

RECLAMATION DISTRICT 799
(Hotchkiss Tract)
PO Box 353/6325 Bethel Island Rd., Bethel Island, CA 94511
www.RD799.com

Regular Board Meeting

Thursday, October 27, 2022

REGULAR BOARD MEETING AT 6:00 PM

AGENDA

1. **Call to Order/Roll Call**
2. **Public Comments:** (Please observe a three-minute time limit.) Members of the public may address the Board regarding any item NOT on the agenda which is within the District's jurisdiction. At this meeting, no action will be taken by the Board on items raised by the public. There will be no dialog between the Board and the commenter. Any clarifying questions from the Board must go through the Chair. Members of the public may address any item on the agenda at the time it is taken up by the Board.
3. **Consent Calendar:** All numbered consent calendar items listed will be acted upon under one vote unless specifically removed from the consent calendar by a member of the Board.
 - a. Meeting Minutes from the Regular Meeting on September 29, 2022, 6:00pm*
 - b. Warrants*
 - c. Financial Report(s)*
4. **Discussion/Action Items:**
 - a. Update/report on Cypress Preserves, Summer Lake North, and Spinnaker Cove developments by District Manager/District Engineer/District Legal Counsel
 - b. Discussion and consideration of scheduling the November 2022, December 2022, and January 2023 board meeting dates*
 - c. Consideration and approval of Joint Community Facilities Agreement between RD 799 and City of Oakley, regarding funding for each agency's maintenance obligations for the Summer Lake North development project*
 - d. Presentation and review of proposed Improvement and Maintenance Agreement between DeNova Homes, Inc. and RD 799, regarding infrastructure, maintenance, and financing obligations between DeNova Homes and RD 799 for the Summer Lake North development project*
5. **Permits – Discuss & Possible Action on all New and Pending Permits:**
 - a. Report of approved permits for routine encroachments - none
 - b. Update on Potential Enforcement Actions - none
6. **Engineer's Report***
7. **Information Items:**
 - Required Board Trustee Training*

8. **Field Reports:**
 - a. District Manager Alvarez*
 - b. Levee Superintendent Vornhagen*
9. **Office Manager's Report***
10. **Chairman's Report:**
11. **Trustee Reports:**
12. **Adjournment:**

*denotes supporting documentation available electronically and at the Reclamation District 799 office.

Notice Is Hereby Given:

That the Board of Trustees will consider oral and written public comments. The Chair may announce time limits and direct the focus of public comments for any given proposal. For agenda items not requiring a formal motion, the Chair will announce the opening and closing of the public comments session. If you wish to speak, please stand and state your name and address. Please speak clearly and loud enough for everyone to hear. "This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the Americans 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 District Secretary Dina Holder at (925) 684-2398, during regular business hours, 10:00 am - 2:00 pm Monday - Friday, at least 24 hours prior to the time of the meeting." Materials related to an item on this Agenda submitted to the Trustees after distribution of the agenda packet are available for public inspection in the District office located at 6325 Bethel Island Rd. Bethel Island, CA 94511

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Regular Board Meeting

Thursday, September 29, 2022

REGULAR BOARD MEETING AT 6:00 PM

AGENDA

1. **Call to Order/Roll Call:** The meeting came to order at 6:02 pm. Present were President Price and Trustees: Kent, Pierce, Ydens. Trustee Hanson was absent.

Others present for the meeting included District Manager Alvarez, Superintendent Vornhagen and District Secretary Holder. A list of homeowners in attendance is outlined on the meeting sign in sheet.

2. **Public Comments:** None

3. **Consent Calendar:** All numbered consent calendar items listed will be acted upon under one vote unless specifically removed from the consent calendar by a member of the Board.

- a. Meeting Minutes from the Regular Meeting on August 25, 2022, 6:00pm*
- b. Warrants*
- c. Financial Report(s)*

A motion was made by Trustee Ydens and seconded by Trustee Kent to approve items a – c on the consent calendar. The vote showed four trustees in favor (Trustee Hanson was absent). Motion carried.

4. **Discussion/Action Items:**

- a. Update/report on Cypress Preserves, Summer Lake North, and Spinnaker Cove developments by District Manager/District Engineer/District Legal Counsel

Grand Cypress Preserve (GCP)

Ironically, the District hadn't heard from GCP for about a month, and then out of the blue, Chuck Lande contacted District Manager Alvarez and said he was in town, asking if they could meet. Mr. Lande stated that the issues they have had with the City of Oakley and the Contra Costa Water District are finally coming to an end. No grading permit has been granted but the developer has plenty to do before the actual grading begins. The equipment should be arriving in the next few weeks. The District and GCP should be starting weekly meetings again soon.

DeNova Homes

The District had a licensing agreement with DeNova Homes for a couple of ramps. DeNova Homes will be beginning the dewatering process to Pump Station #3. The District has requested an addendum to the licensing agreement. If anything should happen to Pump Station #3, RD 799 can order water deliveries from DeNova Homes to stop.

Hydroseeding the outboard side of the levee has begun. A month ago, DeNova submitted the 100% plans for Pump Station #3. The 3 pumps are submersible wastewater pumps. There is concern that those are the appropriate type of pumps. District Manager Alvarez called Delta Pump in Stockton, to ask about these type of pumps. The owner said he had never heard of or seen these types of pumps. Longevity of the pump is a concern. What type of warranty period accompanies the pumps? A meeting is being scheduled with Pace Engineering firm to address these concerns and questions.

The District has been asking for documentation from DeNova Homes for the last six months. It was delivered today. The District, Legal and Engineering will now review the documents.

- b. Conduct Biennial Review of the District’s Conflict of Interest Code as Required by the Political Reform Act*

A motion was made by Trustee Ydens and seconded by Trustee Pierce to “Conduct Biennial Review of the District’s Conflict of Interest Code as Required by the Political Reform Act”. The vote showed four trustees in favor (Trustee Hanson was absent). Motion carried.

- c. Discussion and consideration of approval of Resolution 2022-8 “Authorizing the Signing of Agreements for Participation in the Fiscal Year 2022-2023 Delta Levees Subventions Program” *

A motion was made by Trustee Ydens and seconded by Trustee Pierce to “Authorize the signing of agreements for participation in the Fiscal Year 2022-2023 Delta Levee Subvention Program”. The vote showed four trustees in favor (Trustee Hanson was absent). Motion carried.

- d. Discussion and consideration to approve and authorize the District Manager to execute the “Agreement Between DeNova Homes and Reclamation District 799 for Levee Tie-In Work at Summer Lake North Project”, subject to any final revisions approved by the District Manager and General Counsel*

A motion was made by Trustee Ydens and seconded by Trustee Pierce to approve and authorize the District Manager to execute the “Agreement Between DeNova Home and Reclamation District 799 for Levee Tie-In work at Summer Lake North Project” subject to any final revisions approved by the District Manager and General Counsel. The vote showed four trustees in favor (Trustee Hanson was absent). Motion carried.

5. **Permits** – Discuss & Possible Action on all New and Pending Permits:
 - a. Report of approved permits for routine encroachments*
 - b. Update on Potential Enforcement Actions - none

6. **Engineer’s Report***

7. **Information Items:**

Required Board Trustee Training*

8. **Field Reports:**
 - a. District Manager Alvarez*
 - b. Levee Superintendent Vornhagen*
9. **Office Manager's Report***
10. **Chairman's Report:** None
11. **Trustee Reports:** None
12. **Adjournment:** The meeting adjourned at 6:23 pm.

Meeting minutes submitted by Dina Holder.

*denotes supporting documentation available electronically and at the Reclamation District 799 office.

Notice Is Hereby Given:

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Reclamation Dist. 799

CONTRA COSTA COUNTY
WARRANT TRANSMITTAL

Meeting Date: October 27, 2022

Auditor's Date

Fund - 410300

Account:

0830

	Warrant Date:	Payees Name:	Description:	Payment Amount:	Warrant No.:
	10/24/2022	AT & T	Phone/Internet	\$143.49	12510
	10/24/2022	Card Service Center	Holder	\$561.71	12511
	10/24/2022	Brentwood Ace Hardware	Supplies	\$1,565.74	12512
	10/24/2022	Brentwood Auto Parts, Inc.	Supplies	\$14.42	12513
	10/24/2022	Diablo Water District	Utilities	\$340.59	12514
	10/24/2022	Gateway Gas & Mart	Fuel	\$1,147.67	12515
	10/24/2022	GEI Consultants	Engineering	\$7,881.75	12516
	10/24/2022	Glatfelter Public Practices	Insurance	\$2,404.00	12517
	10/24/2022	GreatAmerica Financial Service	Printer Rental	\$249.05	12518
	10/24/2022	Jill Carlton	Rent	\$630.00	12519
	10/24/2022	Mt. Diablo Resource Recovery	Utilities	\$369.73	12520
	10/24/2022	Oakley Ace Hardware	Supplies	\$77.30	12521
	10/24/2022	PG & E	Utilities	\$1,576.42	12522
	10/24/2022	White Brenner	Legal	\$20,323.40	12523
	10/24/2022	Glatfelter Public Practices	Insurance	\$956.00	12524
	10/24/2022	CCC Tax Collector	Taxes	\$857.08	12525
	10/24/2022	Julie Hugel	Consultant	\$1,702.65	12526
	10/24/2022	Sizemore & Son Construction	Subcontractor	\$7,400.00	12527

\$27,877.60

Reclamation District 799

10/24/2022 12:16 PM

Register: 2000 · 41030 - CCC General Fund

From 09/27/2022 through 10/24/2022

Sorted by: Date, Type, Number/Ref

Date	Number	Payee	Account	Memo	Payment C	Deposit	Balance
10/24/2022	12510	At & T Conference S...	4100 · Accounts Payable		143.49		64,955.23
10/24/2022	12511	Bank of Stockton	4100 · Accounts Payable	Holder	561.71		64,393.52
10/24/2022	12512	Brentwood Ace Hard...	4100 · Accounts Payable	#768423	1,565.74		62,827.78
10/24/2022	12513	Brentwood Auto Parts	4100 · Accounts Payable	#4542	14.42		62,813.36
10/24/2022	12514	Diablo Water District...	4100 · Accounts Payable	099-00691	340.59		62,472.77
10/24/2022	12515	Gateway Gas & Mart	4100 · Accounts Payable		1,147.67		61,325.10
10/24/2022	12516	GEI Consultants	4100 · Accounts Payable		7,881.75		53,443.35
10/24/2022	12517	Glatfelter Public Prac...	4100 · Accounts Payable	#CC28983	2,404.00		51,039.35
10/24/2022	12518	GreatAmerica Financ...	4100 · Accounts Payable	#28291631	249.05		50,790.30
10/24/2022	12519	Jill Carlton - Rent	4100 · Accounts Payable	October 2022	630.00		50,160.30
10/24/2022	12520	Mt. Diablo Resource...	4100 · Accounts Payable	#16-0004782	369.73		49,790.57
10/24/2022	12521	Oakley Ace Hardware	4100 · Accounts Payable	#68423	77.30		49,713.27
10/24/2022	12522	P.G. & E.	4100 · Accounts Payable	9397615372-1	1,576.42		48,136.85
10/24/2022	12523	White Brenner	4100 · Accounts Payable		20,323.40		27,813.45
10/24/2022	12524	Glatfelter Public Prac...	4100 · Accounts Payable	#CC28983	956.00		26,857.45
10/24/2022	12525	Contra Costa County...	4100 · Accounts Payable	#032-370-038-5	857.08		26,000.37
10/24/2022	12526	Julie Hugel	4100 · Accounts Payable	#7198	1,702.65		24,297.72
10/24/2022	12527	Sizemore Construction	4100 · Accounts Payable	#9356	7,400.00		16,897.72

Reclamation District 799

Balance Sheet

10/24/22

As of October 24, 2022

Accrual Basis

	<u>Oct 24, 22</u>
ASSETS	
Current Assets	
Checking/Savings	
Petty Cash on Site	181.00
2000 · 41030 - CCC General Fund	16,897.72
2004 · 021010584 - Payroll	106,408.89
2010 · BAC-40013849 - Petty Cash	2,597.87
2015 · 60-07-001 - LAIF	439,672.84
2016 · Shea Homes Sp. Assess. 4939	623,385.23
2017 · 5 Year Plan Rest. Funds 4926	2,515.88
Total Checking/Savings	<u>1,191,659.43</u>
Accounts Receivable	
Retention Receivable	-7,190.63
1200 · Accounts Receivable	48,059.00
Total Accounts Receivable	<u>40,868.37</u>
Other Current Assets	
2301 · Accounts Rec - general fund	19,203.00
Total Other Current Assets	<u>19,203.00</u>
Total Current Assets	<u>1,251,730.80</u>
Fixed Assets	
2007 Terex Excavator	40,769.00
2013 F750 Water Truck	53,000.00
6" DV150C Pumps (2)	124,648.97
Accumulated Depreciation	-274,940.00
Dump Truck	54,825.00
Flood Fight Containers 2020	6,303.75
Ford F-250 2019	30,988.51
Ford F-250 2020	41,771.29
Ford F-250 2020 (#2)	53,043.96
JD Dozer - 2016 550K	112,607.06
John Deere 2011 544K Loader	115,827.60
John Deere 225D Excavator	100,815.00
John Deere MX225 Disc 3/21	16,022.39
Light Towers	25,268.00
New Mower/Attachments 10/20	39,386.76
Security System - 2022	10,639.93
Storage Containers 2022	12,000.00
Trash Rack	116,946.00
Ventrac 4500P - 2022	37,650.81
3220 · Equipment	0.12
Total Fixed Assets	<u>717,574.15</u>
TOTAL ASSETS	<u><u>1,969,304.95</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
John Deere Loader Payable	-0.40
4100 · Accounts Payable	800.57
Total Accounts Payable	<u>800.17</u>

Reclamation District 799
Balance Sheet
As of October 24, 2022

	<u>Oct 24, 22</u>
Other Current Liabilities	
Accrued Vacation Expense	9,727.00
ACD-TI Oakley Deposit	12,474.50
Escheatment Liability	4,327.91
Spinnaker Cove deposit	25,000.00
4110 · Payroll Liabilities	7,578.00
4300 · Advances	445.14
	<hr/>
Total Other Current Liabilities	59,552.55
	<hr/>
Total Current Liabilities	60,352.72
	<hr/>
Total Liabilities	60,352.72
	<hr/>
Equity	
5400 · Opening Bal Equity	504,122.34
5405 · Retained Earnings (Retained Earnings)	1,477,526.74
Net Income	-72,696.85
	<hr/>
Total Equity	1,908,952.23
	<hr/>
TOTAL LIABILITIES & EQUITY	<u>1,969,304.95</u>

Reclamation District 799
Profit & Loss YTD Comparison
September 27 through October 24, 2022

	Sep 27 - Oct 24, 22	Jul 1 - Oct 24, 22
Income		
Developer reimbursements	9,623.00	38,309.00
Handbilled Assessments	1,712.82	38,374.68
Insurance Claim Reimbursement	0.00	10,106.00
Interest	227.25	369.73
5550 · Permit fees	0.00	250.00
Total Income	11,563.07	87,409.41
Gross Profit	11,563.07	87,409.41
Expense		
Insurance Claim Purchases	9,057.46	-22,402.87
Insurance Deductible	0.00	500.00
Payroll Expense		
6028-01 · Wages	11,846.67	49,189.59
6028-02 · Payroll Taxes	1,020.96	4,219.71
6028-03 · Workers' Compensation	0.00	262.31
6561 · P/R Service Fees	108.60	419.40
6562 · Health Insurance Allowance	1,500.00	6,000.00
Total Payroll Expense	14,476.23	60,091.01
Printer Lease	249.05	1,298.83
Subcontractors	2,600.00	3,140.00
6000-00 · GENERAL AND ADMINISTRATIVE		
6014-00 · Dues and subscriptions	0.00	305.96
6018-01 · Equipment Repairs	0.00	2,127.44
6020-00 · Engineering	7,881.75	40,265.84
6021-00 · Rent	630.00	2,520.00
6022-01 · Liability Insurance	5,764.00	15,495.00
6024-00 · Legal	20,323.40	28,923.40
6026-00 · Office Supplies	95.71	497.87
6030-00 · Repairs and Maintenance	0.00	82.76
6036-00 · Utilities	3,609.82	13,242.24
6037-00 · Telephone	243.49	979.75
6040-00 · Supplies	0.00	368.50
6042-00 · Fuel & Mileage	1,222.55	5,945.84
6047-00 · Consulting	1,702.65	6,708.20
Total 6000-00 · GENERAL AND ADMINISTRATIVE	41,473.37	117,462.80
6012 · Bank Charges	8.00	16.49
Total Expense	67,864.11	160,106.26
Net Income	-56,301.04	-72,696.85

Reclamation District 799 (Hotchkiss Tract)
PO Box 353, Bethel Island, CA 94511
Phone: 925-684-2398
Email: dholder@rd799.com
Website: www.rd799.com

MEMO

To: Board of Trustees
From: Office Manager Hugel
Date: October 18, 2022

Re: Discussion and consideration of scheduling the November 2022, December 2022, and January 2023 regular board meeting dates*

The November 2022 board meeting will fall on Thursday, November 24th. Staff recommends cancelling this meeting date since it is Thanksgiving. **Staff further recommends scheduling a special board meeting on Thursday, December 8th to handle any District business and to pay bills.**

The December 2022 board meeting is scheduled to fall on Thursday, December 29th. Staff recommends that this meeting be cancelled because it is in the middle of the holiday season and everyone is usually so busy with family celebrations. In order to make sure the District's bills are paid in a timely manner, **staff recommends authorizing one trustee to sign off on the monthly bills on/or around January 4, 2023 (to allow the District Secretary to take the warrants to the County to be processed and mailed (in lieu of having a December board meeting).**

The January 2023 board meeting is scheduled to fall on **Thursday, January 26th**. Staff recommends keeping this meeting date. If important, time-sensitive District business arises during late December or early January, a special meeting can be scheduled; otherwise, all other bills and business can be added to the January 26th meeting agenda.

Fiscal impact:

None.

For the board's consideration:

A motion to follow staff recommendations stated above for scheduling the November and December 2022 and January 2023 board meeting dates (with or without changes).

Reclamation District 799 (Hotchkiss Tract)
PO Box 353, Bethel Island, CA 94511
Phone: 925-684-2398
Email: dinard799@outlook.com
Website: www.rd799.com

MEMO

To: Board of Trustees
From: RD 799 District Manager, Engineer, and General Counsel
Date: October 27, 2022

Re: Approval and Execution of a Joint Community Facilities Agreement with Oakley of Oakley, for the Summer Lake North Project within the East Cypress Corridor Specific Plan

Summary:

The Board is being asked to approve and authorize execution of a Joint Community Facilities Agreement with the City of Oakley ("Joint CFD Agreement"), relating to the Summer Lake North project within the East Cypress Corridor Specific Plan ("Specific Plan"). Summer Lake North involves the development of about 817 homes and infrastructure within the boundaries of RD 799. The Summer Lake North developer will construct a new levee and new pump station 3, which RD 799 will own and operate upon completion.

The developer has agreed to form a new land financing district (known as a "Community Facilities District" or "CFD") that will provide ongoing funding to City of Oakley ("Oakley") and RD 799, for each agency's costs to maintain new infrastructure. Prior to creating the CFD, Oakley and RD 799 must agree to a Joint CFD Agreement, which establishes the administration, services, boundaries, and tax rates that will govern the CFD. RD 799 staff has reviewed the CFD formation documents and negotiated the attached Joint CFD Agreement with Oakley. This item would approve and authorize execution of the attached Joint CFD Agreement.

Background and Analysis:

Oakley adopted the Specific Plan in 2006. A Specific Plan is a comprehensive planning document that describes how new development will occur in a particular area, specifically the types of development, infrastructure, and financing details.

The Specific Plan covers approximately 2,546 acres located within both Oakley city limits and RD 799 boundaries. The Specific Plan identifies six (6) sub-areas that will be built separately. One area of the Specific Plan, known as "Summer Lake South," is already built.

DeNova Homes, Inc. ("Developer") is developing another sub-area of the Specific Plan, known as "Summer Lake North". Summer Lake North will involve construction of +/- 817 homes, and also some commercial or industrial development. Developer must also construct the

infrastructure required to support the buildout of Summer Lake North, which includes new improvements for water, sewer, storm drainage, roadways, parks, landscaping, utilities, and levees. Developer has already commenced grading the entire project area and construction of the new interior levee.

RD 799 will own, operate, and maintain the new levee and pump station 3 constructed by Developer. These new infrastructure obligations require ongoing funding for RD 799's maintenance costs. Oakley will also require ongoing funding to maintain its new parks, street lighting, landscaping, and storm drainage improvements.

Given the new infrastructure and maintenance obligations, Developer, Oakley, and RD 799 have agreed to form a CFD that will provide annual funds to Oakley and RD 799 in perpetuity to cover each agency's maintenance costs. The CFD will work as follows.

New CFD for Maintenance Services:

A CFD is a type of land financing district that funds specific public agency services. Each parcel of land within the CFD is subject to an annual special tax that is part of the owner's property tax bill. The County collects the special tax at the same time as property tax payments, and then forwards collections to each public agency to use for its respective maintenance services.

Here, the CFD will involve a special tax on each parcel of land within Summer Lake North. The special tax revenues produced by the CFD will go to both Oakley and RD 799 for their respective maintenance obligations. Oakley will be in charge of forming and administering the CFD, while RD 799 will be a passive participant receiving its share of revenues each year. After Oakley forms the CFD through a public hearing process, and after Developer finishes the public improvements, Oakley and RD 799 will begin collecting tax revenues each year.

Joint CFD Agreement between Oakley and RD 799:

By law, Oakley and RD 799 must approve and execute a Joint CFD Agreement because this CFD will provide maintenance funding to both public agencies. The attached Joint CFD Agreement describes the administration, maintenance services, boundaries, and tax rates associated with the CFD. The Joint CFD Agreement is summarized as follows:

OAKLEY AND RD 799 SERVICES:

The CFD will generate enough funds to cover the maintenance costs of both Oakley and RD 799.

Oakley collections under the CFD will be used to maintain: parks, sports fields, streetlighting, landscaping, bike paths, and storm drainage facilities (e.g., lakes, retention basins, catch basins).

RD 799 collections under the CFD will be used to maintain: the new levee system and pump station facilities.

Attachment 3 contains a depiction of the different facilities and maintenance obligations of Oakley and RD 799.

RD 799 ANNUAL REVENUE REQUIREMENT:

RD 799 staff has evaluated the infrastructure that it will assume and maintain. RD 799 will operate and maintain the new levee system constructed by Developer. Pump station #3 will also have added maintenance costs. Staff has estimated its annual revenue requirement for this infrastructure to be **\$394,584**. This estimate includes administrative costs, facility replacement over time, and a 20% contingency factor. Oakley also composed an estimate for annual maintenance costs. Oakley will require approximately \$1,500,000 each year to maintain its new public facilities.

RATE AND METHOD OF APPORTIONMENT:

The special tax that can be assigned to each parcel within Summer Lake North is called the “Rate and Method of Apportionment” (“RMA”). The RMA is formulated based on each agency’s estimated annual maintenance costs. As explained above, Oakley and RD 799 evaluated the new infrastructure that each agency will assume, and then composed an estimate of annual maintenance costs. The RMA arrives at a special tax per parcel that is formulated to generate the total annual costs needed by Oakley and RD 799.

A summary of the RMA is attached hereto as **Attachment 4**. The Summer Lake North subdivision map, attached hereto as **Attachment 5**, shows the parcels that will be subject to the CFD special tax.

The RMA is formulated to provide Oakley with approximately **\$1,500,000** each year, and to provide RD 799 with approximately **\$400,000** each year.

Each parcel will be subject to an annual special tax of approximately **\$2,300**, with **\$500** per parcel going to RD 799 and **\$1,800** per parcel going to Oakley. This payment will be in addition to the standard property tax.

The RMA will increase each year by the Consumer Price Index for the Bay Area region (“CPI”), so the total annual amount collected by each agency will also increase based on the CPI.

Staff has reviewed the RMA and accompanying CFD documents extensively with Developer, Oakley, and the public finance consultant who composed the CFD formation documents. Staff is confident that the CFD will generate sufficient annual funds for RD 799 to meet its maintenance obligations.

ADMINISTRATION:

Finally, the Joint CFD Agreement describes how administration of the CFD will occur. This process will go as follows:

1. Oakley will form and administer the CFD. RD 799 will be a passive participant receiving its revenues each year. This means each year Oakley will determine the special tax required for each parcel to produce the necessary amount of annual revenue.
2. In June of each year, RD 799 will notify Oakley of its annual revenue requirement (estimated to be approximately \$400,000).
3. In August of each year, Oakley will determine the special tax for each parcel, and then send that information to the County.
4. RD 799 will then receive two (2) payments each year: one (1) payment in January and one (1) payment in May. These two (2) payments will add up to the total annual amount determined by RD 799.
5. The CFD and Joint CFD Agreement will exist in perpetuity, since the new public improvements are ongoing maintenance obligations. Any landowner in Summer Lake North will be required to pay this CFD special tax in addition to its standard property tax.

Fiscal Impact:

The CFD does not impact RD 799's existing revenue streams (*i.e.*, property assessments, intergovernmental transfers). The CFD creates a new revenue stream for Oakley and RD 799 to maintain the Summer Lake North infrastructure. RD 799 will receive tax revenues each year to fund its maintenance obligations for the levee system and pump stations. The CFD will produce about \$1,900,000 each year, with \$400,000 going to RD 799, all paid by property owners within Summer Lake North.

For the Board's Consideration:

A motion to adopt Resolution 2022-09, approving the Joint CFD Agreement between City of Oakley and RD 799 for the Summer Lake North Project, and authorizing execution of the Joint CFD Agreement.

Attachments:

1. Resolution 2022-9, approving the Joint CFD Agreement
2. Joint CFD Agreement (Exhibit A to Resolution)
3. Depiction of Summer Lake North Maintenance Responsibilities
4. Special Tax Rates Per Parcel Pursuant to RMA for CFD
5. Summer Lake North Tentative Map

**RESOLUTION OF THE BOARD OF TRUSTEES
OF RECLAMATION DISTRICT 799 (HOTCHKISS TRACT)
APPROVING AND AUTHORIZING EXECUTION OF A
JOINT COMMUNITY FACILITIES AGREEMENT WITH CITY OF OAKLEY
FOR THE SUMMER LAKE NORTH PROJECT WITHIN
THE EAST CYPRESS CORRIDOR SPECIFIC PLAN**

RESOLUTION NO. 2022-9

October 27, 2022

WHEREAS, on March 13, 2006, the City of Oakley ("City") adopted the East Cypress Corridor Specific Plan ("Specific Plan"). The Specific Plan provides a comprehensive development plan and regulatory structure for the development of approximately 2,546 acres located in City limits; and

WHEREAS, Reclamation District 799 ("RD 799") is a special district located in Contra Costa County that maintains and operates levees, as well as other flood protection and drainage facilities; and

WHEREAS, the Specific Plan area overlaps the boundaries of RD 799, and RD 799 provides services to the Specific Plan area; and

WHEREAS, DeNova Homes, Inc. ("Developer"), a landowner in Planning Area 2 of the Specific Plan ("Summer Lake North"), has submitted development applications to City to construct a residential subdivision and supporting public improvements, in accordance with the Specific Plan and Vesting Tentative Map – Tract 9307; and

WHEREAS, Developer will construct certain public improvements that upon completion will be owned and maintained by City and RD 799; and

WHEREAS, City will own and maintain parkland, streetlighting, landscaping, and storm drainage improvements constructed by Developer; and

WHEREAS, RD 799 will own and maintain the new levee and all attached appurtenances, and also pump station improvements constructed by Developer; and

WHEREAS, pursuant to the Mello-Roos Community Facilities Act of 1982 (commencing with Section 53311 of the Government Code), City and RD 799, with the participation of Developer, have agreed to form a new Community Facilities District ("CFD") for Summer Lake North to finance the maintenance costs of City and RD 799; and

WHEREAS, City will form and administer the CFD, and thereafter transmit special tax revenues received from Contra Costa County to RD 799; and

WHEREAS, pursuant to Government Code Sections 53316.2 through 53316.6, City and RD 799 must enter into a Joint Community Facilities Agreement that establishes the services, boundaries, financing, and administration for the CFD; and

WHEREAS, City and RD 799 have negotiated and agreed to the Joint Community Facilities Agreement, attached hereto as **Exhibit A**, relating to the maintenance of public improvements constructed for Summer Lake North ("Joint CFD Agreement"); and

WHEREAS, RD 799 staff has reviewed the services, boundaries, and rate and method of apportionment ("RMA") under the CFD, and has determined that the RMA is sufficient to fund RD 799's operation and maintenance costs in perpetuity for its levee and drainage obligations; and

WHEREAS, the CFD will be beneficial to the residents of RD 799 by providing the necessary financing to RD 799 to maintain the Summer Lake North levee and drainage improvements; and

WHEREAS, the purpose of this Resolution is to approve the attached Joint CFD Agreement, to authorize execution of the Joint CFD Agreement, and to direct the District Manager take all acts necessary and incidental to carry out the terms of the Joint CFD Agreement.

NOW THEREFORE, BE IT RESOLVED THAT the Board of Trustees of Reclamation District 799 hereby approves the Joint CFD Agreement attached hereto as **Exhibit A**, authorizes execution of the Joint CFD Agreement, and directs the District Manager to take all acts necessary and incidental to carry out the terms of the Joint CFD Agreement.

PASSED and adopted by the Board of Trustees at a meeting of Reclamation District 799 (Hotchkiss Tract) on October 27, 2022, by the following vote:

Ayes:

Noes:

Abstentions:

Absent:

APPROVED:

ATTEST:

Jim Price, BOARD PRESIDENT

_____, BOARD SECRETARY

APPROVED AS TO FORM:

_____, GENERAL COUNSEL

RECLAMATION DISTRICT 799 (HOTCHKISS TRACT)
RESOLUTION 2022-9

CERTIFICATION

I, Dina Holder, Secretary of Reclamation District 799, do hereby certify that the foregoing is a full, true and correct copy of a resolution of Reclamation District 799 duly passed and adopted at a regular meeting of the Board of Trustees thereof held on the 27th day of October, 2022.

Dated: _____, 2022

SECRETARY, Reclamation District 799

EXHIBIT A

**Joint Community Facilities Agreement
City of Oakley and RD 799
Summer Lake North Maintenance Services**

JOINT COMMUNITY FACILITIES AGREEMENT

for

**City of Oakley Community Facilities District No. 2022-2
(Summer Lake North Maintenance Services)
City of Oakley
Reclamation District 799**

THIS JOINT COMMUNITY FACILITIES AGREEMENT (this "**Agreement**"), dated as of _____, 2022, is by and between the City of Oakley, a California municipal corporation, and Reclamation District 799, a reclamation district organized under the laws of California. City of Oakley and Reclamation District 799 may be referred to individually as a "**Party**" or collectively as the "**Parties.**"

BACKGROUND

A. On March 13, 2006, the City of Oakley ("**City**") adopted the East Cypress Corridor Specific Plan ("**Specific Plan**"). The Specific Plan provides a comprehensive development plan and regulatory structure for the development of approximately 2,546 acres located in City limits; and

B. DeNova Homes Inc., a landowner in Planning Area 2 (Summer Lake North) of the Specific Plan ("**Developer**"), has submitted development applications to City to construct a residential subdivision and supporting public improvements, in accordance with the Specific Plan and Vesting Tentative Map – Tract 9307; and

C. Reclamation District 799 ("**District**") is a special district located in Contra Costa County, whose boundaries include the boundaries of the Specific Plan. District is responsible for operating and maintaining levees and other flood control and drainage facilities; and

D. The buildout of the Specific Plan will require new public services and improvements, with City and District each in charge of different service and maintenance obligations; and

E. The Specific Plan describes public financing mechanisms that must be established to provide ongoing funding to affected public agencies, so affected public agencies will have adequate funds to provide services and maintain public facilities in the Specific Plan area; and

F. The Parties agree that a new Community Facilities District ("**CFD**") can be established to provide ongoing funding to City and District for their respective service and maintenance obligations, pursuant to the Mello-Roos Community Facilities Act of 1982 (commencing with Section 53311 of the Government Code) (the "**Act**"), as further described herein; and

G. The City services under the CFD will include, without limitation, maintenance of landscaping, parks, open space, streetlighting, and stormwater improvements (the "**City Services**"). The District services under the CFD will include maintenance of new levee

improvements, as well as flood control and drainage facilities (the “**District Services**”). The City Services and the District Services may collectively be referred to as the “**CFD Services**”, which are further described in **Exhibit A** attached hereto; and

H. The CFD, which the Parties expect to be named “City of Oakley Community Facilities District No. 2022-2 (Summer Lake North Maintenance Services)”, shall include the territory described and depicted on the boundary map attached hereto as **Exhibit B** (the “**Service Area**”); and

I. Upon receiving a petition from Developer, City will conduct the proceedings to form the CFD for the purpose of levying a special tax in the Service Area to finance the CFD Services, in accordance with the Act; and

J. Pursuant to Section 53316.2 of the Government Code, with City being the public agency forming the CFD and both City and District receiving the special tax revenues, City and District may only finance the CFD Services through the CFD pursuant to a joint community facilities agreement between City and District; and

K. City and District have determined that it would benefit the residents of each of their respective jurisdictions to enter into this Agreement to provide for the financing of the CFD Services.

AGREEMENT

In consideration of the mutual promises and covenants set forth herein, and for other valuable consideration, the sufficiency of which is hereby acknowledged, City and District agree as follows:

1. CFD Compliance. This Agreement shall constitute a “joint community facilities agreement” within the meaning of Sections 53316.2, 53316.4, and 53316.6 of the Government Code, pursuant to which the CFD will be authorized to finance the CFD Services. The Parties acknowledge that, pursuant to Section 53313 of the Government Code, because the CFD special tax will be approved by a landowner vote, the special tax revenues may only finance the CFD Services to the extent that they are in addition to the services provided in the Service Area before the CFD was created, and the CFD Services may not supplant public services already available within the Service Area prior to the CFD being created.

2. Rate and Method of Apportionment.

(a) The Parties agree that, upon a petition submitted by Developer to form the CFD for the purpose of financing the CFD Services in the Service Area, that the CFD Services shall be financed by the levy of special taxes within the Service Area in accordance with the Rate and Method of Apportionment (“**RMA**”) attached hereto as **Exhibit C**. In no event shall City amend the RMA in a manner which decreases the maximum amount of special taxes levied for the District Services without the express written consent of District, which shall be in District’s sole and absolute discretion.

(b) City represents and warrants that the attached RMA is formulated to provide District with at least \$394,584 each year in perpetuity commencing in Fiscal Year 2023-24, subject to an annual increase based on the change in the Consumer Price Index specified in the RMA.

3. Formation & Administration of CFD. The Parties agree that City shall be solely responsible for the formation and administration of the CFD, and all costs associated therewith. City shall have the power, duty, and responsibility to provide for the administration of the CFD, subject to the terms of this Agreement. It is understood by the Parties that District will not be considered a participant in the proceedings related to the formation of the CFD or future proceedings related to the CFD. If the CFD is successfully formed, City shall levy, collect, and remit special taxes in accordance with the RMA to finance the District Services.

4. Determination of Annual Special Tax Levy. Each June 1, City shall notify District in writing of the estimated CFD maximum special tax revenue corresponding to the District Services for the subsequent fiscal year, taking into account any annual increases due to the change in the Consumer Price Index provided in the RMA. No later than each June 30, District shall send a written request to City of District's desired amount of the special tax revenue for the subsequent fiscal year. If District has not sent such a written request to City by June 30, City shall levy the special tax at the maximum special tax rate then established by the RMA.

