CA. If public entry is denied due to COVID-19 restrictions, attendance may be made via teleconference as noted on the meeting agenda.

ECT 6576725 June 1, 8, 2021



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT**

RESOLUTION 2021-07

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY,
A CALIFORNIA COMMUNITY SERVICES DISTRICT,
ADOPTING THE OPERATING, CAPITAL IMPROVEMENT
AND REVENUE BUDGETS FOR FISCAL YEAR 2021-22**

WHEREAS, The Town of Discovery Bay Community Services District is required pursuant to California Government Code Section 61110 to annually adopt a budget that identifies certain types of expenditures for the fiscal year that begins July 1st of each year; and

WHEREAS, The Finance Manager has prepared and submitted to the Board of Directors a Proposed Operating, Capital Improvement and Revenue Budget for the fiscal year beginning July 1, 2021 and ending on June 30, 2022; and

WHEREAS, The Board of Directors has considered the budget and the comments thereon and has determined that it is necessary for the efficient management of the District to appropriate revenues to the expenditure categories necessary to carry out the activities of the District as provided in the FY 2021-22 draft budget, and as may be amended.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The annual Operating, Capital and Revenue budgets for all operational functions of the Town of Discovery Bay Community Services District for FY 2021-22 is hereby adopted.

SECTION 2. The Budget Document for FY 2021-22 is incorporated herein and is made a part of this Resolution.

SECTION 3. The Board Secretary shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED THIS 16th DAY OF JUNE 2021.

Bryon Gutow
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 June 16, 2021, by the following vote of the Board:

AYES:
NOES:
ABSENT:
ABSTAIN:

Michael R. Davies
Board Secretary



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

June 16, 2021

Prepared By: Dina Breitstein, Assistant General Manager
Submitted By: Dina Breitstein, Assistant General Manager

Agenda Title

Discussion and Possible Action Regarding the Town of Discovery Bay Communications Placard.

Recommended Action

To approve the use of the town placard for public communication announcements, news, updates, and notices.

Executive Summary

The Communications Committee requested that Staff create a placard to post District news, announcements, updates, and business on a standardized template. This placard would be used to communicate information to the public. At the May 5, 2021 Communications Committee meeting, Staff presented the Committee with proposed options. The Committee accepted the proposed placard and requested that it be presented to the Board of Directors.

During the Board of Director's meeting on May 5, 2021, the Communications Committee Chair discussed and presented the placard to the Board during Director's reports. At that time, the Board of Director's viewed the placard, and the Communications Committee answered questions and received comments from the Board members.

At the May 19, 2021 Board of Directors meeting, Staff presented the communications placard to the board and requested approval to utilize the placard for public communication announcements, news, updates, and notices. After board discussion, the decision was made to send the placard back to the Committee for further discussion regarding design concepts. In addition, the board requested that the Committee come back to the board with a design recommendation.

At the June 2, 2021, Internal Operations Committee meeting, the Committee reviewed new placard design options presented by Staff. The Committee selected one of the proposed communications placard designs, requested a second reiteration of the design. The Committee recommended bringing both designs to the June 16, 2021 Board of Director's meeting.

Staff is bringing the proposed communications placard for Board discussion regarding the design and use of the placard. Staff requests approval to use the placard for public communication announcements, news, updates, and notices.

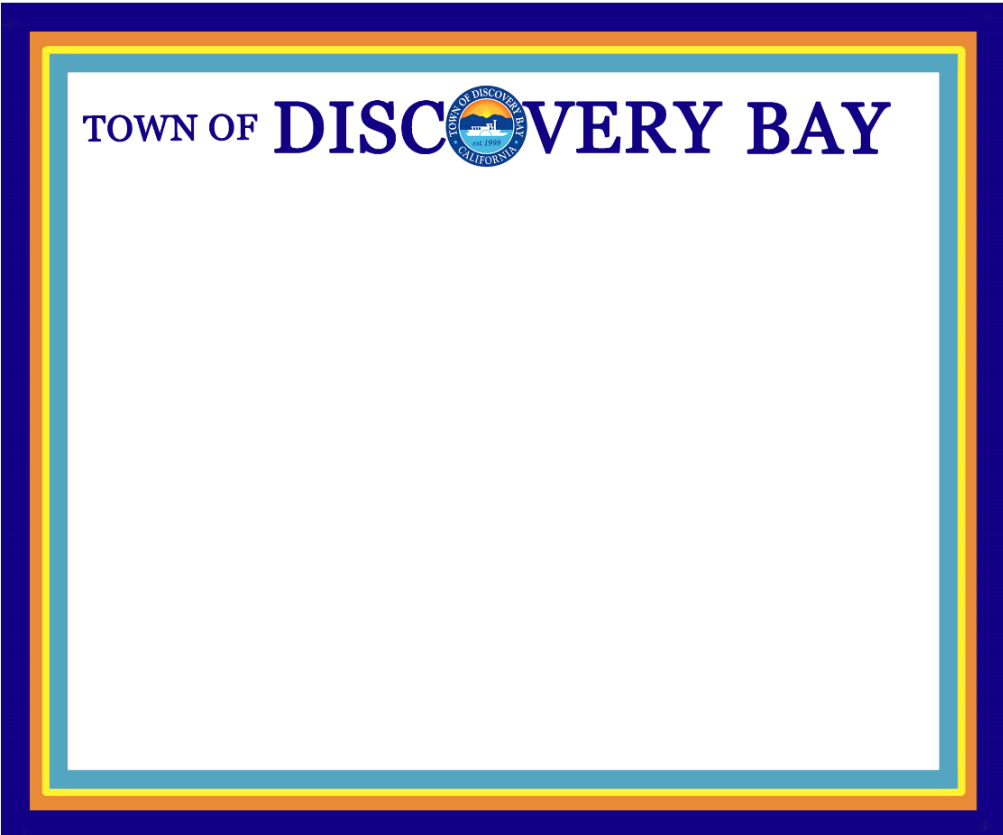
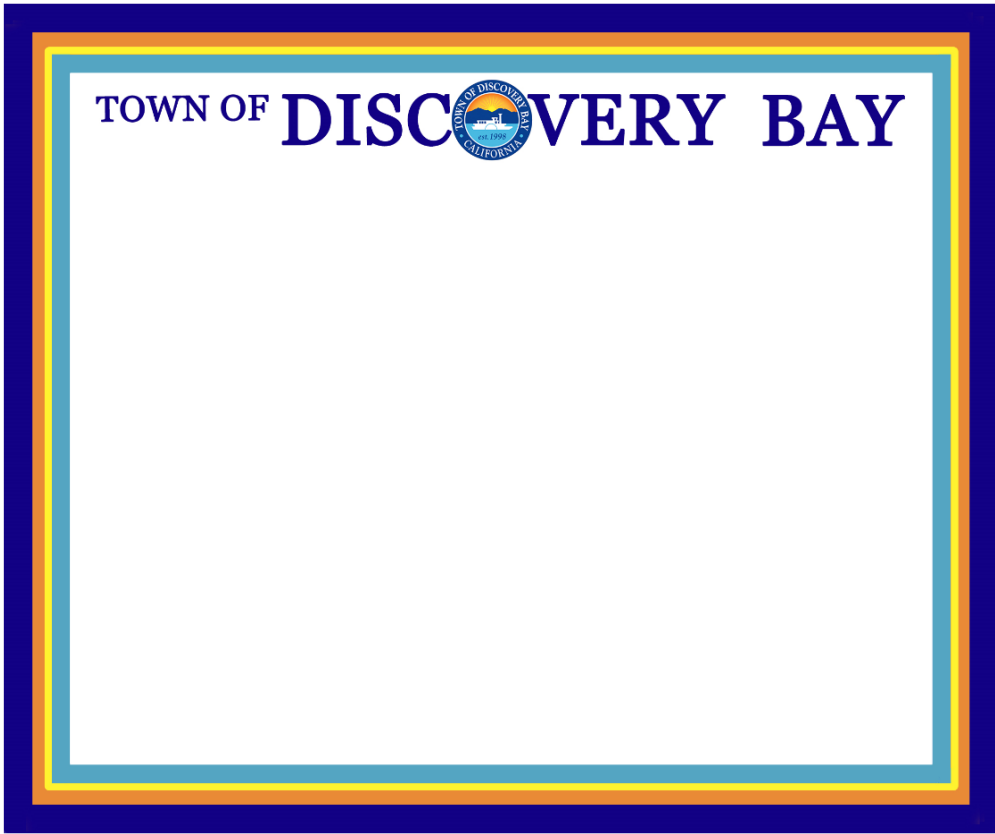
Previous Relevant Board Actions for This Item


Fiscal Impact:
Amount Requested:
Sufficient Budgeted Funds Available?
Prog/Fund # Category:

Attachments

Proposed Communications Placard Designs

AGENDA ITEM: G-2



	<h1 style="margin: 0;">Town of Discovery Bay</h1> <p style="margin: 0;"><i>“A Community Services District”</i></p> <h2 style="margin: 0;">STAFF REPORT</h2>	<p>Meeting Date</p> <p>June 16, 2021</p>																				
<p>Prepared By: Bill Engelman, Parks and Landscape Manager Submitted By: Dina Breitstein, Assistant General Manager</p>																						
<p>Agenda Title</p> <p>Discussion and Possible Action to Approve the Notice of Completion and Final Payment for the Construction of the Ravenswood Park Playground Structure.</p>																						
<p>Recommended Action</p> <p>Approve the Notice of Completion and authorize the General Manager to release final payments to the Contractor, McNabb Construction.</p>																						
<p>Executive Summary:</p> <p>The new playground structure at Ravenswood Park is now complete, and all punch list items are finalized. It opened to the public on May 28. The following is a summary of projects costs versus budget:</p> <p>Summary of Costs:</p> <table border="1" data-bbox="142 1041 1338 1388"> <tbody> <tr> <td>Equipment Purchase</td> <td style="text-align: right;">\$98,850</td> </tr> <tr> <td>McNabb Construction, Inc.</td> <td style="text-align: right;">\$48,888</td> </tr> <tr> <td>Equipment Delivery</td> <td style="text-align: right;">\$6,030</td> </tr> <tr> <td>County Permit</td> <td style="text-align: right;">\$3,180</td> </tr> <tr> <td>Site Plan Drawings</td> <td style="text-align: right;">\$1,600</td> </tr> <tr> <td>Engineering Calculations</td> <td style="text-align: right;">\$4,500</td> </tr> <tr> <td>McNabb Additions (footings, extra wood fiber)</td> <td style="text-align: right;">\$7,084</td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td>Total Project Cost</td> <td style="text-align: right;">\$170,132</td> </tr> <tr> <td>CIP Budget plus Contingency</td> <td style="text-align: right;">\$172,500</td> </tr> </tbody> </table> <p>Staff recommends approval of the Notice of Completion and authorize the General Manager to release final payments to the Contractor, McNabb Construction.</p>			Equipment Purchase	\$98,850	McNabb Construction, Inc.	\$48,888	Equipment Delivery	\$6,030	County Permit	\$3,180	Site Plan Drawings	\$1,600	Engineering Calculations	\$4,500	McNabb Additions (footings, extra wood fiber)	\$7,084			Total Project Cost	\$170,132	CIP Budget plus Contingency	\$172,500
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<p>Previous Relevant Board Actions for This Item</p> <p>Award Contract to McNabb Construction. – January 20, 2021.</p>																						
<p>Attachments</p> <p>Notice of Completion Photos of the completed playground structure</p>																						

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

TOWN OF DISCOVERY BAY COMMUNITY
SERVICES DISTRICT
1800 Willow Lake Road
Discovery Bay, CA 94505-9376

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is the Owner who contracted for the work of improvement hereinafter described.
2. The full name of the undersigned is:

TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT, a Political Subdivision of the State of California.
3. The full address of the undersigned is:

1800 Willow Lake Road
Discovery Bay, CA 94505-9376
4. The nature of the title of the undersigned is that of a fee holder.
5. A work of improvement on the property hereinafter described was completed on 05/28/2021.
6. The name of the contractor for such work of improvement is:
McNabb Construction
7. The property on which said work of improvement was completed is in the unincorporated portion of the County of Contra Costa, State of California, and is described as follows:

Ravenswood Park
Cummings Lane
Discovery Bay, CA 94505
8. The work of improvement consists generally of:
 - A. Installation of a new play structure

MICHAEL R. DAVIES, GENERAL MANAGER
FOR TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT





Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

June 16, 2021

Prepared By: Michael R. Davies, General Manager

Submitted By: Michael R. Davies, General Manager

Agenda Title

Discussion and Possible Action to Approve One (1) Vote to Elect a Candidate to the CSDA Board of Directors.

