



# Connection

Discovery Bay Property Owners' Association, Inc.  
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Web Site [www.discoverybay-ca.com](http://www.discoverybay-ca.com)

May 2005

## March 2005 Home Pride Award

Home Pride Award winners are Richard and Claudia Macdonald who live at 1152 Beach Court (on the lake) and have been there for 22 years. Four kids were raised there and the children all graduated from Liberty High School.

Richard is General Manager for the SBC Directory. Claudia is a homemaker and was on the DBPOA Board for 12 years in the 80's and early 90's. She also was elected to the MAC in the 90's, a town board then, which is now the CSD, Town of Discovery Bay.

The front yard is highly maintained at a professional level every week of the year and can't be missed as you pass by their home.

Congratulations!

Thank you from the DBPOA.

## April 2005 Home Pride Award

Home Pride Award winners are Earl and Judi Medeiros who live at 885 Willow Lake Road. They moved into their new home in April of 2002. They designed the front yard landscaping. Earl maintains the plants, flowers, trees and irrigation system.

After retirement from Intel and living in the Folsom area, they moved to a home on Starboard Drive. They lived on Starboard for two years before moving into their current home. Earl, in his early years, worked for IBM before becoming Director of Information Technology at Intel where Judi also worked. Great job with your wonderful design and maintained front yard.

Congratulations!

Thank you from the DBPOA.



## Board of Directors

President	Bob Lyman
Vice-President	Paul Amthauer
Secretary/Treasurer	Chris Provencher
Membership Director	Bill Honeycutt
Director at Large	Rich Kier
Director at Large	Mark Lee
Real Estate Liaison	Susan Marie Denkhous
Contract Secretary	Vicki Laganowsky
CC&R Compliance Inspector	Dale Welin

## Design & Environmental Review Committee

(D.E.R.C)

Chairman	Marston Myers
Member	Ward Messersmith
Member	Vince Vargas
Member	Al Box
Member	Dave Evans
Alternate	Bob White

## Highlight

Our web site is up and running. Check it out!  
[www.discoverybay-ca.com](http://www.discoverybay-ca.com)

CC&R Violation Complaint Form  
[http://www.discoverybay-ca.com/dbpoa\\_complaint.htm](http://www.discoverybay-ca.com/dbpoa_complaint.htm)

## CALENDAR OF EVENTS

### DBPOA MEETINGS

Regular Board meetings are held the second Tuesday of each month.

Place: Delta Community Presbyterian Church  
Located: 1900 Willow Lake Road, Discovery Bay  
TIME: 7:00 P.M.

### DERC MEETINGS

Meetings are held the 2<sup>nd</sup> and 4<sup>th</sup> Mondays of each month

Place: Delta Community Presbyterian Church  
Located: 1900 Willow Lake Road, Discovery Bay  
TIME: 7:30 P.M.

## Scheduled Association-Wide

### Inspections

May—Landscaping maintenance (lawn, flower beds, shrubbery, trees, living ground cover, inert ground cover, and vacant lots)

June - Parking (street, driveway, access drive, front yard, side yard, vacant lot)

August - Exterior surfaces, fences & walls (painting, roofing, all parts of home structure)

### Update your knowledge of CC&Rs and Construction & Usage Standards

Periodically review your Covenants, Conditions & Restrictions (CC&Rs) and also your DERC Plan Submittal Requirements and Construction & Usage Standards.

Best method to get a new copy is to download a copy from the website. Another option is to call or email and request a hard copy.

- ◆ Website: [www.discoverybay-ca.com](http://www.discoverybay-ca.com)
- ◆ Phone: (925) 634-7585
- ◆ Email: [Bob1@discoverybay-ca.com](mailto:Bob1@discoverybay-ca.com)

### Contra Costa County Dock Standards

Contra Costa County adopted vessel standards, which went into effect in February of this year. They have now drafted an ordinance that they refer to as "dock standards" which, if adopted as currently drafted, would put into place requirements that would require significant changes to your dock if/when you were to change the footprint. An effort is underway by a group represented by your Association Board, members of Rec. 800 and the TODB, to present to the county suggestions which would allow the implementation of the standards without creating too much inconvenience to Discovery Bay residents with docks. If you have an interest, a copy of the draft ordinance can be obtained by contacting Gano Thomas at the East County Building Inspection Office, 1191 Central Blvd, Brentwood or call 925-427-8850.