5. Allocation of CFD Special Tax Revenues.

(a) CFD special tax revenues received by City each fiscal year shall be allocated as follows: (i) first to City, to pay for the City Services, including City's costs to administer the CFD; and (ii) second to District, to pay for the District Services.

(b) City will annually transmit CFD special tax revenues to District, as identified in item (ii) above, in a minimum amount of \$394,584, commencing with Fiscal Year 2023-24, increased each fiscal year by the change in the Consumer Price Index as provided in the RMA, unless otherwise directed by District. District acknowledges that City will not transmit CFD special tax revenues to District in any fiscal year beyond the amount that City receives from the Contra Costa County Auditor-Controller/Treasurer-Tax Collector ("County").

(c) The Parties agree that in the event City does not receive from County the total annual amount levied for both the City Services and District Services, then each Party's annual CFD allocation will be proportionally reduced based on the difference between the total amount levied and the amount actually received from County. For example, in any given fiscal year, if \$400,000 is levied for the District Services, and if \$800,000 is levied for the City Services, and if City only receives \$1,000,000 from County (instead of \$1,200,000), then District will receive \$333,333 (equal to $1/3 \times \$1,000,000$), and City will receive \$666,667 (equal to $2/3 \times \$1,000,000$). Any future transfers received by City to compensate the difference between the total amount levied and the amount actually received (e.g., penalties and fees from special tax delinquencies) will be shared proportionally, up to the amount levied for the City Services and District Services for that fiscal year.

6. Future Annexations. This Agreement shall only apply to the boundaries of the CFD set forth in **Exhibit B**. In the event any landowner desires to annex future territory into the CFD, such annexation shall not be applicable under this Agreement without the mutual written agreement of the Parties. City acknowledges that District may request that City amend the RMA for future annexations into the CFD (for example, to increase the amount of special taxes levied for the District Services for any such future annexation).

7. Representations and Covenants.

(a) City makes the following representations and covenants for the benefit of District:

(i) Authority. City represents that City has the power and authority to enter into this Agreement, and has taken all actions necessary to cause this Agreement to be executed and delivered.

(ii) Binding Obligation. City represents that this Agreement is a valid and binding obligation of City and is enforceable against City in accordance with its terms.

(b) District makes the following representations and covenants for the benefit of City:

(i) Authority. District represents that District has the power and authority to enter into this Agreement, and has taken all actions necessary to cause this Agreement to be executed and delivered.

(ii) Binding Obligation. District represents that this Agreement is a valid and binding obligation of District and is enforceable against District in accordance with its terms.

(iii) Use of CFD Special Tax. District covenants that it will use the CFD special tax revenues that it receives solely to finance the District Services in accordance with this Agreement.

8. Indemnification. City shall have the sole responsibility for the City Services. District shall have the sole responsibility for the District Services. City agrees to indemnify and hold District harmless from any and all liability, including attorney fees and costs, with respect to the City Services. District agrees to indemnify and hold City harmless from any and all liability, including attorney fees and costs, with respect to the District Services. City further agrees to defend, indemnify, and hold District harmless from any and all liability, including attorney fees and costs, in the event of any challenge by any person or entity regarding (i) the legal sufficiency of the proceedings for the formation of the CFD, (ii) the authority of City to levy special taxes in the Service Area, and (iii) the legal proceedings and agreements required to finance the District Services.

9. Term. Unless otherwise agreed in writing by City and District, this Agreement and the CFD shall continue in perpetuity. City may undertake proceedings to dissolve the CFD, and upon such dissolution this Agreement shall terminate, at such time that each Party agrees that adequate funding will be provided for the City Services and District Services through a means other than the CFD described in this Agreement.

10. Notices. Any notice or communication required hereunder between City or District must be in writing and may be given either personally, by Federal Express or United Parcel Service (UPS), or by email. If personally delivered, a notice shall be deemed to have been given when delivered to the Party to whom it is addressed. If given by Federal Express or UPS, the same shall be deemed to have been given and received on actual receipt. If given by email, the same shall be deemed to have been received based on the date delivered as shown on the sent email. Any Party hereto may at any time, by giving ten (10) days written notice to the other Party hereto in the manner described in this Section, designate any other address in substitution of the address to which such notice or communication shall be given. Thereafter, notices, demands and other pertinent correspondence shall be addressed and transmitted to the new address. Such notices or communications shall be given to the parties at their addresses set forth below:

If to City: City of Oakley
3231 Main Street
Oakley, CA 94561
Attn: City Manager
Email: mcmurray@ci.oakley.ca.us

with copy to: City of Oakley
3231 Main Street
Oakley, CA 94561
Attn: Public Works Director
Email: rohani@ci.oakley.ca.us

with copy to: Cole Huber LLP
2281 Lava Ridge Court, Suite 300
Roseville, CA 95661
Attn: Derek Cole, Oakley City Attorney
Email: dcole@colehuber.com

If to District: Reclamation District 799
6325 Bethel Island Road
Bethel island, CA 94511
Attn: District Manager
Email: dholder@rd799.com

with copy to: White Brenner LLP
1414 K St, 3rd Floor
Sacramento, CA 94814
Attn: Barbara Brenner, RD 799 General Counsel
Email: barbara@whitebrennerllp.com

11. General Provisions.

(a) Recitals. The Recitals set forth above are hereby incorporated and made part of this Agreement. In the event of any inconsistency between the Recitals and provisions contained in this Agreement, the provisions shall govern.

(b) Governing Law. This Agreement will be governed by and construed in accordance with the laws of the State of California. Venue for any legal proceedings initiated in connection with this Agreement shall be in the Superior Court for the County of Contra Costa.

(c) Severability. If any part of this Agreement is held to be illegal or unenforceable by a court of competent jurisdiction, the remainder of this Agreement shall be given effect to the fullest extent reasonably possible.

(d) Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto. This Agreement may not be assigned by either of the parties thereto.

(e) Waiver. The waiver by either Party of a breach by the other Party of any provision of this Agreement shall not constitute a continuing waiver or a waiver of any subsequent breach of the same or a different provision of this Agreement. No Party shall be deemed to have made any such waiver unless it is in writing and signed by the Party so waiving.

(f) Integration. This Agreement, and those documents referenced herein, are intended to reflect the entire understanding between the Parties, and no alteration or modification shall be valid unless made in writing and signed by the Parties.

(g) Further Acts. The Parties agree to cooperate with each other, and execute and deliver any additional documents or instruments, and perform any further acts as may be reasonably necessary to carry out the purposes and objectives of this Agreement.

(h) Construction and Interpretation. It is agreed and acknowledged that each Party has reviewed this Agreement with its own legal counsel, and based upon the advice of that counsel, freely entered into this Agreement. No presumption or rule that ambiguities shall be construed against the drafting Party shall apply to the interpretation or enforcement of this Agreement. The singular includes the plural; the masculine gender includes the feminine; "shall" is mandatory; "may" is permissive.

(i) Amendments. Amendments to this Agreement shall be made only by written instrument executed by each of the parties hereto.

(j) Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original.

[Signatures on next page]

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the day and year written above.

CITY:

City of Oakley,
a California municipal corporation

By: _____

Print: _____

Title: _____

Date: _____

DISTRICT:

Reclamation District 799,
a California reclamation district

By: _____

Print: _____

Title: President, Board of Directors

Date: _____

ATTEST:

By: _____

Print: _____
City Clerk

Date: _____

ATTEST:

By: _____

Print: _____
District Secretary

Date: _____

APPROVED AS TO FORM:

By: _____
Derek Cole, City Attorney

Date: _____

APPROVED AS TO FORM:

By: _____
Barbara A. Brenner, General Counsel

Date: _____

EXHIBIT A
CFD SERVICES

CITY OF OAKLEY
Community Facilities District No. 2022-2
(Summer Lake North Maintenance Services)

DESCRIPTION OF AUTHORIZED SERVICES

The City of Oakley (the "City") is establishing the captioned community facilities district (the "CFD") to finance, in whole or in part, the following services ("services" shall have the meaning given that term in the Mello-Roos Community Facilities Act of 1982), including all related administrative costs, expenses and related reserves for replacement of vehicles, equipment and facilities, and related costs:

City Regional Parks Maintenance

Maintenance, including servicing, repair, and replacement of City of Oakley regional park improvements (includes park amenities such as buildings, sports fields, sports courts, playground equipment, play courts, play structures, picnic tables, lighting, drinking fountains, barbeques, etc.). Maintenance also includes cleaning and removal of graffiti, and associated electric, water and other utility costs.

City Community Parks Maintenance

Maintenance, including servicing, repair, and replacement of City of Oakley community park improvements (includes park amenities such as buildings, sports fields, sports courts, playground equipment, play courts, play structures, picnic tables, lighting, drinking fountains, barbeques, etc.). Maintenance also includes cleaning and removal of graffiti, and associated electric, water and other utility costs.

City Streetlighting Maintenance

Maintenance, including servicing, repair, and replacement of City of Oakley streetlights (includes poles, fixtures, bulbs, conduits, equipment, including guys, anchors, posts, pedestals and metering devices, etc.). Maintenance also includes cleaning and removal of graffiti and associated electric and other utility costs.

City Landscaping, Neighborhood Parks, and Stormwater Maintenance

Maintenance, including servicing, repair, and replacement of parkways, landscape setbacks, landscaped roadway medians, open space, environmental preserves (including performance and management of environmental mitigation monitoring and annual reporting), publicly owned masonry walls, fences, monuments and features, trails, bike paths, etc. Maintenance also includes cleaning and removal of graffiti, and associated electric, water and other utility costs.

Maintenance, including servicing, repair, and replacement of neighborhood park improvements (includes park amenities such as playground equipment, play courts, play structures, picnic tables, lighting, drinking fountains, barbeques, etc.) associated with the CFD. Maintenance also includes cleaning and removal of graffiti, and associated electric, water and other utility costs.

Maintenance, including servicing, repair, and replacement of City of Oakley bio-retention facilities, drainage facilities, and other stormwater improvements (includes field inspections, record keeping, cost of permits and regulatory fees, environmental mitigation monitoring, annual reporting, vegetation management, removal of silt, sediment, trash and debris from the lake, drainage areas, bio-retention basins and City catch basins, etc.). Maintenance also includes cleaning and removal of graffiti, and associated electric, water and other utility costs.

Reclamation District 799 Services

Reclamation District 799 ("RD 799") is a special district in Contra Costa County, whose boundaries include the boundaries of the CFD. RD 799 manages the drainage and flood water produced on Hotchkiss Tract. The services to be provided by RD 799 include but are not limited to the following:

- Levee operation, maintenance, and inspection.
- Operation, maintenance, servicing, and replacement of drainage pump stations and other storm drainage improvements.

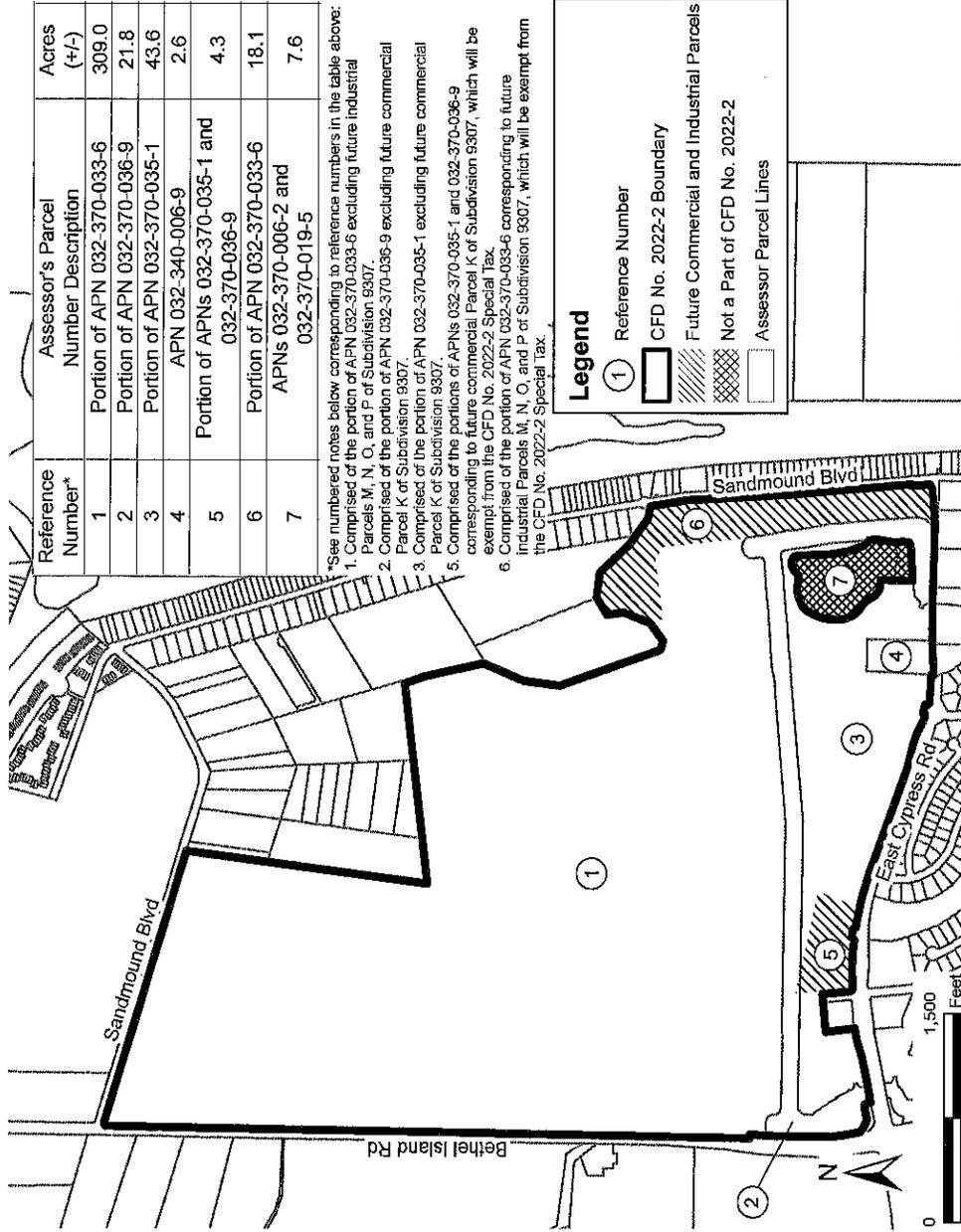
Administrative Services and Reserve Collection

In addition, the following expenses will also be financed by the special taxes levied within the CFD and will be allocated to each of the services described above based upon their pro-rata share of administrative costs, operating reserves, capital reserves, and actual or estimated delinquencies:

- Administrative expenses including costs incurred to determine, levy and collect the special taxes, including compensation of City staff for administrative work performed in relation to the CFD and a proportionate amount of the City's general administrative overhead related thereto, the fees of consultants and legal counsel, the costs of collecting installments of the special taxes upon the property tax rolls, preparation of required reporting, the costs needed to cure actual or estimated delinquencies in CFD special taxes for the current or previous fiscal years, and any other costs incurred by the City for the administration of the CFD.
- Any amounts needed to establish or replenish operating reserves and capital reserves.

EXHIBIT B
CFD BOUNDARY MAP

PROPOSED BOUNDARY MAP
CITY OF OAKLEY COMMUNITY FACILITIES DISTRICT No. 2022-2
(SUMMER LAKE NORTH MAINTENANCE SERVICES)
 CITY OF OAKLEY
 COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA



Reference Number*	Assessor's Parcel Number Description	Acres (+/-)
1	Portion of APN 032-370-033-6	309.0
2	Portion of APN 032-370-036-9	21.8
3	Portion of APN 032-370-035-1	43.6
4	APN 032-340-006-9	2.6
5	Portion of APNs 032-370-035-1 and 032-370-036-9	4.3
6	Portion of APN 032-370-033-6	18.1
7	APNs 032-370-006-2 and 032-370-019-5	7.6

*See numbered notes below corresponding to reference numbers in the table above:
 1. Comprised of the portion of APN 032-370-033-6 excluding future industrial Parcels M, N, O, and P of Subdivision 9307.
 2. Comprised of the portion of APN 032-370-036-9 excluding future commercial Parcel K of Subdivision 9307.
 3. Comprised of the portion of APN 032-370-035-1 excluding future commercial Parcel K of Subdivision 9307.
 5. Comprised of the portions of APNs 032-370-035-1 and 032-370-036-9 corresponding to future commercial Parcel K of Subdivision 9307, which will be exempt from the CFD No. 2022-2 Special Tax.
 6. Comprised of the portion of APN 032-370-033-6 corresponding to future industrial Parcels M, N, O, and P of Subdivision 9307, which will be exempt from the CFD No. 2022-2 Special Tax.

Legend

- ① Reference Number
- ▭ CFD No. 2022-2 Boundary
- ▨ Future Commercial and Industrial Parcels
- ▩ Not a Part of CFD No. 2022-2
- ▭ Assessor Parcel Lines

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF OAKLEY THIS _____ DAY OF _____, 2022.

LIBBY VREONIS, CITY CLERK
 CITY OF OAKLEY
 CONTRA COSTA COUNTY
 STATE OF CALIFORNIA

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF CITY OF OAKLEY COMMUNITY FACILITIES DISTRICT No. 2022-2, CITY OF OAKLEY, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF OAKLEY, AT A REGULAR MEETING THEREOF, HELD ON THE _____ DAY OF _____, 2022, BY ITS RESOLUTION No. _____.

LIBBY VREONIS, CITY CLERK
 CITY OF OAKLEY
 CONTRA COSTA COUNTY
 STATE OF CALIFORNIA

FILED THIS _____ DAY OF _____, 2022, AT THE HOUR OF _____ M. IN BOOK _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE _____ DOCUMENT No. _____ IN THE OFFICE OF THE COUNTY RECORDER IN CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

COUNTY RECORDER
 COUNTY OF CONTRA COSTA
 STATE OF CALIFORNIA

ASSESSOR PARCELS WITHIN BOUNDARY: FOR PARTICULARS OF LINES AND DIMENSIONS OF PARCELS, REFERENCE IS MADE TO THE ASSESSOR PARCEL MAPS OF CONTRA COSTA COUNTY.

EXHIBIT C

RATE AND METHOD APPORTIONMENT OF CFD

CITY OF OAKLEY
Community Facilities District No. 2022-2
(Summer Lake North Maintenance Services)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

Special Taxes (as hereafter defined) in the City of Oakley Community Facilities District No. 2022-2 (Summer Lake North Maintenance Services) (the "CFD" or "CFD No. 2022-2") shall be levied and collected each Fiscal Year according to the tax liability determined by the Administrator through the application of the appropriate Special Tax rate for Taxable Property, as described below. All property in CFD No. 2022-2, unless exempted by law or by the provisions of Section E herein, shall be taxed for the purposes, to the extent, and in the manner herein provided, including property subsequently annexed to CFD No. 2022-2, unless a separate Rate and Method of Apportionment of Special Tax is adopted for such annexation area.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre" or "Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable Final Map, Parcel Map or functionally equivalent map or instrument recorded in the Office of the County Recorder. In the absence of such map, the Administrator will make the final "Acre" or "Acreage" determination as needed, utilizing in the Administrator's discretion, available resources, including but not limited to available spatial and Geographic Information Systems (GIS) data.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5 (commencing with Section 53311), Division 2, of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means the actual or reasonably estimated costs incurred by the City or their designee, acting for and on behalf of the CFD as the Administrator thereof, to compute, determine, levy and collect the Special Taxes, including salaries of City staff and a proportionate amount of the City's general administrative overhead related thereto, and the fees of consultants and legal counsel providing services related to the administration of the CFD; the costs of collecting installments of the Special Taxes, including charges levied by the County, the costs related to the preparation of required reports; and any other costs required to administer the CFD as determined by the Administrator. Administrative expenses shall also include amounts estimated or advanced by the City, public agency, or the CFD for any other administrative purposes related to the CFD.

"Administrator" means an official of the City, or designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Taxes according to this Rate and Method of Apportionment of Special Taxes.

“Assessor’s Parcel” or **“Parcel”** means a lot or parcel shown on an Assessor’s Parcel Map with an assigned Assessor’s Parcel Number.

“Assessor’s Parcel Map” means an official map of the County Assessor designating Parcels by Assessor’s Parcel Number.

“Assessor’s Parcel Number” or **“APN”** means a unique number assigned to an Assessor’s Parcel by the County Assessor for purposes of identifying a property.

“Authorized Services” means the public services authorized to be funded by CFD No. 2022-2 as set forth in the documents adopted by the Council when CFD No. 2022-2 was formed.

“Building Permit” means a building permit issued by the City to construct a building structure improvement with a valuation over \$50,000. Building Permits for the construction of ancillary structures such as fences, swimming pools, retaining walls, etc. are excluded.

“CFD” or **“CFD No. 2022-2”** means the City of Oakley Community Facilities District No. 2022-2 (Summer Lake North Maintenance Services).

“City” means the City of Oakley.

“City Manager” means the City Manager of the City of Oakley.

“Commercial Parcel” means a Parcel designated by the County Assessor as having a commercial land use (e.g., stores, markets, shopping centers, motels, hotels, restaurants, fast food, bars, service stations, auto sales and service centers, private recreational facilities, theaters, etc.). If it is determined by the Administrator that the County Assessor has assigned an incorrect County Land Use Code, or the assigned County Land Use Code does not correctly describe the intended or current use of the Taxable Parcel, the Administrator may assign a Land Use Classification to the Taxable Parcel described in Section C below.

“Condominium Parcel” means a Parcel designated by the County Assessor as having a condominium, townhome, cluster home or co-op Land Use Classification. If it is determined by the Administrator that the County Assessor has assigned an incorrect County Land Use Code or the assigned County Land Use Code does not correctly describe the intended or current use of the Taxable Parcel, the Administrator may assign a Land Use Classification to the Taxable Parcel described in Section C below.

“Council” means the City Council of the City of Oakley, acting as the legislative body for CFD No. 2022-2.

“County” means the County of Contra Costa.

“County Assessor” means the Contra Costa County Assessor.

“County Land Use Code” means the land use code assigned to an Assessor’s Parcel as indicated in the records of the County Assessor.

“Developed Property” means, in any Fiscal Year, all Taxable Parcels for which a Building Permit has been issued by the City on or prior to June 30 of the preceding Fiscal Year

in which Special Taxes are to be levied. In the absence of a Building Permit, any Taxable Parcel shall be classified as "Developed Property" if it has been occupied by a user as determined by the Administrator on or prior to June 30 of the preceding Fiscal Year.

"Final Map" or "Parcel Map" means a final Subdivision Map, parcel map, or portion thereof, approved by the City pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.), that creates lots that do not need to be further subdivided prior to issuance of a Building Permit for a residential structure. The term "Final Map" or "Parcel Map" shall not include an Assessor's Parcel Map or subdivision map or portion thereof, that does not create lots that are in their final configuration, including Assessor's Parcels that are designated as remainder parcels.

"Fiscal Year" means the period starting on July 1 and ending on the following June 30.

"Industrial Parcel" means a Parcel designated by the County Assessor as having an industrial land use (e.g., light and heavy industrial, food processing, storage yards, warehouses, etc.). If it is determined by the Administrator that the County Assessor has assigned an incorrect County Land Use Code, or the assigned County Land Use Code does not correctly describe the intended or current use of the Taxable Parcel, the Administrator may assign a Land Use Classification to the Taxable Parcel described in Section C below.

"Institutional Parcel" means a Parcel designated by the County Assessor as having an institutional land use (e.g., churches, hospitals, assisted living, schools, etc.). If it is determined by the Administrator that the County Assessor has assigned an incorrect County Land Use Code, or the assigned County Land Use Code does not correctly describe the intended or current use of the Taxable Parcel, the Administrator may assign a Land Use Classification to the Taxable Parcel described in Section C below.

"Land Use Classification" means the current or intended use of a Taxable Parcel as determined by the Taxable Parcel's County Land Use Code.

"Maximum Special Tax" means, for each Special Tax Component, the maximum Special Tax determined in accordance with Section C herein, which can be levied in any Fiscal Year.

"Mixed Use Parcel" means a Parcel designated by the County Assessor as having multiple land uses such as a residential land use and a commercial land use, a multi-family land use and a commercial land use, etc.

"Multi-Family Parcel" means a Parcel designated by the County Assessor as having a multi-family residential Land Use Classification which includes duplexes, triplexes, fourplexes and apartments. If it is determined by the Administrator that the County Assessor has assigned an incorrect County Land Use Code, or the assigned County Land Use Code does not correctly describe the intended or current use of the Taxable Parcel, the Administrator may assign a Land Use Classification to the Taxable Parcel described in Section C below.

"Non-Residential Parcel" means for each Fiscal Year, all Assessor Parcels designated by the County Assessor as a Commercial Parcel, Industrial Parcel, Institutional Parcel, or Office/Medical Parcel. If it is determined by the Administrator that the County Assessor has assigned an incorrect County Land Use Code or the assigned County Land Use Code does not correctly describe the intended or current use of the Taxable Parcel, the

Administrator may assign a Land Use Classification to the Taxable Parcel described in Section C below.

“Office/Medical Parcel” means a Parcel designated by the County Assessor as having an office, medical or dental land use (e.g., office buildings, office condominiums, hospitals, etc.). If it is determined by the Administrator that the County Assessor has assigned an incorrect County Land Use Code, or the assigned County Land Use Code does not correctly describe the intended or current use of the Taxable Parcel, the Administrator may assign a Land Use Classification to the Taxable Parcel described in Section C below.

“Property Owner” means the Property Owner of record per current County Assessor records unless more current information is available such as a recorded deed of sale, etc.

“Proportionately” means, for Developed Property, that the ratio of the actual annual Special Tax levied in any Fiscal Year to the Maximum Special Tax authorized to be levied in that Fiscal Year is equal for all Assessor’s Parcels of Developed Property. For Undeveloped Property, “Proportionately” means that the ratio of the actual annual Special Tax levied in any Fiscal Year to the Maximum Special Tax authorized to be levied in that Fiscal Year is equal for all Assessor’s Parcels of Undeveloped Property.

“Public Property” means, for each Fiscal Year: (i) any property within the boundaries of CFD No. 2022-2 that is owned by or irrevocably offered for dedication to the federal government, the State of California, the City or any other public agency; provided, however, that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1 of the Act (as such section may be amended or replaced) shall be taxed and classified in accordance with its use; or (ii) any property within the boundaries of CFD No. 2022-2 that is encumbered by an unmanned utility easement making impractical its utilization for other than the purpose set forth in the easement.

“Residential Parcel” means for each Fiscal Year, all Assessor Parcels designated by the County Assessor as having residential land use such as a Condominium Parcel, Single-Family Parcel, or Multi-Family Parcel. If it is determined by the Administrator that the County Assessor has assigned an incorrect County Land Use Code or the assigned County Land Use Code does not correctly describe the intended or current use of the Taxable Parcel, the Administrator may assign a Land Use Classification to the Taxable Parcel described in Section C below.

“Residential Unit” means an individual residential dwelling unit such as a Single-Family Parcel, Condominium Parcel, townhome, apartment, co-op, etc.

“RMA” means this Rate and Method of Apportionment of Special Tax.

“Single-Family Parcel” means a Parcel designated by the County Assessor as having a single-family residential land use. If it is determined by the Administrator that the County Assessor has assigned an incorrect County Land Use Code or the assigned County Land Use Code does not correctly describe the intended or current use of the Taxable Parcel, the Administrator may assign a Land Use Classification to the Taxable Parcel described in Section C below.

“Special Tax” means the tax levied on Taxable Property within CFD No. 2022-2 to pay the annual Special Tax Requirement for each Special Tax Component.

“Special Tax Component” means one of the following components of the Special Tax: City Regional Parks Maintenance Tax; City Community Parks Maintenance Tax; City Streetlighting Maintenance Tax; City Landscaping, Neighborhood Parks, and Stormwater Maintenance Tax; or Reclamation District 799 Services Tax.

“Special Tax Requirement” means, for each Special Tax Component, the amount of revenue needed in any Fiscal Year for each Tax Zone to pay for the following: (i) Authorized Services corresponding to the Special Tax Component; (ii) Administrative Expenses attributable to the Special Tax Component; and (iii) amounts needed to cover any delinquencies in the payment of the Special Tax Component which occurred in the previous Fiscal Year or, based on delinquency rates in prior years, that may be expected to occur in the Fiscal Year in which the Special Tax will be collected.

“Taxable Property” or “Taxable Parcels” means all Assessors’ Parcels within the boundaries of CFD No. 2022-2 that are not exempt from the Special Tax pursuant to law or Section E herein.

“Tax Zone” means a mutually exclusive geographic area within CFD No. 2022-2 designated on the CFD boundary or annexation map. All property within CFD No. 2022-2 at the time of CFD Formation is within Tax Zone 1. Additional Tax Zones may be created when property is annexed to CFD No. 2022-2, and a separate Maximum Special Tax shall be identified for property within the new Tax Zone at the time of such annexation. The Assessor’s Parcels included within a new Tax Zone established when such Parcels are annexed to CFD No. 2022-2 shall be identified by Assessor’s Parcel Number at the time of annexation.

“Undeveloped Property” means, in any Fiscal Year, all Parcels of Taxable Property in CFD No. 2022-2 that are not classified as Developed Property.

B. DATA FOR ANNUAL TAX LEVY

Each Fiscal Year, the Administrator shall: (i) identify the current Assessor’s Parcel Numbers for all Parcels of Taxable Property within CFD No. 2022-2, (ii) determine the Land Use Classification for each Taxable Parcel, (iii) determine whether each Assessor’s Parcel of Taxable Property is Developed Property or Undeveloped Property, (iv) determine if a Final Map or Parcel Map has been recorded with the County for Undeveloped Property, (v) determine which Tax Zone each Parcel of Taxable Property is located in, (vi) determine the Special Tax Requirement for each Special Tax Component. Each Special Tax Component shall be levied only to pay for their respective Special Tax Requirement.

In any Fiscal Year, if it is determined that a Final Map or Parcel Map for a portion of property in CFD No. 2022-2 was recorded after the last date upon which the County Assessor will incorporate the newly-created Parcels into the then current tax roll, and the County Assessor does not yet recognize the new Parcels that will be created by the Final Map or Parcel Map, and one or more of the newly-created Parcels would meet the definition of Developed Property, the Administrator shall calculate the Special Tax for the property affected by recordation of the Final Map or Parcel Map by determining the Special Tax that applies separately to each new Parcel that will be created by that Final Map or Parcel Map, then applying the sum of the individual Special Taxes to the Parcel that was subdivided by recordation of the Final Map or Parcel Map.

C. MAXIMUM SPECIAL TAXES

1. Developed Property - The Fiscal Year 2022-23 Maximum Special Tax for each Special Tax Component for all Parcels of Developed Property shall be as shown in Table 1 below:

Table 1: Developed Property		
Special Tax Component	Land Use Classification	Fiscal Year 2022-23 Maximum Special Tax
City Regional Parks Maintenance Tax	Single-Family Parcel	\$157.30 per Parcel
City Regional Parks Maintenance Tax	Condominium Parcel	\$117.97 per Parcel
City Regional Parks Maintenance Tax	Multi-Family Parcel	\$78.65 per Residential Unit
City Regional Parks Maintenance Tax	Non-Residential Parcel	\$0.00 per Acre
City Community Parks Maintenance Tax	Single-Family Parcel	\$347.37 per Parcel
City Community Parks Maintenance Tax	Condominium Parcel	\$260.52 per Parcel
City Community Parks Maintenance Tax	Multi-Family Parcel	\$173.69 per Residential Unit
City Community Parks Maintenance Tax	Non-Residential Parcel	\$0.00 per Acre
City Streetlighting Maintenance Tax	Single-Family Parcel	\$68.58 per Parcel
City Streetlighting Maintenance Tax	Condominium Parcel	\$51.44 per Parcel
City Streetlighting Maintenance Tax	Multi-Family Parcel	\$34.30 per Residential Unit
City Streetlighting Maintenance Tax	Non-Residential Parcel	\$0.00 per Acre
City Landscaping, Neighborhood Parks, and Stormwater Maintenance Tax	Single-Family Parcel	\$1,238.19 per Parcel
City Landscaping, Neighborhood Parks, and Stormwater Maintenance Tax	Condominium Parcel	\$928.64 per Parcel
City Landscaping, Neighborhood Parks, and Stormwater Maintenance Tax	Multi-Family Parcel	\$619.09 per Residential Unit
City Landscaping, Neighborhood Parks, and Stormwater Maintenance Tax	Non-Residential Parcel	\$0.00 per Acre
Reclamation District 799 Maintenance Tax	Single-Family Parcel	\$492.63 per Parcel
Reclamation District 799 Maintenance Tax	Condominium Parcel	\$369.47 per Parcel
Reclamation District 799 Maintenance Tax	Multi-Family Parcel	\$246.31 per Residential Unit
Reclamation District 799 Maintenance Tax	Non-Residential Parcel	\$0.00 per Acre

Mixed Use Parcels will have their Maximum Tax calculated each Fiscal Year based upon their combined uses on the Parcel. For example, if a one-acre parcel has commercial uses on the ground floor and 50 apartments are constructed on the second and third floors, the Parcel will be taxed the Non-Residential Parcel Special Tax rate based upon the total commercial footprint and the Multi-Family Parcel Special Tax rate for the 50 apartments.

2. Undeveloped Property - The Fiscal Year 2022-23 Maximum Special Tax for each Special Tax Component for all Parcels of Undeveloped Property shall be as shown in Table 2 below:

Table 2: Undeveloped Property		
Special Tax Component	Land Use Classification	Fiscal Year 2022-23 Maximum Special Tax
City Regional Parks Maintenance Tax	Residential Parcel	\$471.90 per Acre
City Regional Parks Maintenance Tax	Non-Residential Parcel	\$0.00 per Acre
City Community Parks Maintenance Tax	Residential Parcel	\$1,042.10 per Acre
City Community Parks Maintenance Tax	Non-Residential Parcel	\$0.00 per Acre
City Streetlighting Maintenance Tax	Residential Parcel	\$205.75 per Acre
City Streetlighting Maintenance Tax	Non-Residential Parcel	\$0.00 per Acre
City Landscaping, Neighborhood Parks, and Stormwater Maintenance Tax	Residential Parcel	\$7,554.89 per Acre
City Landscaping, Neighborhood Parks, and Stormwater Maintenance Tax	Non-Residential Parcel	\$0.00 per Acre
Reclamation District 799 Maintenance Tax	Residential Parcel	\$3,005.79 per Acre
Reclamation District 799 Maintenance Tax	Non-Residential Parcel	\$0.00 per Acre

3. Escalation of Maximum Special Tax

Commencing on July 1, 2023, and each July 1 thereafter, the Maximum Special Tax for each Special Tax Component for the current Fiscal Year for Developed Property and Undeveloped Property shall be increased from the Maximum Special Tax for the respective Special Tax Component for the previous Fiscal Year by Consumer Price Index – All Urban Consumers (San Francisco-Oakland-Hayward, CA) (from February) with a minimum annual increase of three (3.00%) percent and a maximum annual increase of five (5.00%) percent for any given year.