Recommended Action

Authorize the General Manager to electronically cast one (1) vote for incumbent candidate Chad Davisson for California Special Districts Association ("CSDA") Board of Directors, Seat A – Bay Area Network – Term 2022-2024.

Executive Summary

The Town of Discovery Bay Community Services District is a member of the CSDA Bay Area Network. The Bay Area Network currently has Board Seat A open for election. As a member agency, the Town of Discovery Bay is entitled to vote for one (1) candidate seeking election to the CSDA Board.

The candidates for election are:

Chad Davisson, General Manager, Ironhouse Sanitary District
 Ric Lohman, Board Member, Montara Water and Sanitary District
 Cheryl Sudduth, Board Member, West County Wastewater

Each candidate's information sheet and statement are attached.

Staff has reviewed the qualifications and statements of the candidates and recommends that incumbent Chad Davisson receive Discovery Bay's vote. Not only does Mr. Davisson possess the qualifications, knowledge, training, and experience to serve the CSDA Board, he is the General Manager of a neighboring east county district. Staff has established an excellent working relationship with Mr. Davisson and his district, and he is accessible and knowledgeable regarding the many issues that impact our organizations.

The deadline to complete voting is July 16, 2021 at 5:00pm.

Attachments

1. CSDA 2021 Board Elections – Candidate Information and Statements.

AGENDA ITEM: F-4



**California Special
Districts Association**
Districts Stronger Together

2021 CSDA BOARD CANDIDATE INFORMATION SHEET

The following information **MUST** accompany your nomination form and Resolution/minute order:

Name: Chad Davisson _____

District/Company: Ironhouse Sanitary District _____

Title: General Manager _____

Elected/Appointed/Staff: Staff _____

Length of Service with District: 6-years _____

1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):

I am currently a Boardmember of CSDA, I serve as the Chair of the Professional Development Committee, am a member of the CSDA Finance Committee and serve on the SDRMA Board.

2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):

I have been involved with the California Assoc. of Sanitation Agencies, serving on the State Leg. Committee, as well as the California Water Environment Association.

3. List local government involvement (such as LAFCo, Association of Governments, etc.):

I have worked closely with Contra Costa LAFCo, participating in the Municipal Service Review process, as well as chairing the East CC County Water Management Association looking at regional Water sustainability.

4. List civic organization involvement:

I am on the Executive Committee for the Contra Costa Chapter of CSDA. I also serve on the Exec Committee of the Bay Area Consortium of Water and Wastewater Education, as well as teach college level Water and Wastewater Courses preparing the future industry workforce.

****Candidate Statement** – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. **Any statements received in the CSDA office after March 29, 2021 will not be included with the ballot.**

My name is Chad Davisson. I am asking for your support in my efforts running for re-election to the CSDA Board of Directors. It has been my privilege to have spent my entire 35-year career serving California Special Districts. I have built my career in the field of water and wastewater, working for different Districts throughout California. I am currently the General Manager of Ironhouse Sanitary District in Contra Costa County.

Reflecting back on my career in Special Districts, I have had the unique opportunity to see first-hand, the value these singly focused agencies have in delivering our services efficiently and cost effectively, while maintaining the highest service levels. Building my career from entry level to executive management within Special Districts has given me both an understanding of day-to-day operational and resource needs as well as providing me with a deeper understanding of what I believe is critically important to an organization in terms of organizational culture and support of our communities.

I am passionate about issues of organizational sustainability and succession planning, fiscal responsibility and workforce diversity. As a current CSDA Board member, I am currently the chair of the Professional Development Committee and a member of the Fiscal Committee. Participation on these committees provides me the opportunity to work with the CSDA staff to develop relevant, cutting edge professional development content to educate and assist our Special District members.

Serving on the Executive Committee for the Contra Costa Chapter of CSDA, I have worked with my colleagues to interactively provide interesting, relevant content to our local Special District members on a myriad of important local issues.

Again, it has been an honor to serve on the CSDA Board and I appreciate your consideration in my re-election to a second term.

Respectfully,

Chad Davisson

General Manager, Ironhouse Sanitary District





**California Special
Districts Association**
Districts Stronger Together

2021 CSDA BOARD CANDIDATE INFORMATION SHEET

The following information **MUST** accompany your nomination form and Resolution/minute order:

Name: Ric Lohman

District/Company: Montara Water and Sanitary District

Title: Director, Secretary

Elected/Appointed/Staff: Elected

Length of Service with District: 3 years. 13 with Granada Comm. Serv. Dist.

1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):

Former president and current member of San Mateo County CSDA Chapter.

Attend state conferences

2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):

Member of ACWA, Cal-LAFCo, CASA

3. List local government involvement (such as LAFCo, Association of Governments, etc.):

Current LAFCo representative for county Special Districts. Member Coastside Sewer

Authority JPA 15 years. Former member Midcoast Community Council

4. List civic organization involvement:

Director, California State Parks Assoc., Resource Conservation District SOI Committee.

Active in County infrastructure and Sea Level Rise committees.

****Candidate Statement** – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. **Any statements received in the CSDA office after March 29, 2021 will not be included with the ballot.**

Candidate Statement

Ric Lohman

Open Seat A on the BAY NETWORK Board

Dear Bay Network Colleagues,

I have a unique position in our Special Districts on the San Mateo County Coastside. I currently serve on the Montara Water and Sanitary District and manage both water and sewage issues. This area is also unique in that the three Sanitary agencies work together through a complex facilities-sharing agreement. I have served the local public in elected positions for over 25 years. These positions have been challenging, since much of our area is in San Mateo County's unincorporated region. I have had to deal with County laws and processes, demands from the City of Half Moon Bay, and the needs of our local unincorporated citizens. I have also been active in our county LAFCo for years, defending 7 attempts to merge local districts out of existence.

I feel that smaller districts have been under-represented in regional Boards, and their needs are different than the larger districts that are traditionally represented on our regional and state boards. Even though we are a small district, we still have to deal with all the larger issues, such as, affordable housing developments, sea level rise, ocean pollution, and regulators.

I would like to bring my broad political skills to our regional network and represent the often under-represented districts. I feel our smaller districts have unique issues in staffing, funding, and compliance that are often overlooked by the larger districts

I would appreciate your vote in the upcoming election.

Looking forward to seeing everyone live again in Monterey in the Fall.

Sincerely,

Ric Lohman



**California Special
Districts Association**
Districts Stronger Together

2021 CSDA BOARD CANDIDATE INFORMATION SHEET

The following information **MUST** accompany your nomination form and Resolution/minute order:

Name: Cheryl Sudduth

District/Company: West County Wastewater

Title: Board of Directors, President

Elected/Appointed/Staff: Elected

Length of Service with District: 3 years

1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):

Yes; I have attended nearly all of the CSDA in-person and virtual events and workshops over the past few years.

I also attend the Contra Costa County and Alameda County quarterly meetings & events. Prior to the pandemic, I attended all in-person meetings.

2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):

Yes; I am actively involved with ACWA, W.E.L.L., CA-HI NAACP Statewide Environmental & Climate Justice Committee, AWWA, AWWEE and Women in Water & Wastewater,

Black Women in Science & Engineering (BWISE), Nat'l Society Hispanic Engineers, Nat'l Disability Council, CA Disability Council, CA Diversity Council

3. List local government involvement (such as LAFCo, Association of Governments, etc.):

Vice-Chair WCA, appointed Commissioner of the CCC Racial Justice Oversight Body, Board of Sups Equity Task Force, Dist Atty Juvenile Justice Task Force

Community Advisory Bd: Senator Padilla (prev. Sen. Harris), Senator Feinstein, Rep. DeSaulnier, Rep. Lee, WCCUSD Parent Advisory Board, Albany Unified BPAG

4. List civic organization involvement:

ACLU-ABNEB Board, CCC Budget Justice Coalition SC, CC Immigration Rights Alliance SC, Racial Justice Coalition SC, Reimagine Public Safety CC SC, NAACP Legal Redress Comm

Climate Reality Project, Climate 350 Contra Costa, Contra Costa County Climate Leaders (4CL), Community for a Better Environment (CBE), Sierra Club, Sunflower Alliance

****Candidate Statement –** Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. **Any statements received in the CSDA office after March 29, 2021 will not be included with the ballot.**

Cheryl Sudduth

CANDIDATE STATEMENT

At a time when our society continues to grapple with its deep ambivalence towards the freedoms, rights and humanities of people who may look, act, think and love differently from one another, there should be one constant that should never be at stake - access to clean, safe, affordable water & sewage systems. Our communities have been complacently standing by for fair treatment in a system that views equity as a *balancing* act rather than a *must* for all.

I spend my days in contracting, compliance and procurement, living my life with a strong ethical framework and approach all business and personal matters with unwavering integrity and diplomacy.

As an environmental scientist, I believe action, not talk, will help us make forward progress, which is why I lead by example. In addition to WCW Board President, I am also an ACLU Board Member, an appointed Commissioner of the CCC Racial Justice Oversight Body & Member of CA-HI Statewide Conference NAACP Environmental & Climate Justice Committee, as well as many environmental justice groups.

I am confident I possess the *right* blend of business acumen, political knowledge, technical expertise, *listening*, commUNITY involvement, relationship building, creative solution solving, consensus building, and balancing various stakeholder interests to positively serve the CSDA and it would be my honor to do so.

Throughout my career and my life, I have been unafraid to '*do the work*' - *whatever it takes* to take on righteous fights against systemic injustices. I will work tirelessly to ensure *every* Californian has access to clean, affordable water and sewage systems. *This is what I do*. The same passion, courage, humanity and commitment to justice I have carried in all of my social justice work, I will bring to this Board. *Anyone can fill a position; I am and have been committed to do the work...*

I humbly ask for your support and your vote. Gracias.



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

June 16, 2021

Prepared By: Michael R. Davies, General Manager

Submitted By: Michael R. Davies, General Manager

Agenda Title

Discussion and Possible Action to Approve an Amended and Restated Pre-Annexation Agreement Between the Town of Discovery Bay and Pantages at Discovery Bay, LLC, et al.

Recommended Action

Authorize the General Manager to execute an Amended and Restated Pre-Annexation Agreement between the Town of Discovery Bay CSD ("TODB") and Pantages at Discovery Bay, LLC, C & D Discovery Bay LLC, and Waterfront Lots, LLC.

Executive Summary

On September 16, 2015, the TODB Board of Directors authorized the General Manager to execute a Pre-Annexation Agreement with Pantages Bays, a residential development project. The reason for the Pre-Annexation Agreement was to effectuate the future annexation of the development into TODB's district boundaries for the purpose of TODB supplying water and wastewater services. The Pre-Annexation Agreement was effective as of September 16, 2015, and at that time, Pantages Bays was conceived and approved by the County as a deep-water waterfront residential development. Since that original approval, the project has changed in concept and is now, in essence, a planned residential community of 277 homes that share common trails and lake amenities. The change in development plans required new county approvals and has prompted a revisit of the terms and conditions of the September 16, 2015 Pre-Annexation Agreement with TODB.

Attached is a proposed Amended and Restated Pre-Annexation Agreement ("ARPA Agreement") with the Pantages Bays developers/owners consisting of Pantages at Discovery Bay LLC, C & D Discovery Bay LLC, and Waterfront Lots LLC. The ARPA Agreement includes some changes and additions to the 2015 Pre-Annexation Agreement. Some notable changes and additions, in summary, include:

- Developer shall pay the actual fees in existence at the time water and sewer connection fees are paid.
- Consent to the payment of a Community Center improvement fee of \$2,500 per unit (equals \$692,500 in total) at time water and sewer connection fees are paid.
- Consent to the payment of a park and recreation enhancement fee of \$1,805 per unit (equaling a total contribution of \$500,000) at the time water and sewer connection fees are paid.
- Create a homeowners association which shall be responsible for owning and/or maintaining all or some of the creek bank, wetland, open space areas, trails, access roads, lakes, parks and appurtenant structures and facilities within the development; or negotiate with the County regarding maintenance.

