



Winter 2007 Edition

2007-2008 DBPOA Board of Directors

Board President – Mark Lee
Term expires 9/30/09

Vice President – Michelle Carlson
Term expires 9/30/08

Secretary – Omar Hindiyyeh
Term Expires 9/30/09

Treasurer – Chris Provencher
Term expires 9/30/08

Membership – Carey Harris
Term expires 9/30/08

Director-at-Large – Ed Turman
Term expires 9/30/09

Jack Parker
Term expires 9/30/09

CC&R Compliance Inspector – Dale Wain

Contract Secretary – Viki Lagomsky

Newsletter – Dana Lee

DBPOA Contact Information

PO Box 1977
Discovery Bay, CA 94905

925-634-7383
925-634-5832 fax

Meeting Information:

DBPOA Meets the second Tuesday of each month at 7:00pm.

DERC Meets the second and fourth Mondays of each month at 7:30pm.

All meetings are held at the DB Presbyterian Church on Willow Lake Rd.

Need a copy of the CC&Rs or other Association Documents?
Download a copy from the website at www.discoverybay-ca.com

Update from the Board President:

Many of the items in this newsletter are devoted to the proper upkeep, care, and maintenance of your home and yard. This is the Board's primary focus. We have been assured by the majority of homeowners that the Board's efforts on your behalf are appreciated. For those that have received a courtesy notice, we have found that a high percentage of complaints are corrected prior to any Hearing. Both Association Boards find it regrettable that when a Hearing is required due to non-action, most fail to respond to the complaint matter. We would rather resolve the issue than impose a fine. You will find this Board most cooperative if you take the time to meet with us.

In our last newsletter, we stated that a "Straw Poll" would be taken in an attempt to evaluate a potential increase in our annual \$25 dues. By and far, the general consensus was to accept a \$25 to \$75 yearly increase as long as the reasons were valid and could be verified. Your Board feels this is an important step and will be providing you with information during the coming year. Any action for change in the dues would be voted on by the Association Members for acceptance.

To help offset our current deficit, with the next \$25 yearly dues billing, we are going to request a voluntary (non-taxable deduction) contribution of \$25 to help offset the loss of revenues due to the decrease in the sale of homes, and to help offset the additional costs of legal services needed to review the update of the C.C. & R's, Bylaws and Construction Standards, as well as the increase in Liability insurance fees, and the cost of operational expenses due to increased postage, printing, mailing and rental costs.

We thank those that have taken the time and effort to help keep this a beautiful community.



Help Keep our Delta Environment Clean!

Discovery Bay Yacht Harbor takes used motor and boat oil, used oil filters and used bilge pads at their Certified Used Oil Collection Center shed located at the marina. This is an amazing resource for residents of Byron and Discovery Bay. The marina, located at 5901 Marina Road in Discovery Bay, (925.634.5928) is open to the public from 8am to 5pm daily. To access the shed, go to the Harbor office and they will assist you.

ELECTION NEWS - NEW BOARD OF DIRECTORS FOR 2007-2008

Discovery Bay Property Owners Association has a new Board of Directors:

- Mark Lee - President
- Michelle Carlson - Vice President
- Omar Hindiyyeh - Secretary
- Chris Provencher - Treasurer
- Carey Harris - Membership Director
- Ed Turman
- Jack Parker



Design & Environmental Review Committee Information

Vince Vargas—Chairman
Ward Messersmith
Bob White
Michael Kury

Alternate:
Al Box

Contact Information:
P O Box 1977
Discovery Bay, CA 94505
925-634-5598
925-634-5532 (fax)

Just a reminder:
In paragraph H of the Plan Submittal and Construction & Usage Standards booklet, "Chain link fencing will not be approved by the DERC."

If you need a copy of the "Plan Submittal and Construction & Usage Standards Booklet"?
Please call the office at 634-7585.