D. METHOD OF LEVY AND COLLECTION OF SPECIAL TAXES

Each Fiscal Year, the Administrator shall determine the Special Tax Requirement for each Special Tax Component for that Fiscal Year and levy each Special Tax Component on all Parcels of Taxable Property as follows:

- Step 1:** Each Special Tax Component shall be levied Proportionately on each Parcel of Developed Property up to 100% of the Maximum Special Tax for each Parcel of Developed Property for such Fiscal Year until the amount levied is equal to the Special Tax Requirement for such Special Tax Component;
- Step 2:** If additional revenue is needed after Step 1, each Special Tax Component shall be levied Proportionately on each Parcel of Undeveloped Property for which a Final Map has been recorded with the County, up to 100% of the Maximum Special Tax for each Parcel of Undeveloped Property for which a Final Map has been recorded with the County, for such Fiscal

Year until the amount levied, when combined with the amount of the Special Tax Component levied pursuant to Step 1, is equal to the Special Tax Requirement for such Special Tax Component;

Step 3: If additional revenue is needed after Step 2, each Special Tax Component shall be levied Proportionately on each Parcel of Undeveloped Property for which a Final Map has not been recorded with the County, up to 100% of the Maximum Special Tax for each Parcel of Undeveloped Property for which a Final Map has not been recorded with the County, for such Fiscal Year until the amount levied, when combined with the amount of the Special Tax Component levied pursuant to Step 1 and Step 2, is equal to the Special Tax Requirement for such Special Tax Component.

The Special Tax for CFD No. 2022-2 shall be collected at the same time and in the same manner as ordinary ad valorem property taxes provided, however, that the City may (under the authority of Government Code Section 53340) collect Special Taxes at a different time or in a different manner if necessary to meet the financial obligations of CFD No. 2022-2.

E. EXEMPTIONS

No Special Tax shall be levied on Parcels of Public Property, mineral rights Parcels, or any privately-owned Parcels that are non-developable, such as common areas, wetlands, open space, preserve areas, parks, etc. except as otherwise provided in this RMA and in the Act.

F. INTERPRETATION OF SPECIAL TAX FORMULA

The City reserves the right to make minor administrative and technical changes to this document that do not materially affect the rate and method of apportioning Special Taxes. In addition, the interpretation and application of any section of this document shall be left to the City's discretion. Interpretations may be made by the City through an ordinance or resolution of the Council for purposes of clarifying any vagueness or ambiguity in this RMA.

G. TERM OF THE SPECIAL TAX

The Special Tax shall be levied indefinitely if Authorized Services are being provided and is necessary to pay the Special Tax Requirement.

H. PREPAYMENT OF SPECIAL TAX

The Maximum Special Tax may not be prepaid and shall continue to be levied in accordance with Section D of this Rate and Method of Apportionment on an annual basis on all Taxable Property in CFD No. 2022-2 for the purpose of funding ongoing Authorized Services.

I. REVIEW/APPEALS OF THE SPECIAL TAX

The Administrator may establish such procedures, as it deems necessary to undertake the review of any such appeal. The Administrator shall interpret this Rate and Method of Apportionment and make determinations relative to the annual administration of the Special Tax and any property owner appeals, as herein specified.

Any property owner who believes that the amount of the Special Tax levied on their Assessor's Parcel is in error shall first consult with the Administrator regarding such error. If following such consultation, the Administrator determines that an error has occurred; the Administrator in consultation with the City Manager shall take any of the following actions to correct the error:

- Amend the Special Tax levy on the property owner's Property Tax Bill for the current Fiscal Year, or
- Have the CFD reimburse the property owner for the amount of overpayment for the current Fiscal Year if CFD funds are available, or
- Grant a credit against, eliminate, or reduce the future Special Taxes on the property owner's Assessor's Parcel(s) for overpayment for the current Fiscal Year.

If following such consultation and action (if any) by the Administrator, the property owner believes such error still exists, such person may file a written notice with the City Manager appealing the amount of the Special Tax levied on such Assessor's Parcel. If following such consultation and action (if any) by the City Manager, the property owner believes such error still exists, such person may file a written notice with the City Council appealing the amount of the Special Tax levied on such Assessor's Parcel. If the City Council determines an error exists; the Administrator shall take any actions as described above, in order to correct the error. The decision of the City Council shall be final and binding to all persons.

J. SEVERABILITY

The invalidity or unenforceability of any provisions of this Rate and Method of Apportionment of Special Tax shall not affect the validity or enforceability of any other provision of this Rate and Method of Apportionment of Special Tax, which shall remain in full force and effect.



LAND USE	AREA (AC)	RESPONSIBLE ENTITY
SCHOOL	12.3	OAKLEY UNION ELEMENTARY SCHOOL DISTRICT (OUESD)
LEVER	44.0	NO/NA
PUBLIC RIGHTS	41.1	CITY OF OAKLEY
SUMMER LAKE DRIVE, EAST SUMMER LAKE DRIVE, V STREET	91.2	CITY OF OAKLEY
PARKWAY LANDSCAPE (SUMMER LAKE DRIVE, EAST SUMMER LAKE DRIVE, V STREET)	8.4	CITY OF OAKLEY
MEHEL ISLAND ROAD LANDSCAPE	2.9	CITY OF OAKLEY
MEHEL ISLAND ROAD SIDEWALK	0.7	CITY OF OAKLEY
MEHEL ISLAND ROAD STREETSCAPE	1.1	CITY OF OAKLEY
SANDWICH BOULEVARD LANDSCAPE	0.6	CITY OF OAKLEY
SANDWICH BOULEVARD SIDEWALK	0.3	CITY OF OAKLEY
SANDWICH BOULEVARD STREETSCAPE	0.3	CITY OF OAKLEY
E CYPRESS ROAD LANDSCAPE	1.4	CITY OF OAKLEY
E CYPRESS ROAD SIDEWALK	0.1	CITY OF OAKLEY
E CYPRESS ROAD STREETSCAPE	0.5	CITY OF OAKLEY
CITY OF OAKLEY PARK AREA	19.3	CITY OF OAKLEY / OAKLEY UNION ELEMENTARY SCHOOL DISTRICT (OUESD)
PARKS	18.2	CITY OF OAKLEY
TRAILS	3.1	CITY OF OAKLEY
GREENBELTS	0.9	CITY OF OAKLEY
OPEN SPACE	3.6	CITY OF OAKLEY
LAKE	14.8	CITY OF OAKLEY
WETLANDS	8.6	WETLAND HERITAGE FOUNDATION
WETLAND BUFFER	7.0	WETLAND HERITAGE FOUNDATION
SEWER PUMP STATION	0.4	ROCKHOUSE SANITARY DISTRICT (RSD)
STORM DRAIN PUMP STATION	0.1	CITY OF OAKLEY
LIGHT INDUSTRIAL & AGRICULTURE LIMITED	18.8	PRIVATE OWNER
COMMERCIAL LOT	4.2	PRIVATE OWNER
RESIDENTIAL LOTS	137.6	PRIVATE OWNER
SOUND MALL	11,302 SF	PRIVATE OWNER

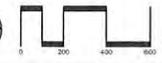
MAINTENANCE RESPONSIBILITY EXHIBIT

SUMMER LAKE NORTH

CITY OF OAKLEY, CONTRA COSTA COUNTY, CALIFORNIA

SCALE: 1" = 200' DATE: SEPTEMBER 2022







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Phone: 925-684-2398
Email: dinard799@outlook.com
Website: www.rd799.com

MEMO

To: Board of Trustees
From: RD 799 District Manager, Engineer, and General Counsel
Date: October 27, 2022

Re: Improvement and Maintenance Agreement with DeNova Homes, Relating to the Summer Lake North Project Within the East Cypress Corridor Specific Plan

Summary:

This is an informational item only with no action required. Staff has negotiated an Improvement and Maintenance Agreement (“Agreement”) with DeNova Homes, Inc (“Developer”), relating to the Summer Lake North project. Developer will be constructing new homes and infrastructure for Summer Lake North. The infrastructure includes a new levee and new pump station 3, which RD 799 will own and maintain once complete. There are details that RD 799 must establish with Developer regarding how construction and future maintenance will occur. Developer and RD 799 staff have negotiated an agreement which describes each party’s obligations relating to construction, future maintenance, financing, and certain land transfers. Staff plans to bring the Agreement to the Board for approval at a future meeting, possibly the November meeting. The purpose of this item is to familiarize the Board and the public with the terms of the Agreement and respond to any questions.

Background:

The City of Oakley (“Oakley” or “City”) adopted the East Cypress Corridor Specific Plan (“Specific Plan”) in 2006. A Specific Plan is a comprehensive planning document that describes how new development will occur in a particular area, specifically the types of development, infrastructure, and financing details. The buildout of a Specific Plan may happen over a long period of time.

The Specific Plan covers approximately 2,546 acres located within both City limits and RD 799 boundaries. The Specific Plan identifies six (6) sub-areas that will be built separately. One area of the Specific Plan, known as “Summer Lake South,” is already built.

DeNova Homes, Inc. (“Developer”) is developing another sub-area of the Specific Plan, known as “Summer Lake North”. Summer Lake North is approximately 404 acres and will involve construction of +/- 817 homes, and also some commercial or industrial development. Developer will also construct the infrastructure and public facilities required to support the buildout of Summer Lake North, such as new improvements for water, sewer, storm drainage, roadways,

parks, utilities, and levees. Developer has already commenced grading of the entire project area and begun constructing the new interior levee.

RD 799 will own, operate, and maintain the new levee and pump station 3 constructed by Developer (“District Improvements”). Summer Lake North is a multi-agency project that requires coordination between Developer, Oakley, and RD 799. Oakley approves the overall development plan and must negotiate its own infrastructure requirements with Developer (*e.g.*, roadways, parks, streetlighting, landscaping, storm drainage). RD 799 must also negotiate its own terms with Developer regarding construction and maintenance of the District Improvements (*i.e.*, the new levee and pump station 3). RD 799 staff and Developer therefore have negotiated an Agreement to establish each party’s respective construction, maintenance, and financing obligations regarding the District Improvements.

Improvement and Maintenance Agreement:

Below is a table that provides a summary of the terms and conditions contained in the Agreement:

Obligations relating to Levee Construction	<p>Developer will construct the new interior levee that will surround Summer Lake North, in accordance with the following terms:</p> <ul style="list-style-type: none"> • RD 799 will review all construction and engineering plans; • RD 799 will review and approve all plans relating to the tie-in work for connection to the Summer Lake South interior levee; • Developer will provide the final as-built levee plans for RD 799 records; • Levee must contain access roads and ramps, so RD 799 can access and maintain the levee area. • Attachment 2 shows the new interior levee and the existing cross levee to be removed.
Obligations relating to Pump Station 3	<p>Developer will relocate and provide a new pump station #3, so pump station #3 can handle the additional runoff from Summer Lake North. RD 799 will continue to own and maintain the new pump station #3.</p>
RD 799 Acceptance of Levee	<p>RD 799 will not be obligated to accept the new levee until:</p> <ul style="list-style-type: none"> • Developer completes construction of the levee and Oakley completes all its inspections; and

	<ul style="list-style-type: none"> FEMA certifies that the levee is constructed in accordance with FEMA standards, and that the project is no longer in a Special Flood Hazard Area due to the added levee protection.
Land Transfers / Stockpile Acquisition	<p>RD 799 needs to own the new levee parcel. RD 799 must also abandon the temporary cross levee parcel for Developer to construct its project. RD 799 and Developer have agreed to the following land transfers:</p> <ul style="list-style-type: none"> <i>CROSS LEVEE PARCEL.</i> RD 799 will transfer title to the temporary cross levee parcel, which Developer will subsequently remove to build its project. Removal of the cross levee will not happen until FEMA certifies the new levee. <i>NEW LEVEE.</i> After completion of the new levee and FEMA certification, Developer will transfer title to the new levee parcel to RD 799, at which point RD 799 assumes control over the levee. <i>CORPORATE YARD.</i> Developer will convey an 18.9-acre parcel to RD 799 to use for its new Corporate Yard. Attachment 3 shows the new Corporate Yard parcel that Developer will convey to RD 799. <i>STOCKPILE.</i> Developer will provide 10,000 cubic yards of stockpiled dirt placed in the new Corporate Yard, accumulated from Developer’s grading and levee construction.
RD 799 Levee Maintenance Obligations	<p>The Agreement contains a comprehensive “Operations and Maintenance Manual” attached as an Exhibit. The manual details RD 799’s maintenance obligations for the new levee and associated improvements. Primary maintenance obligations include:</p> <ul style="list-style-type: none"> Levee integrity; Access roads and ramps; Vegetation and rodent control; Toe drains and bubble-up drains along the landside levee;

	<ul style="list-style-type: none"> • Facilities that penetrate the levee (<i>i.e.</i>, piping that goes through the levee for existing RD 799 drainage ditches); • Force main outfall, which carries project runoff to an existing RD 799 ditch.
Financing for Maintenance Costs	<p>RD 799 requires new funding for its costs to maintain the new levee and pump station 3. This will involve the following:</p> <ul style="list-style-type: none"> • Formation of a new land financing district, known as a Community Facilities District (or “CFD”). Landowners within Summer Lake North will pay a special tax each year in perpetuity, which RD 799 will collect and use for its maintenance costs. RD 799 will receive about \$400,000 each year, subject to an annual CPI increase. This means each landowner in Summer Lake North will pay an additional ~\$500 on their property tax bill. • RD 799 will also receive an advance payment for its initial maintenance costs. RD 799 will have to begin maintaining the levee prior to receiving its first CFD payments. The time between levee acceptance and the first CFD receipts could be about one (1) year, more or less. Developer will advance fund RD 799’s maintenance costs during this interim period.

Status of Levee Construction, Plan Review, and Maintenance Obligations:

Developer has already commenced mass grading and construction of the new interior levee. As described above, RD 799 staff and engineers have a role in reviewing all construction plans and technical studies.

Attachment 4 describes in further detail the plans and studies reviewed by RD 799 staff relating to the new interior levee and pump station 3, as well as RD 799 construction management activities. Plans and studies reviewed by RD 799 staff include: (i) design and improvement plans for the new interior levee, (ii) soil and geotechnical reports, (iii) the Operations and Maintenance Manual prepared by Developer’s engineer, (iv) the Hydrologic/Drainage Report prepared by Developer’s engineer, (v) Developer’s dewatering plan for construction activities, (vi) design plans

for pump station #3, and (vii) an updated Emergency Action Plan. RD 799 also has a construction inspector onsite to oversee construction activities that may impact RD 799 facilities.

Attachment 5 summarizes the regular maintenance obligations of RD 799 once it assumes ownership and control of the new Summer Lake North levee.

Fiscal Impact:

RD 799 needs an additional revenue stream for its new maintenance costs. RD 799 Staff and Developer, along with the public finance consultant who composed the CFD documents, have discussed the financing terms extensively.

The CFD formed for Summer Lake North will provide approximately \$400,000 to RD 799 each year. Staff arrived at this estimate based on the expected annual costs for the levee, pump station 3, drainage facilities, facility replacement over time, and administration. The \$400,000 estimate also includes a 20% contingency factor. RD 799 will receive two (2) payments each year from Oakley, which will add up to \$400,000 each year, subject to an annual CPI increase.

With the creation of the CFD to cover RD 799's maintenance costs, as well as Developer's advance payment, there will be no impact to RD 799's existing revenues.

For the Board's Consideration:

This is an informational item with no action to be taken. Staff intends to bring the Agreement to the Board for approval in the near future, possibly at the November 2022 meeting, at which time staff would be recommending approval of the Agreement.

Attachments:

1. Improvement and Maintenance Agreement with DeNova Homes
 - a. Exhibit 1: Depiction of New Levee
 - b. Exhibit 2: Depiction of Existing Cross Levee (to be removed)
 - c. Exhibit 3: Description of Corporate Yard Parcel (~18.9 acres)
 - d. Exhibit 4: Location of New Stockpile (10,000 cubic yards)
 - e. Exhibit 5: CFD Formation Documents (*i.e.*, services, boundaries, rates)
 - f. Exhibit 6: Pump Station 4 Analysis (no impact)
 - g. Exhibit 7: RD 799 Operations & Maintenance Manual for New Levee
2. Map showing new levee and existing cross levee to be removed
3. Map showing new Corporate Yard Parcel
4. Status of Levee Plans and Technical Reports
5. Description of RD 799 Regular Levee Maintenance Activities

**IMPROVEMENT AND MAINTENANCE AGREEMENT
BETWEEN DENOVA HOMES AND RECLAMATION DISTRICT 799
FOR SUMMER LAKE NORTH PROJECT**

This Improvement and Maintenance Agreement (“**Agreement**”) is made and entered into on _____, 2022 (“**Effective Date**”), by and between RECLAMATION DISTRICT 799, a reclamation district organized under the laws of the State of California (“**District**”), and DENOVA HOMES INC., a California corporation (“**Developer**”). District and Developer may be referred to individually as a “**Party**” or collectively as the “**Parties.**”

RECITALS

A. Developer is in the process of constructing a residential subdivision, pursuant to approvals received from the City of Oakley (hereafter, “**City**”) for the Vesting Tentative Map -- Tract 9307 (TM 01-11), more commonly known as Summer Lake North (hereafter, “**Project**”). In connection with development of the Project, Developer is constructing a new levee pursuant to City-approved plans identified as “Levee Plans-Summer Lake North-Subdivision 9307” (hereafter, “**New Levee**”); and

B. As part of the Project, Developer will construct the New Levee that will surround the Project, and then also remove the existing temporary cross-levee owned by District (hereafter, “**Old Levee**”), all at Developer’s sole cost and expense; and

C. As part of the Project, Developer desires to obtain a Letter of Map Revision (“**LOMR**”) from the Federal Emergency Management Agency (“**FEMA**”) and certification from FEMA of the New Levee, to remove the Project from federal flood hazard zone designations. In order to obtain the LOMR and FEMA certification, Developer must complete the New Levee and transfer it in fee to District, and District must assume the responsibility for maintenance and operation of the New Levee; and

D. After Developer constructs the New Levee in accordance with construction plans reviewed by District and approved by the City (hereafter, “**Levee Plans**”), and after Developer has received certification (i.e., a LOMR) from FEMA of the New Levee, Developer will transfer fee title to the New Levee to District, subject to any required public access easements; and

E. As consideration for the transfer of fee title to the New Levee to District, District will transfer fee title to the Old Levee to Developer (collectively, the “**Levee Transfers**”). The New Levee is described and depicted on **Exhibit 1** and the Old Levee is described and depicted on **Exhibit 2**; and

F. Developer and District desire to enter into this Agreement to: (i) facilitate the Project and the Levee Transfers; and (ii) establish the funding mechanism which will compensate District for its expenses, present and future, related to maintenance and operation of the New Levee; and

G. To facilitate the Levee Transfers contemplated under this Agreement and other improvements required for the Project, Developer will: (i) form a Community Facilities District to establish an ongoing funding mechanism that will allow District to maintain and operate the New Levee, (ii) convey to District approximately 18.9 acres of light industrial and agricultural land as described and depicted in **Exhibit 3** (hereafter, “**Corporation Yard Parcel**”), (iii) provide District with Ten Thousand (10,000) cubic yards of soil for District’s sole use and benefit, placed on the Corporation Yard Parcel in the location depicted on **Exhibit 4**, and (iv) offset the proportionate impacts of the Project on District’s stormwater facilities, either through upgrades or payment to District, as further described herein.

NOW, THEREFORE, in consideration of the promises, covenants, and conditions herein, the Parties hereto agree as follows.

AGREEMENT

1. **Recitals**. The “**Recitals**” above are hereby incorporated into and made part of this Agreement. In the event of any conflict between the Recitals and the Sections below, the Sections

below shall prevail.

2. **Environmental Review.** District acknowledges that the Project has been previously analyzed and approved by the City through Resolution No. 116-11, in accordance with the California Environmental Quality Act (“CEQA”). District further acknowledges that based on its review of the Project, no further CEQA review is required as of the Effective Date. As a responsible agency for the Project, District shall adopt CEQA findings in its Resolution approving this Agreement, in accordance with CEQA Guidelines Section 15091.

3. **Developer’s Performance of Work.** All work on the Project which does, or could, impact District’s facilities, or which relates to facilities that will be transferred to District (for example, the New Levee) shall be referred to as the “**Work.**” Developer shall perform the Work in substantial conformance with construction plans reviewed by District and approved by the City, under the direction of the engineer of record. The Work shall include the following obligations:

- Developer has prepared, and submitted to District for review, the civil and geotechnical plans and details outlining how the New Levee will tie into the existing levee.
- Developer has prepared, and submitted to District for review, the levee improvement plans related to the Work.
- Developer shall provide District with updated plan sets and, at the completion of the Work the as-built plan sets, for District’s use in the maintenance and operation of the facilities.
- Developer shall be responsible for preparation of an updated emergency evacuation plan, as required by the City’s conditions of approval.
- Developer shall provide public access points to the levee access trail to the extent Developer’s civil engineer and landscape architect provide such access on the City-approved plans.
- Developer shall make upgrades to Pump Station #3, which shall include installation of additional pumps and/or infrastructure as may be required by District to offset the impacts from the Project on Pump Station #3. To

the extent necessary, District shall cooperate in the relocation and reconstruction of Pump Station #3.

- Developer shall provide to District for review such plans as District reasonably requests in order to understand District's operation and maintenance obligations related to the Work.
- District shall permit Developer to tie into and/or remove the Old Levee in connection with its Work.

4. **District Acceptance of New Levee.** District shall accept ownership of the New Levee and assume the maintenance and operations of the New Levee, provided that the New Levee is (i) constructed in accordance with the plans reviewed by District and approved by the City, and (ii) receives certification from FEMA.

5. **District's Right to Stop Work.** District shall be provided reasonable access to inspect and maintain its existing facilities throughout the period of time that Developer is completing the Work. District shall have the authority to order the stoppage of any Work that is jeopardizing District's existing facilities that are intended to remain after Project completion, which include, without limitation, any obstruction, blockage, impaction or use of District's drainage ditches and associated infrastructure. An order to stop any Work shall be provided by written notice and shall be limited to Work impacting District's existing facilities (with all other Work allowed to continue during the stoppage period). In the event that District orders the stoppage of any Work, a meeting will be held on site, within one (1) business day of the stop work notice being issued, to agree on the conditions for the Work to resume. In the event that this meeting does not immediately resolve the issue, the Parties agree to submit the matter for immediate review pursuant to the dispute resolution process outlined herein.

6. **District's Existing Facilities.** Developer shall save, protect, and restore, to at least the condition existing before commencement of the Work, all existing District facilities and improvements which are intended to remain and not be altered by the Project, including but not limited to, ditches or access roads which may be damaged or altered by Developer during construction of the Project. Before commencement of the Work, Developer shall provide to

District video footage, photos and/or other documentation in Developer's possession of the existing condition of the Project site, so District can adequately determine if any existing District facilities or improvements require repair or restoration after performance of the Work.

7. **Levee Transfers.** As consideration for the transfer of fee title to the New Levee to District, immediately after execution of this Agreement, District will transfer fee title to the Old Levee to Developer. This will allow Developer to demonstrate ownership of the parcel and Developer will then prepare a parcel map to create the New Levee parcel and the Corporation Yard parcel (the "**Large Lot Parcel Map**"). Once District has confirmed that it is prepared to accept fee title to the New Levee along with all associated levee and drainage systems and facilities and subject to any required public access easements, in order for District to maintain and operate the New Levee, Developer will record the Large Lot Final Map. Immediately following recordation of the Large Lot Final Map, Developer will transfer to District fee title to the Corporation Yard Parcel and the New Levee parcel, along with all associated levee and drainage systems and facilities and subject to any required public access easements, in order for District to maintain and operate the New Levee. Developer agrees that it shall not alter the Old Levee until such time as District has accepted fee title to the New Levee, except to the extent necessary to tie into the Old Levee and/or effectuate the intent of the approved plans.

8. **District's Existing Assessment.** All parcels within District's jurisdiction are subject to an assessment, in accordance with the Engineer's Report dated December 2002, which funds the operation and maintenance of District's existing facilities, including without limitation District's levees, drainage ditches, and pump stations ("**District's Existing Assessment**"). All parcels within the Project shall continue to be subject to District's Existing Assessment. Developer hereby agrees not to oppose or protest the imposition of District's Existing Assessment on the Project, including without limitation any changes to the rate applied to Developer's properties due to updates to the use classification of such properties.

9. **New Community Facilities District.** Developer agrees to the imposition of a special tax on all parcels within the Project for the purpose of funding District's operation and maintenance costs for the New Levee and associated improvements, including without limitation

the drainage system improvements necessary to serve the Project, through the use of a Community Facilities District pursuant to the Mello-Roos Community Facilities Act at Government Code Section 53311 (“**New CFD**”). Prior to formation of the New CFD, Developer shall provide the New CFD formation documents (including the rate and method of apportionment (“**RMA**”)) to District for review to confirm that the special tax imposed by the New CFD will be sufficient to cover District’s operation and maintenance costs. The New CFD shall not be formed until District has approved the RMA for the New CFD and the eligible services and facilities to be included in the New CFD. The formation of the New CFD shall be substantially consistent with the attached **Exhibit 5**. Developer hereby agrees not to oppose or protest the imposition of a special tax in accordance with the New CFD.

10. **Advance Payment**. After completing the Levee Transfers, Developer shall provide an advance payment to District for the purpose of covering District’s initial maintenance and operation costs prior to District receiving the first payment from the New CFD. The advance payment shall be sufficient to cover District’s maintenance and operation costs until the date on which District will receive the first payment from the New CFD. For example, if District will receive \$100,000 annually from the New CFD every January 1, but the CFD is formed on April 1, then the advance payment shall be sufficient to fund 9 months of maintenance (*i.e.*, approximately \$75,000). After completing the Levee Transfers, the Parties shall determine the advance payment by using the annual costs allocated in the New CFD to determine the amounts due. Developer shall send District the advance payment within 10 calendar days of the Parties reaching agreement on the amount due.

11. **Transfer of the Corporation Yard Parcel**. Promptly after completing the Levee Transfers, Developer shall transfer to District in fee that approximately 18.9 acres of land referred to herein as the Corporation Yard Parcel, as described and depicted in **Exhibit 3**, together with the 10,000 cubic yards of stockpiled dirt as depicted on **Exhibit 4**.

12. **Payment of Proportionate Share for Pump Station #4**. To the extent that the Project creates an increased burden on Pump Station #4, which shall be determined by the engineering review of the drainage studies conducted in connection with the City-approved plans

for the Project, Developer shall be responsible for paying its proportionate share to District for additional operations and maintenance costs needed for Pump Station #4 to address the increased usage. The methodology to determine the proportionate share of the Project's burden on Pump Station #4 is depicted on **Exhibit 6**. District agrees that the additional burden of the Project on Pump Station #4 can be included in the New CFD applied to the Project, as described in Section 9.

13. **District's Operation and Maintenance Responsibilities**. Upon transfer of the New Levee in fee to District, District will be responsible for maintenance of the following:

- Integrity of the New Levee and its slopes;
- The dry-side and wet-side access roads and ramps;
- Mowing, vegetation control, and rodent control on the New Levee, its slopes, access roads and up ramps, and other exterior areas outside the levee such as around the WAPA towers and the southeast corner, the southwest corner, and the drill site in the northeast area;
- The New Levee toe subdrain and the pipe system connecting it to the County storm drain;
- Operation and maintenance of the new improvements to Pump Station #3 constructed by Developer.

District's full operation and maintenance responsibilities are set forth in the Operations and Maintenance Manual ("**Manual**") dated _____, attached hereto as **Exhibit 7**.

14. **Insurance**. Developer shall maintain at all times during the period of construction of the Work and for a period of twelve (12) months after completion of the Work, commercial general liability insurance with a combined single limit of at least Two Million Dollars (\$2,000,000.00), and an excess liability policy of at least Five Million Dollars (\$5,000,000.00) or an owner-controlled insurance coverage program with equivalent or better coverage. Said insurance shall be placed with a reputable surety, shall provide for contractual liability coverage so as to insure Developer's obligations for personal injury and property damage as provided in

this Agreement and shall cover damages due to flooding, landslide and subsidence. A copy of the policy establishing such insurance shall be provided to District for the Work. Said policy shall name Reclamation District 799, its Board of Trustees, officers, contractors, employees, servants, and agents as additional insureds.

15. **Term and Termination.** This Agreement shall remain in effect for that time necessary to satisfy the terms and conditions of this Agreement, as well as to obtain permits from the U.S. Army Corps of Engineers and the California Department of Fish and Game. This Agreement shall be deemed terminated if Developer abandons the Project or if construction does not occur for a period of one (1) year with the New Levee incomplete. In the event construction of the Project resumes after not having occurred for one (1) year with the New Levee incomplete, the Parties shall meet and confer to renegotiate this Agreement.

16. **Reimbursement Agreement.** District acknowledges that Developer has deposited monies toward District's cost and expenses that it incurs related to reviewing plans for the Project, pursuant to the Reimbursement Agreement between Developer and District. Developer and District shall continue to adhere to the terms of the executed Reimbursement Agreement.

17. **Initiation of Construction Activity.** Developer shall notify District two (2) weeks before commencing any new construction activity for the Project, and, when there is no construction activity for a period of five (5) working days, then twenty-four (24) hours' notice prior to resuming construction activity.

18. **Construction Dispute Resolution Process.** Because construction issues can be hard to predict and have a significant impact on the Project or District in terms of public safety, time and money, Developer and District agree that, to the fullest extent possible, all disputes over construction issues should be resolved at the lowest level by the appointed technical teams or individuals. If the appointed technical teams or individuals cannot settle the matter within two (2) business days, they should, as expeditiously as possible, notify the Developer and District of the unresolved issue. The Developer and District will make every effort to settle the matter in a

manner which is mutually acceptable to both Parties. If agreement cannot be reached, after having exhausted all reasonable efforts, Developer and District may require the matter to be submitted to a neutral party at JAMS San Francisco for resolution pursuant to the standard JAMS rules for construction disputes. The cost of the dispute resolution process shall be born equally by both Parties. In no case during the dispute resolution process shall the safety of the public or property be compromised.

19. **Compliance with Law; Permits.** Developer and District shall comply with all federal, state, and local laws in the performance of their respective duties under the terms of this Agreement. Developer shall be responsible, at its sole cost and expense, for obtaining all licenses, permits, and certifications from federal, state, and local authorities for the Work. District shall be responsible, at its sole cost and expense, for obtaining and maintaining all licenses and permits for its operation and maintenance obligations.

20. **Notices.** Any notice or communication required hereunder between District or Developer must be in writing and may be given either personally, by Federal Express or United Parcel Service (UPS), or by email. If personally delivered, a notice shall be deemed to have been given when delivered to the party to whom it is addressed. If given by Federal Express or UPS, the same shall be deemed to have been given and received on actual receipt. If given by email, the same shall be deemed to have been received based on the date delivered as shown on the sent email. Any party hereto may at any time, by giving ten (10) days written notice to the other party hereto in the manner described in this Section, designate any other address in substitution of the address to which such notice or communication shall be given. Thereafter, notices, demands and other pertinent correspondence shall be addressed and transmitted to the new address. Such notices or communications shall be given to the parties at their addresses set forth below:

District: Mike Alvarez, District Manager
Reclamation District 799
6325 Bethel Island Road
Bethel Island, CA 94511
Email: dholder@rd799.com

Developer: DeNova Homes, Inc.

Attn: David B. Sanson, Dana Tsubota, Trent Sanson

1500 Willow Pass Court

Concord, CA 94520

Emails: dave@denovahomes.com; dana@denovahomes.com;

trent@denovahomes.com

21. **Assignment.** Upon District's written consent, Developer shall have the right to assign or transfer all or any portion of its interests, rights, or obligations under this Agreement to third parties acquiring an interest in the Project. Developer shall give at least thirty (30) days prior written notice to District of its intention to assign or transfer any of its interests, rights, or obligations under this Agreement. Unless Developer is released in writing by District, a transfer of all or any part of the Project to any other person or entity shall not release Developer from any obligation under this Agreement.

22. **General Provisions.**

a. *Governing Law.* This Agreement will be governed by and construed in accordance with the laws of the State of California. Venue for any legal proceedings initiated in connection with this Agreement shall be in the Superior Court for the County of Contra Costa.

b. *Severability.* If any term, provision, covenant or condition of this Agreement or the application of any provision of this Agreement to a particular situation is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this Agreement, or the application of this Agreement to other situations, shall continue in full force and effect unless amended or modified by mutual consent of the parties.

c. *Waiver.* The waiver by either party of a breach by the other party of any provision of this Agreement shall not constitute a continuing waiver or a waiver of any subsequent breach of the same or a different provision of this Agreement. No party shall be deemed to have made any such waiver unless it is in writing and signed by the party so waiving.

d. *Integration.* This Agreement, and those documents referenced herein, are intended to reflect the entire understanding between the parties, and no alteration or modification shall be valid unless made in writing and signed by the Parties. However, this paragraph does not in any way abrogate the previously executed written agreements between the Parties, including but not limited to, the Reimbursement Agreement referenced in this Agreement.

e. *Further Acts.* The Parties agree to cooperate with each other, and execute and deliver any additional documents or instruments, and perform any further acts as may be reasonably necessary to carry out the purposes and objectives of this Agreement.

f. *Construction and Interpretation.* It is agreed and acknowledged that each Party has reviewed this Agreement with its own legal counsel, and based upon the advice of that counsel, freely entered into this Agreement. No presumption or rule that ambiguities shall be construed against the drafting party shall apply to the interpretation or enforcement of this Agreement. The singular includes the plural; the masculine gender includes the feminine; "shall" is mandatory; "may" is permissive. If there is more than one signatory of this Agreement, the signatory obligations are joint and several.

g. *Counterparts.* This Agreement may be executed simultaneously and in several counterparts, each of which shall be deemed an original but which together shall constitute one and the same instrument.

h. *Time is of the Essence.* Time is of the essence in this Agreement in each term and covenant and condition contained herein.

i. *Attorney's Fees and Costs.* If any action at law or equity, including an action for declaratory relief, is brought to enforce or interpret any provision of this Agreement, the prevailing Party shall be entitled to an award of reasonable attorneys' fees and costs, which may be set by the court in the same action or in a separate action for that purpose, in addition to any other relief to which such Party is entitled.

IN WITNESS WHEREOF, this Agreement has been entered into by and between Developer and District as of the dates set forth below.