The 2015 Pre-Annexation Agreement and the proposed ARPA Agreement are attached for comparison.

Attachments

1. September 16, 2015, Pre-Annexation Agreement
2. Proposed Amended and Restated Pre-Annexation Agreement

AGENDA ITEM: F-5

**PRE-ANNEXATION AGREEMENT BETWEEN
THE TOWN OF DISCOVERY BAY
AND
PANTAGES AT DISCOVERY BAY, LLC, C & D DISCOVERY BAY LLC
AND WATERFRONT LOTS, LLC**

This Pre-Annexation Agreement (the "Agreement"), by and between the Town of Discovery Bay Community Services District ("TODB") and Pantages at Discovery Bay, LLC, a California limited liability company ("Developer"), C & D Discovery Bay LLC, a California limited liability company, and Waterfront Lots, LLC, a California limited liability company ("Owners") (collectively Developer and Owners are referred to herein singularly as "Applicant") is dated and effective as of September 16, 2015 ("Effective Date").

Recitals

A. Owners are the fee simple owners, each with an undivided 50% interest, of that certain land commonly known as Assessor's Parcel Numbers 004-010-006-7, 004-032-005-03, 004-032-006-1, 004-032-007-9, 004-032-062-4, 011-220-010-0, 011-220-017-5, 011-220-0183-3, 011-230-006-6 and 011-230-007-4, and more particularly described in Exhibit A ("Property").

B. The Property is located, for the most part, outside the boundaries of but within the Sphere of Influence for Discovery Bay.

C. Applicant desires to have TODB provide water and wastewater service to the Property.

D. The parties hereto wish to set forth the terms and conditions under which TODB agrees to provide water and wastewater services to the Property.

E. TODB has planned for, secured all regulatory approvals, financed through bonding and begun to implement needed infrastructure to provide water and wastewater service to Applicant's project on its Property and other nearby projects.

F. TODB has adopted a revised annexation fee program which will allow it to recover the fair share costs of new infrastructure designed to provide water and wastewater service to Applicant's project on its Property and other nearby projects.

G. TODB is implementing the improvements to water and wastewater infrastructure through a schedule which will allow service to Applicant's project on its Property and other nearby projects in a timely manner. It is anticipated that water and wastewater will be fully available prior to any request for service from Applicant.

Agreement

NOW, THEREFORE, TODB and Applicant agree to the following terms, covenants, and conditions.

1. Provision of Water/Wastewater Services. TODB agrees to provide water and wastewater service to the Property subject to the terms and conditions of this Agreement.

2. Consent to Future Annexation or Reorganization. Owners hereby irrevocably consent to and petitions, and waives its right to protest, for the future annexation of the entire Property to the Town of Discovery Bay and agrees to cooperate in such annexation upon the request of TODB or LAFCo, including the payment of applicable processing fees for the annexation of the Property. If the annexation proceeding includes other changes of agency jurisdictional boundaries in addition to the annexation, such as a detachment from a county service area, (*i.e.*, the proceeding is referred to as a "reorganization") Owners also consent/petition to such other changes of agency jurisdictional boundaries included in the "reorganization proceeding. Owners shall not challenge or otherwise hinder the annexation/reorganization, directly, indirectly, or in any other manner. Owners understand and agree that this consent/petition to annexation includes all obligations attendant upon annexation, including any and all taxes, assessments and fees that TODB imposes upon property within Discovery Bay.

3. Conditions Precedent. As conditions precedent to TODB providing water and wastewater service to the Property, Owners or Applicant, as applicable, shall:

- a. Create a community facilities district, recreation district (or similar entity) and impose a proposed tax, fee, charge or assessment, consistent with the processes required by Proposition 218 as specified in the California Constitution Article XIII D, and the California Government Code, Sections 53750 *et seq.*, for recreation or similar purposes including, but not limited to, a community center and Discovery Bay parks, maintained landscape areas, and recreation facilities.
- b. Pay all fees imposed, charged, or assessed by TODB arising out of or connected with the future development of Owners' property including, but not limited to, connection fees, capacity fees, utility permit fees, and inspection fees for water and sewer service connections ("Development Fees"). Owners shall pay actual Development Fees at time of application for a building permit. TODB shall reserve water and sewer capacity for the future development of Owners' Property. Provided, however, in the event that Owners or Developer has not begun to pull building permits within 7 years from the date of execution of this Agreement, Owners or Developer shall either:
 - i. Voluntarily relinquish all reserved water and sewer capacity, or;
 - ii. Pay 100% of the actual Development Fees in place at that time. Should Owners or Developer pay Development Fees under this section, Owners or Developer shall also pay any fee increase between year 7 and actual building permit application at the time of application of each building permit. These provisions for reserved capacity in 3.b. above may be

extended at the discretion of the Board of Directors after a formal written request has been received by the Town no less than 180 days before the (7 year) expiration date.

- c. Consent to the payment of a community center fee of \$2,500 per unit. The fee shall be paid at building permit application.
- d. Owners will offer easements to TODB for ingress and egress to any public facilities owned or operated by TODB located on Owners' Property. The locations of said easements will be determined by TODB and on reasonable terms and conditions.
- e. Proportionally fund a study, (based upon percentage of dwelling units), to examine expanding the water and wastewater treatment plant to allow for permitted future development. The study has been completed and the proportionally funded share for Pantages at Discovery Bay, LLC is \$32,317.00.
- f. Pay all fees imposed, charged or assessed by LAFCo on TODB or Owners arising out of or connected with any LAFCo approval and agree to cooperate in such LAFCo proceedings concerning Owners' Property.
- g. Enter into and fully perform under all agreements customarily and regularly required by TODB of a property owner seeking to connect his/her property to TODB's water and/or wastewater system.
- h. Comply with all regulations, ordinances, policies and rules governing the provision and receipt of water and wastewater service from TODB, including but not limited to, Ordinance No. 24 which regulates the installation of residential and non-residential water softening appliances.
- i. Enter into and fully perform under an agreement with Reclamation District 800 whereby Reclamation District 800 will maintain all creek banks, waterways, wetland areas, trails, access roads and appurtenant structures and facilities that are located within the boundaries of the Property (except those facilities that will be maintained by the homeowners association as described in 3.j. below) . To the extent other agencies, including but not limited to, the U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and the California Department of Fish and Wildlife require additional permits, the maintenance obligations of the structures and facilities may be subject to the terms and conditions of such permits. Reclamation District 800 may endeavor to approve the implementation of an assessment through the processes required by Proposition 218, as specified in the California Constitution Article XIID, and the California Government Code, Sections 53750 *et seq.*, in an amount sufficient to cover the estimated costs of the maintenance obligations Reclamation District 800 is assuming.

- j. Create a homeowners association, under all applicable California law, which shall be responsible for owning and/or operating and maintaining all or some of the creek banks, waterways, wetland areas, trails, access roads and appurtenant structures and facilities within the boundaries of the Property which will not be maintained or owned by Reclamation District 800 pursuant to 3.i. above. For example, Reclamation District 800 may own and maintain the creek banks and waterways, while the homeowners association may own and maintain private roads, gates, emergency access roads, storm drain and clean water facilities, passive parks, street landscape, and appurtenant structures and facilities. In no event shall TODB be responsible to own or maintain any of the facilities or locations described in 3.i. and 3.j. above.

4. Indemnification. The Applicant and its successors in interest hereby agree to indemnify, defend with counsel reasonably acceptable to TODB, release and hold the Town of Discovery Bay and its elective and appointive boards, commissions, officers, agents, and employees ("Indemnitees") harmless from and against any and all past and future allegations, claims, demands, causes of action, damages, losses, liabilities of any kind and/or expenses (collectively referred to as "Liabilities"), including without limitation attorney's fees, experts' fees, and witness costs, that may be asserted or incurred, as the case may be, by any person or entity, including Applicant, Applicant's heirs, successors or predecessors in interest or assignees, including, but not limited to, liability or claims for damages for personal injury, or death, inverse condemnation, interference with prospective economic advantage, and/or real or personal property damage, arising out of or in connection with: (i) the prior provision of water and wastewater service to the Property, or the failure thereof; (ii) the activities of Applicant, his/her/its agents, officers, employees, in performing any work or improvement on the subject property or to connect the property to water or wastewater service; (iii) Applicant's performance or non-performance under this Agreement or breach of this Agreement; (iv); TODB's approval of this Agreement or any of its actions relating thereto; (v) TODB's compliance or non-compliance with the California Environmental Quality Act ("CEQA") or any other law applicable to the approval, processing and implementation of this Agreement, the provision of water and/or wastewater service to the property, or any LAFCo approvals; (vi) interruptions in the provision of water and/or wastewater service to the Property once the Property is connected to water and wastewater service; (vii) TODB's charging of water rates to Applicant and/or its successors in interest that are higher than the rates charged to property owners whose properties are located within TODB's territorial limits; and (viii) Applicant's violation of any law, ordinance or regulation, whether or not there is concurrent, passive negligence on the part of the Indemnitees. Applicant also agrees to reimburse Indemnitees for their reasonable expenses incurred as a result of any legal action or proceeding initiated against Indemnitees in which the Liabilities are asserted against or sought to be imposed upon TODB. Such expenses may include, but are not limited to, fees and costs awarded to the opposing party, the Indemnitees' attorneys' fees and charges, the cost of preparing the record for any such action, including TODB staff costs and all other costs and expenses the Indemnitees may incur as a result of any such action or proceeding. The parties hereto expressly agree that no public interest or public policy is implicated or involved in the matters for which this indemnification is entered into and that this agreement is not void or voidable pursuant to California Civil Code Section 1668, and the parties waive all rights or protections provided pursuant to said section.

5. Binding on Successors in Interest; Run with the Land. This Agreement shall be a covenant running with the land and binding on Applicant's heirs, assigns, and successors in interest to the Property. This Agreement shall be recorded against the Property and shall run with the Property and each part thereof until terminated in the manner provided for herein, and is intended by the parties to be a covenant and restriction which shall run with the land under and pursuant to California Civil Code Section 1468, or its successor provision, if any.

6. Termination Upon Annexation and Satisfaction of Terms and Conditions. This Agreement and covenant shall automatically terminate as to the Property or any part thereof at such time as the Property or such part thereof is annexed to the territory of TODB and all terms and conditions contained herein have been satisfied.

7. Notices. All notices and demands of any kind that either party may be required or desires to serve upon the other party shall be in writing and shall be served upon such other party by personal service; or by mailing a copy thereof, certified or registered mail, postage prepaid; or by overnight mail; or by facsimile or e-mail, addressed as follows:

If to Discovery Bay: Town of Discovery Bay CSD
1800 Willow Lake Rd
Discovery Bay, CA 94505
Attention: General Manager
Telephone: (925) 634-1131
Facsimile: (925) 513-2705

If to Owners: C&D Discovery Bay LLC
16795 Lark Avenue, Suite 106
Los Gatos, CA 95032
Attention: David L. Lazares
Telephone: (408) 399-4393
Facsimile: (408) 399-4397

Waterfront Lots, LLC
16795 Lark Avenue, Suite 106
Los Gatos, CA 95032
Attention: David L. Lazares
Telephone: (408) 399-4393
Facsimile: (408) 399-4397

If to Developer: Pantages at Discovery Bay, LLC
16795 Lark Avenue, Suite 106
Los Gatos, CA 95032
Attention: David L. Lazares
Telephone: (408) 399-4393
Facsimile: (408) 399-4397

8. Construction of Terms; Severability. All parts of this Agreement shall be construed according to their plain meaning and shall not be construed in favor or against either of the parties. If any term, provision, covenant or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, in whole or in part, the remainder of this Agreement shall remain in full force and effect and shall not be affected, impaired or invalidated thereby.