## Financial Report 6-Month Period

10/1/04—3/31/05

<u>REVENUE SOURCE</u>	<u>ACTUAL</u>
MEMBER DUES	\$ 38,340
FINES & JUDGEMENTS	\$ 13,895
PLAN REVIEW FEES	\$ 1,330
DOCUMENT, DEMAND & TRANSFER FEES	\$ 16,040
OTHER FEES	\$ 1,649
TOTAL REVENUE	<u>\$ 71,254</u>
<u>OPERATING EXPENSES</u>	
COLLECTION FEES	\$ 3,425
CONTRACT STAFF	\$ 20,141
FEES, PERMITS & SERVICES	\$ 747
INSURANCE	\$ 2,515
OFFICE SUPPLIES	\$ 687
POSTAGE	\$ 2,666
PRINTING & REPRODUCTION	\$ 3,213
PROFESSIONAL - LEGAL & ACCTG	\$ 6,979
PUBLIC RELATIONS / COMMUNICATION	\$ 832
RENT & STORAGE	\$ 1,524
TELEPHONE	\$ 758
TOTAL OPERATING EXPENSES	<u>\$ 43,487</u>
OTHER INCOME (INTEREST)	\$ 245
NET SURPLUS	<u>\$ 28,012</u>

**CASH - BANK BALANCES:**

**March 31, 2005**

CHECKING ACCOUNT	\$ 39,270
SAVINGS & CD ACCOUNTS	<u>\$ 63,843</u>
TOTAL CASH BALANCES	<u>\$ 103,113</u>

"The DBPOA's operations, for the current Fiscal Year (beginning October 1, 2004), have just reached the 1/2 point of the Fiscal Year (6 months this past March 31, 2005). This represents a meaningful period of performance for the year. As compared to our original time-phased budget plan for the first 6 months, things are generally "favorable" in all areas. Just a few comments and observations - On the Revenue side, the Revenue exceeds expectations mostly due to greater than expected amounts successfully collected from Fines, Penalties and Judgment awards than originally budgeted. Quite frankly, the Board doesn't deliberately "plan" on significant collections here - it would rather simply have our members in compliance. On the operational expenditure side, the total expenses paid out through March are also favorable to our planned budget - this is mostly with anticipated Legal expenses. In my observation, the Board has been very efficient in it's use of our Legal support services which has allowed us to build this reserve for future needs, if necessary."

Chris Provencher, DBPOA Treasurer

## Plan Application Fees

In the Association's effort to improve services to our membership and enhance the long term goal of association-wide improvement, we will be doing a more thorough review of all plans submitted for new homes, or remodels which exceed or break the current volumetric envelope. For these reasons, along with the recognition of overall value provided in all the review processing, the plan application and process fees are now as follows:

House and Dock (submitted together) [1].....	\$275.00
House [1].....	\$250.00
Dock (new or complete replacement).....	\$75.00
Home Additions (major modifications) [1].....	\$275.00
Home Additions (minor) [2].....	\$100.00
Concrete Slabs (flat work).....	\$25.00
Dock and/or Deck Extensions and Trellis.....	\$50.00
Fence and/or Landscaping and/or Walkways, Sheds.....	\$25.00
Coverings for Berthing Areas.....	\$35.00
Swimming Pools.....	\$100.00
Permits for unapproved construction [1].....	\$275.00
Permits for unapproved construction [2].....	\$125.00
Application for Variance Initial Processing Fee.....	\$50.00
Hearing and Final Processing Fee.....	\$150.00
Application for Condition(s) of Use Permit.....	\$100.00

[1] For a new house or any remodel that exceeds or breaks the current volumetric envelope, or creates any other significant change in appearance. [2] Plans with little or no volumetric envelope changes.