DEVELOPER:

DeNova Homes, Inc.,
a California corporation

By: _____

Print: _____

Title: _____

Date: _____

DISTRICT:

Reclamation District 799,
a California reclamation district

By: _____

Print: _____

Title: President, Board of Directors

Date: _____

ATTEST:

By: _____

Print: _____
District Secretary

Date: _____

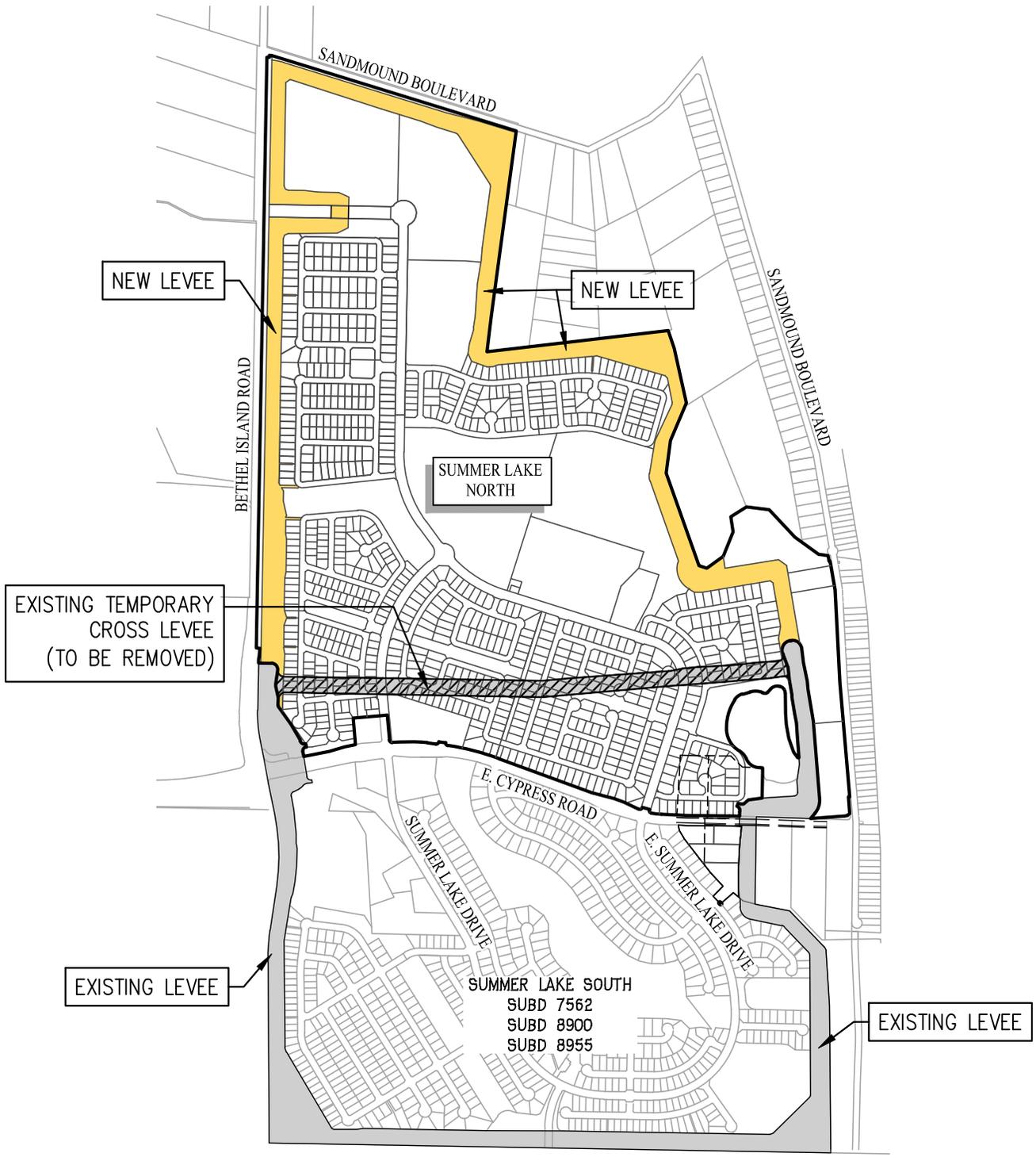
APPROVED AS TO FORM:

By: _____
Barbara A. Brenner, General Counsel

Date: _____

EXHIBIT 1

Description of New Levee



LEGEND

-  EXISTING LEVEE
-  EXISTING TEMPORARY CROSS LEVEE (TO BE REMOVED)
-  NEW LEVEE

NEW LEVEE

SUMMER LAKE NORTH

CITY OF OAKLEY CONTRA COSTA COUNTY CALIFORNIA

DATE: AUG 2022 SCALE: 1"=1200'



CIVIL ENGINEERS SURVEYORS PLANNERS

SAN RAMON (925) 866-0322
 ROSEVILLE (916) 788-4456
 WWW.CBANDG.COM

EXHIBIT 2

Description of Existing Cross Levee

EXHIBIT 3

Description of Corporation Yard Parcel

**EXHIBIT A
LEGAL DESCRIPTION
PORTION OF RESULTANT PARCEL ONE (DN 2007-0028601)
OAKLEY, CALIFORNIA**

REAL PROPERTY, SITUATE IN THE INCORPORATED TERRITORY OF THE CITY OF OAKLEY, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, COMPRISED OF FOUR (4) PARCELS, DESCRIBED AS FOLLOWS:

BEING A PORTION OF RESULTANT PARCEL ONE, AS SAID RESULTANT PARCEL ONE IS SHOWN AND SO DESCRIBED IN THAT CERTAIN LOT LINE ADJUSTMENT LLA-06-04, RECORDED JANUARY 20, 2007, IN DOCUMENT NUMBER 2007-0028601 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1

BEGINNING AT A POINT ON THE BOUNDARY LINE OF SAID RESULTANT PARCEL ONE, SAID POINT BEING THE NORTHWESTERN CORNER OF THAT CERTAIN OFFER OF DEDICATION FOR SANDMOUND BOULEVARD RECORDED MAY 22, 2006, IN DOCUMENT NUMBER 2006-0160195 OF OFFICIAL RECORDS, IN SAID OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY;

THENCE, FROM SAID POINT OF BEGINNING, ALONG THE WESTERN LINE OF SAID OFFER OF DEDICATION (DN 2006-0160195), SOUTH 09°40'19" EAST 80.04 FEET;

THENCE, LEAVING SAID WESTERN LINE, SOUTH 80°19'41" WEST 344.27 FEET;

THENCE, NORTH 09°32'49" WEST 60.83 FEET;

THENCE, NORTH 54°23'54" WEST 79.01 FEET;

THENCE, SOUTH 80°45'01" WEST 429.47 FEET;

THENCE, NORTH 09°14'59" WEST 96.67 FEET TO A POINT ON SAID BOUNDARY LINE OF RESULTANT PARCEL ONE;

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

- 1) NORTH 21°57'40" EAST 209.10 FEET,
- 2) NORTH 08°25'21" WEST 121.30 FEET,
- 3) NORTH 57°55'40" EAST 147.10 FEET,
- 4) SOUTH 82°46'20" EAST 180.50 FEET,
- 5) SOUTH 42°56'20" EAST 299.10 FEET,

- 6) SOUTH 54°28'20" EAST 231.60 FEET,
- 7) SOUTH 82°12'50" EAST 75.69 FEET TO SAID **POINT OF BEGINNING**.

CONTAINING 5.74 ACRES OF LAND, MORE OR LESS.

PARCEL 2

COMMENCING AT A POINT ON THE BOUNDARY LINE OF SAID RESULTANT PARCEL ONE, SAID POINT BEING THE NORTHWESTERN CORNER OF THAT CERTAIN OFFER OF DEDICATION FOR SANDMOUND BOULEVARD RECORDED MAY 22, 2006, IN DOCUMENT NUMBER 2006-0160195 OF OFFICIAL RECORDS, IN SAID OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY;

THENCE, FROM SAID POINT OF COMMENCEMENT, ALONG THE WESTERN LINE OF SAID OFFER OF DEDICATION (DN 2006-0160195), SOUTH 09°40'19" EAST 80.04 FEET TO THE **POINT OF BEGINNING** FOR THIS DESCRIPTION;

THENCE, FROM SAID POINT OF BEGINNING, CONTINUING ALONG SAID WESTERN LINE (DN 2006-0160195), SOUTH 09°40'19" EAST 160.00 FEET;

THENCE, LEAVING SAID WESTERN LINE, SOUTH 80°19'41" WEST 344.62 FEET;

THENCE, NORTH 09°32'49" WEST 160.00 FEET;

THENCE, NORTH 80°19'41" EAST 344.27 FEET TO SAID **POINT OF BEGINNING**.

CONTAINING 1.27 ACRES OF LAND, MORE OR LESS.

PARCEL 3

COMMENCING AT A POINT ON THE BOUNDARY LINE OF SAID RESULTANT PARCEL ONE, SAID POINT BEING THE NORTHWESTERN CORNER OF THAT CERTAIN OFFER OF DEDICATION FOR SANDMOUND BOULEVARD RECORDED MAY 22, 2006, IN DOCUMENT NUMBER 2006-0160195 OF OFFICIAL RECORDS, IN SAID OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY;

THENCE, FROM SAID POINT OF COMMENCEMENT, ALONG THE WESTERN LINE OF SAID OFFER OF DEDICATION (DN 2006-0160195), SOUTH 09°40'19" EAST 240.04 FEET TO THE **POINT OF BEGINNING** FOR THIS DESCRIPTION;

THENCE, FROM SAID POINT OF BEGINNING, CONTINUING ALONG SAID WESTERN LINE, THE FOLLOWING THREE (3) COURSES:

- 1) SOUTH 09°40'19" EAST 34.36 FEET,
- 2) SOUTH 03°02'40" EAST 735.36 FEET, AND
- 3) SOUTH 04°52'19" EAST 306.67 FEET;

LEGAL DESCRIPTION

PAGE 3 OF 5

JUNE 7, 2022
JOB NO.: 1292-100

THENCE, LEAVING SAID WESTERN LINE, SOUTH 85°07'41" WEST 235.11 FEET TO A POINT ON SAID BOUNDARY LINE OF RESULTANT PARCEL ONE;

THENCE, ALONG SAID BOUNDARY LINE, THE FOLLOWING SIX (6) COURSES:

- 1) NORTH 04°42'44" WEST 18.96 FEET,
- 2) NORTH 09°37'04" WEST 254.89 FEET,
- 3) NORTH 04°52'32" WEST 65.76 FEET,
- 4) NORTH 11°42'52" WEST 148.04 FEET,
- 5) NORTH 07°23'30" WEST 116.58 FEET, AND
- 6) ALONG THE ARC OF A TANGENT 70.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 29°02'42", AN ARC DISTANCE OF 35.49 FEET;

THENCE, LEAVING SAID BOUNDARY LINE, NORTH 09°32'49" WEST, 412.68 FEET;

THENCE, NORTH 80°19'41" EAST 344.62 FEET TO SAID **POINT OF BEGINNING**.

CONTAINING 6.98 ACRES OF LAND, MORE OR LESS.

PARCEL 4

COMMENCING AT A POINT ON THE BOUNDARY LINE OF SAID RESULTANT PARCEL ONE, SAID POINT BEING THE NORTHWESTERN CORNER OF THAT CERTAIN OFFER OF DEDICATION FOR SANDMOUND BOULEVARD RECORDED MAY 22, 2006, IN DOCUMENT NUMBER 2006-0160195 OF OFFICIAL RECORDS, IN SAID OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY;

THENCE, FROM SAID POINT OF COMMENCEMENT, ALONG THE WESTERN LINE OF SAID OFFER OF DEDICATION (DN 2006-0160195), THE FOLLOWING THREE (3) COURSES:

- 1) SOUTH 09°40'19" EAST 274.40 FEET,
- 2) SOUTH 03°02'40" EAST 735.36 FEET, AND
- 3) SOUTH 04°52'19" EAST 306.67 FEET TO THE **POINT OF BEGINNING** FOR THIS DESCRIPTION;

THENCE, FROM SAID POINT OF BEGINNING, CONTINUING ALONG SAID WESTERN LINE, SOUTH 04°52'19" EAST 602.19 FEET TO A POINT ON SAID BOUNDARY LINE OF RESULTANT PARCEL ONE;

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

- 1) SOUTH 85°07'41" WEST 10.00 FEET, AND
- 2) SOUTH 04°52'19" EAST 132.26 FEET TO THE NORTHEASTERN CORNER OF THAT CERTAIN OFFER OF DEDICATION FOR CYPRESS ROAD RECORDED MAY 22, 2006, IN DOCUMENT NUMBER 2006-0160196 OF OFFICIAL RECORDS, IN SAID OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY;

THENCE, ALONG THE NORTHERN LINE OF SAID OFFER OF DEDICATION (DN 2006-0160196), THE FOLLOWING THREE (3) COURSES:

- 1) ALONG THE ARC OF A NON-TANGENT 37.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 56°34'26" WEST, THROUGH A CENTRAL ANGLE OF 38°39'35", AN ARC DISTANCE OF 24.97 FEET,
- 2) SOUTH 72°05'09" WEST 18.23 FEET, AND
- 3) SOUTH 86°07'19" WEST 275.25 FEET TO A POINT ON SAID BOUNDARY LINE OF RESULTANT PARCEL ONE;

THENCE, ALONG SAID BOUNDARY LINE, THE FOLLOWING FOUR (4) COURSES:

- 1) NORTH 41°02'57" EAST 55.52 FEET,

LEGAL DESCRIPTION

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JUNE 7, 2022
JOB NO.: 1292-100

- 2) ALONG THE ARC OF A TANGENT 150.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 45°36'24", AN ARC DISTANCE OF 119.40 FEET,
- 3) NORTH 04°33'27" WEST 496.47 FEET, AND
- 4) NORTH 04°42'44" WEST 104.88 FEET;

THENCE, LEAVING SAID BOUNDARY LINE, NORTH 85°07'41" EAST 235.11 FEET TO SAID **POINT OF BEGINNING**.

CONTAINING 4.13 ACRES OF LAND, MORE OR LESS.

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

END OF DESCRIPTION

 6/16/2022

MARK H WEHBER, P.L.S.
L.S. NO. 7960



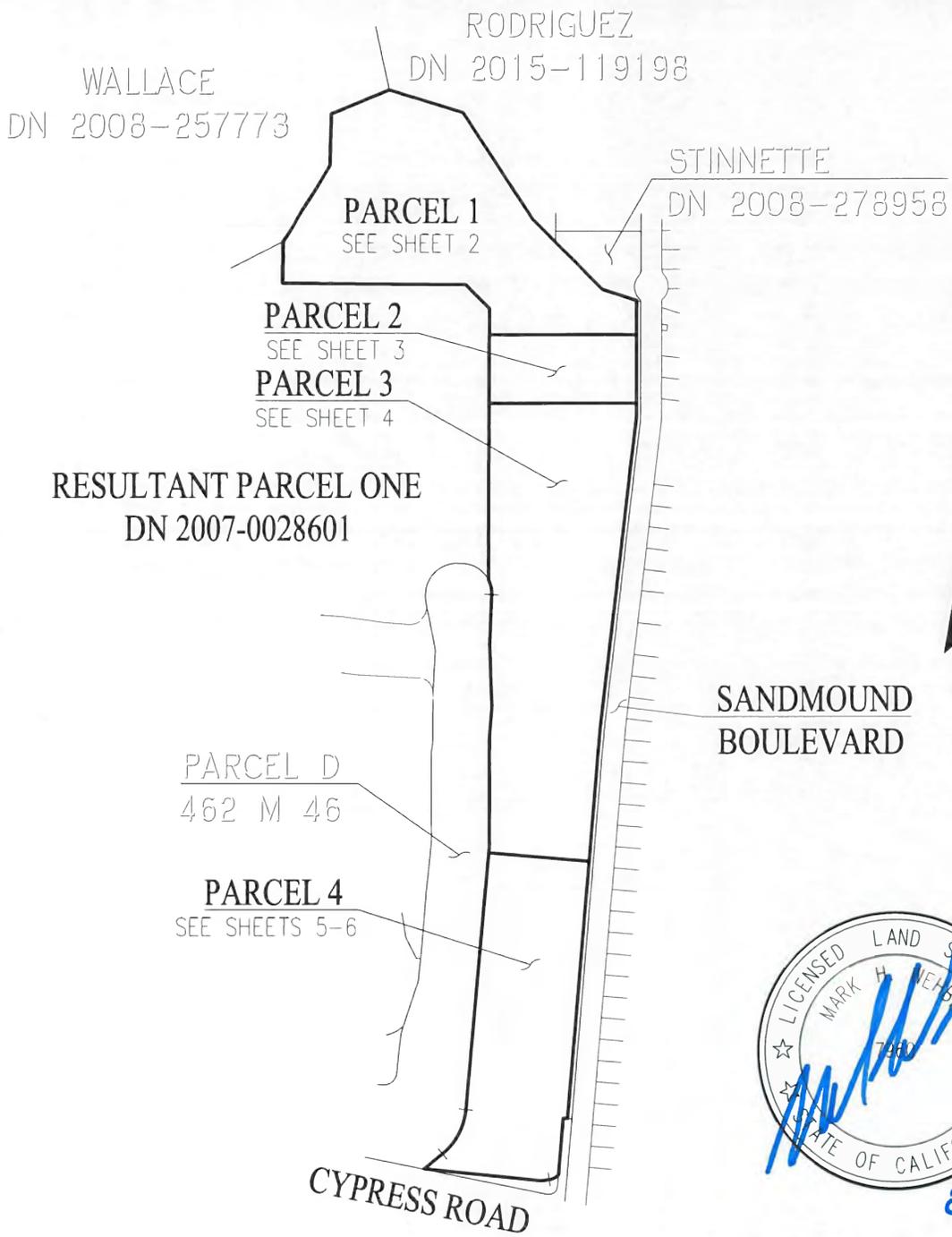


EXHIBIT A
PLAT TO ACCOMPANY LEGAL DESCRIPTION

PORTION OF
 RESULTANT PARCEL ONE (DN 2007-0028601)
 OAKLEY, CALIFORNIA

JUNE 7, 2022

SHEET 1 OF 6



SAN RAMON • (925) 866-0322
 ROSEVILLE • (916) 788-4456
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LINE TABLE		
NO	BEARING	LENGTH
L1	S09°40'19"E	80.04'
L2	N09°32'49"W	60.83'
L3	N54°23'54"W	79.01'
L4	N09°14'59"W	96.67'
L5	S82°12'50"E	84.08'

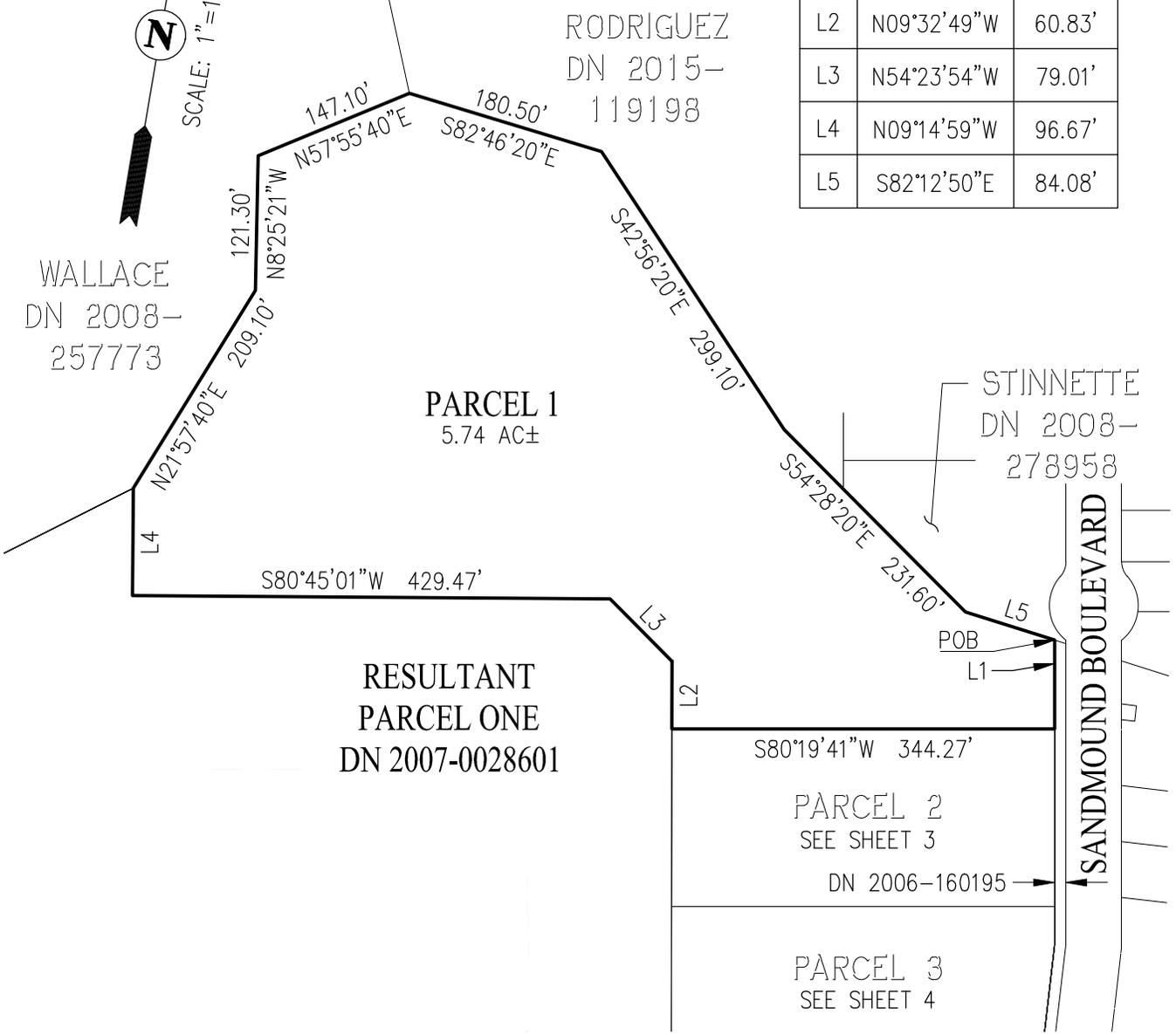


EXHIBIT A
PLAT TO ACCOMPANY LEGAL DESCRIPTION

PORTION OF
 RESULTANT PARCEL ONE (DN 2007-0028601)
 OAKLEY, CALIFORNIA

JUNE 7, 2022

SHEET 2 OF 6



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LINE TABLE		
NO	BEARING	LENGTH
L1	S09°40'19"E	80.04'

RODRIGUEZ
DN 2015-119198

WALLACE
DN 2008-
257773

STINETTE
DN 2008-278958

PARCEL 1
SEE SHEET 2

RESULTANT
PARCEL ONE
DN 2007-0028601



160.00'
N9°32'49"W
N80°19'41"E 344.27'
POB
PARCEL 2
1.27 AC±
S80°19'41"W 344.62'
160.00'
S9°40'19"E

DN 2006-160195

PARCEL 3
SEE SHEET 4

SANDMOUND BOULEVARD

POC
L1

EXHIBIT A
PLAT TO ACCOMPANY LEGAL DESCRIPTION

PORTION OF
RESULTANT PARCEL ONE (DN 2007-0028601)
OAKLEY, CALIFORNIA

JUNE 7, 2022

SHEET 3 OF 6



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STINETTE
DN 2008-278958

PARCEL 1
SEE SHEET 2

L1
L2

PARCEL 2
SEE SHEET 3
DN 2006-160195

PARCEL 3
SEE RIGHT

RESULTANT PARCEL ONE
DN 2007-0028601

PARCEL 2
SEE LEFT

N80°19'41"E 344.62'
POB
L3

PARCEL 3
6.98 AC±
N53°33'48"E(R)
C1

L6

PARCEL D 462 M 46

148.04'

L5

N11°42'52"W

L4

235.11'

S85°07'41"W

PARCEL 4
SEE SHEET 6

S04°52'19"E 306.67'

S03°02'40"E 735.36'

SANDMOUND BOULEVARD

RESULTANT PARCEL ONE
DN 2007-0028601

LINE TABLE		
NO	BEARING	LENGTH
L1	S09°40'19"E	80.04'
L2	S09°40'19"E	160.00'
L3	S09°40'19"E	34.36'
L4	N04°42'44"W	18.96'
L5	N04°52'32"W	65.76'
L6	N07°23'30"W	116.58'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	70.00'	29°02'42"	35.49'

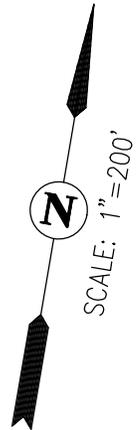


EXHIBIT A PLAT TO ACCOMPANY LEGAL DESCRIPTION

PORTION OF
RESULTANT PARCEL ONE (DN 2007-0028601)
OAKLEY, CALIFORNIA

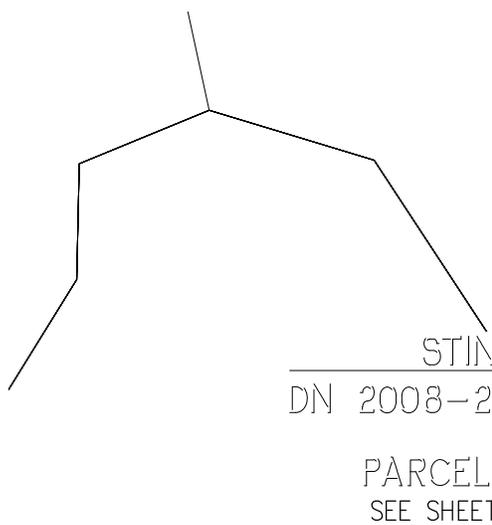
JUNE 7, 2022

SHEET 4 OF 6



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STINETTE
DN 2008-278958

PARCEL 1
SEE SHEET 2

POC

RESULTANT PARCEL ONE
DN 2007-0028601

LINE TABLE		
NO	BEARING	LENGTH
L1	S09°40'19"E	80.04'
L2	S09°40'19"E	160.00'
L3	S09°40'19"E	34.36'

PARCEL 2
SEE SHEET 3

DN 2006-160195

PARCEL 3
SEE SHEET 4
SEE RIGHT

SANDMOUND BOULEVARD

L1

L2

L3

735.36'
N3°02'40"W

RESULTANT PARCEL ONE
DN 2007-0028601

PARCEL D 462 M 46

PARCEL 2
SEE LEFT

PARCEL 3

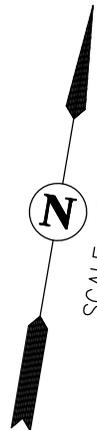
L1

L2

L3

S03°02'40"E 735.36'

SANDMOUND BOULEVARD



SCALE: 1"=200'

S04°52'19"E 306.67'

POB

PARCEL 4
SEE DETAIL
SHEET 6

EXHIBIT A PLAT TO ACCOMPANY LEGAL DESCRIPTION

PORTION OF
RESULTANT PARCEL ONE (DN 2007-0028601)
OAKLEY, CALIFORNIA

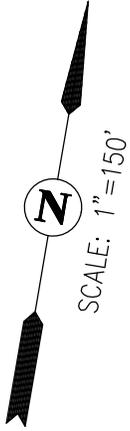
JUNE 7, 2022

SHEET 5 OF 6



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LINE TABLE		
NO	BEARING	LENGTH
L4	S85°07'41"W	10.00'
L5	S04°52'19"E	132.26'
L6	S72°05'09"W	18.23'
L7	N41°02'57"E	55.52'
L8	N04°42'44"W	104.88'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C2	37.00'	38°39'35"	24.97'
C3	150.00'	45°36'24"	119.40'

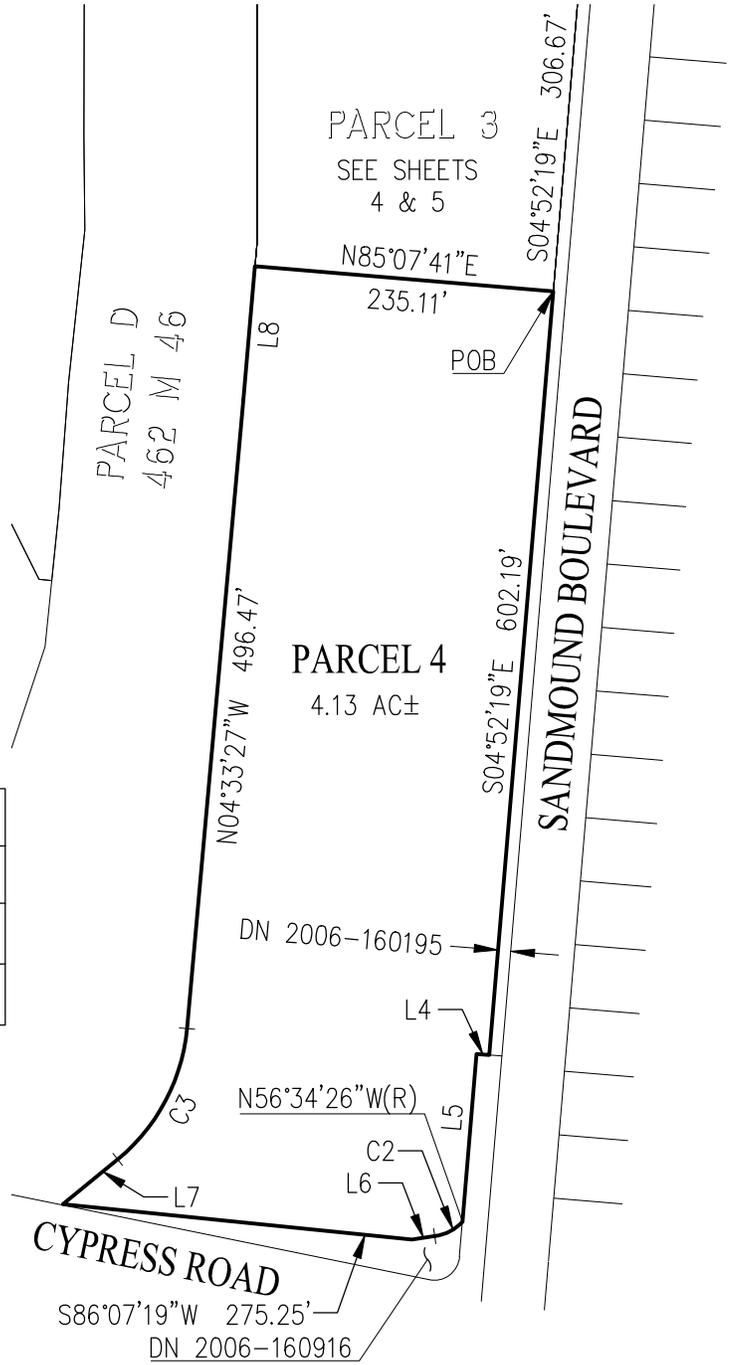


EXHIBIT A PLAT TO ACCOMPANY LEGAL DESCRIPTION

PORTION OF
RESULTANT PARCEL ONE (DN 2007-0028601)
OAKLEY, CALIFORNIA

JUNE 7, 2022

SHEET 6 OF 6



CIVIL ENGINEERS

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Parcel Map Check Report

Parcel Name: PARCEL 1

Description:

Process segment order counterclockwise: False

Enable mapcheck across chord: False

North:2,187,564.8625' East:6,237,010.4976'

Segment# 1: Line

Course: S82°46'20"E Length: 180.50'
North: 2,187,542.1530' East: 6,237,189.5633'

Segment# 2: Line

Course: S42°56'20"E Length: 299.10'
North: 2,187,323.1877' East: 6,237,393.3156'

Segment# 3: Line

Course: S54°28'20"E Length: 231.60'
North: 2,187,188.6055' East: 6,237,581.7995'

Segment# 4: Line

Course: S82°12'50"E Length: 75.69'
North: 2,187,178.3514' East: 6,237,656.7917'

Segment# 5: Line

Course: S9°40'19"E Length: 44.91'
North: 2,187,134.0797' East: 6,237,664.3369'

Segment# 6: Line

Course: S87°19'19"E Length: 8.19'
North: 2,187,133.6971' East: 6,237,672.5179'

Segment# 7: Line

Course: S9°40'19"E Length: 35.89'
North: 2,187,098.3172' East: 6,237,678.5477'

Segment# 8: Line
Course: S80°19'41"W Length: 344.27'
North: 2,187,040.4775' East: 6,237,339.1712'

Segment# 9: Line
Course: N9°32'49"W Length: 60.83'
North: 2,187,100.4650' East: 6,237,329.0822'

Segment# 10: Line
Course: N54°23'54"W Length: 79.01'
North: 2,187,146.4604' East: 6,237,264.8405'

Segment# 11: Line
Course: S80°45'01"W Length: 429.47'
North: 2,187,077.4284' East: 6,236,840.9548'

Segment# 12: Line
Course: N9°14'59"W Length: 96.67'
North: 2,187,172.8414' East: 6,236,825.4163'

Segment# 13: Line
Course: N21°57'40"E Length: 209.10'
North: 2,187,366.7687' East: 6,236,903.6149'

Segment# 14: Line
Course: N8°25'21"W Length: 121.30'
North: 2,187,486.7604' East: 6,236,885.8479'

Segment# 15: Line
Course: N57°55'40"E Length: 147.10'
North: 2,187,564.8687' East: 6,237,010.4974'

Perimeter: 2,363.63' Area: 249,705.89Sq.Ft.
Error Closure: 0.0062 Course: N1°32'24"W
Error North : 0.00624 East: -0.00017

Precision 1: 381,230.65

Parcel Name: PARCEL 2

Description:

Process segment order counterclockwise: False

Enable mapcheck across chord: False

North:2,187,098.3157' East:6,237,678.5483'

Segment# 1: Line

Course: S9°40'19"E Length: 160.00'

North: 2,186,940.5900' East: 6,237,705.4293'

Segment# 2: Line

Course: S80°19'41"W Length: 344.62'

North: 2,186,882.6915' East: 6,237,365.7078'

Segment# 3: Line

Course: N9°32'49"W Length: 160.00'

North: 2,187,040.4755' East: 6,237,339.1709'

Segment# 4: Line

Course: N80°19'41"E Length: 344.27'

North: 2,187,098.3152' East: 6,237,678.5474'

Perimeter: 1,008.88' Area: 55,110.71Sq.Ft.