9. Owners' Authority. Owners and Developer have the full right, capacity, power and authority to enter into and carry out the terms of this Agreement. Owners are the sole owners in fee simple of the Property and to Applicant's knowledge, no other person or entity has any right or interest in the Property.

10. Counterparts. This Agreement may be executed in any number of counterparts and each counterpart shall be deemed to be an original document. Delivery of the executed Agreement may be accomplished by facsimile transmission, and if so, the facsimile copy shall be deemed an executed original counterpart of the Agreement. All executed counterparts together shall constitute one and the same document, and any signature pages, including facsimile copies thereof, may be assembled to form a single original document.

11. Further Assurances. Each party will, whenever and as often as it shall be requested to do so by the other party, execute, acknowledge and deliver, or cause to be executed, acknowledged and delivered, any and all such further conveyances, assignments, approvals, consents and any and all other documents and do any and all other acts as may be reasonably necessary to carry out the intent and purpose of this Agreement.

12. Entire Agreement. This Agreement, together with all exhibits hereto and documents referred to herein, if any, constitutes the entire agreement among the parties hereto with respect to the subject matter hereof, and supersedes all prior understandings and agreements. All exhibits to which reference is made in this Agreement are deemed incorporated in this Agreement whether or not actually attached.

13. Amendments. This Agreement may be modified only by a writing signed by both parties.

14. Legal Advice. Each party has had the opportunity to receive independent legal advice from its attorneys with respect to the advisability of executing this Agreement and the meaning of the provisions hereof.

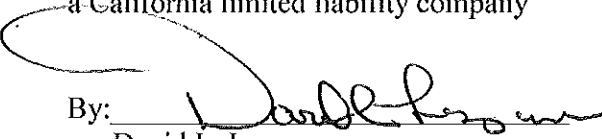
15. Attorney's Fees. Each party shall bear its own attorneys' fees and expenses in the preparation and review of this Agreement. In the event of any litigation or other action between the parties arising out of or relating to this Agreement or the breach thereof, the prevailing party shall be entitled, in addition to such other relief as may be granted, to its reasonable costs and attorneys' fees.

16. Headings and Titles. The captions of the articles or sections of this Agreement are only to assist the parties in reading this Agreement and shall have no effect upon the construction or interpretation of any part hereof.

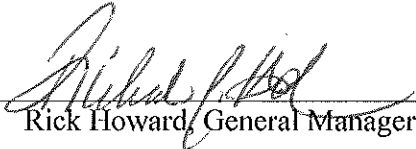
IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first written above.

OWNERS:

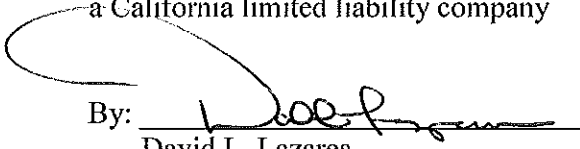
C&D Discovery Bay LLC
a California limited liability company

By: 
David L. Lazares
Title: Company Manager


Town of Discovery Bay
Community Services District,
political subdivision of the
State of California

By: 
Rick Howard, General Manager

Waterfront Lots, LLC
a California limited liability company

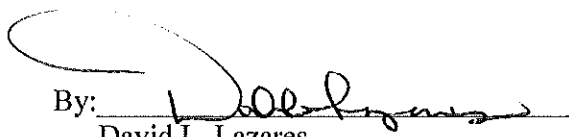
By: 
David L. Lazares
Title: Company Manager

Approved as to Form:

By: 
Rod A. Attebery
General Counsel

DEVELOPER:

Pantages at Discovery Bay, LLC
a California limited liability company

By: 
David L. Lazares
Title: Company Manager

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EXHIBIT A

LEGAL DESCRIPTION

Real property in the unincorporated area of the County of Contra Costa, State of California, described as follows:

PARCEL ONE:

BEING A PORTION OF THE SOUTHEAST ONE-QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 3 EAST, MOUNT DIABLO BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN LAND LYING EASTERLY OF THE EASTERLY LINE OF THAT CERTAIN 66.0 FOOT WIDE PARCEL OF LAND DESCRIBED IN DEED TO THE POINT OF TIMBER COMPANY, RECORDED DECEMBER 1, 1903, IN BOOK 101 OF DEEDS, AT PAGE 321; CONTRA COSTA COUNTY RECORDS AND SOUTHERLY OF THE SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DEED TO P. GAMBETTA, ET UX, RECORDED SEPTEMBER 28, 1959, IN BOOK 3462 OF OFFICIAL RECORDS, AT PAGE 83, CONTRA COSTA COUNTY RECORDS, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 23 (THE BEARING OF THE SOUTH LINE OF SECTION 23, TAKEN AS SOUTH 89° 40' EAST, FOR THE BASIS OF THIS DESCRIPTION); SAID POINT LYING SOUTH 89° 40' EAST, 1811.86 FEET FROM A BOLT AND WASHER MARKING THE SOUTHWEST CORNER OF SAID SOUTHEAST ONE-QUARTER OF SECTION 23, SAID POINT ALSO BEING A POINT IN THE WESTERLY LINE OF SAID 66 FOOT WIDE PARCEL (101 D 321); THENCE ALONG SAID WESTERLY LINE, NORTH 0° 23' 30" WEST, 331.76 FEET TO A POINT IN THE MEAN WATER LINE OF KELLOGG CREEK, SAID POINT BEING THE TRUE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE CONTINUING ALONG THE WESTERLY LINE OF SAID 66 FOOT WIDE PARCEL (101 D 321) NORTH 0° 23' 30" WEST, 204.95 FEET, NORTH 14° 32' 30" EAST, 457.38 FEET, NORTH 4° 39' 30" WEST, 204.50 FEET, NORTH 12° 34' 30" WEST, 264.0 FEET AND CONTINUING ALONG SAID WESTERLY LINE OF 66 FOOT WIDE PARCEL (101 D 321) NORTH 37° 34' 30" EAST, 223.76 FEET TO A POINT IN THE SOUTH LINE OF THAT CERTAIN 24.13 ACRE PARCEL OF LAND DESCRIBED IN DEED TO BALFOUR-GUTHRIE INVESTMENT COMPANY, RECORDED AUGUST 10, 1912, IN BOOK 186 OF DEEDS, AT PAGE 38; THENCE ALONG SAID SOUTH LINE SOUTH 89° 38' 30" EAST, 24.86 FEET TO AN IRON MONUMENT IN THE WESTERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DEED TO P. GAMBETTA, ET UX, RECORDED SEPTEMBER 28, 1959, IN BOOK 3462, OFFICIAL RECORDS, AT PAGE 83; THENCE ALONG THE EXTERIOR LINE OF SAID GAMBETTA PARCEL (3462 OFFICIAL RECORDS 83) THE FOLLOWING COURSES SOUTH 50° 11' 30" EAST, 13.20 FEET; SOUTH 42° 27' 30" EAST, 232.32 FEET AND NORTH 72° 02' 30" EAST, 19.17 FEET, TO A POINT IN THE MEAN WATER LINES OF KELLOGG CREEK; THENCE ALONG SAID KELLOGG CREEK, THE FOLLOWING COURSES SOUTH 34° 31' 35" WEST, 42.99 FEET; SOUTH 29° 23' 45" WEST, 130.07 FEET; SOUTH 27° 54' 35" WEST, 147.78 FEET; SOUTH 7° 38' 50" WEST, 106.18 FEET; SOUTH 18° 01' 35" WEST, 140.12 FEET; SOUTH 15° 24' 55" WEST, 360.0 FEET; AND CONTINUING ALONG SAID KELLOGG CREEK, SOUTH 16° 54' 40" WEST, 258.83 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING FROM PARCEL ONE:

- 1) SEE EXCEPTION B FOLLOWING PARCEL TEN.
- 2) SEE EXCEPTION FOLLOWING PARCEL ELEVEN HEREIN.

PARCEL TWO:

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BEING A PORTION OF THE SOUTHEAST ONE-QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 3 EAST, MOUNT DIABLO BASE AND MERIDIAN, BEING ALL THAT LAND LYING SOUTHERLY AND EASTERLY OF THE EASTERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL ONE IN SAID DEED TO P. GAMBETTA, ET UX, RECORDED SEPTEMBER 28, 1959, IN BOOK 3462 OF OFFICIAL RECORDS, AT PAGE 83, LYING WESTERLY OF THE MEAN WATER LINE OF KELLOGG CREEK, SAID LINE BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE EASTERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS SOUTH 82° 21' 30" WEST, 100.32 FEET IN THAT CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL ONE IN SAID DEED TO P. GAMBETTA (3462 OFFICIAL RECORDS 83); THENCE FROM SAID POINT OF BEGINNING, ALONG THE EASTERLY AND SOUTHERLY LINE OF SAID GAMBETTA PARCEL (3462 OFFICIAL RECORDS 83) SOUTH 82° 21' 30" WEST, 100.32 FEET, AND SOUTH 18° 50' 30" EAST, 27.72 FEET.

EXCEPTING FROM PARCEL TWO:

- 1) SEE EXCEPTION FOLLOWING PARCEL ELEVEN HEREIN.
- 2) SEE EXCEPTION B FOLLOWING PARCEL TEN.

PARCEL THREE:

BEING A PORTION OF THE SOUTHEAST ONE-QUARTER OF SECTION 23, AND THE SOUTHWEST ONE-QUARTER OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 3 EAST, MOUNT DIABLO BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 24 AT THE NORTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED AS PARCEL 5-C IN THE DEED FROM FRANK A. WEST, ET UX, TO WEST WILHOIT COMPANY RECORDED DECEMBER 17, 1903, IN BOOK 138 OF DEEDS, AT PAGE 578; THENCE FROM SAID POINT OF BEGINNING (THE BEARING OF THE SOUTH LINE OF SAID SOUTHEAST ONE-QUARTER OF SECTION 23, TAKEN AS SOUTH 89° 40' EAST, FOR THE BASIS OF THIS DESCRIPTION) ALONG THE NORTH LINE OF SAID WEST-WILHOIT PARCEL, SOUTH 82° 26' WEST, 2947.57 FEET; SOUTH 7° 38' 30" EAST, 44.88 FEET; SOUTH 82° 21' 30" WEST, 100.32 FEET TO THE EXTERIOR LINE OF THE PARCEL OF LAND DESCRIBED AS PARCEL ONE IN DEED TO ISIDOR LIPMAN, ET AL, RECORDED APRIL 21, 1876 IN BOOK 30 OF DEEDS AT PAGE 303; THENCE CONTINUING ALONG THE EXTERIOR LINE OF SAID LIPMAN PARCEL, AS FOLLOWS: SOUTH 18° 50' 30" EAST, 27.72 FEET; SOUTH 14° 39' 30" WEST, 304.26 FEET; SOUTH 72° 02' 30" WEST, 36.30 FEET; NORTH 42° 27' 30" WEST, 232.32 FEET; NORTH 50° 11' 30" WEST, 279.18 FEET; NORTH 32° 36' 30" WEST, 199.98 FEET; NORTH 57° 23' 30" EAST, 66.01 FEET; SOUTH 64° 07' 30" EAST, 124.08 FEET; NORTH 77° 50' 30" EAST, 341.88 FEET; SOUTH 30° 25' 30" EAST, 111.54 FEET; SOUTH 80° 31' 30" EAST, 43.56 FEET; NORTH 89° 04' 30" EAST, 41.58 FEET, CONTINUING ALONG THE EXTERIOR LINE OF PARCEL ONE AND ALONG THE EXTERIOR LINE OF PARCEL TWO DESCRIBED IN SAID DEED TO I. LIPMAN, ET AL (30 DEEDS 303) NORTH 71° 09' 30" EAST, 1319.34 FEET; NORTH 74° 23' 30" EAST, 141.24 FEET; NORTH 80° 16' 30" EAST, 207.90 FEET; NORTH 83° 17' 30" EAST, 165.66 FEET; NORTH 85° 52' 30" EAST, 1215.42 FEET TO A POINT IN THE EAST LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 24; THENCE SOUTH 0° 19' 30" WEST, ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

EXCEPTING FROM PARCEL THREE:

(A) THAT PARCEL OF LAND DESCRIBED IN THE DEED FROM POINT OF TIMBER LANDING COMPANY TO THE BALFOUR GUTHRIE INVESTMENT COMPANY, RECORDED AUGUST 10, 1912 IN BOOK 186 OF DEEDS AT PAGE 36.