SCHEDULE OF FINES

As per the Association By-Laws, the schedule of fines is to be posted annually. Fines for uncorrected violations of Governing Documents pertaining to architectural matters, property use, parking, or the maintenance of structures or landscaping are as follows:

- (a) First violation: between \$50 and \$100 per month, or any portion of a month.
- (b) When a violation remains uncorrected for more than thirty (30) days after the initial
- (c) For a repeat violation, within one (1) year after the initial correction, the fine imposed by the DERC shall be between \$100 and \$300, if there is no change in ownership.

fine, an increased fine of up to \$100 per month may be levied. Additional increases in the fining rate (up to \$100 per month) may be made for each additional 30 days the violation remains uncorrected, up to a limiting total fine of \$300 per month.

Please use the [Complaint Form](#) below to report property which appears to violate the CC&Rs. The Association's Compliance Investigator will investigate your complaint. If it 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. Complaints may also be filed via the DBPOA Web Site: www.discoverybay-ca.com/dbpoa_complaint.htm

CC&R Violation—Complaint Form

Address: DBPOA P O Box 1977, Discovery Bay, CA 94505

Address of alleged violation:

Description of alleged violation:

Your Name and phone number (optional):

Home Pride Award September 2007



Joel and Paula Merrier have lived at 5049 Cabrillo Point for eleven years. They relocated to Discovery Bay from Seattle, Washington. Joel is the District Manager, Central Valley for Target Stores. Paula has worked for 25 years as a RN, specializing in Home Care and Hospice. She is currently in school with a goal of graduating in December, 2007 as an Esthetician – a skin care specialist.

Joel and Paula have tackled several home improvement projects in the past ten years and Joel leaves enough time for the caring of their landscape maintenance. Outside interests include boating, jet skis and fishing for Joel. Paula and Joel have two children, Nick and Cassie, both enrolled in college.

Congratulations to the Merrier Family for the outstanding care and maintenance of their landscaped front yard. The DEPOA thanks you for a job well done.

Home Pride Award October 2007



Stan and Penny Silva have lived at 1461 Shell Court for almost 20 years. Stan retired from the Alameda County Fire Department in April, 2002. Penny works for the U. S. Postal Service, originally out of the Byron post office and now the Discovery Bay office. A coincidence is that she delivers mail to her own house! The Silvas have two grown children, a daughter living in Ohio and a son living in Brentwood.

Their interests include hunting, fishing and working around the home. They enjoy their location of living on the lake very much, calling it "an unknown treasure." Back when they first moved in, Stan designed their landscaping to be easy maintenance, yet taking advantage of their large corner lot. Views of the lake behind their home can be seen from the street, adding to the beauty of their location.

The Association appreciates the efforts of the Silvas for the continued care and pride they have shown to our community for the past two decades! Thank you!

Palm Tree Clean-up

Have you noticed the palm trees in town recently? If you have, you probably noticed that most of the dead, brown palm fronds have been removed. For some data to review: in November, 2005, an inspection revealed 109 violations. After a period of time to remedy the violation, 69% of the properties corrected the violation. In May, 2007, we again inspected the palm tree maintenance, finding 76 violations. In October, 2007, a re-inspection took place with 67% of the violations corrected. We would urge those not in com-



pliance to address the maintenance of their palm trees. The fire danger from the dead, dry leaves is extremely high. During the recent San Diego fires, it was noted that the "burning palm trees looked like giant tiki torches, dropping flying embers onto roof tops." Fire prevention is everyone's responsibility.

The Association and home owners are appreciative of those owners who responded to correct the violations and who have contributed to providing a much better appearance in Discovery Bay. Thank you one and all!

The DBPOA runs on a Fiscal Year that begins October 1st of each year and ends on September 31st of the following year. The Board has reviewed and approved its operating budget plan for the new Fiscal Year (07/08). The following is an overview of this Budget Plan and the prevailing reasons for our decisions.