Error Closure: 0.0010 Course: S58°09'27"W

Error North : -0.00053 East: -0.00086

Precision 1: 1,008,890.00

Parcel Name: PARCEL 3

Description:

Process segment order counterclockwise: False

Enable mapcheck across chord: False

North:2,186,940.5900' East:6,237,705.4293'

Segment# 1: Line
Course: S9°40'19"E Length: 34.36'
North: 2,186,906.7184' East: 6,237,711.2021'

Segment# 2: Line
Course: S3°02'40"E Length: 735.36'
North: 2,186,172.3962' East: 6,237,750.2575'

Segment# 3: Line
Course: S4°52'19"E Length: 306.67'
North: 2,185,866.8342' East: 6,237,776.3026'

Segment# 4: Line
Course: S85°07'41"W Length: 235.11'
North: 2,185,846.8666' East: 6,237,542.0421'

Segment# 5: Line
Course: N4°42'44"W Length: 18.96'
North: 2,185,865.7625' East: 6,237,540.4845'

Segment# 6: Line
Course: N9°37'04"W Length: 254.89'
North: 2,186,117.0698' East: 6,237,497.8988'

Segment# 7: Line
Course: N4°52'32"W Length: 65.76'
North: 2,186,182.5919' East: 6,237,492.3098'

Segment# 8: Line
Course: N11°42'52"W Length: 148.04'
North: 2,186,327.5484' East: 6,237,462.2526'

Segment# 9: Line
Course: N7°23'30"W Length: 116.58'
North: 2,186,443.1596' East: 6,237,447.2544'

Segment# 10: Curve
Length: 35.49' Radius: 70.00'
Delta: 29°02'42" Tangent: 18.13'
Chord: 35.11' Course: N21°54'51"W
Course In: S82°36'30"W Course Out: N53°33'48"E
RP North: 2,186,434.1540' East: 6,237,377.8361'
End North: 2,186,475.7294' East: 6,237,434.1521'

Segment# 11: Line
Course: N9°32'49"W Length: 412.68'
North: 2,186,882.6938' East: 6,237,365.7068'

Segment# 12: Line
Course: N80°19'41"E Length: 344.62'
North: 2,186,940.5923' East: 6,237,705.4283'

Perimeter: 2,708.50' Area: 303,892.96Sq.Ft.
Error Closure: 0.0025 Course: N23°58'30"W
Error North : 0.00231 East: -0.00103

Precision 1: 1,083,408.00

Parcel Name: PARCEL 4

Description:

Process segment order counterclockwise: False

Enable mapcheck across chord: False

North:2,185,866.8386' East:6,237,776.3022'

Segment# 1: Line
Course: S4°52'19"E Length: 602.19'
North: 2,185,266.8243' East: 6,237,827.4456'

Segment# 2: Line
Course: S85°07'41"W Length: 10.00'
North: 2,185,265.9750' East: 6,237,817.4817'

Segment# 3: Line
Course: S4°52'19"E Length: 132.26'
North: 2,185,134.1929' East: 6,237,828.7144'

Segment# 4: Curve
Length: 24.97' Radius: 37.00'
Delta: 38°39'34" Tangent: 12.98'
Chord: 24.49' Course: S52°45'21"W
Course In: N56°34'26"W Course Out: S17°54'51"E
RP North: 2,185,154.5747' East: 6,237,797.8343'
End North: 2,185,119.3686' East: 6,237,809.2152'

Segment# 5: Line
Course: S72°05'09"W Length: 18.23'
North: 2,185,113.7612' East: 6,237,791.8691'

Segment# 6: Line
Course: S86°07'19"W Length: 275.25'
North: 2,185,095.1451' East: 6,237,517.2493'

Segment# 7: Line
Course: N41°02'57"E Length: 55.52'
North: 2,185,137.0153' East: 6,237,553.7097'

Segment# 8: Curve
Length: 119.40' Radius: 150.00'
Delta: 45°36'24" Tangent: 63.06'
Chord: 116.27' Course: N18°14'45"E
Course In: N48°57'03"W Course Out: N85°26'33"E
RP North: 2,185,235.5213' East: 6,237,440.5877'
End North: 2,185,247.4402' East: 6,237,590.1134'

Segment# 9: Line
Course: N4°33'27"W Length: 496.47'
North: 2,185,742.3404' East: 6,237,550.6641'

Segment# 10: Line
Course: N4°42'44"W Length: 104.88'
North: 2,185,846.8659' East: 6,237,542.0481'

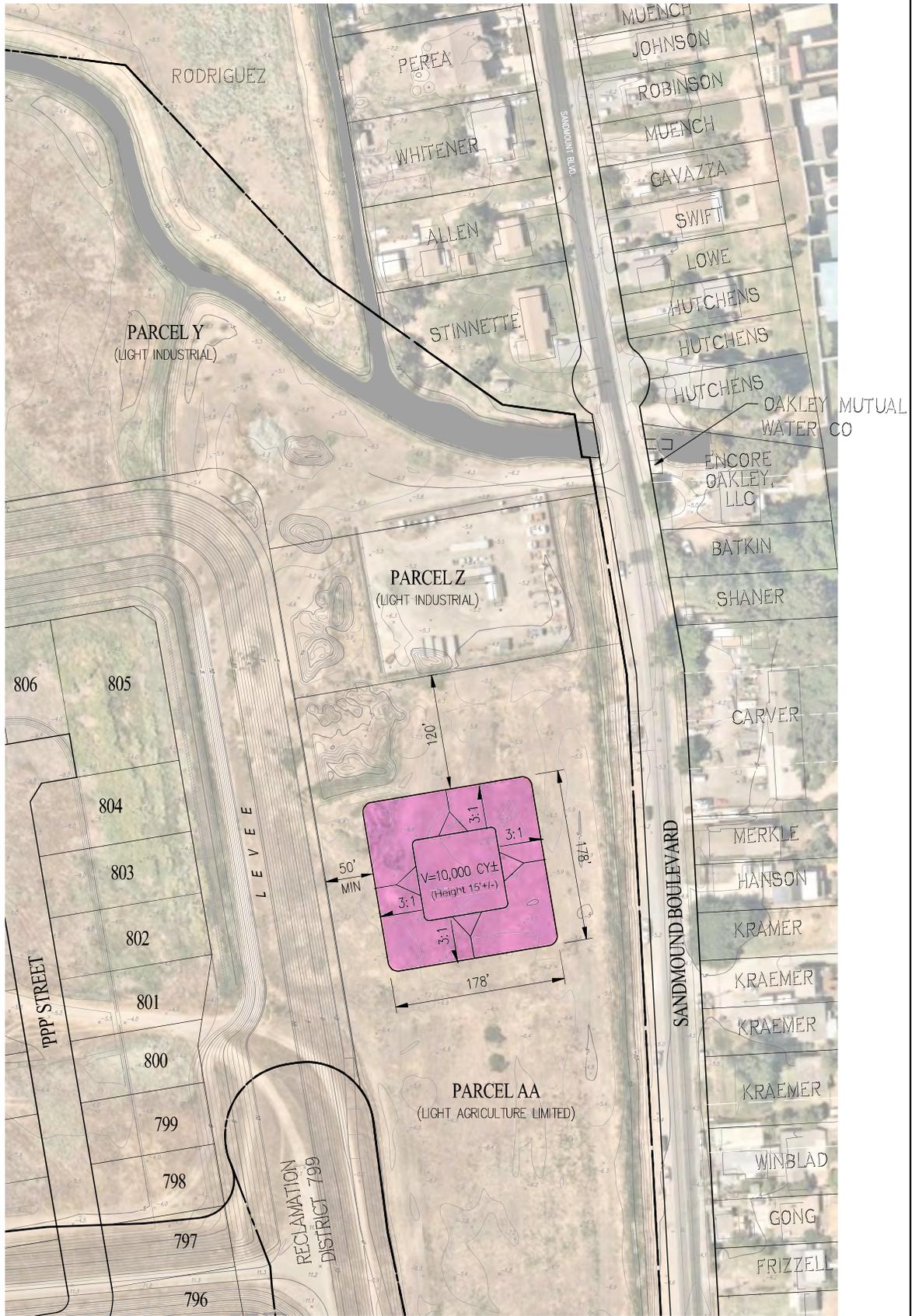
Segment# 11: Line
Course: N85°07'41"E Length: 235.11'
North: 2,185,866.8336' East: 6,237,776.3087'

Perimeter: 2,074.27' Area: 180,104.47Sq.Ft.
Error Closure: 0.0082 Course: S52°29'33"E
Error North : -0.00501 East: 0.00652

Precision 1: 252,960.98

EXHIBIT 4

Location of 10,000 Cubic Yards of Soil



RD799 STOCKPILE EXHIBIT

SUMMER LAKE NORTH

CITY OF OAKLEY CONTRA COSTA COUNTY CALIFORNIA

SCALE: 1"=100' DATE: AUGUST 26, 2021



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EXHIBIT 5

CFD Formation Documents

CITY OF OAKLEY
Community Facilities District No. 2022-2
(Summer Lake North Maintenance Services)

DESCRIPTION OF AUTHORIZED SERVICES

The City of Oakley (the "City") is establishing the captioned community facilities district (the "CFD") to finance, in whole or in part, the following services ("services" shall have the meaning given that term in the Mello-Roos Community Facilities Act of 1982), including all related administrative costs, expenses and related reserves for replacement of vehicles, equipment and facilities, and related costs:

City Regional Parks Maintenance

Maintenance, including servicing, repair, and replacement of City of Oakley regional park improvements (includes park amenities such as buildings, sports fields, sports courts, playground equipment, play courts, play structures, picnic tables, lighting, drinking fountains, barbecues, etc.). Maintenance also includes cleaning and removal of graffiti, and associated electric, water and other utility costs.

City Community Parks Maintenance

Maintenance, including servicing, repair, and replacement of City of Oakley community park improvements (includes park amenities such as buildings, sports fields, sports courts, playground equipment, play courts, play structures, picnic tables, lighting, drinking fountains, barbecues, etc.). Maintenance also includes cleaning and removal of graffiti, and associated electric, water and other utility costs.

City Streetlighting Maintenance

Maintenance, including servicing, repair, and replacement of City of Oakley streetlights (includes poles, fixtures, bulbs, conduits, equipment, including guys, anchors, posts, pedestals and metering devices, etc.). Maintenance also includes cleaning and removal of graffiti and associated electric and other utility costs.

City Landscaping, Neighborhood Parks, and Stormwater Maintenance

Maintenance, including servicing, repair, and replacement of parkways, landscape setbacks, landscaped roadway medians, open space, environmental preserves (including performance and management of environmental mitigation monitoring and annual reporting), publicly owned masonry walls, fences, monuments and features, trails, bike paths, etc. Maintenance also includes cleaning and removal of graffiti, and associated electric, water and other utility costs.

Maintenance, including servicing, repair, and replacement of neighborhood park improvements (includes park amenities such as playground equipment, play courts, play structures, picnic tables, lighting, drinking fountains, barbecues, etc.) associated with the CFD. Maintenance also includes cleaning and removal of graffiti, and associated electric, water and other utility costs.

Maintenance, including servicing, repair, and replacement of City of Oakley bio-retention facilities, drainage facilities, and other stormwater improvements (includes field inspections, record keeping, cost of permits and regulatory fees, environmental mitigation monitoring, annual reporting, vegetation management, removal of silt, sediment, trash and debris from the lake, drainage areas, bio-retention basins and City catch basins, etc.). Maintenance also includes cleaning and removal of graffiti, and associated electric, water and other utility costs.

Reclamation District 799 Services

Reclamation District 799 ("RD 799") is a special district in Contra Costa County, whose boundaries include the boundaries of the CFD. RD 799 manages the drainage and flood water produced on Hotchkiss Tract. The services to be provided by RD 799 include but are not limited to the following:

- Levee operation, maintenance, and inspection.
- Operation, maintenance, servicing, and replacement of drainage pump stations and other storm drainage improvements.

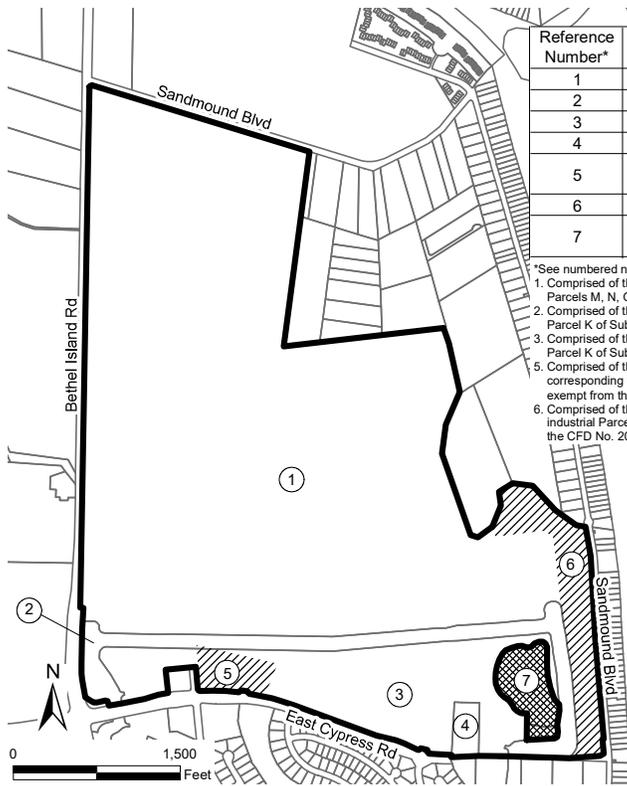
Administrative Services and Reserve Collection

In addition, the following expenses will also be financed by the special taxes levied within the CFD and will be allocated to each of the services described above based upon their pro-rata share of administrative costs, operating reserves, capital reserves, and actual or estimated delinquencies:

- Administrative expenses including costs incurred to determine, levy and collect the special taxes, including compensation of City staff for administrative work performed in relation to the CFD and a proportionate amount of the City's general administrative overhead related thereto, the fees of consultants and legal counsel, the costs of collecting installments of the special taxes upon the property tax rolls, preparation of required reporting, the costs needed to cure actual or estimated delinquencies in CFD special taxes for the current or previous fiscal years, and any other costs incurred by the City for the administration of the CFD.
- Any amounts needed to establish or replenish operating reserves and capital reserves.

**PROPOSED BOUNDARY MAP
CITY OF OAKLEY COMMUNITY FACILITIES DISTRICT No. 2022-2
(SUMMER LAKE NORTH MAINTENANCE SERVICES)**

CITY OF OAKLEY
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA



Reference Number*	Assessor's Parcel Number Description	Acres (+/-)
1	Portion of APN 032-370-033-6	309.0
2	Portion of APN 032-370-036-9	21.8
3	Portion of APN 032-370-035-1	43.6
4	APN 032-340-006-9	2.6
5	Portion of APNs 032-370-035-1 and 032-370-036-9	4.3
6	Portion of APN 032-370-033-6	18.1
7	APNs 032-370-006-2 and 032-370-019-5	7.6

- *See numbered notes below corresponding to reference numbers in the table above:
1. Comprised of the portion of APN 032-370-033-6 excluding future industrial Parcels M, N, O, and P of Subdivision 9307.
 2. Comprised of the portion of APN 032-370-036-9 excluding future commercial Parcel K of Subdivision 9307.
 3. Comprised of the portion of APN 032-370-035-1 excluding future commercial Parcel K of Subdivision 9307.
 4. APN 032-340-006-9.
 5. Comprised of the portions of APNs 032-370-035-1 and 032-370-036-9 corresponding to future commercial Parcel K of Subdivision 9307, which will be exempt from the CFD No. 2022-2 Special Tax.
 6. Comprised of the portion of APN 032-370-033-6 corresponding to future industrial Parcels M, N, O, and P of Subdivision 9307, which will be exempt from the CFD No. 2022-2 Special Tax.
 7. APNs 032-370-006-2 and 032-370-019-5.

Legend

- ① Reference Number
- ▭ CFD No. 2022-2 Boundary
- ▨ Future Commercial and Industrial Parcels
- ▩ Not a Part of CFD No. 2022-2
- ▭ Assessor Parcel Lines

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF OAKLEY THIS DAY OF _____, 2022.

LIBBY VREONIS, CITY CLERK
CITY OF OAKLEY
CONTRA COSTA COUNTY
STATE OF CALIFORNIA

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF CITY OF OAKLEY COMMUNITY FACILITIES DISTRICT No. 2022-2, CITY OF OAKLEY, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF OAKLEY, AT A REGULAR MEETING THEREOF, HELD ON THE _____ DAY OF _____, 2022, BY ITS RESOLUTION No. _____.

LIBBY VREONIS, CITY CLERK
CITY OF OAKLEY
CONTRA COSTA COUNTY
STATE OF CALIFORNIA

FILED THIS _____ DAY OF _____, 2022, AT THE HOUR OF _____ M IN BOOK _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE _____ DOCUMENT No. _____ IN THE OFFICE OF THE COUNTY RECORDER IN CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

COUNTY RECORDER
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

ASSESSOR PARCELS WITHIN BOUNDARY: FOR PARTICULARS OF LINES AND DIMENSIONS OF PARCELS, REFERENCE IS MADE TO THE ASSESSOR PARCEL MAPS OF CONTRA COSTA COUNTY.

CITY OF OAKLEY
Community Facilities District No. 2022-2
(Summer Lake North Maintenance Services)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

Special Taxes (as hereafter defined) in the City of Oakley Community Facilities District No. 2022-2 (Summer Lake North Maintenance Services) (the “CFD” or “CFD No. 2022-2”) shall be levied and collected each Fiscal Year according to the tax liability determined by the Administrator through the application of the appropriate Special Tax rate for Taxable Property, as described below. All property in CFD No. 2022-2, unless exempted by law or by the provisions of Section E herein, shall be taxed for the purposes, to the extent, and in the manner herein provided, including property subsequently annexed to CFD No. 2022-2, unless a separate Rate and Method of Apportionment of Special Tax is adopted for such annexation area.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

“**Acre**” or “**Acreage**” means the land area of an Assessor’s Parcel as shown on an Assessor’s Parcel Map, or if the land area is not shown on an Assessor’s Parcel Map, the land area shown on the applicable Final Map, Parcel Map or functionally equivalent map or instrument recorded in the Office of the County Recorder. In the absence of such map, the Administrator will make the final “Acre” or “Acreage” determination as needed, utilizing in the Administrator’s discretion, available resources, including but not limited to available spatial and Geographic Information Systems (GIS) data.

“**Act**” means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5 (commencing with Section 53311), Division 2, of Title 5 of the Government Code of the State of California.

“**Administrative Expenses**” means the actual or reasonably estimated costs incurred by the City or their designee, acting for and on behalf of the CFD as the Administrator thereof, to compute, determine, levy and collect the Special Taxes, including salaries of City staff and a proportionate amount of the City’s general administrative overhead related thereto, and the fees of consultants and legal counsel providing services related to the administration of the CFD; the costs of collecting installments of the Special Taxes, including charges levied by the County, the costs related to the preparation of required reports; and any other costs required to administer the CFD as determined by the Administrator. Administrative expenses shall also include amounts estimated or advanced by the City, public agency, or the CFD for any other administrative purposes related to the CFD.

“**Administrator**” means an official of the City, or designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Taxes according to this Rate and Method of Apportionment of Special Taxes.

“Assessor’s Parcel” or **“Parcel”** means a lot or parcel shown on an Assessor’s Parcel Map with an assigned Assessor’s Parcel Number.

“Assessor’s Parcel Map” means an official map of the County Assessor designating Parcels by Assessor’s Parcel Number.

“Assessor’s Parcel Number” or **“APN”** means a unique number assigned to an Assessor’s Parcel by the County Assessor for purposes of identifying a property.

“Authorized Services” means the public services authorized to be funded by CFD No. 2022-2 as set forth in the documents adopted by the Council when CFD No. 2022-2 was formed.

“Building Permit” means a building permit issued by the City to construct a building structure improvement with a valuation over \$50,000. Building Permits for the construction of ancillary structures such as fences, swimming pools, retaining walls, etc. are excluded.

“CFD” or **“CFD No. 2022-2”** means the City of Oakley Community Facilities District No. 2022-2 (Summer Lake North Maintenance Services).

“City” means the City of Oakley.

“City Manager” means the City Manager of the City of Oakley.

“Commercial Parcel” means a Parcel designated by the County Assessor as having a commercial land use (e.g., stores, markets, shopping centers, motels, hotels, restaurants, fast food, bars, service stations, auto sales and service centers, private recreational facilities, theaters, etc.). If it is determined by the Administrator that the County Assessor has assigned an incorrect County Land Use Code, or the assigned County Land Use Code does not correctly describe the intended or current use of the Taxable Parcel, the Administrator may assign a Land Use Classification to the Taxable Parcel described in Section C below.

“Condominium Parcel” means a Parcel designated by the County Assessor as having a condominium, townhome, cluster home or co-op Land Use Classification. If it is determined by the Administrator that the County Assessor has assigned an incorrect County Land Use Code or the assigned County Land Use Code does not correctly describe the intended or current use of the Taxable Parcel, the Administrator may assign a Land Use Classification to the Taxable Parcel described in Section C below.

“Council” means the City Council of the City of Oakley, acting as the legislative body for CFD No. 2022-2.

“County” means the County of Contra Costa.

“County Assessor” means the Contra Costa County Assessor.

“County Land Use Code” means the land use code assigned to an Assessor’s Parcel as indicated in the records of the County Assessor.

“Developed Property” means, in any Fiscal Year, all Taxable Parcels for which a Building Permit has been issued by the City on or prior to June 30 of the preceding Fiscal Year

in which Special Taxes are to be levied. In the absence of a Building Permit, any Taxable Parcel shall be classified as “Developed Property” if it has been occupied by a user as determined by the Administrator on or prior to June 30 of the preceding Fiscal Year.

“Final Map” or “Parcel Map” means a final Subdivision Map, parcel map, or portion thereof, approved by the City pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.), that creates lots that do not need to be further subdivided prior to issuance of a Building Permit for a residential structure. The term “Final Map” or “Parcel Map” shall not include an Assessor’s Parcel Map or subdivision map or portion thereof, that does not create lots that are in their final configuration, including Assessor’s Parcels that are designated as remainder parcels.

“Fiscal Year” means the period starting on July 1 and ending on the following June 30.

“Industrial Parcel” means a Parcel designated by the County Assessor as having an industrial land use (e.g., light and heavy industrial, food processing, storage yards, warehouses, etc.). If it is determined by the Administrator that the County Assessor has assigned an incorrect County Land Use Code, or the assigned County Land Use Code does not correctly describe the intended or current use of the Taxable Parcel, the Administrator may assign a Land Use Classification to the Taxable Parcel described in Section C below.

“Institutional Parcel” means a Parcel designated by the County Assessor as having an institutional land use (e.g., churches, hospitals, assisted living, schools, etc.). If it is determined by the Administrator that the County Assessor has assigned an incorrect County Land Use Code, or the assigned County Land Use Code does not correctly describe the intended or current use of the Taxable Parcel, the Administrator may assign a Land Use Classification to the Taxable Parcel described in Section C below.

“Land Use Classification” means the current or intended use of a Taxable Parcel as determined by the Taxable Parcel’s County Land Use Code.

“Maximum Special Tax” means, for each Special Tax Component, the maximum Special Tax determined in accordance with Section C herein, which can be levied in any Fiscal Year.

“Mixed Use Parcel” means a Parcel designated by the County Assessor as having multiple land uses such as a residential land use and a commercial land use, a multi-family land use and a commercial land use, etc.

“Multi-Family Parcel” means a Parcel designated by the County Assessor as having a multi-family residential Land Use Classification which includes duplexes, triplexes, fourplexes and apartments. If it is determined by the Administrator that the County Assessor has assigned an incorrect County Land Use Code, or the assigned County Land Use Code does not correctly describe the intended or current use of the Taxable Parcel, the Administrator may assign a Land Use Classification to the Taxable Parcel described in Section C below.

“Non-Residential Parcel” means for each Fiscal Year, all Assessor Parcels designated by the County Assessor as a Commercial Parcel, Industrial Parcel, Institutional Parcel, or Office/Medical Parcel. If it is determined by the Administrator that the County Assessor has assigned an incorrect County Land Use Code or the assigned County Land Use Code does not correctly describe the intended or current use of the Taxable Parcel, the

Administrator may assign a Land Use Classification to the Taxable Parcel described in Section C below.

“Office/Medical Parcel” means a Parcel designated by the County Assessor as having an office, medical or dental land use (e.g., office buildings, office condominiums, hospitals, etc.). If it is determined by the Administrator that the County Assessor has assigned an incorrect County Land Use Code, or the assigned County Land Use Code does not correctly describe the intended or current use of the Taxable Parcel, the Administrator may assign a Land Use Classification to the Taxable Parcel described in Section C below.

“Property Owner” means the Property Owner of record per current County Assessor records unless more current information is available such as a recorded deed of sale, etc.

“Proportionately” means, for Developed Property, that the ratio of the actual annual Special Tax levied in any Fiscal Year to the Maximum Special Tax authorized to be levied in that Fiscal Year is equal for all Assessor’s Parcels of Developed Property. For Undeveloped Property, “Proportionately” means that the ratio of the actual annual Special Tax levied in any Fiscal Year to the Maximum Special Tax authorized to be levied in that Fiscal Year is equal for all Assessor’s Parcels of Undeveloped Property.

“Public Property” means, for each Fiscal Year: (i) any property within the boundaries of CFD No. 2022-2 that is owned by or irrevocably offered for dedication to the federal government, the State of California, the City or any other public agency; provided, however, that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1 of the Act (as such section may be amended or replaced) shall be taxed and classified in accordance with its use; or (ii) any property within the boundaries of CFD No. 2022-2 that is encumbered by an unmanned utility easement making impractical its utilization for other than the purpose set forth in the easement.

“Residential Parcel” means for each Fiscal Year, all Assessor Parcels designated by the County Assessor as having residential land use such as a Condominium Parcel, Single-Family Parcel, or Multi-Family Parcel. If it is determined by the Administrator that the County Assessor has assigned an incorrect County Land Use Code or the assigned County Land Use Code does not correctly describe the intended or current use of the Taxable Parcel, the Administrator may assign a Land Use Classification to the Taxable Parcel described in Section C below.

“Residential Unit” means an individual residential dwelling unit such as a Single-Family Parcel, Condominium Parcel, townhome, apartment, co-op, etc.

“RMA” means this Rate and Method of Apportionment of Special Tax.

“Single-Family Parcel” means a Parcel designated by the County Assessor as having a single-family residential land use. If it is determined by the Administrator that the County Assessor has assigned an incorrect County Land Use Code or the assigned County Land Use Code does not correctly describe the intended or current use of the Taxable Parcel, the Administrator may assign a Land Use Classification to the Taxable Parcel described in Section C below.

“Special Tax” means the tax levied on Taxable Property within CFD No. 2022-2 to pay the annual Special Tax Requirement for each Special Tax Component.

“Special Tax Component” means one of the following components of the Special Tax: City Regional Parks Maintenance Tax; City Community Parks Maintenance Tax; City Streetlighting Maintenance Tax; City Landscaping, Neighborhood Parks, and Stormwater Maintenance Tax; or Reclamation District 799 Services Tax.

“Special Tax Requirement” means, for each Special Tax Component, the amount of revenue needed in any Fiscal Year for each Tax Zone to pay for the following: (i) Authorized Services corresponding to the Special Tax Component; (ii) Administrative Expenses attributable to the Special Tax Component; and (iii) amounts needed to cover any delinquencies in the payment of the Special Tax Component which occurred in the previous Fiscal Year or, based on delinquency rates in prior years, that may be expected to occur in the Fiscal Year in which the Special Tax will be collected.

“Taxable Property” or “Taxable Parcels” means all Assessors’ Parcels within the boundaries of CFD No. 2022-2 that are not exempt from the Special Tax pursuant to law or Section E herein.

“Tax Zone” means a mutually exclusive geographic area within CFD No. 2022-2 designated on the CFD boundary or annexation map. All property within CFD No. 2022-2 at the time of CFD Formation is within Tax Zone 1. Additional Tax Zones may be created when property is annexed to CFD No. 2022-2, and a separate Maximum Special Tax shall be identified for property within the new Tax Zone at the time of such annexation. The Assessor’s Parcels included within a new Tax Zone established when such Parcels are annexed to CFD No. 2022-2 shall be identified by Assessor’s Parcel Number at the time of annexation.

“Undeveloped Property” means, in any Fiscal Year, all Parcels of Taxable Property in CFD No. 2022-2 that are not classified as Developed Property.

B. DATA FOR ANNUAL TAX LEVY

Each Fiscal Year, the Administrator shall: (i) identify the current Assessor’s Parcel Numbers for all Parcels of Taxable Property within CFD No. 2022-2, (ii) determine the Land Use Classification for each Taxable Parcel, (iii) determine whether each Assessor’s Parcel of Taxable Property is Developed Property or Undeveloped Property, (iv) determine if a Final Map or Parcel Map has been recorded with the County for Undeveloped Property, (v) determine which Tax Zone each Parcel of Taxable Property is located in, (vi) determine the Special Tax Requirement for each Special Tax Component. Each Special Tax Component shall be levied only to pay for their respective Special Tax Requirement.

In any Fiscal Year, if it is determined that a Final Map or Parcel Map for a portion of property in CFD No. 2022-2 was recorded after the last date upon which the County Assessor will incorporate the newly-created Parcels into the then current tax roll, and the County Assessor does not yet recognize the new Parcels that will be created by the Final Map or Parcel Map, and one or more of the newly-created Parcels would meet the definition of Developed Property, the Administrator shall calculate the Special Tax for the property affected by recordation of the Final Map or Parcel Map by determining the Special Tax that applies separately to each new Parcel that will be created by that Final Map or Parcel Map, then applying the sum of the individual Special Taxes to the Parcel that was subdivided by recordation of the Final Map or Parcel Map.

C. MAXIMUM SPECIAL TAXES

1. Developed Property - The Fiscal Year 2022-23 Maximum Special Tax for each Special Tax Component for all Parcels of Developed Property shall be as shown in Table 1 below:

Table 1: Developed Property		
Special Tax Component	Land Use Classification	Fiscal Year 2022-23 Maximum Special Tax
City Regional Parks Maintenance Tax	Single-Family Parcel	\$157.30 per Parcel
City Regional Parks Maintenance Tax	Condominium Parcel	\$117.97 per Parcel
City Regional Parks Maintenance Tax	Multi-Family Parcel	\$78.65 per Residential Unit
City Regional Parks Maintenance Tax	Non-Residential Parcel	\$0.00 per Acre
City Community Parks Maintenance Tax	Single-Family Parcel	\$347.37 per Parcel
City Community Parks Maintenance Tax	Condominium Parcel	\$260.52 per Parcel
City Community Parks Maintenance Tax	Multi-Family Parcel	\$173.69 per Residential Unit
City Community Parks Maintenance Tax	Non-Residential Parcel	\$0.00 per Acre
City Streetlighting Maintenance Tax	Single-Family Parcel	\$68.58 per Parcel
City Streetlighting Maintenance Tax	Condominium Parcel	\$51.44 per Parcel
City Streetlighting Maintenance Tax	Multi-Family Parcel	\$34.30 per Residential Unit
City Streetlighting Maintenance Tax	Non-Residential Parcel	\$0.00 per Acre
City Landscaping, Neighborhood Parks, and Stormwater Maintenance Tax	Single-Family Parcel	\$1,238.19 per Parcel
City Landscaping, Neighborhood Parks, and Stormwater Maintenance Tax	Condominium Parcel	\$928.64 per Parcel
City Landscaping, Neighborhood Parks, and Stormwater Maintenance Tax	Multi-Family Parcel	\$619.09 per Residential Unit
City Landscaping, Neighborhood Parks, and Stormwater Maintenance Tax	Non-Residential Parcel	\$0.00 per Acre
Reclamation District 799 Maintenance Tax	Single-Family Parcel	\$492.63 per Parcel
Reclamation District 799 Maintenance Tax	Condominium Parcel	\$369.47 per Parcel
Reclamation District 799 Maintenance Tax	Multi-Family Parcel	\$246.31 per Residential Unit
Reclamation District 799 Maintenance Tax	Non-Residential Parcel	\$0.00 per Acre

Mixed Use Parcels will have their Maximum Tax calculated each Fiscal Year based upon their combined uses on the Parcel. For example, if a one-acre parcel has commercial uses on the ground floor and 50 apartments are constructed on the second and third floors, the Parcel will be taxed the Non-Residential Parcel Special Tax rate based upon the total commercial footprint and the Multi-Family Parcel Special Tax rate for the 50 apartments.

2. Undeveloped Property - The Fiscal Year 2022-23 Maximum Special Tax for each Special Tax Component for all Parcels of Undeveloped Property shall be as shown in Table 2 below:

Table 2: Undeveloped Property		
Special Tax Component	Land Use Classification	Fiscal Year 2022-23 Maximum Special Tax
City Regional Parks Maintenance Tax	Residential Parcel	\$471.90 per Acre
City Regional Parks Maintenance Tax	Non-Residential Parcel	\$0.00 per Acre
City Community Parks Maintenance Tax	Residential Parcel	\$1,042.10 per Acre
City Community Parks Maintenance Tax	Non-Residential Parcel	\$0.00 per Acre
City Streetlighting Maintenance Tax	Residential Parcel	\$205.75 per Acre
City Streetlighting Maintenance Tax	Non-Residential Parcel	\$0.00 per Acre
City Landscaping, Neighborhood Parks, and Stormwater Maintenance Tax	Residential Parcel	\$7,554.89 per Acre
City Landscaping, Neighborhood Parks, and Stormwater Maintenance Tax	Non-Residential Parcel	\$0.00 per Acre
Reclamation District 799 Maintenance Tax	Residential Parcel	\$3,005.79 per Acre
Reclamation District 799 Maintenance Tax	Non-Residential Parcel	\$0.00 per Acre

3. Escalation of Maximum Special Tax

Commencing on July 1, 2023, and each July 1 thereafter, the Maximum Special Tax for each Special Tax Component for the current Fiscal Year for Developed Property and Undeveloped Property shall be increased from the Maximum Special Tax for the respective Special Tax Component for the previous Fiscal Year by Consumer Price Index – All Urban Consumers (San Francisco-Oakland-Hayward, CA) (from February) with a minimum annual increase of three (3.00%) percent and a maximum annual increase of five (5.00%) percent for any given year.

D. METHOD OF LEVY AND COLLECTION OF SPECIAL TAXES

Each Fiscal Year, the Administrator shall determine the Special Tax Requirement for each Special Tax Component for that Fiscal Year and levy each Special Tax Component on all Parcels of Taxable Property as follows:

- Step 1:** Each Special Tax Component shall be levied Proportionately on each Parcel of Developed Property up to 100% of the Maximum Special Tax for each Parcel of Developed Property for such Fiscal Year until the amount levied is equal to the Special Tax Requirement for such Special Tax Component;
- Step 2:** If additional revenue is needed after Step 1, each Special Tax Component shall be levied Proportionately on each Parcel of Undeveloped Property for which a Final Map has been recorded with the County, up to 100% of the Maximum Special Tax for each Parcel of Undeveloped Property for which a Final Map has been recorded with the County, for such Fiscal

Year until the amount levied, when combined with the amount of the Special Tax Component levied pursuant to Step 1, is equal to the Special Tax Requirement for such Special Tax Component;

Step 3: If additional revenue is needed after Step 2, each Special Tax Component shall be levied Proportionately on each Parcel of Undeveloped Property for which a Final Map has not been recorded with the County, up to 100% of the Maximum Special Tax for each Parcel of Undeveloped Property for which a Final Map has not been recorded with the County, for such Fiscal Year until the amount levied, when combined with the amount of the Special Tax Component levied pursuant to Step 1 and Step 2, is equal to the Special Tax Requirement for such Special Tax Component.

The Special Tax for CFD No. 2022-2 shall be collected at the same time and in the same manner as ordinary ad valorem property taxes provided, however, that the City may (under the authority of Government Code Section 53340) collect Special Taxes at a different time or in a different manner if necessary to meet the financial obligations of CFD No. 2022-2.

E. EXEMPTIONS

No Special Tax shall be levied on Parcels of Public Property, mineral rights Parcels, or any privately-owned Parcels that are non-developable, such as common areas, wetlands, open space, preserve areas, parks, etc. except as otherwise provided in this RMA and in the Act.

F. INTERPRETATION OF SPECIAL TAX FORMULA

The City reserves the right to make minor administrative and technical changes to this document that do not materially affect the rate and method of apportioning Special Taxes. In addition, the interpretation and application of any section of this document shall be left to the City's discretion. Interpretations may be made by the City through an ordinance or resolution of the Council for purposes of clarifying any vagueness or ambiguity in this RMA.

G. TERM OF THE SPECIAL TAX

The Special Tax shall be levied indefinitely if Authorized Services are being provided and is necessary to pay the Special Tax Requirement.

H. PREPAYMENT OF SPECIAL TAX

The Maximum Special Tax may not be prepaid and shall continue to be levied in accordance with Section D of this Rate and Method of Apportionment on an annual basis on all Taxable Property in CFD No. 2022-2 for the purpose of funding ongoing Authorized Services.

I. REVIEW/APPEALS OF THE SPECIAL TAX

The Administrator may establish such procedures, as it deems necessary to undertake the review of any such appeal. The Administrator shall interpret this Rate and Method of Apportionment and make determinations relative to the annual administration of the Special Tax and any property owner appeals, as herein specified.

Any property owner who believes that the amount of the Special Tax levied on their Assessor's Parcel is in error shall first consult with the Administrator regarding such error. If following such consultation, the Administrator determines that an error has occurred; the Administrator in consultation with the City Manager shall take any of the following actions to correct the error:

- Amend the Special Tax levy on the property owner's Property Tax Bill for the current Fiscal Year, or
- Have the CFD reimburse the property owner for the amount of overpayment for the current Fiscal Year if CFD funds are available, or
- Grant a credit against, eliminate, or reduce the future Special Taxes on the property owner's Assessor's Parcel(s) for overpayment for the current Fiscal Year.

If following such consultation and action (if any) by the Administrator, the property owner believes such error still exists, such person may file a written notice with the City Manager appealing the amount of the Special Tax levied on such Assessor's Parcel. If following such consultation and action (if any) by the City Manager, the property owner believes such error still exists, such person may file a written notice with the City Council appealing the amount of the Special Tax levied on such Assessor's Parcel. If the City Council determines an error exists; the Administrator shall take any actions as described above, in order to correct the error. The decision of the City Council shall be final and binding to all persons.

J. SEVERABILITY

The invalidity or unenforceability of any provisions of this Rate and Method of Apportionment of Special Tax shall not affect the validity or enforceability of any other provision of this Rate and Method of Apportionment of Special Tax, which shall remain in full force and effect.