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(B) THE PARCEL OF LAND CONVEYED IN THE DEED TO VERONICA DEVELOPMENT CORPORATION, RECORDED FEBRUARY 5, 1973, IN BOOK 6857, OFFICIAL RECORDS, PAGE 132, CONTRA COSTA COUNTY.

(C) THE PARCEL OF LAND CONVEYED BY THE GRANT DEED TO DISCOVERY BAY, A CALIFORNIA CORPORATION, RECORDED FEBRUARY 5, 1973 IN BOOK 6857, OFFICIAL RECORDS, PAGE 134, CONTRA COSTA COUNTY.

(D) SEE EXCEPTION B FOLLOWING PARCEL TEN.

(E) ANY PORTION THEREOF LYING WITHIN THE PARCELS OF LAND DESCRIBED AS PARCELS ONE AND TWO IN PARAGRAPH 6 OF THE "MODIFIED DECREE QUIETING TITLE AFTER DECISION ON APPEAL" SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF CONTRA COSTA, CASE NO. 94907, PETER J. GAMBETTA, ET AL, PLAINTIFF VS. FRED PEZZI, ET AL, FILED SEPTEMBER 2, 1971, RECORDED SEPTEMBER 7, 1971, BOOK 6471, PAGE 712, SERIES NO. 76485, OFFICIAL RECORDS.

PARCEL FOUR:

THAT CERTAIN PARCEL OF LAND 66.0 FEET IN WIDTH THE WEST LINE OF SAID 66.0 FEET WIDE PARCEL BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTH LINE OF SAID SOUTHEAST ONE-QUARTER OF SECTION 23, (THE BEARING OF THE SOUTH LINE OF SECTION 23, TAKEN AS SOUTH 89° 40' EAST, FOR THE BASIS OF THIS DESCRIPTION) SAID POINT OF BEGINNING BEING SOUTH 89° 40' EAST, 1811.86 FEET FROM A BOLT MARKING THE SOUTHWEST CORNER OF SAID SOUTHEAST ONEQUARTER OF SECTION 23; THENCE FROM SAID POINT OF BEGINNING; NORTH 0° 23' 38" WEST, 536.71 FEET; THENCE NORTH 14° 32' 30" EAST, 457.38 FEET; THENCE NORTH 4° 39' 30" WEST, 204.60 FEET; THENCE NORTH 12° 34' 30" WEST, 264.0 FEET; THENCE NORTH 37° 34' 30" EAST, 239.58 FEET TO A POINT IN THE EXTERIOR BOUNDARY OF THAT PARCEL OF LAND DESCRIBED AS PARCEL ONE TO ISIDOR LIPMAN, ET AL, RECORDED APRIL 21, 1876 IN BOOK 30 OF DEEDS AT PAGE 303.

THE ABOVE DESCRIBED PARCEL BEING THE SAME AS THAT PARCEL OF LAND DESCRIBED AS PARCEL 4 IN THE DEED TO POINT OF TIMBER LANDING COMPANY, RECORDED DECEMBER 1, 1903 IN BOOK 101 OF DEEDS, AT PAGE 321.

EXCEPTING FROM PARCEL FOUR:

(A) THAT PORTION THEREOF LYING WITHIN THE PARCEL OF LAND DESCRIBED IN THE GRANT DEED TO DISCOVERY BAY CORPORATION, RECORDED JUNE 19, 1972 IN BOOK 6677, OFFICIAL RECORDS, PAGE 161, CONTRA COSTA COUNTY.

(B) THAT PORTION THEREOF LYING WITHIN THE PARCEL OF LAND DESCRIBED IN THE DEED TO BALFOUR GUTHRIE INVESTMENT COMPANY, RECORDED AUGUST 10, 1912, BOOK 186 OF DEEDS, PAGE 38.

(C) SEE EXCEPTION B FOLLOWING PARCEL TEN.

(D) SEE EXCEPTION FOLLOWING PARCEL ELEVEN HEREIN.

PARCEL FIVE:

PORTION OF THE SOUTHEAST ¼ OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 3 EAST,

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MOUNT DIABLO BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SOUTHEAST $\frac{1}{4}$, DISTANT THEREON SOUTH $89^{\circ} 01' 30''$ EAST 850 FEET FROM THE WEST LINE OF SAID SOUTHEAST $\frac{1}{4}$; THENCE FROM SAID POINT OF BEGINNING SOUTH $89^{\circ} 01' 30''$ EAST ALONG SAID SOUTH LINE 961.86 FEET TO THE WEST LINE OF THE PARCEL OF LAND FOURTHLY DESCRIBED IN THE DEED TO POINT OF TIMBER LANDING COMPANY, RECORDED DECEMBER 1, 1903, IN BOOK 101 OF DEEDS, PAGE 321; THENCE ALONG THE WEST LINE OF SAID FOURTHLY DESCRIBED PARCEL AS FOLLOWS: NORTH $0^{\circ} 15'$ EAST 536.71 FEET; NORTH $15^{\circ} 11'$ EAST 457.38 FEET NORTH $4^{\circ} 01'$ WEST 204 FEET; NORTH $11^{\circ} 56'$ WEST 264 FEET, AND NORTH $38^{\circ} 13'$ EAST 223.76 FEET TO THE SOUTH LINE OF THE 24.13 ACRE PARCEL OF LAND DESCRIBED IN THE DEED TO BALFOUR GUTHRIE INVESTMENT COMPANY, RECORDED AUGUST 10, 1912 IN BOOK 186 OF DEEDS, PAGE 38; THENCE ALONG THE SOUTH LINE OF SAID 24.13 ACRE PARCEL NORTH $89^{\circ} 00'$ WEST 203.50 FEET; AND NORTH $64^{\circ} 05'$ WEST 1016.36 FEET TO A POINT WHICH BEARS NORTH $1^{\circ} 00'$ EAST FROM THE POINT OF BEGINNING; THENCE SOUTH $1^{\circ} 00'$ WEST 2048.02 FEET TO THE POINT OF BEGINNING.

EXCEPTING FROM PARCEL FIVE:

(A) SEE EXCEPTION B FOLLOWING PARCEL TEN.

(B) ANY PORTION THEREOF LYING WITHIN THE PARCELS OF LAND DESCRIBED AS PARCELS ONE AND TWO IN PARAGRAPH 6 OF THE "MODIFIED DECREE QUIETING TITLE AFTER DECISION ON APPEAL" SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF CONTRA COSTA, CASE NO. 94907, PETER J. GAMBETTA, ET AL, PLAINTIFF VS. FRED PEZZI, ET AL, FILED SEPTEMBER 2, 1971, RECORDED SEPTEMBER 7, 1971, BOOK 6471, PAGE 712, SERIES NO. 76485, OFFICIAL RECORDS.

(C) ANY PORTION THEREOF CONVEYED IN THE DEED FROM PETER J. GAMBETTA, ET UX, TO DISCOVERY BAY CORPORATION, DATED MAY 1, 1972, RECORDED JUNE 19, 1972, BOOK 6677, PAGE 161, SERIES NO. 55507, OFFICIAL RECORDS.

PARCEL SIX:

PORTION OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 3 EAST, MOUNT DIABLO BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING ON THE SOUTH LINE OF SAID SOUTHEAST $\frac{1}{4}$, AT THE WEST LINE OF THE PARCEL OF LAND DESCRIBED AS PARCEL ONE IN THE DEED TO PETER J. GAMBETTA, ET UX, RECORDED MARCH 3, 1965, BOOK 4815, OFFICIAL RECORDS, PAGE 121; THENCE FROM SAID POINT OF BEGINNING, NORTH $89^{\circ} 01' 30''$ WEST, ALONG SAID SOUTH LINE 850 FEET TO THE WEST LINE OF SAID SOUTHEAST $\frac{1}{4}$; THENCE NORTH 1° EAST, ALONG SAID WEST LINE TO A POINT WHICH BEARS SOUTH 1° WEST, 208.71 FEET FROM THE SOUTH LINE OF THE 24.13 ACRE PARCEL OF LAND DESCRIBED IN THE DEED TO BALFOUR GUTHRIE INVESTMENT COMPANY, RECORDED AUGUST 10, 1912, BOOK 186, DEEDS, PAGE 38; THENCE SOUTH $64^{\circ} 05'$ EAST, 230.15 FEET; THENCE NORTH 1° EAST, 208.71 FEET TO THE SOUTH LINE OF SAID 24.13 ACRE PARCEL; THENCE SOUTH $64^{\circ} 05'$ EAST, ALONG SAID SOUTH LINE, 707.09 FEET TO THE WEST LINE OF SAID GAMBETTA PARCEL; THENCE SOUTH 1° WEST, ALONG SAID WEST LINE 2048.02 FEET TO THE POINT OF BEGINNING.

PARCEL SEVEN:

PORTION OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 3 EAST, MOUNT DIABLO BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

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BEGINNING ON THE WEST LINE OF SAID SOUTHEAST $\frac{1}{4}$ AT THE SOUTH LINE OF THE 24.13 ACRE PARCEL OF LAND DESCRIBED IN THE DEED TO BALFOUR GUTHRIE INVESTMENT COMPANY, RECORDED AUGUST 10, 1912, BOOK 186, DEEDS, PAGE 38; THENCE FROM SAID POINT OF BEGINNING, SOUTH $64^{\circ} 05'$ EAST, ALONG SAID SOUTH LINE, 230.15 FEET; THENCE SOUTH 1° WEST, 208.71 FEET; THENCE NORTH $64^{\circ} 05'$ WEST, 230.15 FEET TO THE WEST LINE OF SAID SOUTHEAST $\frac{1}{4}$; THENCE NORTH 1° EAST, ALONG SAID WEST LINE, 208.71 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL EIGHT:

SWAMP AND OVERFLOW LAND SURVEY NO. 416, BEING THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$, THE EAST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ AND THE WEST $\frac{1}{2}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 26, THE WEST $\frac{1}{2}$ OF THE NORTHEAST $\frac{1}{4}$, THE EAST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ AND THE NORTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 3 EAST, MOUNT DIABLO BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POST MARKED "U.S.4.", BEING THE NORTHEAST CORNER OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 26; THENCE FROM SAID POINT OF BEGINNING WEST, 20 CHAINS TO POST "U.S.5."; THENCE SOUTH ALONG THE CENTER LINE OF SAID SECTION 26, 20 CHAINS TO THE CENTER OF SAID SECTION 26; THENCE WEST 20 CHAINS TO POST "U.S.7."; THENCE SOUTH ALONG THE SEGREGATION LINES, 80 CHAINS TO POST "U.S.8."; THENCE EAST 20 CHAINS TO POST "U.S.9.", BEING THE CENTER OF SAID SECTION 35; THENCE SOUTH 20 CHAINS TO POST "U.S.10."; THENCE EAST 20 CHAINS TO POST "U.S.11."; THENCE NORTH 120 CHAINS TO THE POINT OF BEGINNING.

EXCEPTING FROM PARCEL EIGHT:

(A) ANY PORTION THEREOF LYING SOUTH OF THE EAST-WEST MID SECTION LINE OF SAID SECTION 26, TOWNSHIP 1 NORTH, RANGE 3 EAST, MOUNT DIABLO BASE AND MERIDIAN.

(B) SEE EXCEPTION B FOLLOWING PARCEL TEN HEREIN.