DBPOA BUDGET
10/01/07 - 09/30/08

REVENUE SOURCE

DEMAND FEES	\$ 4,800
DOCUMENTATION FEES	\$ 2,880
FINANCE CHARGES	\$ 3,000
FINES, PENALTIES & JUDGMENTS	\$ 6,120
MEMBER DUES	\$ 41,000
MISC INCOME	\$ 1,380
PLAN REVIEW FEES	\$ 3,600
TRANSFER FEES	\$ 4,800

TOTAL REVENUE \$ 67,580

OPERATING EXPENSES

COLLECTION FEES	\$ 300
INSURANCE	\$ 10,000
LEGAL	\$ 24,000
MISC	\$ 796
OFFICE SUPPLIES	\$ 1,800
POSTAGE	\$ 4,800
PRINTING & REPRODUCTION	\$ 6,000
PROFESSIONAL & ACCTG	\$ 11,350
PROPERTY INSPECTIONS	\$ 12,000
PUBLIC RELATIONS	\$ 960
RENT & STORAGE	\$ 3,660
SECRETARIAL SERVICES	\$ 32,400
SMALL CLAIMS COURT REP FEES	\$ 840
TELEPHONE	\$ 1,800
TRAVEL / MEALS	\$ 240

TOTAL OPERATING EXPENSES \$ 110,946

NET OPERATING DEFICIT \$ (43,366)

FUNDS REQUIRED FROM CASH ACCTS \$ 43,366

On the Revenue side, our overall expected revenue is likely to be less (once again) than last Fiscal Year (06/07). Our Revenue sources connected to "Real Estate Market activities" is expected to continue to slow due to fewer property turnovers and continued property foreclosures. Thus, property *Transfer Fees, Demand Fees and Documentation Fees* will probably be less than even last year's experienced reductions. Our Budget also assumes a further slow down in significant property improvement requests and as such a reduction in *Plan Review Fees*. Our expected / budgeted total Revenue is planned at \$67,580. As a comparison, last year's total revenue collected was \$74,871.

On the Expense side, the Board has consciously made decisions with certain significant expense efforts to allow for budget increases:

• *Insurance* - The Association Attorney's have pointed out that the Board and staff are under-insured. We are in process of obtaining (new type) *Liability Insurance*. (The Board does have a necessary "Directors & Officers" E&O Policy that renews each year - usually with a Premium increase.)

Legal fees and Professional support services - The Board is engaging in a direction of revising DERC "Construction & Usage Standards" and "Plan Submittal Requirements" (already in process). And, additionally updating / revising as possible DBPOA's other governing documents - making them more current for our needs while providing a means for increased revenue. One of the expected methods will be to increase the Member Dues to an amount which will see that the Association will survive. We expect this to take much more Legal and Professional Consultant support effort and resources. It's an investment now to avoid running out of funds in the near future.

This year's total expense budget is planned at \$110,946. As a comparison, last year's total expenses were \$93,721.

Our budget, therefore, expects to dip into our surplus cash reserve balances by \$43,366. As of October 1, 2007, the Association's total cash surplus balance was over \$90,000. The Board is putting prior year's reserves to good use and where we feel it is needed most. I'll be reporting our progress to you throughout the New Year. Thanks!

Chris Provencher, Treasurer

DBPOA
FINANCIAL REPORT (for 12 Months)
 10/01/06 - 09/30/07

REVENUE SOURCE	ACTUAL
DEMAND FEES	\$ 6,100
DOCUMENTATION FEES	3,630
FINANCE CHARGES	6,179
FINES, PENALTIES & MEMBER DUES	5,969
MISC REVENUE	40,173
PLAN REVIEW FEES	1,655
TRANSFER FEES	4,465
	6,700
TOTAL REVENUE	\$ 74,871

OPERATING EXPENSES	
COLLECTION FEES	\$ 290
INSURANCE	4,278
LEGAL FEES	13,224
MISC	931
OFFICE SUPPLIES	2,031
POSTAGE	4,814
PRINTING & REPRODUCTION	7,398
PROFESSIONAL FEES	8,782
PROPERTY INSPECTIONS	12,000
PUBLIC RELATIONS / RENT & STORAGE	963
SECRETARIAL SERVICES	3,440
SMALL CLAIMS COURT REPLY FEES	32,510
TELEPHONE	963
TRAVEL	1,846
	251
TOTAL OPERATING EXPENSES	\$ 93,721
NET DEFICIT	\$ (18,850)