I. REVIEW/APPEALS OF THE SPECIAL TAX

The Administrator may establish such procedures, as it deems necessary to undertake the review of any such appeal. The Administrator shall interpret this Rate and Method of Apportionment and make determinations relative to the annual administration of the Special Tax and any property owner appeals, as herein specified.

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- Amend the Special Tax levy on the property owner's Property Tax Bill for the current Fiscal Year, or
- Have the CFD reimburse the property owner for the amount of overpayment for the current Fiscal Year if CFD funds are available, or
- Grant a credit against, eliminate, or reduce the future Special Taxes on the property owner's Assessor's Parcel(s) for overpayment for the current Fiscal Year.

If following such consultation and action (if any) by the Administrator, the property owner believes such error still exists, such person may file a written notice with the City Manager appealing the amount of the Special Tax levied on such Assessor's Parcel. If following such consultation and action (if any) by the City Manager, the property owner believes such error still exists, such person may file a written notice with the City Council appealing the amount of the Special Tax levied on such Assessor's Parcel. If the City Council determines an error exists; the Administrator shall take any actions as described above, in order to correct the error. The decision of the City Council shall be final and binding to all persons.

J. SEVERABILITY

The invalidity or unenforceability of any provisions of this Rate and Method of Apportionment of Special Tax shall not affect the validity or enforceability of any other provision of this Rate and Method of Apportionment of Special Tax, which shall remain in full force and effect.

EXHIBIT 6

Project Impact on Pump Station 4

MEMO

To: Alec Tappin and Trent Sanson (DeNova Homes, Inc.)
From: Camille Pauley, E.I.T, CFM, Anna Nazarov, P.E., CFM
Date: September 28, 2022

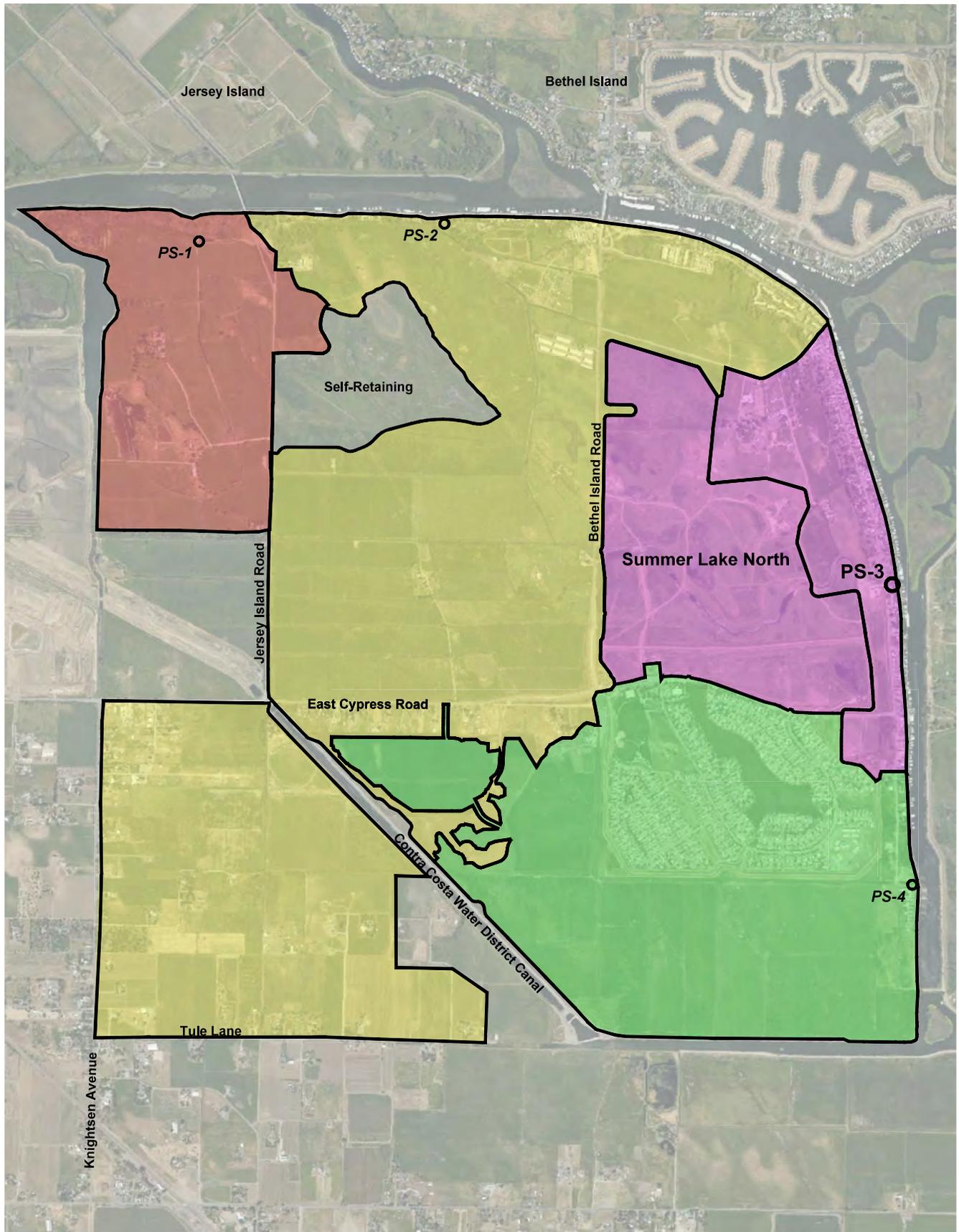
Subject: Post-Project Drainage Patterns at Summer Lake North

The Summer Lake North Project (“Project”) is located in the Hotchkiss Tract and as such falls within the jurisdictional area of Reclamation District 799 (RD799), which has been responsible for the exterior perimeter levees of the Hotchkiss Tract and its interior drainage since 1909. Since Hotchkiss Tract is surrounded by the RD799 perimeter levee and is generally below the local mean tide elevation, four RD799 pump stations (PS-1, PS-2, PS-3, and PS-4) pump local stormwater runoff, irrigation return flows, and groundwater seepage over the exterior levees to the adjacent Delta sloughs.

In the proposed, developed condition, the entirety of the Project area drains to PS-3 (Figure 1).

For additional information regarding the local watershed context, components of the Project’s interior drainage infrastructure, and stormwater outflows to PS-3 from the Project, please see the Hydrologic/Drainage Report for Summer Lake North, dated September 2022.

Enclosures: Figure 1. Developed RD799 Watersheds



 RD799 PUMP STATION 3
 OTHER RD799 PUMP STATIONS

 PS-1 WATERSHED
 PS-2 WATERSHED
 PS-3 WATERSHED
 PS-4 WATERSHED



0' 700' 1400' 2800'
 SCALE: 1" = 1400'

**Figure 1. Developed RD799 Watersheds
City of Oakley, California**

EXHIBIT 7

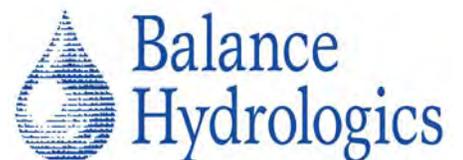
RD 799 Operations & Maintenance Manual

Operations And Maintenance Manual Summer Lake North Flood Control Levee Facilities

Prepared for:
Reclamation District 799

September 2022

Prepared by:



September 2022

A MANUAL PREPARED FOR:

Reclamation District 799

6325 Bethel Island Road
Bethel Island, California 94511
(925) 684-2398

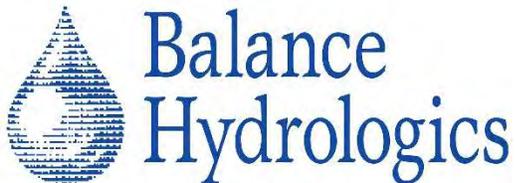
by



Edward D. Ballman, P.E.
Principal Civil Engineer



Camille Pauley, EIT, CFM
Engineer/Hydrologist



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Project Assignment: 221094

800 Bancroft Way, Suite 101 ~ Berkeley, California 94710-2251 ~ (510) 704-1000 ~ office@balancehydro.com

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OPERATIONS AND MAINTENANCE MANUAL
SUMMER LAKE NORTH FLOOD CONTROL LEVEE FACILITIES

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Attachment D	Excerpt from the Summer Lake North Integrated Pump Station Plans (<i>developed by Pacific Advanced Civil Engineering, Inc.</i>)
Attachment E.	Levee Inspection Logs

ABBREVIATIONS

BFE	Base Flood Elevation
CCMVCD	Contra Costa Mosquito and Vector Control District
CCCFCDD	Contra Costa County Flood Control District
cfs	Cubic feet per second
City	City of Oakley
DWD	Diablo Water District
EOP	Emergency Operations Plan
EPP	Emergency Preparedness Plan
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FIS	Flood Insurance Study
gpm	Gallons per minute
HP	Horsepower
NGVD 29	National Geodetic Vertical Datum of 1929
NRCS	National Resources Conservative Service
O&M	Operations and Maintenance
Project	Summer Lake North project
psi	Pounds per square inch
RD799	Reclamation District 799
SFHA	Special Flood Hazard Area
SLN	Summer Lake North
WSE	Water Surface Elevation

OPERATIONS AND MAINTENANCE MANUAL
SUMMER LAKE NORTH FLOOD CONTROL LEVEE FACILITIES

1 DESIGNATION OF RESPONSIBLE INDIVIDUALS

Facility Name	Summer Lake North Subdivision		
Facility Location	Subdivision 9307, City of Oakley		
Designated Contact for Operations and Maintenance			
Name:	TBD at Reclamation District 799	Title or Position:	TBD
Telephone:	925-684-2398	Email:	TBD
Off-Hours or Emergency Contact			
Name:	TBD	Title or Position:	TBD
Telephone:	TBD	Email:	TBD

2 UPDATES, REVISIONS, AND ERRATA

Date	Num.	Updates, Revisions, or Errata Title	Description/Purpose	By (full name):

3 INTRODUCTION

This manual addresses the operations and maintenance (O&M) of the flood control levee facilities constructed as part of the Summer Lake North project ("Project"), Subdivision 9307, located in the City of Oakley, California. The levee facilities will be owned by Reclamation District 799 ("RD799"), which is currently responsible for assuring ongoing flood protection for the site and larger Hotchkiss Tract. O&M of the Summer Lake North ("SLN") levee facilities are primarily the responsibility of RD799, with the City of Oakley responsible for maintenance of items related to the asphalt recreational trail along the levee alignment. RD799 is also responsible for the existing (non-SLN) exterior levee facilities and the fundamental components of the Tract's drainage infrastructure, including major drainage ditches and pump stations that lift ditch flows over the exterior levee to adjacent Delta channels. A vicinity map showing the location of the site is included as **Attachment A** and a copy of the approved levee plans is included as **Attachment C**¹.

The area interior of the SLN flood control levee system is served by storm drain infrastructure that includes inlets, storm drain pipes, a multi-purpose lake, and a pump station that conveys stormwater runoff over the SLN levee to an existing RD799 ditch. These interior infrastructure elements are owned, operated, and maintained by the City of Oakley and are covered by a separate O&M Manual.

This O&M Manual may be modified, but only with the review and consent of RD799. The official O&M Manual is the version which is on file at the RD799 offices located at 6325 Bethel Island Road, Bethel Island, California. Any modifications made to the O&M Manual must be filed at the RD799 office.

No encroachments on or penetrations through the levee system are allowed without appropriate permits from the maintaining agency and any other relevant agencies.

3.1 Project Background

3.1.1 PROJECT LOCATION AND SITE DESCRIPTION

The Project is located on an approximately 404-acre site representing Subdivision Area 9307 in the eastern part of the City of Oakley, Contra Costa County, California. The

¹ The levee plans included as Attachment C reference the National Geodetic Vertical Datum of 1929 (NGVD 29). Elevations can be converted to the North American Vertical Datum of 1988 (NAVD 88) by adding 2.37 feet.

Project development is roughly bounded on the north and east by Sandmound Boulevard, on the south by East Cypress Road and the Summer Lake South community (Subdivision 8955), and on the west by Bethel Island Road (**Attachment A**).

The Project includes residential, commercial, recreational, educational, and parkland areas within the uses allowed by the City of Oakley 2020 General Plan and the Specific Plan. As discussed below, the SLN levees are part of an interior levee system that protects both the Summer Lake South and Summer Lake North areas from flood hazards originating in the Sacramento-San Joaquin Delta.² Arterial roadway access over the levee system is provided at three points: East Cypress Road at Bethel Island Road, East Cypress Road at Sandmound Boulevard, and Bethel Island Road ¼-mile south of Sandmound Boulevard. The first two arterial access points were constructed as part of the earlier Summer Lake South project.

3.1.2 FLOOD CONTROL CONTEXT

Prior to construction of the SLN levee, the entirety of the site is mapped within a Special Flood Hazard Area (SFHA)³ by the Federal Emergency Management Agency (FEMA). The hazard mapping is documented on Flood Insurance Rate Map (FIRM) Panels 06013C0170G and 06013C0360G, both effective March 21, 2017. The Project site is mapped as Zone AE⁴ with a base flood elevation (BFE) of 9.5 feet referencing the North American Vertical Datum of 1988 (NAVD 88), or 7.1 feet referencing the National Geodetic Vertical Datum of 1929 (NGVD 29)⁵. The potential sources of flooding for this SFHA are the channels of the adjacent Sacramento-San Joaquin Delta, specifically Dutch Slough to the north, Sandmound Slough to the east, and Rock Slough to the south.

² The term “interior levee” is used here to recognize the fact that the overall Hotchkiss Tract is protected by an exterior, perimeter levee system immediately adjacent to the surrounding Sacramento-San Joaquin Delta channels.

³ A SFHA (also known as the one-percent chance floodplain or the 100-year floodplain) is the area subject to inundation by a flood event that has a one-percent chance of occurring in any given year. This event is often referred to as the 100-year flood event or base flood.

⁴ Zone AE is an area that has a one-percent probability of flooding every year and where a predicted base flood elevation has been established.

⁵ The base flood elevation is the computed elevation to which the flood is anticipated to rise during a one-percent annual chance (or 100-year) flood. The BFE noted is from Table 7: Summary of Elevations for the San Joaquin River at Holland Tract in the effective Flood Insurance Study (FIS) for Contra Costa County (Revised September 30, 2015).

OPERATIONS AND MAINTENANCE MANUAL SUMMER LAKE NORTH FLOOD CONTROL LEVEE FACILITIES

Per FEMA and State of California regulations, developed areas lower than the adjacent Zone AE elevation must be protected by accredited levees with a minimum of 3 feet of freeboard above the BFE. Although the Project site is protected by the RD799 perimeter levee system, those levees do not generally meet FEMA standards for an Urban Standard Levee (USL) and are not accredited by FEMA. Therefore, while the RD799 perimeter levees are the first line of flood protection for the Summer Lake North development, the interior SLN levees and associated project infrastructure are intended to provide flood protection in the case that the perimeter levee system is overtopped or fails in some manner.

As outlined in the following sections, the Project includes flood control levee facilities compliant with FEMA standards. The levee system is in compliance with the requirements of the National Flood Insurance Program (NFIP) regulations cited in the Code of Federal Regulations (CFR) at Title 44, Chapter 1, Section 65.10 (44 CFR 65.10). With full accreditation of the SLN levee facilities, the SFHA designation for Summer Lake North will be shaded Zone X, which is an area with reduced flood risk due to a levee.

3.2 Organization of Facility Operation and Maintenance

RD799 will assume ownership for the SLN levees. RD799 and the City of Oakley will assume responsibility for the operation and maintenance of the levee facilities as described in **Section 5** with funding provided by property assessments within the Project area.

4 FACILITIES TO BE MAINTAINED

The Project's facilities addressed in this manual include a levee (with appurtenant drainage components) that surrounds the property, two levee penetrations, the force main for the discharge of interior stormwater runoff and its associated outfall, access roads, and a trail on the levee crown. See **Table 1** for a summary of the features included in this O&M Manual and **Attachment B** for additional information on the location of the features described below.

Table 1 Project Features to Be Maintained

Inspection Items	Responsible Party
Levee Embankments Levee Penetrations Toe Drains and Bubble-Up Drains Access Roads (aggregate base, ramps) Aggregate Base on Crown Force Main Outfall	RD799
Asphalt Trail (asphalt, staircases, trash cans, and traffic bollards and swing gates)	City of Oakley

The SLN levee surrounds the Summer Lake North subdivision on three sides (west, north, and east) and connects to the accredited⁶ Summer Lake South levee system.

4.1 Levee Embankments

The SLN levee has a minimum elevation of 10.7 feet (NGVD 29) at the edge of the levee top subgrade, which provides 3 feet of freeboard above the calculated 300-year flood event elevation of 7.6 feet (NGVD 29) and more than the minimum 3 feet of freeboard from the BFE. The levee design elevation thus accounts for sea level rise, settlement, and wave runup. The levee top width is a minimum of 20 feet. The outboard (exterior) side of the levee is designed with a side slope of 3:1 (horizontal:vertical) and the inboard side of the levee is designed with a side slope of 2:1. For levee crest elevations and detailed levee design drawings see **Attachment C**.

⁶ The Summer Lake South levees were accredited by FEMA as part of the Contra Costa County Restudy, published June 16, 2009. The effective Letter of Map Revision (LOMR) that updated the SFHA within the Summer Lake South levees has the following reference information: Case Number 10-09-3624-P, issued November 24, 2010, with an effective date of December 24, 2010.

4.2 Levee Penetrations

Two significant levee penetrations pass through the levee embankment, one in the western alignment of the levee and one on the eastern side. The western penetration is located at Station 26+88, just east of Bethel Island Road and approximately 0.4 miles north of East Cypress Road. This penetration consists of an existing single 60-inch diameter reinforced concrete pipe that allows for connection of a preserved ditch interior of the levee to the main RD799 drainage ditch that flows north along the east side of Bethel Island Road. The configuration of the 60-inch pipe and the associated headwall structures at either end are shown on Sheets 7 and 44 of the approved levee plans in **Attachment C**. The eastern penetration is located at Station 134+48, approximately 0.4 miles north of East Cypress Road. The eastern penetration connects another preserved interior ditch to the RD799 drainage ditch that flows east to RD799 Pump Station #3. The configuration of the eastern penetration is similar to the western one but uses the existing 48-inch diameter reinforced concrete pipe. The eastern penetration is illustrated on Sheets 7 and 45 of **Attachment C**.

From an O&M perspective, the most important element of the penetrations are the manual sluice gate closures located at the exterior headwall structures. These sluice gates are intended to remain securely closed except for the rare exception when connection is needed between the interior and exterior ditches. During normal operations it is imperative for flood protection that the sluice gates remain closed with a good seal to prevent leakage.

4.3 Toe Drains and Bubble-Up Drains

A pervious, horizontal toe drain will be constructed along the landside toe of the levee, including a perforated pipe to collect seepage and deliver it away from the levee. The toe drain is connected to a chimney drain and blanket drain that are interior to the levee structure itself and cannot be readily inspected. Drainage from the toe drain is collected at inlets that are connected to the interior storm drain system, or in the interim condition, are connected to bubble-up drains. Clean-outs are located along the toe drain to facilitate maintenance. Details of the drain system are illustrated on Sheet 4 of **Attachment C**.

4.4 Access Roads and Trail

Typically, the outboard side of the levee has a 10-foot-wide access road parallel to the levee alignment with a cross slope of 2% away from the levee, and the inboard side has

a 20-foot wide access road with 2% cross slopes toward a central aggregate base drainage swale. Intermittently spaced access ramps connect the inboard and outboard access roads to the levee crown. In addition, a 10-foot wide asphalt trail overlying aggregate base is located on the levee crown. The remainder of the 20-foot minimum width of the crown consists of an aggregate base shoulder. Typical sections showing the inboard and outboard access roads, the paved trail, and aggregate base are illustrated on Sheet 4 of **Attachment C**.

4.5 Force Main and Outfall to RD799 Ditch

As noted previously, the pump system conveys water via a force main to an outfall structure that discharges to the RD799 drainage system, which ultimately discharges to Sandmound Slough. The force main consists of a 24-inch diameter pipe with the outfall located on the exterior side of the SLN levee where it discharges to the RD799 ditch that flows east to RD799 Pump Station #3. A 24-inch diameter vertical pipe for access and an 8-inch diameter pipe functioning as an air/vacuum valve are located on the crown of the levee adjacent to the outfall. See **Attachment D** for additional detail on the force main and its outfall.

5 PROJECT MAINTENANCE OPERATIONS

5.1 General Maintenance Rules

This section outlines the required visits, schedule, and protocol for monitoring of the flood control levee facilities and for conducting routine facility maintenance. The schedule outlined below may be modified as needed as conditions change to fulfill the overall operation and maintenance goals.

Initial training will be provided to RD799 staff in order to ensure O&M responsibilities for the various levee components are clearly defined and will be performed adequately and successfully.

Routine facility monitoring visits will be required on a monthly basis throughout the year. Additional monitoring will be required following large precipitation events and as part of any additional non-routine monitoring that is necessary. Non-routine and event-based monitoring visits are discussed below.

An example template for an inspection and maintenance log is included as **Attachment E**. As warranted, monitoring and maintenance may be adaptively managed in response to changing circumstances or unforeseen conditions, if modifications are consistent with the goals and intentions of this O&M Manual.

Table 2. Summary of Inspection Visits

Visit Type	Frequency	Inspection Items	Responsible Party
Routine Activities	Monthly	Levee Embankments Levee Penetrations Toe Drains and Bubble-Up Drains Access Roads (aggregate base, ramps) Aggregate Base on Crown Force Main Outfall	RD799
		Asphalt Trail (asphalt, staircases, trash cans, traffic bollards and swing gates) Litter Removal	City of Oakley
Comprehensive Monitoring and Maintenance	Prior to the start of rainy season	Levee Penetrations Toe Drains and Bubble-Up Drains	RD799
	Annually during winter	Levee Embankments Levee Penetrations Toe Drains and Bubble-Up Drains	RD799
Event-based Monitoring and Maintenance	Following significant rain events	Levee Embankments Toe Drains and Bubble-Up Drains	RD799
	Following earthquakes	All levee system components	RD799 and City of Oakley
Non-routine Monitoring and Maintenance	As needed	Invasive Species Removal Rodent Control Other activities as needed	RD799

5.2 Maintenance Schedule

5.2.1 ROUTINE ACTIVITIES (MONTHLY)

Routine monitoring and maintenance will be conducted once a month.

Levee Embankments

Maintenance activities for levee embankments are necessary to ensure the satisfactory performance of the levee during a flood, to permit the visual inspection of the levee, and to allow equipment access to the levee for flood-fighting purposes. The levee shall

be observed during routine maintenance visits to identify any of the following problematic conditions:

- Sand boils or unusual wetness of the landward slope
- Burrowing animals
- Invasive vegetation, including trees or shrubs
- Developing slides or sloughs
- Low sections of levee

Immediate steps will be taken to control any condition, which endangers the levee, and to repair the damaged section.

The levee should be free from non-essential structures, encroachments, or vegetative growth that could interfere with or prevent inspection or hamper flood control functions. All levee slopes need thorough regular inspection for soil erosion, stability, trash, animal burrows, weed infestation, and other undesirable growth. Sod-forming grasses and grown covers provide the desired protection without interfering with these activities. In some circumstances, certain trees and shrubs are permitted to grow on levee slopes. Broadleaf weeds growing among desirable grasses can be effectively controlled by selective herbicides. For specific requirements regarding permissible vegetation and management techniques, see DWR 2017.

The following list provides a summary of required maintenance activities for levee embankments:

- Maintain vegetation
- Remove trees and unwanted vegetation
- Control rodents and burrowing animals
- Maintain maintenance roads
- Repair erosion, slope failures, and cracking of the embankment
- Maintain collection trenches, ditches, and storm drain facilities

Levee Penetrations

The following items should be carefully observed and noted:

- *Closure.* Except in the rare circumstance that the manual sluice gates are opened to allow connection between the interior and exterior ditches, the manual sluice gates shall remain closed. If leakage through the sluice gate is observed, remedial maintenance shall be performed immediately or scheduled to take place within 48 hours during the wet season and within seven days during the dry season.
- *Physical Obstruction.* If any obstructions such as debris, trash, or vegetation are observed at or adjacent to the culvert headwalls, remedial maintenance shall be performed immediately or scheduled to take place within 48 hours during the wet season and within seven days during the dry season.
- *Sediment Buildup.* If sediment has built up at the culvert headwall to the point that would obstruct flow, remedial maintenance shall be performed immediately or scheduled to take place within 48 hours during the wet season and within seven days during the dry season.
- *Erosion.* Special attention shall be given to noting whether erosion is taking place around the culvert headwalls as well as at, or immediately adjacent to, the points of discharge into RD799 ditch system. When erosion is identified the operator shall take the means necessary to fill in the eroded area and implement preventative measures to stop future erosion. If erosion persists, a geotechnical engineer shall be contacted for mitigation methods.

Toe and Bubble-Up Drains

Horizontal toe drain monitoring should include visual observation of seepage from the drain and should include visual estimates of flow in the toe drain inlet boxes located along the interior access road. Increases in flow can be accompanied by soil migration and piping and decreases in flow can be an indication of clogging of the drain. Bubble-up drains should be checked for blockage and signs of localized erosion at the drain release point. The Christy boxes located at each clean-out should be visually inspected for integrity.

Force Main and Outfall to RD799 Ditch

The force main outfall and associated control gates must be inspected to assure that pumped runoff can flow unimpeded into the RD799 ditch. Particular attention should be given to any evidence of erosion in the vicinity of the outfall and/or vegetation growth that could impair outfall function. Additionally, the 8-inch diameter air valve

should be visually inspected for blockage or clogging, and any build-up at its mesh screen should be removed. Any required remedial maintenance should be performed immediately or scheduled to take place within 48 hours during the wet season and within seven days during the dry season.

Access Roads and Trails

The access roads and ramps shall be inspected during each monitoring visit and repaired as necessary to promote all-weather vehicular access. Similarly, the trail on the levee crown and associated staircases shall be inspected during each monitoring visit and repaired as necessary to promote access for recreational use. Any damage to, or failures of, the embankments near the road or trail shall be reported and addressed immediately. Evidence of trespassing or improper use of the facilities shall be noted. Should there be an immediate threat to public safety, appropriate measures shall be taken to correct and or limit the risk. Access barriers and signage shall be inspected for their integrity and for damage from vandalism or other causes. Evidence of pathways or other signs of encroachment shall be given particular attention and remedial measures to further limit access shall be implemented. Of note, the City of Oakley is the responsible party for the asphalt, staircases, signage, trash cans, and traffic bollards and swing gates, while RD799 is the responsible party for the access road, ramps, and aggregate base along the levee crown.

5.2.2 COMPREHENSIVE MONITORING AND MAINTENANCE VISITS (TWICE PER YEAR)

Comprehensive monitoring and maintenance visits will happen twice a year (prior to the start of the rainy season, and once during the winter/rainy season) and can be combined with monthly routine visits when appropriate.

Prior to the Start of the Rainy Season

Prior to the start of the rainy season (in August-September), levee penetrations, toe drains, and bubble-up drains will be inspected to confirm there is no accumulation of debris that would inhibit functionality. During this visit, the levee system will be investigated for any other substantial maintenance or repairs that are required.

Annually During Winter

Once, in the time frame of December – February of each year, the levee infrastructure (levee penetration, embankments, toe drains, and bubble-up drains) will be inspected for damage and repaired, as necessary.

5.2.3 EVENT-BASED MONITORING AND MAINTENANCE

Large Precipitation Events

In addition to the routine monitoring schedule described above, special monitoring visits should be carried out after each large precipitation event within the contributing watershed. A “large precipitation event” is one that produces more than 1.5 inches of rainfall in a 24-hour period. Within 24 hours after each such an event, the following will be conducted:

- Inspect the levee embankment and levee toe for any signs of erosion, deterioration, or other loss of integrity. Clear the levee of any trash or debris.
- Inspect the levee penetrations for any obstructions, as well as signs of erosion, deterioration, or other loss of integrity. Clear the culvert headwalls of any obstructions, trash, or debris.
- Toe drains should be inspected for seepage and clogging.

Monitoring of large precipitation events should continue for a minimum of three years or until the monitoring provides evidence that the facilities are functioning as designed, at which point the threshold may be revised. If a new recommendation is made, it shall be documented in the annual monitoring report.

Earthquakes

After a seismic event where reports of property damage have been identified, the SLN levee facilities must be inspected for damage. Damages could include liquefaction or lateral spreading, areas of slope instability, or damage to the designed drainage system. If damage to the levee system is identified, repairs should be made to reestablish pre-failure design. For intermittently loaded levees, interim repairs would need to be constructed within 8 weeks of the event and provide a minimum of 10-year design water surface elevation protection.

5.2.4 NON-ROUTINE MONITORING AND MAINTENANCE

Non-routine maintenance should be carried out on an as-needed basis for problems identified during the routine and event-based monitoring program. Examples of non-routine maintenance activities may include (but are not limited to) the following:

Invasive Species Removal

Any invasive species identified in the Project area shall be removed when detected.

Rodent Control

Ground squirrels and other burrowing rodents can threaten the structural integrity of levees and other flood control structures. When these animals remove material by burrowing, they reduce the structure's ability to control flows. The presence of ground squirrels or their burrows on a levee crown, slope, or toe always warrants control measures. Because of their high reproductive potential and extensive burrow systems, ground squirrels present a serious hazard to levees and, to a lesser extent, to other project facilities. Their burrowing loosens the soil, increasing the risk of erosion and sloughing. Also, a burrow can act like a pipe to carry floodwater into and through levee sections. Areas with high-density ground squirrel populations may require reducing or removing vegetation so that burrow damage can be assessed, and control work more easily achieved.

Various rodent control techniques are available, including fumigation, bait stations, bait broadcasting and trapping. Use of these at the proper time of the year will increase their effectiveness and reduce certain problems such as bait shyness, poor control, and non-target kills. Timing is critical to the success of any rodent control program. Control

efforts should be aimed at achieving at least a 90-percent mortality. Any less than that level is likely to result in a rapid re-growth of the population.

Rodenticides used carelessly are hazardous to people, livestock, and non-target wildlife. Many rodenticides are restricted use materials that require the applicator to contact the local agricultural commissioner's office for assistance.

6 REFERENCES

Federal Emergency Management Agency (FEMA), 2009, Flood Insurance Study, Contra Costa County, California: Federal Emergency Management Agency. Revised March 2017.

State of California Department of Water Resources (DWR), Flood Safe California, Urban Levee Design Criteria, May 2012.

State of California Department of Water Resources (DWR), 2013, Flood Safe California, Urban Level of Flood Protection Criteria, November 2013.

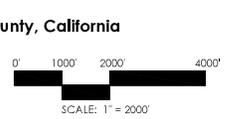
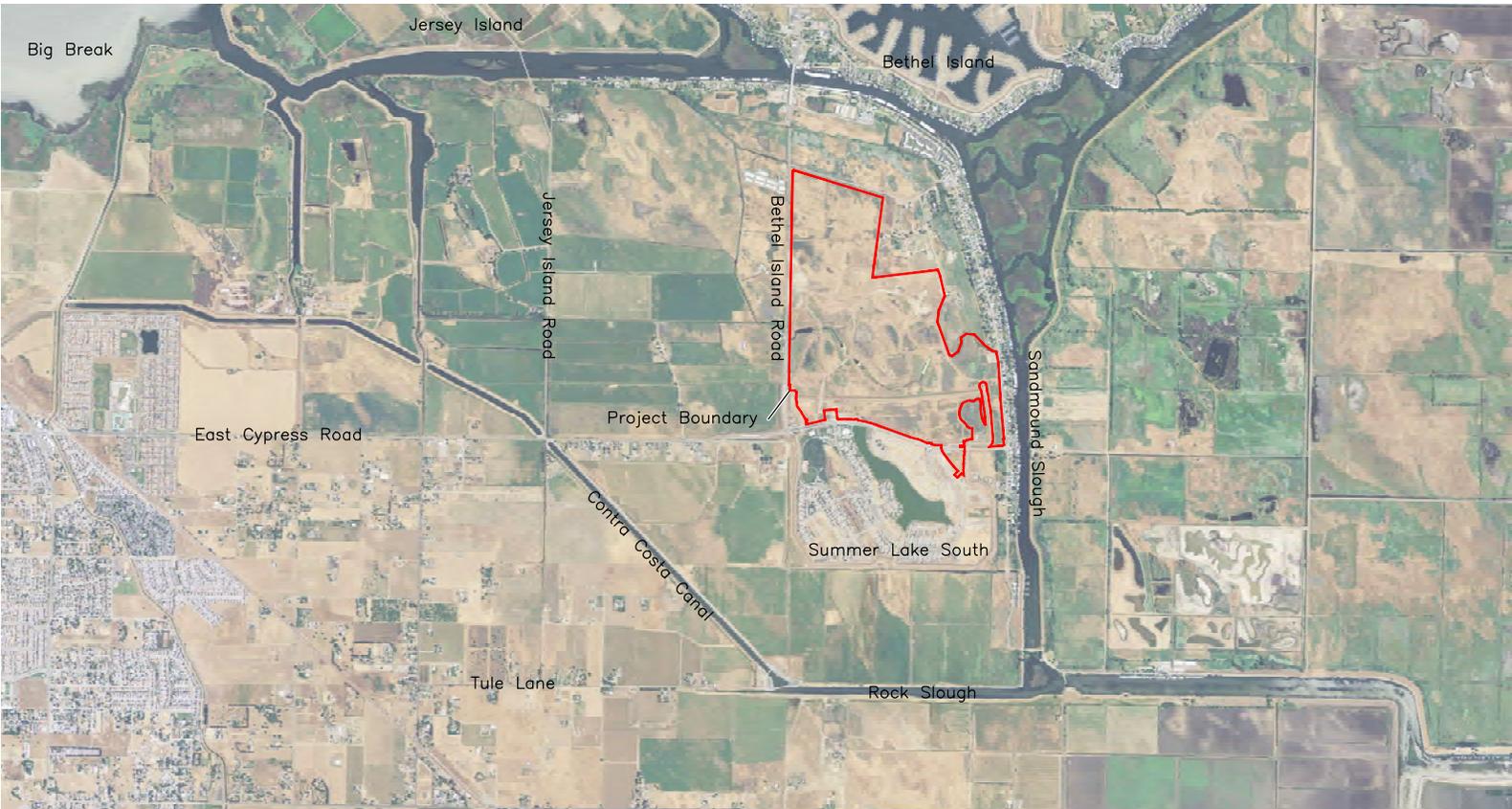
State of California Department of Water Resources (DWR), 2017, Levee Vegetation Management Strategy, Appendix D.

US Army Corps of Engineers (USACE), Sacramento, Design and Construction of Levees, Manual EM 1110-2-1913, 2000.