PARCEL NINE:

PORTION OF THE EAST $\frac{1}{2}$ OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 3 EAST, MOUNT DIABLO BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A BOLT AND WASHER MARKING THE NORTHWEST CORNER OF THE EAST $\frac{1}{2}$ OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 26; THENCE ALONG THE NORTH LINE OF SAID NORTHEAST $\frac{1}{4}$ OF SECTION 26, SOUTH $89^{\circ} 40'$ EAST, 402.84 FEET TO A POINT IN THE EASTERLY BANK OF KELLOGG CREEK; THENCE ALONG SAID EASTERLY BANK, SOUTH $14^{\circ} 20' 40''$ WEST, 43.36 FEET; SOUTH $15^{\circ} 04' 55''$ WEST, 600.21 FEET; SOUTH $15^{\circ} 16' 35''$ WEST 300 FEET; SOUTH $15^{\circ} 40' 20''$ WEST, 489.23 FEET AND CONTINUING ALONG SAID EASTERLY BANK, SOUTH $33^{\circ} 00'$ WEST, 56.98 FEET TO A POINT IN THE WEST LINE OF THE EAST $\frac{1}{2}$ OF SAID NORTHEAST $\frac{1}{4}$ OF SECTION 26; THENCE ALONG LAST SAID WEST LINE, NORTH $0^{\circ} 15' 12''$ EAST, 1432.13 FEET TO THE POINT OF BEGINNING.

EXCEPTING FROM PARCEL NINE:

(A) SEE EXCEPTION B FOLLOWING PARCEL TEN HEREIN.

(B) SEE EXCEPTION FOLLOWING PARCEL ELEVEN HEREIN

PARCEL TEN:

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THE NORTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 3 EAST, MOUNT DIABLO BASE AND MERIDIAN.

EXCEPTING FROM PARCEL TEN:

(A) THE INTEREST CONVEYED TO CONTRA COSTA COUNTY BY DEED RECORDED MARCH 13, 1974 IN BOOK 7176, OFFICIAL RECORDS, PAGE 594, SERIES NO. 19996, CONTRA COSTA COUNTY.

(B) EXCEPTING FROM PARCELS ONE, TWO, THREE, FOUR, FIVE, EIGHT, NINE AND TEN ANY PORTION THEREOF LYING EAST OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT WHICH BEARS NORTH 83° 04' 37" EAST 18.81 FEET FROM THE WESTERLY TERMINUS OF THE COURSE AND DISTANCE DESCRIBED AS SOUTH 82° WEST 2950.20 FEET IN THE DEED TO PETER J. GAMBETTA, ET UX, RECORDED SEPTEMBER 28, 1959 IN BOOK 3462, PAGE 83, SERIES NO. 63058, OFFICIAL RECORDS; THENCE FROM SAID POINT OF BEGINNING ALONG THE MEANDER OF KELLOGG CREEK THE FOLLOWING COURSES AND DISTANCES: SOUTH 32° 49' 38" WEST 638.243 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 310 FEET THROUGH A CENTRAL ANGLE OF 15° 53' 53" ALONG SAID CURVE, AN ARC DISTANCE OF 86.017 FEET, SOUTH 16° 55' 45" WEST, 43.684 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 440 FEET THROUGH A CENTRAL ANGLE OF 10° 51' 53" ALONG SAID CURVE, AN ARC DISTANCE OF 83.436 FEET TO THE BEGINNING OF A REVERSE CURVE HAVING A RADIUS OF 560 FEET THROUGH A CENTRAL ANGLE OF 14° 30' 11", AN ARC DISTANCE OF 141.750 FEET TO THE BEGINNING OF A REVERSE CURVE HAVING A RADIUS OF 440 FEET THROUGH A CENTRAL ANGLE OF 10° 52' 22" ALONG SAID CURVE, AN ARC DISTANCE OF 83.496 FEET TO THE BEGINNING OF A REVERSE CURVE, HAVING A RADIUS OF 560 FEET THROUGH A CENTRAL ANGLE OF 5° 58' 36", AN ARC DISTANCE OF 58.416 FEET; SOUTH 15° 40' 17" WEST 856.739 FEET; SOUTH 16° 14' 17" WEST 1327.542 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 660 FEET THROUGH A CENTRAL ANGLE OF 31° 23' 27" ALONG SAID CURVE, AN ARC DISTANCE OF 361.596, SOUTH 47° 37' 44" WEST 1504.824 FEET TO A POINT ON THE NORTH-SOUTH MID-SECTION LINE OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 3 EAST, MOUNT DIABLO BASE AND MERIDIAN.

PARCEL ELEVEN:

PORTION OF SUBDIVISION 5493 ACCORDING TO THE MAP FILED MAY 2, 1979, IN BOOK 224 OF MAPS, PAGE 14, CONTRA COSTA COUNTY RECORDS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERN CORNER OF LOT 18 IN SAID SUBDIVISION 5493; THENCE ALONG THE WESTERN LINE OF SAID SUBDIVISION 5493 AS FOLLOWS: NORTH 15° 40' 17" EAST, 84.79 FEET; NORTHERLY ALONG THE ARC OF A 560-FOOT RADIUS CURVE CONCAVE WESTERLY, AN ARC DISTANCE OF 58.42 FEET; NORTHERLY ALONG THE ARC OF A 440-FOOT REVERSE CURVE, AN ARC DISTANCE OF 83.50 FEET AND NORTHERLY ALONG THE ARC OF A 560-FOOT RADIUS REVERSE CURVE, AN ARC DISTANCE OF 101.61 FEET TO THE EASTERN LINE OF THE 66-FOOT WIDE PARCEL OF LAND DESCRIBED UNDER PARAGRAPH NUMBERED 4 ON PAGE 6 OF THE MODIFIED DECREE QUIETING TITLE IN THE MATTER OF PETER J. GAMBETTA AND ALFRED A. AFFINITO, EXECUTOR, PLAINTIFFS, A CERTIFIED COPY OF WHICH WAS FILED SEPTEMBER 2, 1971 IN BOOK 6471, PAGE 712, OFFICIAL RECORDS, THE LAST DETERMINED POINT BEING THE ACTUAL POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN BEING DESCRIBED; THENCE CONTINUING ALONG THE GENERAL WESTERN BOUNDARY OF SAID SUBDIVISION 5493 AS FOLLOWS: NORTHERLY ALONG THE ARC OF A 560-FOOT RADIUS CURVE CONCAVE WESTERLY AN ARC DISTANCE OF 40.14 FEET TO A POINT OF REVERSE CURVE CONCAVE WESTERLY AN ARC DISTANCE OF 40.14 FEET TO A POINT OF REVERSE CURVE; NORTHERLY ALONG THE ARC OF A 440-FOOT RADIUS REVERSE CURVE, AN ARC DISTANCE OF

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83.44 FEET; NORTH 16° 55' 45" EAST 43.68 FEET; NORTHERLY ALONG THE ARC OF A 310 FOOT RADIUS CURVE CONCAVE EASTERLY, AN ARC DISTANCE OF 86.02 FEET AND NORTH 32° 49' 38" EAST 199.18 FEET TO THE SOUTHWESTERN LINE OF THE PARCEL OF LAND DESCRIBED UNDER PARAGRAPH NUMBERED 1 ON PAGE 4 OF SAID MODIFIED DECREE (6471 OFFICIAL RECORDS 712); THENCE ALONG THE SOUTHWESTERN AND SOUTHERN LINES OF THE LAST MENTIONED PARCEL OF LAND SOUTH 42° 27' 30" EAST 28.07 FEET AND NORTH 72° 41' 07" EAST 19.17 FEET, RESPECTIVELY, TO THE NORTHWESTERN LINE OF SUBDIVISION 3653 ACCORDING TO THE AMENDED MAP FILED IN BOOK 169 OF MAPS, PAGE 42, CONTRA COSTA COUNTY RECORDS; THENCE ALONG THE GENERAL WESTERN LINE OF SAID SUBDIVISION 3653 AS FOLLOWS:

SOUTH 35° 10' 12" WEST 42.99 FEET TO AN ANGLE POINT THEREIN; SOUTH 30° 02' 22" WEST 130.07 FEET; SOUTH 28° 33' 12" WEST 147.78 FEET; SOUTH 8° 17' 27" WEST 106.18 FEET; SOUTH 18° 40' 12" WEST 140.12 FEET AND SOUTH 16° 03' 32" WEST 198.05 FEET TO THE SOUTHERN LINE OF LOT 18 IN SAID SUBDIVISION 5493; THENCE ALONG THE LAST MENTIONED LINE SOUTH 79° 45' 25" WEST APPROXIMATELY 1 FOOT TO THE EASTERN LINE OF SAID 66-FOOT WIDE PARCEL (6471 OFFICIAL RECORDS 12); THENCE ALONG THE LAST MENTIONED LINE NORTH 15° 11' 07" EAST 245.95 FEET AND NORTH 4° 00' 53" WEST 75.20 FEET TO THE ACTUAL POINT OF BEGINNING.

EXCEPTING FROM PARCELS ONE, TWO, FOUR, NINE AND ELEVEN:

THE UNDIVIDED ¼ 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" AS GRANTED IN THE AGREEMENT TO BIXLAND CORPORATION, RECORDED JANUARY 22, 1969, BOOK 5796, OFFICIAL RECORDS, PAGE 446.

EXCEPTING FROM PARCELS ONE, TWO, FOUR, FIVE, NINE AND ELEVEN:

THE UNDIVIDED ½ 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" AS GRANTED IN THE AGREEMENT TO BIXLAND CORPORATION, RECORDED JANUARY 22, 1969, BOOK 5796, OFFICIAL RECORDS, PAGE 446.

APN: 004-010-006-7, 004-032-005-3, 004-032-006-1, 004-032-007-9, 004-032-062-4, 011-220-010-0, 011-220-017-5, 011-220-018-3, 011-230-006-6 and 011-230-007-4

**AMENDED AND RESTATED
PRE-ANNEXATION AGREEMENT BETWEEN
THE TOWN OF DISCOVERY BAY
AND
PANTAGES AT DISCOVERY BAY, LLC, C & D DISCOVERY BAY LLC
AND WATERFRONT LOTS, LLC**

This Amended and Restated Pre-Annexation Agreement (the “Agreement”), by and between the Town of Discovery Bay Community Services District (“TODB”) and Pantages at Discovery Bay, LLC, a California limited liability company (“Developer”), C & D Discovery Bay LLC, a California limited liability company, and Waterfront Lots, LLC, a California limited liability company (“Owners”) (collectively Developer and Owners are referred to herein singularly as “Applicant”) is dated and effective as of _____ (“Effective Date”).

Recitals

A. Owners are the fee simple owners, each with an undivided 50% interest, of that certain land commonly known as Assessor’s Parcel Numbers 004-010-006-7, 004-032-005-03, 004-032-006-1, 004-032-007-9, 004-032-062-4, 011-220-010-0, 011-220-017-5, 011-220-0183-3, 011-230-006-6 and 011-230-007-4, and more particularly described in Exhibit A (“Property”).

B. The Property is located, for the most part, outside the boundaries of but within the Sphere of Influence for Discovery Bay.

C. Applicant desires to have TODB provide water and wastewater service to the Property.

D. The parties hereto wish to set forth the terms and conditions under which TODB agrees to provide water and wastewater services to the Property.

E. TODB has planned for, secured all regulatory approvals, financed through bonding and begun to implement needed infrastructure to provide water and wastewater service to Applicant’s project on its Property and other nearby projects.

F. TODB has adopted a revised annexation fee program which will allow it to recover the fair share costs of new infrastructure designed to provide water and wastewater service to Applicant’s project on its Property and other nearby projects.

G. TODB is implementing the improvements to water and wastewater infrastructure through a schedule which will allow service to Applicant’s project on its Property and other nearby projects in a timely manner. It is anticipated that water and wastewater will be fully available prior to any request for service from Applicant.

H. The Parties agree that Applicant’s development of the Property will not only impact TODB’s water and wastewater infrastructure but will also have an impact on TODB’s park and

recreation facilities and services, requiring TODB to enhance park and recreation facilities and services to accommodate Applicant's project.

I. Applicant agrees that the amounts set forth in this Agreement represent an equitable allocation of the fair share costs of enhancements designed to provide park and recreation facilities and service to Applicant's project.

Agreement

NOW, THEREFORE, TODB and Applicant agree to the following terms, covenants, and conditions.

1. Provision of Water/Wastewater Services. TODB agrees to provide water and wastewater service to the Property subject to the terms and conditions of this Agreement.