CASH -	09/30/07
CHECKING ACCOUNT	\$ 4,354
SAVINGS (RESERVES)	\$ 86,242
TOTAL CASH BALANCES	\$ 90,596

The DBPOA runs on a Fiscal Year that begins October 1st of each year and ends on September 30th of the following year. We recently concluded our last Fiscal Year. The Operations, financially speaking, are feeling financial stresses, or referred to as a "Deficit". The Association's operating expenses exceeded its gross revenue receipts by \$18,850. Gross receipts were \$74,871 while expenses were \$93,721.

Generally speaking, ALL Revenue sources have been declining over the last two years. Other than our annual *Member Dues* (\$25 per year), all revenue sources have been continuing to decline. Basically, all are connected to, what I call, "Real Estate market activity". Fewer properties are changing hands, so *Transfer Fees, Demand Fees, and Documentation Fees* that we collect on have been shrinking. Some properties are being foreclosed upon, and as such, outstanding fines on the original property owner are lost. Further, fewer home remodels are taking place from which DERC collects *Plan Review Fees*. Compared to the previous year's collections, Revenue fell by over \$33,000. Now, I had anticipated some of this by planning last year's Budget downwards, but still not enough. Compared to our Budget Plan, Revenue fell short by approximately \$12,000.

On the expense side - the Board had expected expenses to increase from the previous Fiscal Year, and they were higher. As mentioned above, total operating expenses were \$93,721, or nearly \$8,000 more than the previous Fiscal Year. The Association has experienced expense increases for Liability Insurance Premiums, Legal support fees, Postage (mailing), Printing, Professional support fees, Rent, and Telephone costs. Our two largest Independent Contractor support service providers have not raised their fees in over two years - these are for the valuable Secretary and Property Inspector's services. We are great-full for this and their valuable contributions. Partially offsetting our expenses increases, the Board has managed to reduce some areas of costs - we printed three newsletters as opposed to our normal four per year (saving printing and mailing expenses) and reduced expenses for Public Relations. The original Budget Plan for last year's expenses was \$106,940, or, actual expenses were under that plan by \$13,571.

The previous three years, the Association experienced successive surpluses. Now, I foresee successive deficits - unless the Board can manage increased revenue contributions. The modest annual Member Dues of just \$25.00 is simply not enough. We are working on this problem and need our member's support.

Sincerely, Chris Provancher, Treasurer

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**DBPOA HOLIDAY
LIGHTED HOME CONTEST**

Each year three homes within the DBPOA membership are chosen for their originality and beauty in celebrating the holiday season. Last year there were so many beautifully decorated homes it was a tough decision for our judges!

Join in the fun and let's light up the Discovery Bay night!

Judging will be done around December 23rd & 24th.

**Keep Discovery Bay Beautiful!**

Using a mulch around the base of your plants can help preserve water and protect the roots from freezing in the winter. Temperatures around 30 degrees F can damage the leaves of some perennial shrubs but if their roots are kept moist, most plants will recover in the Spring. Examples of mulches best for our area are:

**Pine Straw Mulch**

Pine straw mulch provides the reddish-brown color (although less vivid) that redwood bark mulch offers. Insulation is great in the winter.

Wood Chips, Sawdust and Bark Mulches

Breakdown slower, provide good insulation in winter.

Mulching With Partially Composted Leaves

Breakdown faster, provide fair insulation in winter. Tend to blow away easier if left to dry out.

Straw and Hay Mulches

Straw brightens your area nicely, hay is less attractive, but provides a softer look (and feel). Insulation is great in the winter.

All mulches that haven't decomposed should be removed from around a plant's stem or trunk in the spring. This allows the ground to warm up and oxygen to get down to aerate the soil.

Save money and water by caring for your landscaping now!

Discovery Bay Property
Owners' Association, Inc
P.O. Box 1977
Discovery Bay, CA 94505

*DBPOA—Working for you
and your property's value.*

We're on the Web!

www.discoverybay-ca.com/dbpoa

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