ATTACHMENTS

ATTACHMENT A

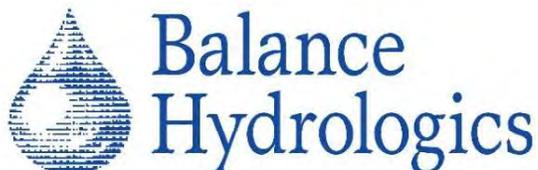
Vicinity Map



ATTACHMENT B
Log of Levee Features

Station	Sheet	Feature
10+23	5B	Inlet/bubble-up drain
11+32	5A/B	Toe drain clean-out
16+00	6	Toe drain clean-out
18+68	6	Inlet/bubble-up drain
21+50	6	Toe drain clean-out
24+40	7	Toe drain clean-out
26+88	7	Western levee penetration
29+18	7	Inlet/bubble-up drain
32+17	7	Toe drain clean-out
34+76	8	Inlet/bubble-up drain
38+21	8	Toe drain clean-out
39+92	8	Inlet/bubble-up drain
42+50	8	Toe drain clean-out
45+40	9	Toe drain clean-out
49+38	9	Inlet/bubble-up drain
53+83	10	Toe drain clean-out
57+60	10	Toe drain clean-out
61+41	10	Inlet/bubble-up drain
64+17	11	Toe drain clean-out
68+21	11	Inlet/bubble-up drain
70+80	11	Toe drain clean-out
73+43	12	Toe drain clean-out
76+20	12	Toe drain clean-out
79+07	12	Inlet/bubble-up drain
83+30	13	Toe drain clean-out
87+50	13	Toe drain clean-out

Station	Sheet	Feature
76+20	12	Toe drain clean-out
79+07	12	Inlet/bubble-up drain
83+30	13	Toe drain clean-out
87+50	13	Toe drain clean-out
91+70	13	Toe drain clean-out
96+00	14	Toe drain clean-out
100+30	14	Toe drain clean-out
104+60	15	Toe drain clean-out
109+00	15	Inlet/bubble-up drain
113+48	16	Toe drain clean-out
117+63	16	Inlet/bubble-up drain
122+00	16	Toe drain clean-out
126+50	17	Toe drain clean-out
131+00	17	Inlet/bubble-up drain
134+48	18	Eastern levee penetration
134+99	18	Inlet/bubble-up drain
139+18	18	Toe drain clean-out
143+35	19A	Inlet/bubble-up drain
144+70	19A	Toe drain clean-out
145+70	19A/B	Inlet/bubble-up drain
148+00	19A/B	Toe drain clean-out



Attachment B Log of Levee Features, Summer Lake North Project, Oakley, California

Source: Summer Lake North Levee Plans (prepared by Carlson, Barbee & Gibson). See plans for details.

This log may be updated or amended as necessary after construction and final walk through.

ATTACHMENT C

Levee Plans, Summer Lake North, Subdivision 9307
(developed by Carlson, Barbee & Gibson, Inc.)



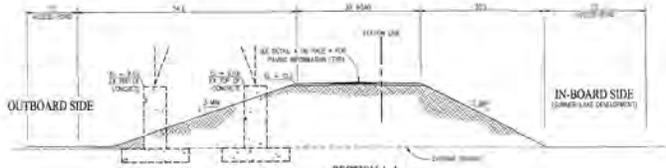
CAUTION EXISTING UTILITIES!
 EXISTING GAS MAIN & OVERHEAD ELECTRIC LINES LOCATED ALONG STATE PLANK ROAD AND SANBORN'S ROAD. CONTRACTOR SHALL USE EXTREME CAUTION WHEN WORKING WITHIN THE VICINITY OF UTILITIES. CONTRACTOR SHALL COORDINATE WITH UNDERGROUND SERVICE ALERT AND THE APPROPRIATE UTILITY OWNERS PRIOR TO AND DURING CONSTRUCTION.



CAUTION EXISTING UTILITIES!
 EXISTING GAS MAIN & OVERHEAD ELECTRIC LINES LOCATED ALONG STATE PLANK ROAD AND SANBORN'S ROAD. CONTRACTOR SHALL USE EXTREME CAUTION WHEN WORKING WITHIN THE VICINITY OF UTILITIES. CONTRACTOR SHALL COORDINATE WITH UNDERGROUND SERVICE ALERT AND THE APPROPRIATE UTILITY OWNERS PRIOR TO AND DURING CONSTRUCTION.

PUB. DRAWINGS SUMMARY SHEET 3/3

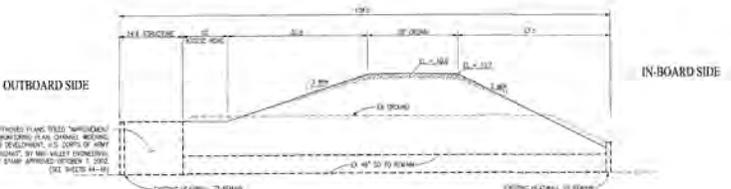
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SECTION A-A
WAPA TOWER 177/I
(LEVEE SECTION AT STA 143+25.4)
 SEE SHEET 14 FOR COMPLETE DRAWING OF THIS SECTION



SECTION B-B
WAPA TOWER 176/S
(LEVEE SECTION AT STA 135+25.4)
 SEE SHEET 14 FOR COMPLETE DRAWING OF THIS SECTION



SECTION C-C
LEVEE SECTION AT EXISTING CHANNEL CROSSING 134+50.4
 SEE SHEET 14 FOR COMPLETE DRAWING OF THIS SECTION



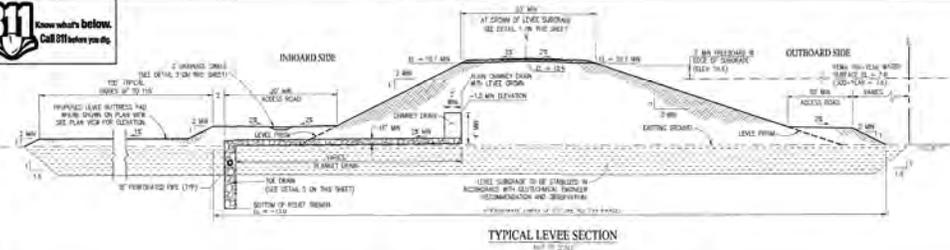
SUMMER LAKE NORTH
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 WWW.CBG-ENG.COM

LEVEE PLANS
INDEX MAP AND SECTIONS

SUBD 9307
 CALIFORNIA

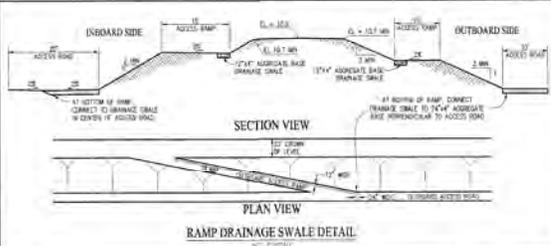
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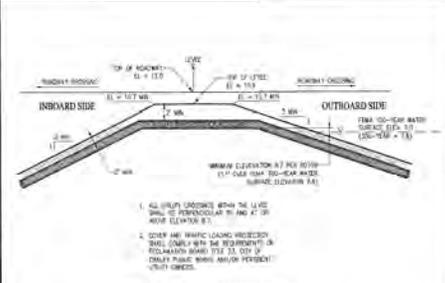


TYPICAL LEVEL SECTION
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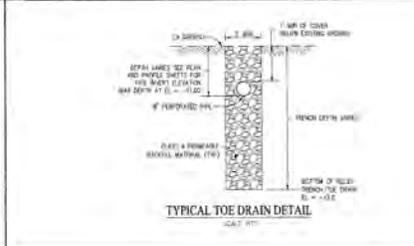
LEVEE CONSTRUCTION AND EARTHWORK RECOMMENDATIONS
SEE SHEET 1 OF THE ORIGINAL PROGRAM



RAMP DRAINAGE SWALE DETAIL
NOT TO SCALE



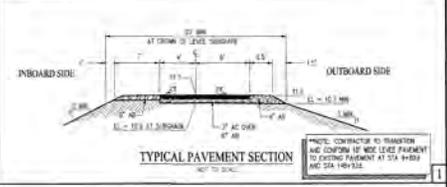
TYPICAL UTILITY CROSSING DETAIL
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FOR REFERENCE ONLY
(NO UTILITY CROSSINGS PROPOSED WITH THIS WORK)



TYPICAL TOE DRAIN DETAIL
NOT TO SCALE



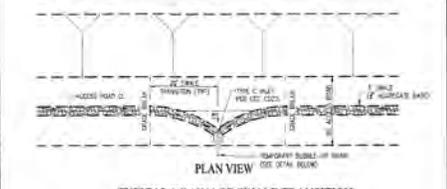
TOE DRAIN CLEAN-OUT DETAIL
NOT TO SCALE



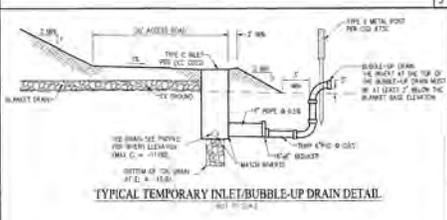
TYPICAL PAVEMENT SECTION
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INBOARD ACCESS ROAD DRAINAGE SWALE DETAIL
NOT TO SCALE



TYPICAL DRAINAGE SWALE TRANSITION
NOT TO SCALE



TYPICAL TEMPORARY INLET/BUBBLE-UP DRAIN DETAIL
NOT TO SCALE



SUMMER LAKE NORTH
CITY OF OAKLEY

LEVEE PLANS
DETAILS

SUBD 9307
CALIFORNIA

NO.	REVISIONS	BY	APP.	DATE

DESIGNED UNDER THE SUPERVISION OF
 ENGINEER: [Signature]
 CHECKED BY: [Signature]
 DRAWN BY: [Signature]
 DATE: [Date]



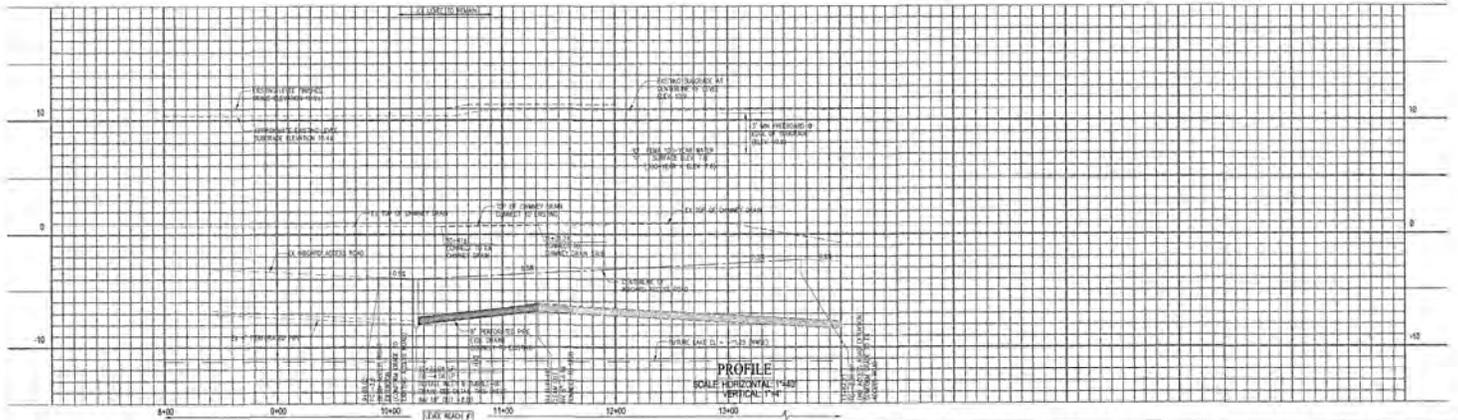


LEVEE PLAN (ULTIMATE)
SCALE 1"=40'



SEE SHEET 20 & 21 FOR EXISTING
CROSS LEVEE REMOVAL
AND CROSS SECTIONS.

LEVEE CROWN SUBGRADE MINIMUM
ELEVATION 10.7 (NGVD 29)
NAVD 88 = NGVD 29 + 2.37'



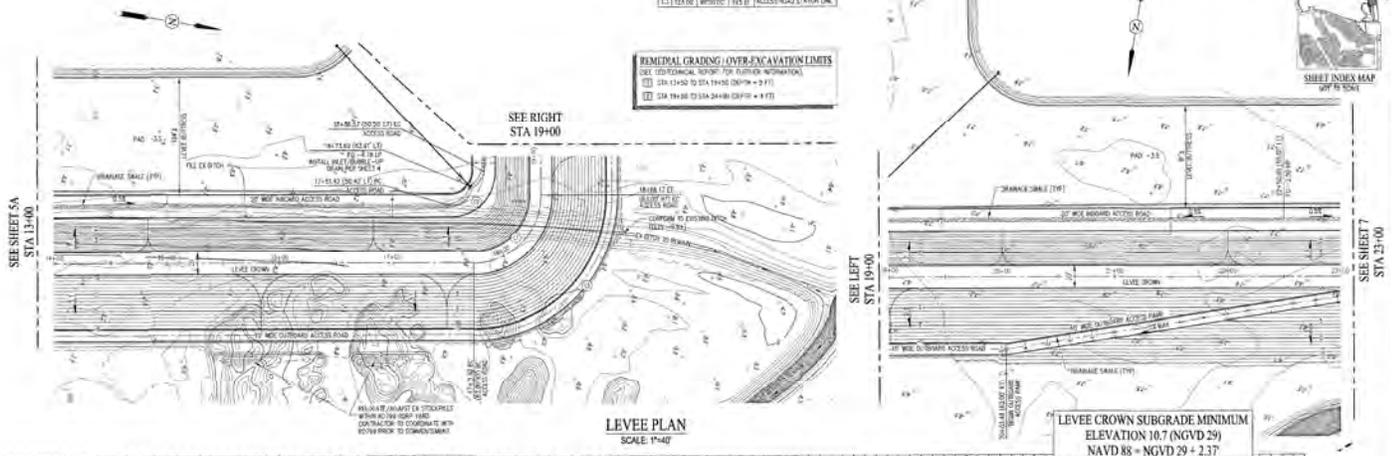
PROFILE
SCALE HORIZONTAL 1"=40'
VERTICAL 1"=4'

		5445 BUNCH • (916) 866-6302 SACRAMENTO • (916) 375-1817 www.cbgs.com	SUMMER LAKE NORTH LEVEE PLANS PLAN AND PROFILE - (ULTIMATE) CITY OF OAKLEY	SUBD 9307	DESIGNED UNDER THE DIRECTION OF _____ COUNTY: OAKLEY COUNTY: SACRAMENTO SHEET NO: 58 DRAWING DATE: _____ DATE: JULY 16, 2009		SHEET 58 OF 49
					OAKLEY CALIFORNIA CITY ENGINEERS • SURVIVORS • PLANNERS		



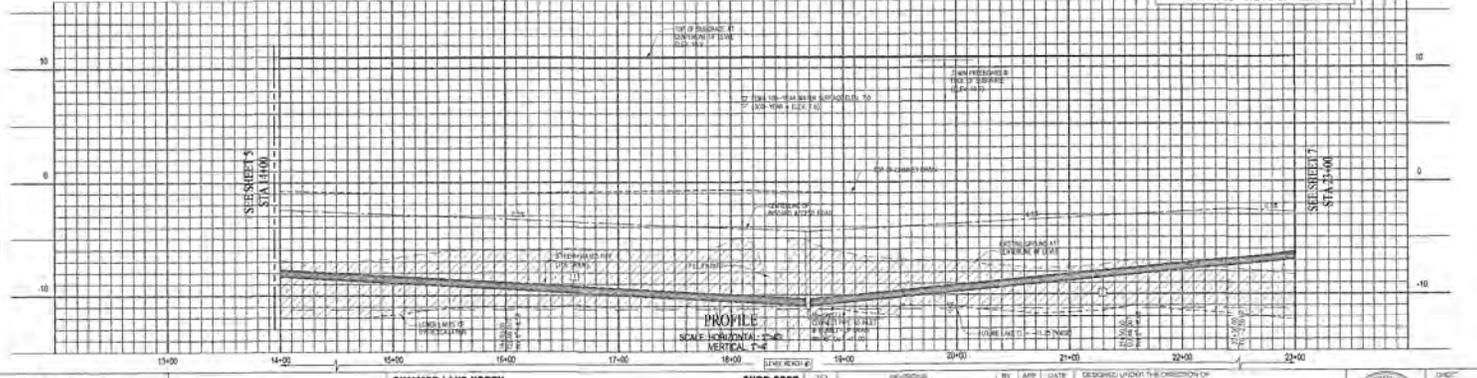
CURVE TABLE				
NO.	PUNKS	DELTA	LENGTH	DESCRIPTION
01	46+00	90°00'00"	84.27'	LEVEE STATION LINE
02	46+00	90°00'00"	84.27'	ACCESS ROAD STATION LINE
03	124+00	90°00'00"	84.27'	ACCESS ROAD STATION LINE

REMEDIAL GRADING / OVER-EXCAVATION LIMITS	
1	SEE STA 19+00 TO STA 19+40 (DEPTH = 2 FT)
2	SEE STA 19+40 TO STA 24+00 (DEPTH = 4 FT)



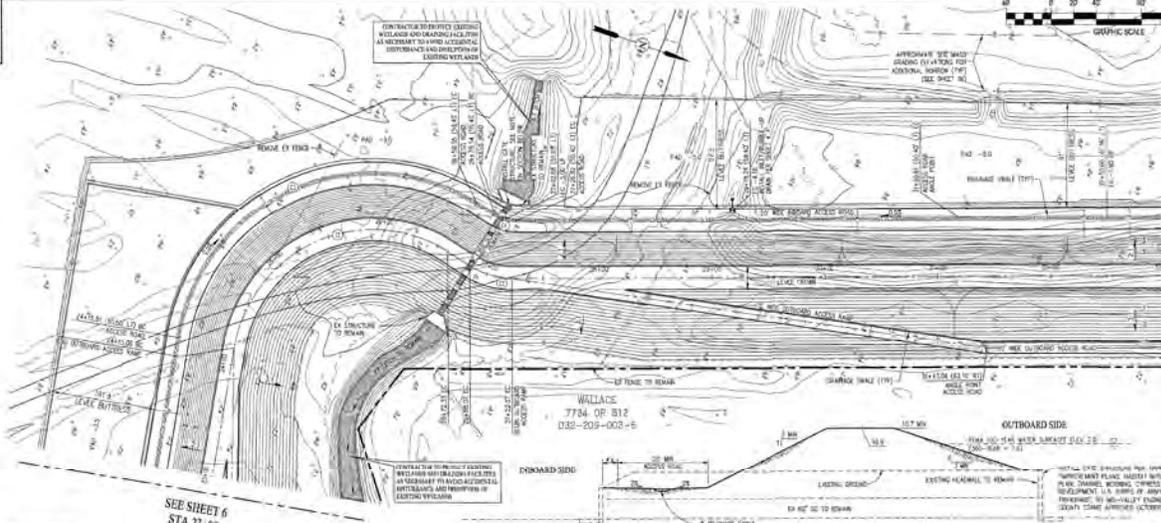
LEVEE PLAN
SCALE: 1"=40'

LEVEE CROWN SUBGRADE MINIMUM
ELEVATION 10.7 (NGVD 29)
NAVD 88 = NGVD 29 + 2.37'



PROFILE
SCALE: HORIZONTAL = 1"=40'
VERTICAL = 1"=10'

		SUMMER LAKE NORTH CITY OF OAKLEY	LEVEE PLANS PLAN AND PROFILE	SUBD 9307	DESIGNED UNDER THE DIRECTION OF:		SHEET NO. 6
					DATE: JUL 15, 2020		



CURVE TABLE

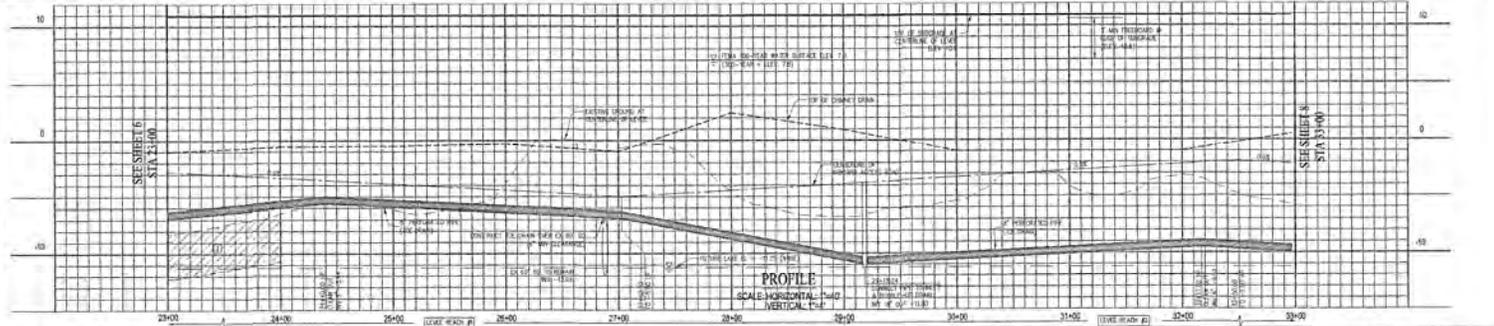
NO	BACKSIGHT	PIVOT	FORESIGHT	LENGTH	DESCRIPTION
01	1000	1000	1000	1000	LEVEE STATION LINE
02	1000	1000	1000	1000	LEVEE STATION LINE
03	1000	1000	1000	1000	ACCESS ROAD STATION LINE
04	1000	1000	1000	1000	ACCESS ROAD STATION LINE

LEVEE CROWN SUBGRADE MINIMUM
ELEVATION 10.7 (NGVD 29)
NAVD 88 = NGVD 29 + 2.37

LEVEE PLAN
SCALE 1"=40'

LEVEE SECTION AT STORM DRAIN OUTFALL STA 26+90:
NOT TO SCALE

REMEDIATION GRADING / OVER-EXCAVATION LIMITS
SEE GEOLOGICAL REPORT FOR FURTHER INFORMATION
1) STA 26+40 TO STA 26+40 (DEPTH = 0' TO 1')



PROFILE
SCALE: HORIZONTAL 1"=40'
VERTICAL 1"=2'

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SUMMER LAKE NORTH

LEVEE PLANS
PLAN AND PROFILE

CITY OF OAKLEY

SUBD 9307

CALIFORNIA

DESIGNED UNDER THE SUPERVISION OF:

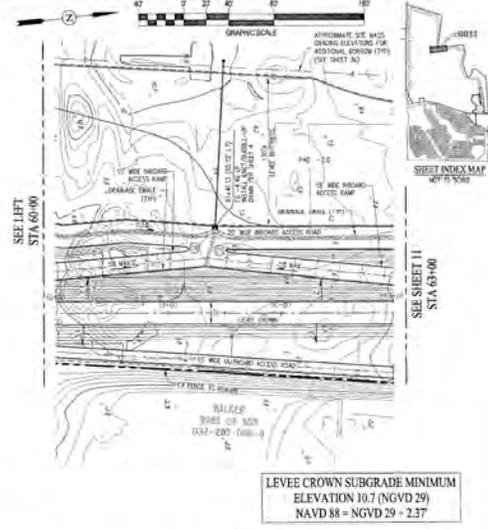
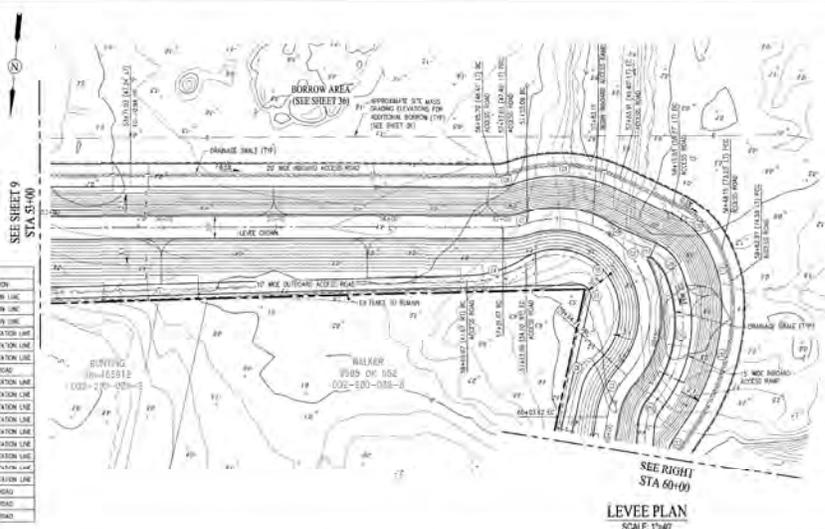
DATE: 01/11/10

DRAWN BY: JAY

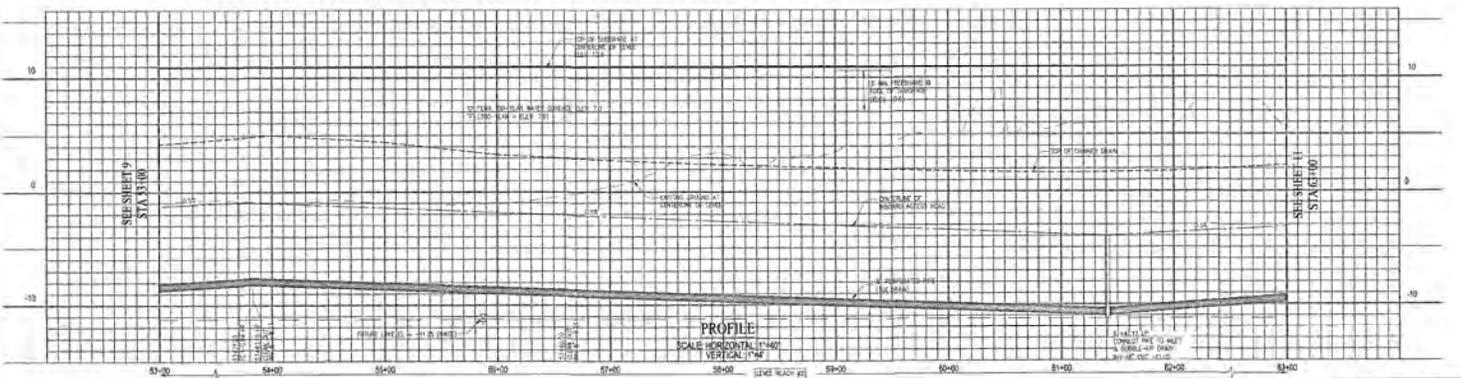
CHECKED BY: JAY

7

49



NO	MARK	DELTA	LENGTH	DESCRIPTION
01	50.00	100.00	22.97	LEAVE STATION LINE
02	52.00	149.00	27.87	LEAVE STATION LINE
03	53.00	202.00	38.76	LEAVE STATION LINE
04	54.00	258.00	50.00	ACCESS ROAD STATION LINE
05	55.00	318.00	62.22	ACCESS ROAD STATION LINE
06	56.00	382.00	75.00	ACCESS ROAD STATION LINE
07	57.00	450.00	88.20	EDGE OF ROAD
08	58.00	522.00	101.84	ACCESS ROAD STATION LINE
09	59.00	598.00	115.92	ACCESS ROAD STATION LINE
10	60.00	678.00	130.44	ACCESS ROAD STATION LINE
11	61.00	762.00	145.44	ACCESS ROAD STATION LINE
12	62.00	850.00	160.88	ACCESS ROAD STATION LINE
13	63.00	942.00	177.76	ACCESS ROAD STATION LINE
14	64.00	1038.00	195.00	ACCESS ROAD STATION LINE
15	65.00	1138.00	212.60	ACCESS ROAD STATION LINE
16	66.00	1242.00	230.52	ACCESS ROAD STATION LINE
17	67.00	1350.00	248.76	ACCESS ROAD STATION LINE
18	68.00	1462.00	267.36	ACCESS ROAD STATION LINE
19	69.00	1578.00	286.44	ACCESS ROAD STATION LINE
20	70.00	1698.00	306.00	ACCESS ROAD STATION LINE
21	71.00	1822.00	326.04	ACCESS ROAD STATION LINE
22	72.00	1950.00	346.56	ACCESS ROAD STATION LINE
23	73.00	2082.00	367.68	ACCESS ROAD STATION LINE
24	74.00	2218.00	389.40	ACCESS ROAD STATION LINE
25	75.00	2358.00	411.72	ACCESS ROAD STATION LINE
26	76.00	2502.00	434.64	ACCESS ROAD STATION LINE
27	77.00	2650.00	458.16	ACCESS ROAD STATION LINE
28	78.00	2802.00	482.28	ACCESS ROAD STATION LINE
29	79.00	2958.00	507.00	ACCESS ROAD STATION LINE
30	80.00	3118.00	532.32	ACCESS ROAD STATION LINE
31	81.00	3282.00	558.24	ACCESS ROAD STATION LINE
32	82.00	3450.00	584.76	ACCESS ROAD STATION LINE
33	83.00	3622.00	611.88	ACCESS ROAD STATION LINE
34	84.00	3798.00	639.60	ACCESS ROAD STATION LINE
35	85.00	3978.00	667.92	ACCESS ROAD STATION LINE
36	86.00	4162.00	696.84	ACCESS ROAD STATION LINE
37	87.00	4350.00	726.36	ACCESS ROAD STATION LINE
38	88.00	4542.00	756.48	ACCESS ROAD STATION LINE
39	89.00	4738.00	787.20	ACCESS ROAD STATION LINE
40	90.00	4938.00	818.52	ACCESS ROAD STATION LINE
41	91.00	5142.00	850.44	ACCESS ROAD STATION LINE
42	92.00	5350.00	882.96	ACCESS ROAD STATION LINE
43	93.00	5562.00	916.08	ACCESS ROAD STATION LINE
44	94.00	5778.00	949.80	ACCESS ROAD STATION LINE
45	95.00	5998.00	984.12	ACCESS ROAD STATION LINE
46	96.00	6222.00	1019.04	ACCESS ROAD STATION LINE
47	97.00	6450.00	1054.56	ACCESS ROAD STATION LINE
48	98.00	6682.00	1090.68	ACCESS ROAD STATION LINE
49	99.00	6918.00	1127.40	ACCESS ROAD STATION LINE
50	100.00	7158.00	1164.72	ACCESS ROAD STATION LINE



SUMMER LAKE NORTH

LEVEE PLANS

PLAN AND PROFILE

CITY OF OAKLEY

SUBD 9307

CALIFORNIA

NO.	REVISIONS	BY	APP.	DATE

DESIGNED UNDER THE DIRECTION OF

DATE: JUL 15, 2008

DATE: JUL 15, 2008

10

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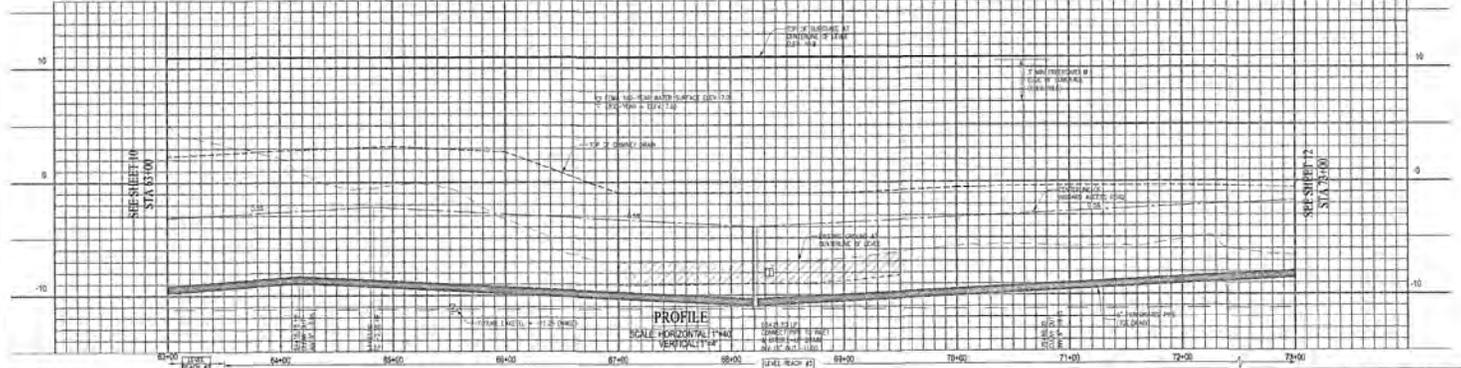
NO	START STA	END STA	LENGTH	DESCRIPTION
C1	53.07	42.28	24.72	ACCESS ROAD TO ROW LINE
C2	70.00	48.71	48.89	TO BE EXISTING LINE
C3	68.07	45.12	15.00	ACCESS ROAD CENTER LINE
C4	45.07	40.12	9.57	EDGE OF ROAD



LEVEE PLAN
SCALE: 1"=40'

LEVEE CROWN SUBGRADE MINIMUM
ELEVATION 10.7 (NGVD 29)
NAVD 88 = NGVD 29 + 2.37

SEMI-DIAPHRAGM (OVER-EXCAVATION LIMITS)
SEE GEOTECHNICAL REPORT FOR FURTHER INFORMATION.
① STA 67+00 TO STA 69+00 (30' W + 2' F)



PROFILE
SCALE: HORIZONTAL 1"=40'
VERTICAL 1"=4'



SUMMER LAKE NORTH
CITY OF OAKLEY

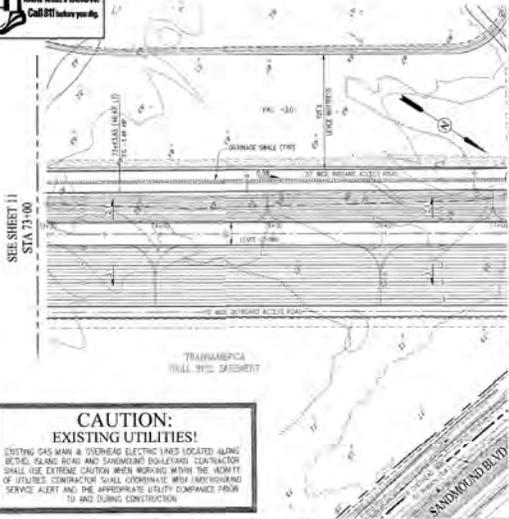
LEVEE PLANS
PLAN AND PROFILE
CALIFORNIA

SUBD 9307

NO.	REVISIONS	BY	DATE

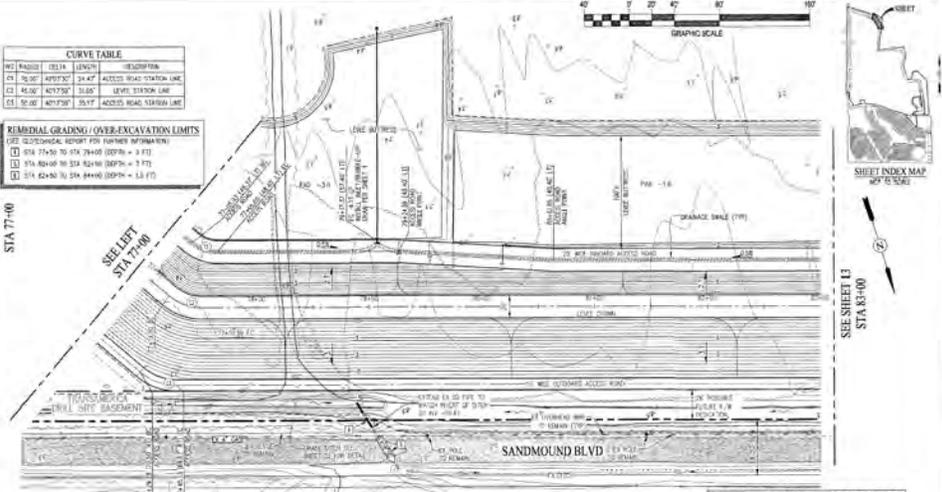
DESIGNED UNDER THE DIRECTION OF
COUNTY OF SACRAMENTO
DATE: JULY 14, 2020





CURVE TABLE			
NO.	RADIUS	LENGTH	DESCRIPTION
01	75.00'	24.47'	ACCESS ROAD TURNING LINE
02	427.73'	52.85'	LEVEE TURNING LINE
03	52.00'	40.773'	ACCESS ROAD TURNING LINE

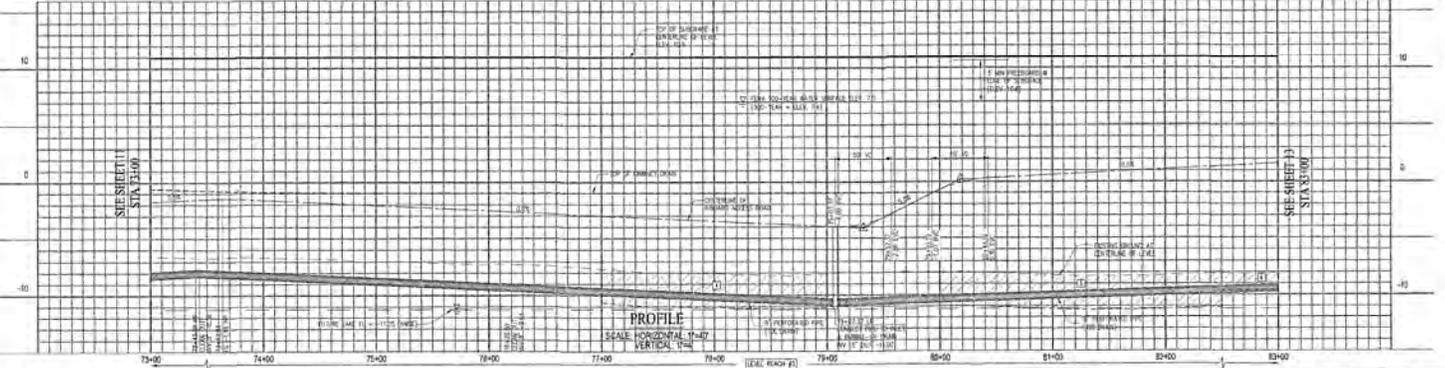
REMEDIATION GRADING / OVER-EXCAVATION LIMITS		
SEE GEOTECHNICAL REPORT FOR FURTHER INFORMATION:		
1	STA 75+50 TO STA 78+00	(DEPTH = 3 FT)
2	STA 82+00 TO STA 82+50	(DEPTH = 3 FT)
3	STA 82+50 TO STA 84+00	(DEPTH = 1.5 FT)



LEVEE PLAN
SCALE 1"=40'

- CONSTRUCTION NOTES**
- INSTALL 20" 15' CMP STORM DRAIN FROM 8+00 TO 8+25 (SEE SHEET 22)
 - EXISTING 18" CMP STORM DRAIN FWC

LEVEE CROWN SUBGRADE MINIMUM
ELEVATION 10.7 (NGVD 29)
NAVD 88 = NGVD 29 + 2.17



PROFILE
SCALE HORIZONTAL 1"=40'
VERTICAL 1"=4'



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SUMMER LAKE NORTH
CITY OF GAILLEY

LEVEE PLANS
PLAN AND PROFILE

SUBD 9307
CALIFORNIA

NO.	REVISIONS	BY	DATE

DESIGNED BY: J. L. ...
DRAWN BY: ...
CHECKED BY: ...
DATE: JUL 19, 2020





**CAUTION:
EXISTING UTILITIES!**

EXISTING GAS MAIN & OVERHEAD ELECTRIC LINES LOCATED ALONG
BE THEL BLVD ROAD AND SANDMOUND BOULEVARD. CONTRACTOR
SHALL USE EXTREME CAUTION WHEN WORKING WITHIN THE VICINITY
OF UTILITIES. CONTRACTOR SHALL COORDINATE WITH UNDERGROUND
SERVICE ALERT AND THE APPROPRIATE UTILITY COMPANIES PRIOR
TO AND DURING CONSTRUCTION.