2. Consent to Future Annexation or Reorganization. Owners hereby irrevocably consent to and petition, and waive their right to protest, for the future annexation of the entire Property to the Town of Discovery Bay and agree to cooperate in such annexation upon the request of TODB or LAFCo, including the payment of applicable processing fees for the annexation of the Property. If the annexation proceeding includes other changes of agency jurisdictional boundaries in addition to the annexation, such as a detachment from a county service area, (*i.e.*, the proceeding is referred to as a "reorganization"). Owners also consent/petition to such other changes of agency jurisdictional boundaries included in the "reorganization proceeding. Owners shall not challenge or otherwise hinder the annexation/reorganization, directly, indirectly, or in any other manner. Owners understand and agree that this consent/petition to annexation includes all obligations attendant upon annexation, including any and all taxes, assessments and fees that TODB imposes upon property within Discovery Bay.

3. Conditions Precedent. As conditions precedent to TODB providing water and wastewater service to the Property, Owners or Applicant, as applicable, shall:

- a. Create a community facilities district, recreation district (or similar entity) and impose a proposed tax, fee, charge or assessment, consistent with the processes required by Proposition 218 as specified in the California Constitution Article XIII D, and the California Government Code, Sections 53750 *et seq.*, for recreation or similar purposes including, but not limited to, a community center and Discovery Bay parks, maintained landscape areas, and recreation facilities.
- b. Pay all fees imposed, charged, or assessed by TODB arising out of or connected with the future development of Owners' property including, but not limited to, connection fees, capacity fees, utility permit fees, and inspection fees for water and sewer service connections ("Development Fees"). Owners shall pay actual Development Fees at time water and sewer connection fees are paid. TODB shall reserve water and sewer capacity for the future development of Owners' Property. The term of this Agreement shall commence upon the Effective Date and shall continue until whichever of the following occurs first: (a) one year following the

build-out of the Pantages Project; or (b) the tenth year from the date that the first connection fee is paid for the first unit.

- c. Consent to the payment of a community center improvement fee of \$2,500 per unit. The community center improvement fee shall be collected per unit at time water and sewer connection fees are paid.
- d. Consent to the payment of a park and recreation enhancement fee of \$1,805 per unit (equaling a total contribution of \$500,000). The park and recreation enhancement fee shall be collected per unit at time water and sewer connection fees are paid and used to enhance park and recreation facilities and services with Discovery Bay.
- e. Owners will offer easements to TODB for ingress and egress to any public facilities owned or operated by TODB located on Owners' Property. The locations of said easements will be determined by TODB and on reasonable terms and conditions.
- f. Developer proportionally funded a study, (based upon percentage of dwelling units), to examine expanding the water and wastewater treatment plant to allow for permitted future development. The study has been completed and the proportionally funded share for Pantages at Discovery Bay, LLC was \$32,317.00.
- g. Pay all fees imposed, charged or assessed by LAFCo on TODB or Owners arising out of or connected with any LAFCo approval and agree to cooperate in such LAFCo proceedings concerning Owners' Property.
- h. Enter into and fully perform under all agreements customarily and regularly required by TODB of a property owner seeking to connect his/her property to TODB's water and/or wastewater system.
- i. Comply with all regulations, ordinances, policies and rules governing the provision and receipt of water and wastewater service from TODB, including but not limited to, Ordinance No. 24 which regulates the installation of residential and non-residential water softening appliances.
- j. Create a homeowners association, under all applicable California law, which shall be responsible for owning and/or operating and maintaining all or some of the creek bank, wetland and open space areas, trails, access roads, lakes, parks and appurtenant structures and facilities within the boundaries of the Property. In no event shall the TODB be responsible to own or maintain any of the facilities noted above. The County will maintain the public roads throughout the Property. Owners or Applicants may also negotiate with the County regarding maintenance of park areas within the Property as an alternative to the homeowner's association taking on this responsibility.

- k. State Board of Equalization (“SBOE”) Fees. Applicant shall pay all fees imposed, charged, or assessed by the SBOE on TODB or Applicant arising out of or connected with any LAFCO approval or this Agreement.
- l. All of the herein described easements shall be kept free of obstructions that impair the use of or are inconsistent with the purposes of the easement. The herein described offers of dedication to the Town are to be accepted only when the Town Board of Directors or its successor agency adopts and records in the Office of the Recorder of Contra Costa County a resolution accepting said facilities or easements. Until said resolution(s) are recorded, all facilities and easements encompassed within such offers of dedication shall be maintained by the Applicant during any required warranty period and thereafter by the owner(s) of the lots or parcels in the subdivision. The Town shall not be responsible for maintenance and shall incur no liability with respect to such offered facilities and/or easements or any improvement thereon. All dedicated facilities and easements not accepted for maintenance by the Town or other public agency shall be maintained by the owner(s) of the lots or parcels in the subdivision. Upon acceptance by the Town of the dedication pursuant to the provision set forth herein, the Town will become responsible for maintenance and repair of the dedication.

4. Indemnification. The Applicant and its successors in interest hereby agree to indemnify, defend with counsel reasonably acceptable to TODB, release and hold the Town of Discovery Bay and its elective and appointive boards, commissions, officers, agents, and employees (“Indemnitees”) harmless from and against any and all past and future allegations, claims, demands, causes of action, damages, losses, liabilities of any kind and/or expenses (collectively referred to as “Liabilities”), including without limitation attorney’s fees, experts’ fees, and witness costs, that may be asserted or incurred, as the case may be, by any person or entity, including Applicant, Applicant’s heirs, successors or predecessors in interest or assignees, including, but not limited to, liability or claims for damages for personal injury, or death, inverse condemnation, interference with prospective economic advantage, and/or real or personal property damage, arising out of or in connection with: (i) the prior provision of water and wastewater service to the Property, or the failure thereof; (ii) the activities of Applicant, his/her/its agents, officers, employees, in performing any work or improvement on the subject property or to connect the property to water or wastewater service; (iii) Applicant’s performance or non-performance under this Agreement or breach of this Agreement; (iv); TODB’s approval of this Agreement or any of its actions relating thereto; (v) TODB’s compliance or non-compliance with the California Environmental Quality Act (“CEQA”) or any other law applicable to the approval, processing and implementation of this Agreement, the provision of water and/or wastewater service to the property, or any LAFCo approvals; (vi) interruptions in the provision of water and/or wastewater service to the Property once the Property is connected to water and wastewater service; (vii) TODB’s charging of water rates to Applicant and/or its successors in interest that are higher than the rates charged to property owners whose properties are located within TODB’s territorial limits; and (viii) Applicant’s violation of any law, ordinance or regulation, whether or not there is concurrent, passive negligence on the part of the Indemnitees. Applicant also agrees to reimburse Indemnitees for their reasonable expenses incurred as a result of any legal action or proceeding initiated against Indemnitees in which the Liabilities are asserted against or sought to be imposed

upon TODB. Such expenses may include, but are not limited to, fees and costs awarded to the opposing party, the Indemnitees' attorneys' fees and charges, the cost of preparing the record for any such action, including TODB staff costs and all other costs and expenses the Indemnitees may incur as a result of any such action or proceeding. The parties hereto expressly agree that no public interest or public policy is implicated or involved in the matters for which this indemnification is entered into and that this agreement is not void or voidable pursuant to California Civil Code Section 1668, and the parties waive all rights or protections provided pursuant to said section.

5. Binding on Successors in Interest; Run with the Land. This Agreement shall be a covenant running with the land and binding on Applicant's heirs, assigns, and successors in interest to the Property. This Agreement shall be recorded against the Property and shall run with the Property and each part thereof until terminated in the manner provided for herein, and is intended by the parties to be a covenant and restriction which shall run with the land under and pursuant to California Civil Code Section 1468, or its successor provision, if any.

6. Termination Upon Annexation and Satisfaction of Terms and Conditions. This Agreement and covenant shall automatically terminate as to the Property or any part thereof at such time as the Property or such part thereof is annexed to the territory of TODB and all terms and conditions contained herein have been satisfied.

7. Notices. All notices and demands of any kind that either party may be required or desires to serve upon the other party shall be in writing and shall be served upon such other party by personal service; or by mailing a copy thereof, certified or registered mail, postage prepaid; or by overnight mail; or by facsimile or e-mail, addressed as follows:

If to Discovery Bay: Town of Discovery Bay CSD
1800 Willow Lake Rd
Discovery Bay, CA 94505
Attention: General Manager
Telephone: (925) 634-1131
Facsimile: (925) 513-2705

If to Owners: C&D Discovery Bay LLC
16795 Lark Avenue, Suite 106
Los Gatos, CA 95032
Attention: Cynthia Lazares, Trustee of the DB Trust
Title: Manager
Telephone: (408) 399-4393
Facsimile: (408) 399-4397

Waterfront Lots, LLC
 16795 Lark Avenue, Suite 106
 Los Gatos, CA 95032
 Attention: Cynthia Lazares, Trustee of the DB Trust
 Title: Manager
 Telephone: (408) 399-4393
 Facsimile: (408) 399-4397

If to Developer: Pantages at Discovery Bay, LLC
 16795 Lark Avenue, Suite 106
 Los Gatos, CA 95032
 Attention: David L. Lazares
 Title: Company Manager
 Telephone: (408) 399-4393
 Facsimile: (408) 399-4397

8. Construction of Terms; Severability. All parts of this Agreement shall be construed according to their plain meaning and shall not be construed in favor or against either of the parties. If any term, provision, covenant or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, in whole or in part, the remainder of this Agreement shall remain in full force and effect and shall not be affected, impaired or invalidated thereby.

9. Owners' Authority. Owners and Developer have the full right, capacity, power and authority to enter into and carry out the terms of this Agreement. Owners are the sole owners in fee simple of the Property and to Applicant's knowledge, no other person or entity has any right or interest in the Property.

10. Counterparts. This Agreement may be executed in any number of counterparts and each counterpart shall be deemed to be an original document. Delivery of the executed Agreement may be accomplished by facsimile transmission, and if so, the facsimile copy shall be deemed an executed original counterpart of the Agreement. All executed counterparts together shall constitute one and the same document, and any signature pages, including facsimile copies thereof, may be assembled to form a single original document.

11. Further Assurances. Each party will, whenever and as often as it shall be requested to do so by the other party, execute, acknowledge and deliver, or cause to be executed, acknowledged and delivered, any and all such further conveyances, assignments, approvals, consents and any and all other documents and do any and all other acts as may be reasonably necessary to carry out the intent and purpose of this Agreement.

12. Entire Agreement. This Agreement, together with all exhibits hereto and documents referred to herein, if any, constitutes the entire agreement among the parties hereto with respect to

the subject matter hereof, and supersedes all prior understandings and agreements. All exhibits to which reference is made in this Agreement are deemed incorporated in this Agreement whether or not actually attached.

13. Amendments. This Agreement may be modified only by a writing signed by both parties.

14. Legal Advice. Each party has had the opportunity to receive independent legal advice from its attorneys with respect to the advisability of executing this Agreement and the meaning of the provisions hereof.

15. Attorney's Fees. Each party shall bear its own attorneys' fees and expenses in the preparation and review of this Agreement. In the event of any litigation or other action between the parties arising out of or relating to this Agreement or the breach thereof, the prevailing party shall be entitled, in addition to such other relief as may be granted, to its reasonable costs and attorneys' fees.

16. Headings and Titles. The captions of the articles or sections of this Agreement are only to assist the parties in reading this Agreement and shall have no effect upon the construction or interpretation of any part hereof.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first written above.

OWNERS:

C&D Discovery Bay LLC
a California limited liability company

Town of Discovery Bay
Community Services District,
political subdivision of the
State of California

By: _____
David
Cynthia Lazares
Title: Manager

By: _____
Mike Davies, General Manager

Approved as to Form:

Waterfront Lots, LLC
a California limited liability company

By: _____
Rod A. Attebery
General Counsel

By: _____
Cynthia Lazares
Title: Manager

DEVELOPER:

Pantages at Discovery Bay, LLC
a California limited liability company

By: _____
David L. Lazares
Title: Company Manager



Town of Discovery Bay

“A Community Services District”

STAFF REPORT

Meeting Date

June 16, 2021

Prepared By: Julie Carter, Finance Manager
Submitted By: Dina Breitstein, Assistant General Manager

Agenda Title

Approve Annual Assessment for the Ravenswood Improvement District – DB Lighting and Landscape Zone 9 for the Fiscal Year 2021-2022, Accept Engineer’s Report and Adopt Resolution No. 2021-11.