There will be no charge for review of plans for re-roofing or re-painting. A color sample must be submitted for all re-painting.

## Who and What is the "TOWN OF DISCOVERY BAY"

The Town of Discovery Bay is not an incorporated town or city such as Brentwood and Antioch. It is a Community Services District.

The present Town of Discovery Bay Community Services District Board is responsible for our water and wastewater systems, including the wells, filter and storage facilities and our sewage treatment plant. Our Community Services District (CSD) is also responsible for a number of lighting and landscape districts throughout Discovery Bay. These districts have committees appointed by the Community Services District Board to oversee the maintenance of street public landscaping and parks. They also pay for energizing our streetlights. The CSD engages outside contractors to maintain the infrastructure and landscaping. The CSD staff consists of three full-time and two part-time employees. The CSD Board has five elected members and its committees have five members each.

In addition, the CSD Board interfaces on an ongoing basis with Contra Costa County Officials on public safety, land development and code enforcement issues. They also receive monthly reports from the Sheriff and Highway Patrol on law enforcement activity in our Town. If you have any questions, or complaints for the Sheriff or the Highway Patrol, come to the CSD Board meetings which are held on the first Wednesday of each month where you can question the officers who attend the meeting.

The CSD has an annual budget of about \$2.4 million and the Lighting and Landscape Committees have an annual operating budget of approximately \$500,000 which is funded by a portion of your property taxes coming back to our community. So there you have it, your tax dollars under local control by elected people from Discovery Bay. If you want to see them in action or are interested in getting involved, the CSD Board meets on the first and third Wednesdays of each month at 7 p.m. at their offices at 1800 Willow Lake Road at the water tank sight behind the Delta Community Presbyterian Church. The Lighting and Landscape Committees meet on the fourth Wednesday of each month at 7 p.m. at the same location.

## Association Improvement Update Changes Implemented

Two steps have been taken in our plan for improvement: (1) Plans may now be delivered during normal working hours, and (2) Professional architectural help is available for DERC. The goal for these changes is to enhance the effectiveness of the Association which will improve the long-term value of properties in our Association.

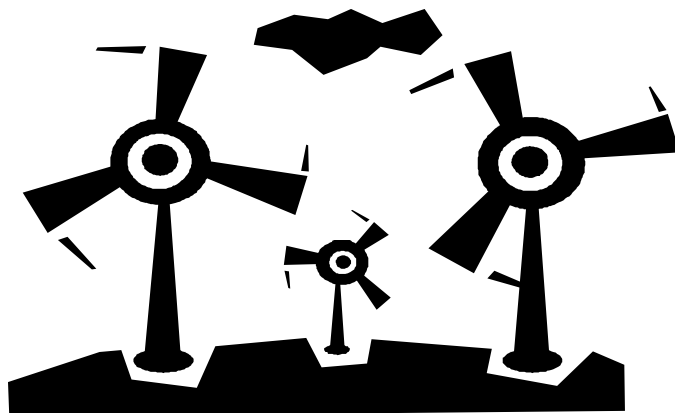
Plans will now be delivered to the Reclamation District 800 office at 1540 Discovery Bay Blvd., Ste "A", Monday thru Friday from 8 to 5. Most of the time, they will be reviewed for completeness at the time of delivery; if not, you will be called as soon as they are reviewed if there are any issues needing attention. In many cases, if site plan copies or original plan copies are needed, they will be available for purchase.

The second change we have implemented is the retaining of a professional architect to advise DERC and make these comments available to the applicant on most plans containing structural appearance changes.

### Compliance Snapshot as of 3/31/05

	No.	<u>% of Total</u>
Quarter Confirmed Infractions	59	3.6%
Parking	34	2.1%
Building Maintenance	13	.08%
Other	12	.07%
Properties in Enforcement Process	109	6.6%

Association Comprised of 1,640 Properties  
Other=vacant lots, trash, barking dog, etcetera.



Selected Compliance Issues Being Processed

Street	CC&R Violation	Needed Corrective Action
Beach Ct.	Debris in front of garage door Front & side yards not maintained	Remove trash from driveway Weed and landscape
Cabrillo Point	Exterior maintenance Pickup truck & debris Cargo trailer in driveway	Needs painting Remove trash Relocate trailer out of DBPOA
Disc Bay Blvd.	Motor home in side yard Front yard not maintained Vehicle parked on rocks	Relocate motor home out of DBPOA Regular maintenance needed Remove vehicle parked on landscape
Drakes Ct.	Garbage can visible from street	Put garbage can away
Marina Circle	Front yard not maintained	Install landscaping
Marlin Pl.	DERC disapproved paint color Pickup w/expired reg in drive	Repaint Remove stored vehicle
River Point	Trash & debris in side yard	Remove trash
Riverlake Rd.	Motor home in side yard FY not maintained Boat trailer parked on rock FY landscaping not complete Exterior maintenance needed	Relocate motor home out of DBPOA Regular maintenance needed Remove trailer from landscaping Complete landscaping Needs painting
Sand Point Ct.	Front yard not maintained	Maintain landscaping
Shell Ct.	Vehicle on rocks/FY & SY not maint.	Regular maintenance needed
South Point	Misc. items on side of house Dead pine tree & FY lacks maint. FY not maintained	Remove misc. items Regular maintenance needed Maintain landscaping

**CC&R Violation – Complaint Form**

Address: DBPOA P.O. BOX 1977, Discovery Bay, CA. 94514

Address of alleged violation: \_\_\_\_\_

Description of alleged violation: \_\_\_\_\_

Your Name: (Optional) \_\_\_\_\_

Phone: (Optional) \_\_\_\_\_

The Association's Compliance Investigator will investigate this complaint. If the complaint is deemed valid, the owner of the property will receive a Notice and the complaint will proceed through the Enforcement Procedures until compliance with the CC&Rs is achieved. We accept anonymous complaints but do prefer a name and/or telephone contact number in case there are questions regarding the complaint. Can also be filed via the web site ([www.discoverybay-ca.com/dbpoa\\_compaint.htm](http://www.discoverybay-ca.com/dbpoa_compaint.htm))

## Letter to the Editor

I have been a dues paying member of DBPOA for many years and am concerned that the Association does not respond to the outrageous comments by some individuals in our community in the local editorial pages.

Concerned Homeowner

Dear Home Owner;

It is the policy of the Board to keep discussions about the Association in a positive format. We assume you are currently making reference to member John Fritz, a long time resident, who generally shows a positive concern for Discovery Bay and is well meaning, but has made a personal decision that the DBPOA is unnecessary. In that light, he has chosen to continually make statements concerning various aspects of the association which are either misleading or not factual.

Perhaps, particularly for new members of the Association, we should comment on his recent letter in the Contra Costa Times:

- ◆ The members of the Association elect the Board of Directors.
- ◆ The stated service of the DBPOA is to achieve CC&R compliance and most of the effort expended by the volunteers and part-time staff is to do just that.

- ◆ We do not give out names and addresses of the membership or any personnel information about the CC&R enforcement process as it relates to another homeowner. However all other corporate records and activity is available including periodic financial reports.
- ◆ County codes and Reclamation district standards must be followed along with the CC&R's which are a recorded part of each of our parcels.
- ◆ Current Superior Court action has ruled that each property owner is a member of the DBPOA, and that, as long as you own the property, you cannot resign from the DBPOA. The court, in the same case, confirmed the validity of the CC&R's.
- ◆ There have been a few minor changes to the CC&R's and DBPOA bylaws and each was properly voted on by the membership at the time.
- ◆ The fining of those members who choose to violate the CC&R's is an extension of the properly adopted and published enforcement procedures, which have their authority in the DBPOA bylaws, and is used as a last resort before any court action is taken.

The above are accurate statements about the Association and clarify our position as to most comments made in the John Fritz Letter to the Editor.

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ADDRESS CORRECTION REQUESTED