Recommended Action

Accept Engineer’s Report and Adopt Resolution No. 2021-11 authorizing the Intent to Levy and Collection of Annual Assessments for the Ravenswood Improvement District – DB Lighting and Landscape Zone 9 for the Fiscal Year 2021-2022 and set the Public Hearing for July 7, 2021 at 7:00 p.m. located at 1601 Discovery Bay Boulevard.

Executive Summary

As part of the annual assessment process for the Ravenswood Improvement District – DB Lighting and Landscape Zone 9, the Town of Discovery Bay Board of Directors adopted Resolution 2021-05, which directed HERWIT Engineering to prepare the assessment report. HERWIT provided the Final Assessment Engineer’s Report to District Staff on June 9, 2021. In that report, HERWIT determined that based on operating costs (as shown on the Adopted Operating and Capital Budget for Discovery Bay Lighting and Landscape Zone 9) the per parcel assessment should be set at \$742.04 which is the allowable maximum assessment for Zone 9.

Factors leading to the assessment of \$742.04 are: maintaining our emergency reserves, adequate funds for operations, and to replenish the reserves to fund future capital projects. The reserves protect DB Lighting and Landscape Zone 9 from any expensive repairs and maintenance in regards to the assets of the zone such as the landscaping, park structures and the splash pad. The recommended assessment upholds the Fiscal Year 2021-2022 budget and prudently maintains the reserve balance.

Staff requests direction from the Board of Directors regarding the increase of the DB Lighting and Landscape Zone 9 Assessment. If no change to the report is required; then staff requests that the attached Resolution, which approves HERWIT’s report and proposed assessments, be approved and adopted. The Public Hearing approving the levy of the annual assessment will be held on the July 7, 2021 at the regular scheduled Board meeting.

Fiscal Impact:

Amount Requested - None
Sufficient Budgeted Funds Available?: N/A

Previous Relevant Board Actions for This Item

Approval and Adoption of Resolution 2021-05 Directing HERWIT Engineering to prepare annual assessment report for the Ravenswood Improvement District (DB L&L #9) – 2021-2022.

Attachments

Resolution 2021-11.
 Final Assessment Engineer’s Report by HERWIT Engineering.
 Draft Notice of Public Hearing, July 7, 2021.

AGENDA ITEM: F-6



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT**

RESOLUTION NO. 2021-11

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY,
A CALIFORNIA COMMUNITY SERVICES DISTRICT
INTENT TO LEVY AND COLLECT AN ANNUAL ASSESSMENT
FOR THE RAVENSWOOD IMPROVEMENT DISTRICT – DB L&L ZONE #9
FOR THE FISCAL YEAR 2021-2022**

WHEREAS, the Board of Directors of the Town of Discovery Bay Community Services District (CSD), pursuant to a development agreement with the developer of that subdivision known as Ravenswood formed a landscaping, park, lighting and open space district, for the purpose of providing for the operation and maintenance of landscaping, park, lighting and open space installed in said subdivision by developer; and

WHEREAS, said subdivision is generally located along Blake Court, Coleridge Way, Wilde Drive, Shakespeare Court, Slifer Court and Seuss Court, and

WHEREAS, the Board of Directors now desires to declare its intention to levy an annual assessment within such district.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Town of Discovery Bay CSD as follows:

SECTION 1. The Board of Directors of the Town of Discovery Bay CSD, in an effort to deter crime, provide Traffic safety, aid law enforcement, and provide a better neighborhood environment has formed an assessment district pursuant to California Streets & Highway Code, Division 15, Part 2, sections 22500 and following, and to levy and collect assessments there under, pursuant to Resolution 2005-03.

SECTION 2. The improvements, the operation and maintenance of which are intended to be funded by the assessments levied by the proposed assessment district, include all expenses associated with the maintenance and operation of non-privately owned landscaping, park, lighting and open space in the subdivision known as Ravenswood.

SECTION 3. The assessment district consists of that property generally described as Subdivision 8710-Ravenswood being a subdivision of a portion of the Northwest quarter of Section 26, Township 1 North, Range 3 East, Mount Diablo Meridian as recorded in Book 458 of Maps, Pages 1-15, Contra Costa County Records.

SECTION 4. The designation for the assessment district is "Ravenswood Improvement District" –DB L&L Zone #9.

SECTION 5. HERWIT Engineering has prepared and filed with the Secretary of the Board of Directors a report detailing the full and detailed designation of the improvements, and the boundaries of, and the proposed assessments upon assessable lots and parcels of land within, the Ravenswood Improvement District, and the Board of Directors hereby adopts and approves said report.

SECTION 6. A hearing by the Board of Directors on the question of levy of annual assessments of the Ravenswood Improvement District –DB L&L Zone #9 for the fiscal year 2021-2022 year will be held at 7:00 p.m., on July 7, 2021, at the Community Center located at 1601 Discovery Bay Boulevard, Discovery Bay, CA 94505.

This foregoing resolution is hereby approved and adopted at a regular meeting the Board of Directors of the Town of Discovery Bay Community Services District held on the 16th day of June 2021, by the following vote:

PASSED, APPROVED AND ADOPTED THIS 16th DAY OF JUNE 2021.

Bryon Gutow
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 regular meeting, held on June 16, 2021, by the following vote of the Board:

AYES:
NOES:
ABSENT:
ABSTAIN:

Michael R. Davies
Board Secretary

**FINAL ASSESSMENT ENGINEER'S
REPORT**

Prepared for the

**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT**

**Landscaping, Park, Lighting and Open-Space
Improvements District DB L&L #9**

For Fiscal Year 2021-2022

**Prepared by
HERWIT Engineering**

**6200 Center Street, Suite 310
Clayton, California 94517
(925) 672-6599**

JULY 2021

Town of Discovery Bay Community Services District

Director and President

Bryon Gutow

Director and Vice President

Kevin Graves

Director

Ashley Porter

Director

Michael Callahan

Director

Carolyn Graham

General Manager

Mike Davies

Assistant General Manager

Dina Breitstein

Finance Manager

Julie Carter

Parks & Landscape Manager

Bill Engelman

District's Attorney

Neumiller & Beardslee

Assessment Engineer

HERWIT Engineering

Date: June 2021

**Assessment Engineers Report
For
Landscape, Park, Lighting and Open-Space District DB L&L #9, Zone #1
Subdivision 8710 (Ravenswood)**

Pursuant to Governmental Code 61710 and procedures of the Landscaping and Lighting District Act of 1972, the Town of Discovery Bay Community Services District (CSD) is responsible for the Landscape, Park, Lighting and Open-Space District DB L&L #9 submits this "Assessment Engineers Report" for the 2021-2022 year, which consists of five (5) parts as follows.

PART A. Plans and Specifications

This part describes the improvements in this District. The plans, drawings and specifications are on file in the Town of Discovery Bay CSD District Office. A listing of these documents and drawings are outlined in the original Assessment Engineers Report approved in 2006.

PART B. Estimate of Cost

This part contains an estimate of the cost of proposed improvements, including incidental costs and expenses in connection therewith, is as forth on the lists, which are on file in the Town of Discovery Bay CSD District office.

PART C. Method of Apportionment of Assessment

This part contains the method by which the undersigned engineering firm has determined the amount proposed to be assigned against each parcel, based upon parcel classification of land within this District, in proportion to the estimated benefits to be received. This listing is also on file in the Town of Discovery Bay CSD District office.

PART D. District Diagram of Assessment

This part by reference of a diagram shows the parcel lot numbers that are within this District.

PART E. Property Owner List & Assessment Roll

The listing of Assessed parcels and their owners are on file in the Town of Discovery Bay CSD District office.

Engineers Assessment Report for 2020-2021 year

During this time period the DB L&L #9, Zone #1 District financial report shows estimated end of year totals as follows:

\$ 158,000	Annual assessments & investment revenue was received
\$ 319,527	Annual expenses grounds maintenance, capital improvements, and administrative expenses.
<u>\$ 197,441</u>	Fund total after 2020-2021 annual expenses.

Current Assessment

The 2020-2021 fiscal year assessment per parcel based on the engineer's formula defined in the Assessment Engineers Report adopted in 2006 is \$714.84 per parcel. This is greater than the initial year assessment as defined in the Assessment Engineers Report due to increases in maintenance and utility costs, and to rebuild the reserve account balance which had dropped significantly due to large capital improvement projects.

Inflation Adjustment to Maximum Assessment

The maximum assessment defined in the Assessment Engineers Report adopted in 2006 is \$501 per parcel based upon build out of the facilities and maintenance of the storm water basins. As specified in the Assessment Engineers Report, the maximum assessment is escalated annually by the consumer price index for San Francisco-Oakland-San Jose. At the time of preparation and adoption of the Assessment Engineers Report, the CPI index as published by the Bureau of Labor Statistics (BLS) for the Consolidated Metropolitan Statistical Area (CMSA) covering San Francisco – Oakland – San Jose reported for April 2006 was 208.9. The base year for the index is an average of 1982, 1983, and 1984 (hence $1982-1984=100$). On April 2021, the same CPI index is reported as 309.41. Based upon the change in the CPI, the new maximum assessment allowed for the 2021-2022 fiscal year is \$ 742.04.

Calculation of Maximum Reserve Account Balance

As stated in the adopted Assessment Engineers Report, the total funds in the reserve account are limited to 200% of the total funds collected by the District's not to exceed annual assessment. The new maximum not to exceed annual assessment allowable for the 2021-2022 fiscal year is \$ 742.04. This assessment is equally assessed to 203 parcels for an annual total of \$ 150,634.12. Therefore, the maximum Reserve Account Balance is \$ 301,268.24. After the reserve account has accrued to the maximum amount, any money received by the District in excess of annual maintenance and administrative costs will be returned to the property owner in the form of a reduced assessment in the following fiscal year.

The reserve account balance of \$353,334 at the end of fiscal year 2019-2020 exceeded the maximum allowable of \$290,225 by a difference of \$63,109. The reserve account balance is on a cash basis and did not reflect the \$173,000 appropriation made in April 2020 for the Ravenswood Park Play Structure replacement, thus the unappropriated reserve account balance was within the maximum allowable amount as of fiscal yearend 2019-2020. The Ravenswood project was delayed due to COVID-19 closures and restrictions. The Ravenswood project was completed in fiscal year 2020-2021.

New Assessment for 2021-2022 Fiscal Year

The District will incur normal expenses for the maintenance of the landscape District this year. In addition to the previously discussed P.O. issued in fiscal year 2020 – 2021, the District anticipates minimal charges for capital improvements to rehabilitate existing streetscapes this fiscal year. The estimated budget for 2021-2022 is \$ 169,106. This equates to \$ 833.03 per parcel for all 203 parcels, which is greater than the maximum allowable assessment of \$ 742.04 per parcel, or \$ 150,634.12 maximum assessment.

Based on this report, the assessment for 2021-2022 tax year should be \$ 742.04 to minimize the decrease in the reserve fund balance. The assessment for the 2021-2022 fiscal year is then \$ 742.04 per parcel applied equally to all 203 parcels as defined in the adopted Assessment Engineers Report.

**NOTICE OF PUBLIC HEARING
TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT
FISCAL YEAR 2021-2022 COLLECTION OF ASSESSMENT ON THE CONTRA COSTA COUNTY TAX ROLLS
FOR THE RAVENSWOOD SUBDIVISION NO. 8710**

Notice is hereby given that on Wednesday July 7, 2021, at 7:00 p.m., the Town of Discovery Bay Community Services District ("District") Board of Directors, will hold a public hearing at their Regular Meeting to consider adopting a Resolution for the continued collection of the assessment on the Contra Costa County Tax Rolls, for the Ravenswood Subdivision No. 8710, Landscaping, Park , Lighting and Open Space Improvements District also known as DB L&L Zone #9 in Discovery Bay for the fiscal year 2021-2022. The public hearing will take place at the Discovery Bay Community Center located at 1601 Discovery Bay Blvd, Discovery Bay, California. If public entry is denied due to COVID-19 restrictions, attendance may be made via teleconference as noted on the meeting agenda.