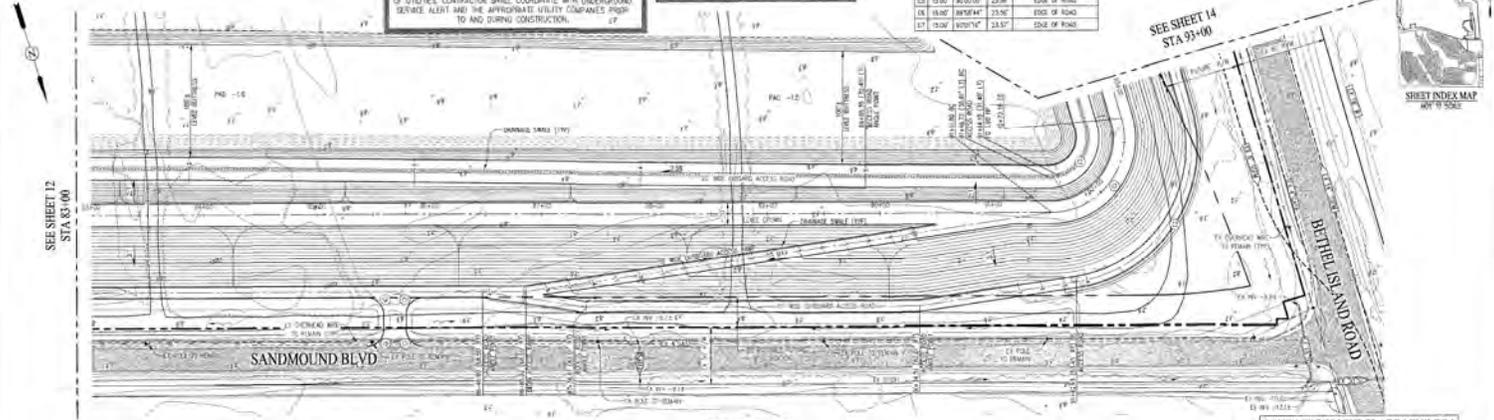
REMEDIAL GRADING / OVER EXCAVATION LIMITS

SEE GEOTECHNICAL REPORT FOR FURTHER INFORMATION

- (1) STA 82+00 TO STA 84+00 (DEPTH = 1.5 FT)
- (2) STA 84+00 TO STA 86+00 (DEPTH = 2.0 FT)
- (3) STA 86+00 TO STA 88+00 (DEPTH = 2.0 FT)
- (4) STA 88+00 TO STA 90+00 (DEPTH = 1.5 FT)

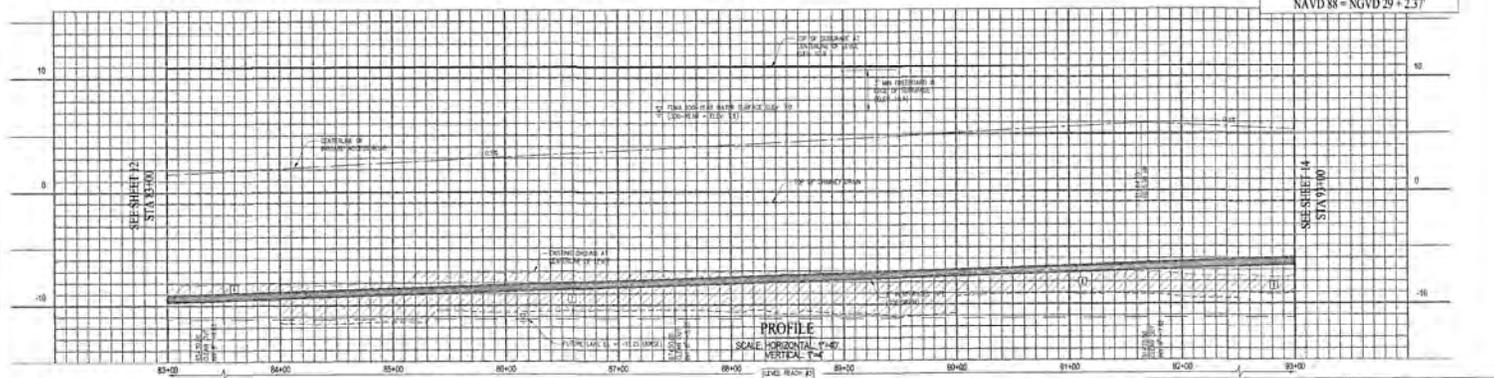
CURVE TABLE

NO	RADIUS	ANGLE	LENGTH	COMPUTATION
01	1000'	14.03°	24.98'	EDGE OF ROAD
02	1000'	14.03°	24.98'	ACCESS ROAD / EXISTING ROAD
03	1000'	14.03°	24.98'	EDGE OF ROAD
04	1000'	14.03°	24.98'	EDGE OF ROAD
05	1000'	14.03°	24.98'	EDGE OF ROAD
06	1000'	14.03°	24.98'	EDGE OF ROAD
07	1000'	14.03°	24.98'	EDGE OF ROAD



LEVEE PLAN
SCALE 1"=40'

LEVEE CROWN SUBGRADE MINIMUM
ELEVATION 10.7 (NGVD 29)
NAVD 88 = NGVD 29 + 2.37



PROFILE
SCALE HORIZONTAL 1"=40'
VERTICAL 1"=4'

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SUMMER LAKE NORTH

LEVEE PLANS
PLAN AND PROFILE

CITY OF OAKLEY

SUBD 9307

(SEE MAPS)

CALIFORNIA

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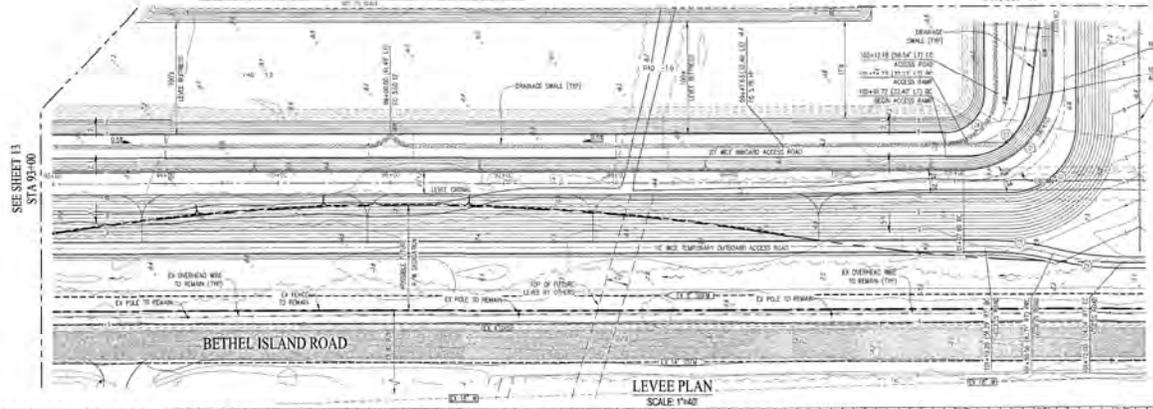
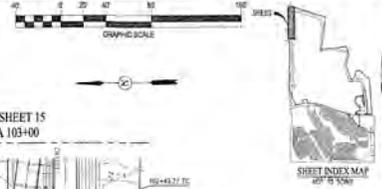
DATE: JULY 04, 2009

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**CAUTION:
EXISTING UTILITIES!**
EXISTING GAS MAIN & OVERHEAD POWER LINES LOCATED ALONG BETHEL ISLAND ROAD AND SANDWICH BOULEVARD. CONTRACTOR SHALL USE EXTREME CAUTION WHEN WORKING WITHIN THE VICINITY OF UTILITIES. CONTRACTOR SHALL COORDINATE WITH UNDERGROUND SERVICE ALERT AND THE APPROPRIATE UTILITY COMPANIES PRIOR TO AND DURING CONSTRUCTION.

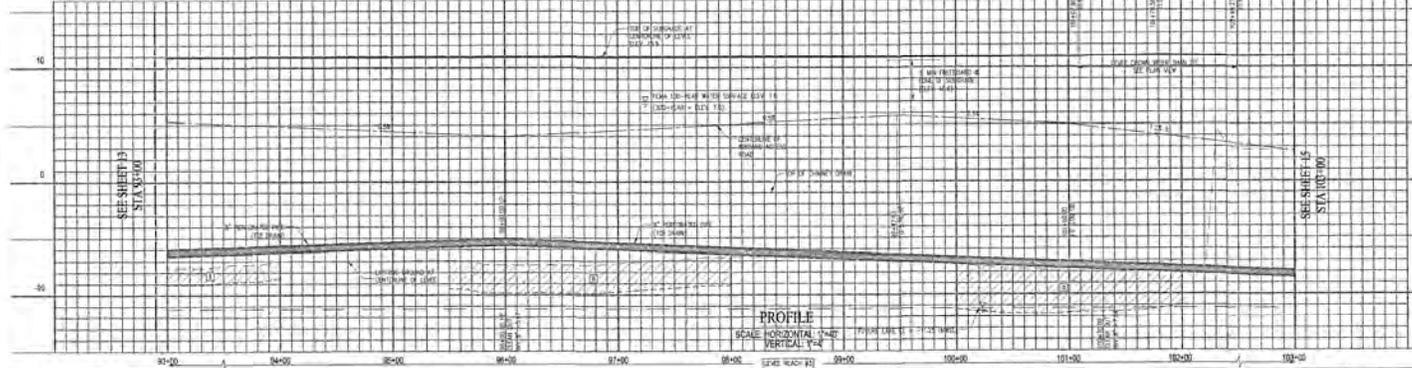


CURVE TABLE

NO.	BEARING	DELTA	CURVATURE	LENGTH
1	222°28'	11°20'30"	423.52'	ACCESS ROAD CENTER LINE
2	200°00'	37°32'	494.02'	LEVEE STATION LINE
3	45.00'	8°42'30"	5.25'	LEAVE STATION LINE
4	62°58'00"	19°17'17"	553.82'	ACCESS ROAD STATION LINE
5	45.00'	8°42'30"	5.25'	ACCESS ROAD STATION LINE

TERMINAL GRADING / OVER-EXCAVATION LIMITS
 FILE GEOLOGICAL REPORT FOR FURTHER INFORMATION.
 (1) STA 93+00 TO STA 94+00 (200'W = 15 FT)
 (2) STA 94+00 TO STA 96+00 (200'W = 15 FT)
 (3) STA 96+00 TO STA 102+00 (200'W = 4 FT)

**LEVEE CROWN SUBGRADE MINIMUM
ELEVATION 10.7 (NGVD 29)
NAVD 88 = NGVD 29 + 2.37**



OAKLEY
CALIFORNIA

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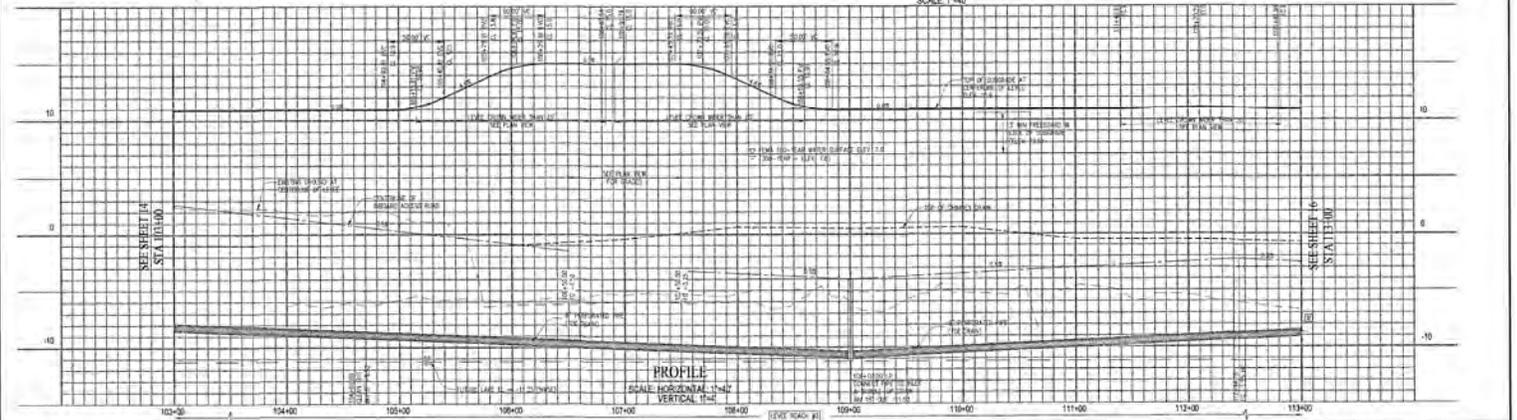
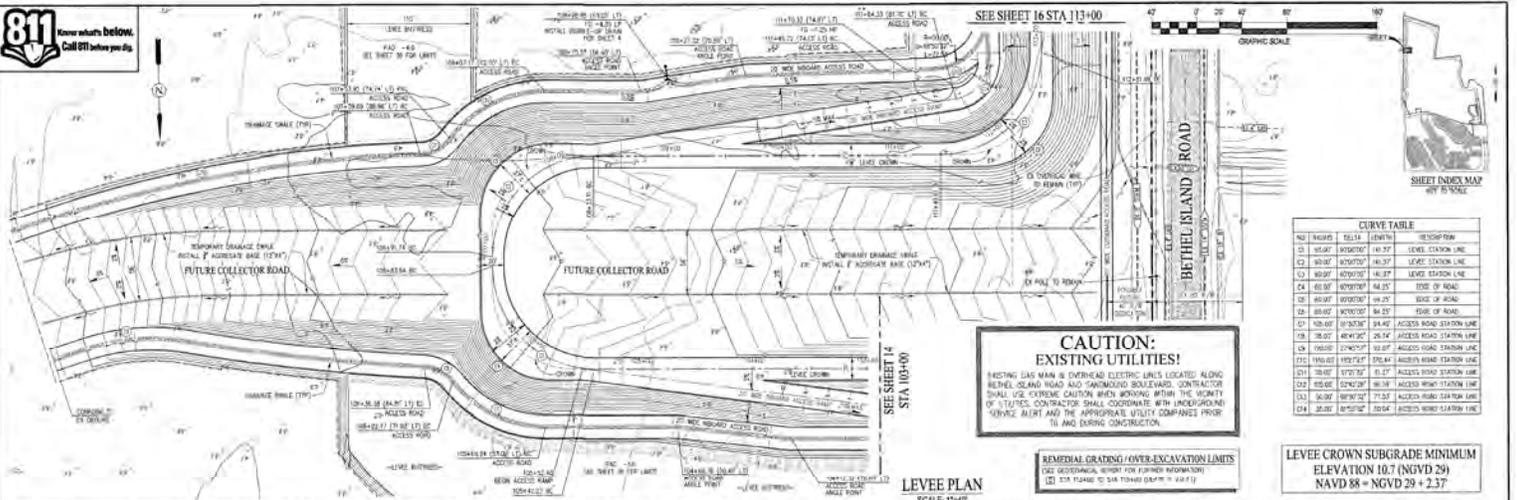
SUMMER LAKE NORTH
LEVEE PLANS
PLAN AND PROFILE
CITY OF OAKLEY

SUBD 9307
CALIFORNIA

NO.	REVISIONS	BY	DATE	DESIGNED UNDER THE DIRECTION OF

DATE: JULY 06, 2020

14
49



OAKLEY CALIFORNIA

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SUMMER LAKE NORTH SUBD 9307

LEVEE PLANS PLAN AND PROFILE

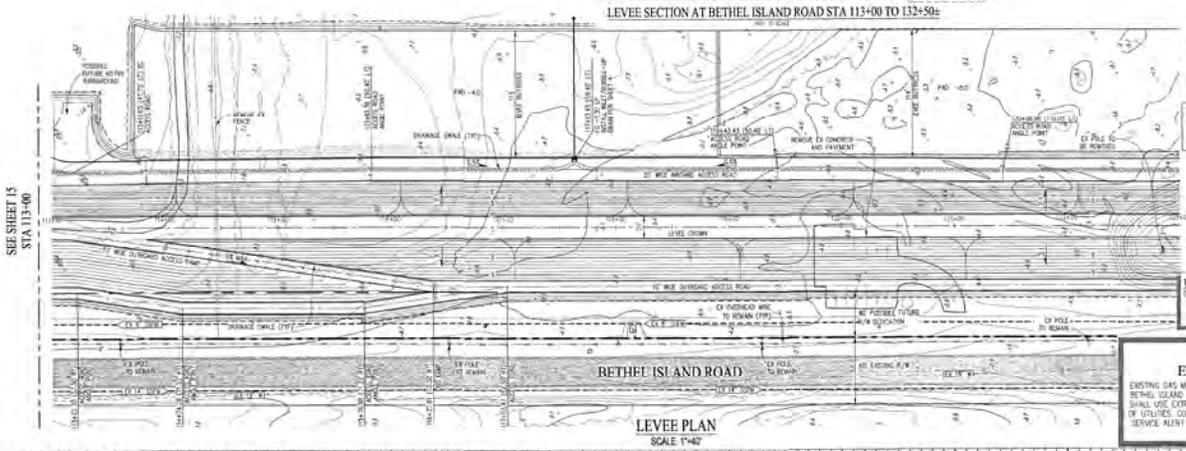
CITY OF OAKLEY CALIFORNIA

DESIGNED UNDER THE DIRECTION OF: [Signature]

DATE: JULY 06, 2002

15

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LEVEE CROWN SURGRADE MINIMUM
ELEVATION 10.7 (NGVD 29)
NAVD 88 = NGVD 29 + 2.37

REMEDIAL GRADING / OVER-EXCAVATION LIMITS
(SEE GEOTECHNICAL REPORT FOR FURTHER INFORMATION)
 (1) STA 113+00 TO STA 115+00 (DEPTH = 2.0 FT)
 (2) STA 115+00 TO STA 116+00 (DEPTH = 2.0 FT)
 (3) STA 116+00 TO STA 118+00 (DEPTH = 2.0 FT)

**CAUTION:
EXISTING UTILITIES!**
 EXISTING 24" MAIN 8" OVERHEAD ELECTRIC LINES LOCATED ALONG BETHEL ISLAND ROAD AND SANDRING BOULEVARD. CONTRACTOR SHALL USE EXTREME CAUTION WHEN WORKING WITHIN THE VICINITY OF UTILITIES. CONTRACTOR SHALL COORDINATE WITH UNDERGROUND SERVICES ALERT AND THE APPROPRIATE UTILITY COMPANIES PRIOR TO AND DURING CONSTRUCTION.



SUMMER LAKE NORTH
CITY OF OAKLEY

LEVEE PLANS
PLAN AND PROFILE

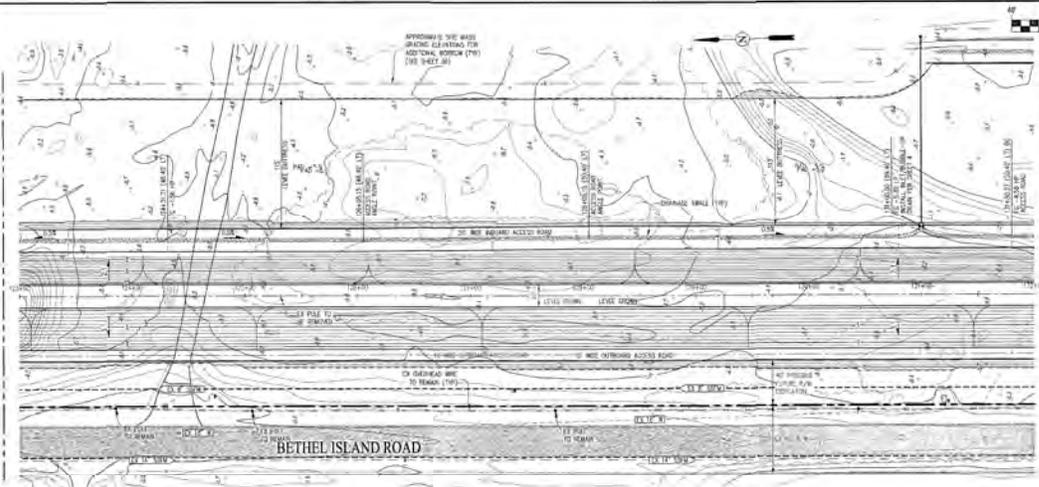
SUBD 9307
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NO.	DESCRIPTION	BY	APP.	DATE	DESIGNED BY	CHECKED BY



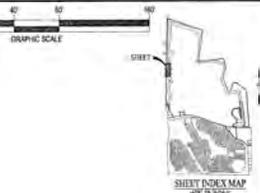


SEE SHEET 16
STA 123+00



LEVEE PLAN
SCALE 1"=40'

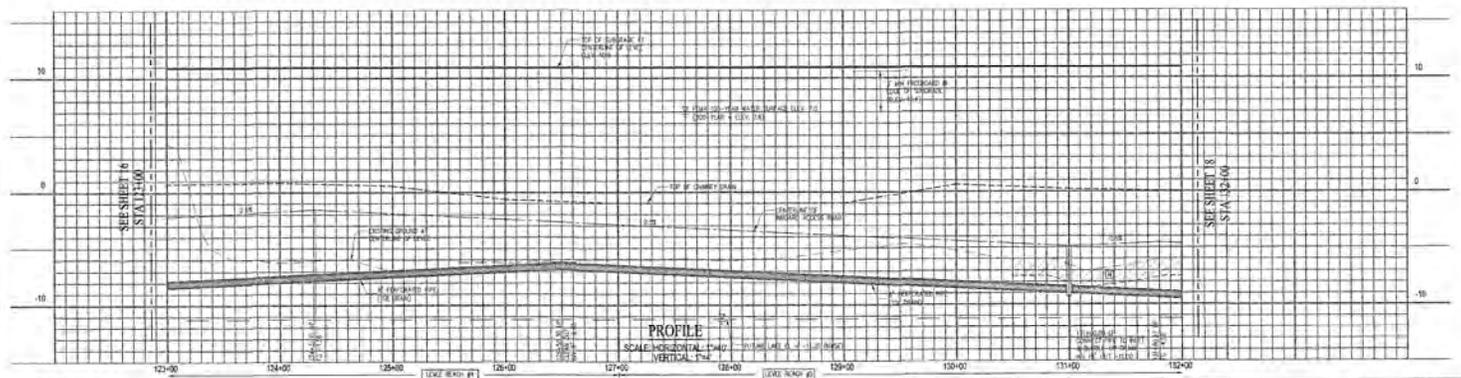
SEE SHEET 18
STA 132+00



REMEDIATION GRADING / OVER-EXCAVATION LIMITS
SEE REMEDIATION REPORT FOR REMEDIATION
LIMITS. SEE SHEET 18 FOR OVER-EXCAVATION LIMITS.

CAUTION: EXISTING UTILITIES!
EXISTING GAS MAIN & OVERHEAD ELECTRIC LINES LOCATED ALONG BETHEL ISLAND ROAD AND SURROUNDING AREAS. CONTRACTOR SHALL USE EXTREME CAUTION WHEN BORROWING WITHIN THE VICINITY OF UTILITIES. CONTRACTOR SHALL COORDINATE WITH UNDERGROUND SERVICE AGENCY AND THE APPROPRIATE UTILITY COMPANIES PRIOR TO AND DURING CONSTRUCTION.

LEVEE CROWN SUBGRADE MINIMUM
ELEVATION 10.7 (NGVD 29)
NAVD 88 = NGVD 29 + 2.37



PROFILE
SCALE HORIZONTAL 1"=40'
VERTICAL 1"=10'



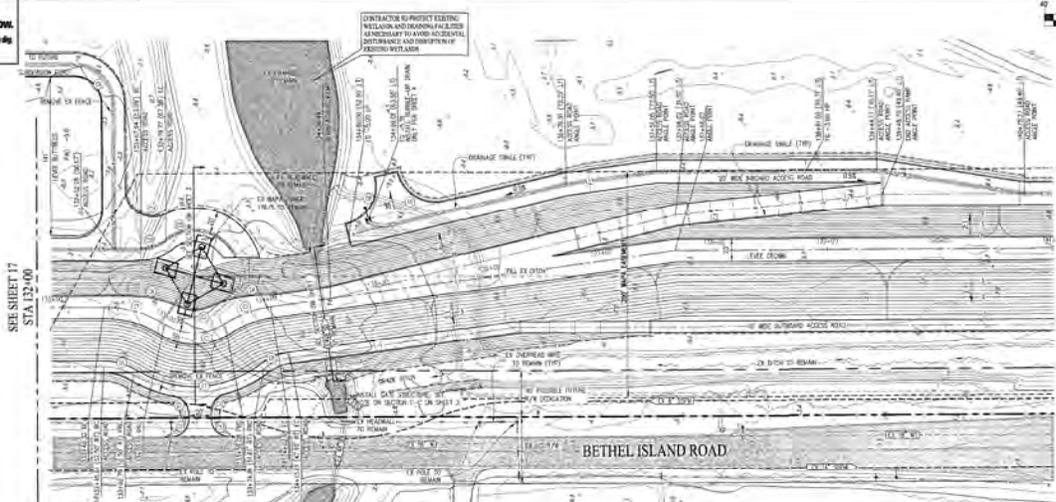
SUMMER LAKE NORTH
CITY OF OAKLEY

LEVEE PLANS
PLAN AND PROFILE
CALIFORNIA

NO.	REVISIONS	BY	APP.	DATE

DESIGNED UNDER THE DIRECTION OF
 PROJECT NO. _____ DATE _____
 CHECKED BY _____ DATE: JUL 14, 2020
 DRAWN BY _____
 CHECKED BY _____

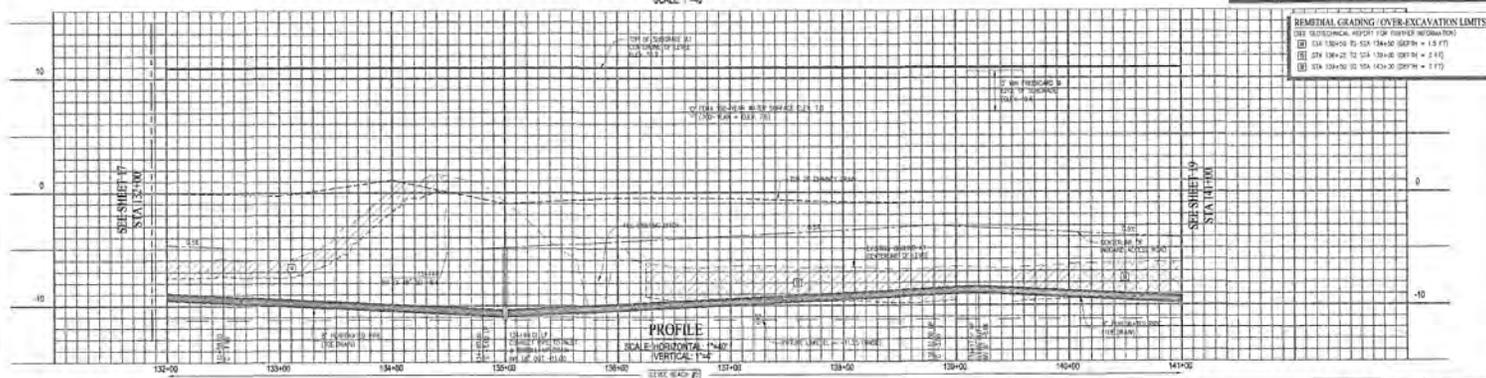




CURVE TABLE

NO	BEARING	DELTA	LENGTH	DESCRIPTION
01	180.00°	30.00°	36.24'	LEVEE STATION LINE
02	30.00°	60.00°	36.88'	LEVEE STATION LINE
03	120.00°	24.00°	42.33'	LEVEE STATION LINE
04	180.00°	180.00°	13.52'	EDGE OF ROAD
05	30.00°	48.00°	25.38'	EDGE OF ROAD
06	30.00°	21.00°	27.66'	ACCESS ROAD STATION LINE
07	120.00°	180.00°	13.52'	ACCESS ROAD STATION LINE
08	30.00°	21.00°	27.66'	ACCESS ROAD STATION LINE
09	30.00°	21.00°	27.66'	ACCESS ROAD STATION LINE
10	120.00°	180.00°	13.52'	ACCESS ROAD STATION LINE
11	30.00°	21.00°	27.66'	EDGE OF ROAD
12	30.00°	21.00°	27.66'	EDGE OF ROAD
13	180.00°	180.00°	13.52'	EDGE OF ROAD
14	250.00°	180.00°	13.52'	EDGE OF ROAD
15	180.00°	180.00°	13.52'	ACCESS ROAD STATION LINE

CAUTION: EXISTING UTILITIES!
 EXISTING GAS MAIN IS OVERHEAD ELECTRIC LINES LOCATED ALONG BETHEL ISLAND ROAD AND SANDMAYARD BOULEVARD. CONTRACTOR SHALL USE EXTREME CAUTION WHEN WORKING WITHIN THE VICINITY OF UTILITIES. CONTRACTOR SHALL COORDINATE WITH UNDERGROUND SERVICE ALERT AND THE APPROPRIATE UTILITY COMPANIES PRIOR TO AND DURING CONSTRUCTION.



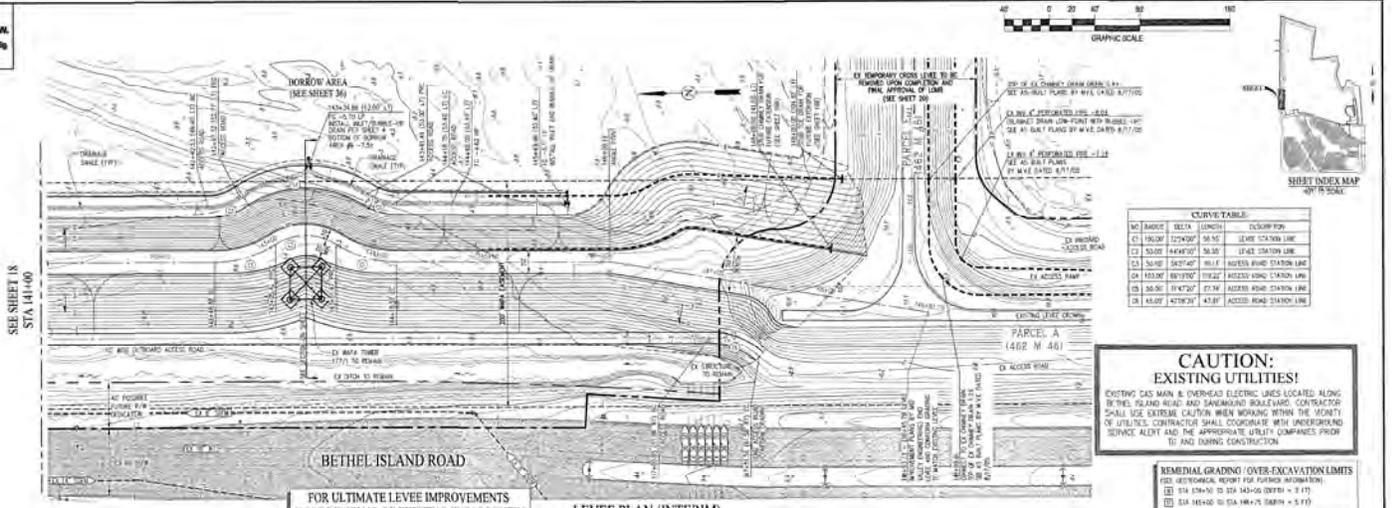
SUMMER LAKE NORTH
LEVEE PLANS
 PLAN AND PROFILE
 CITY OF OAKLEY

SUBD 9307

NO.	REVISIONS	BY	APP.	DATE	DISPOSER LINE(S) BY THE CORRECTION OF

DESIGNED BY: [] DATE: []
 CHECKED BY: [] DATE: []

18 SHEET
49 TOTAL SHEETS



NO.	BEARING	DELTA	LENGTH	CURVE POSITION
(1)	190.00	125.000	58.50	LEVEE STATION LINE
(2)	50.00	64.400	58.50	LEVEE STATION LINE
(3)	50.00	58.274	86.17	ACCESS ROAD STATION LINE
(4)	100.00	180.700	77.02	ACCESS ROAD STATION LINE
(5)	50.00	51.470	27.34	ACCESS ROAD STATION LINE
(6)	45.00	42.900	43.87	ACCESS ROAD STATION LINE

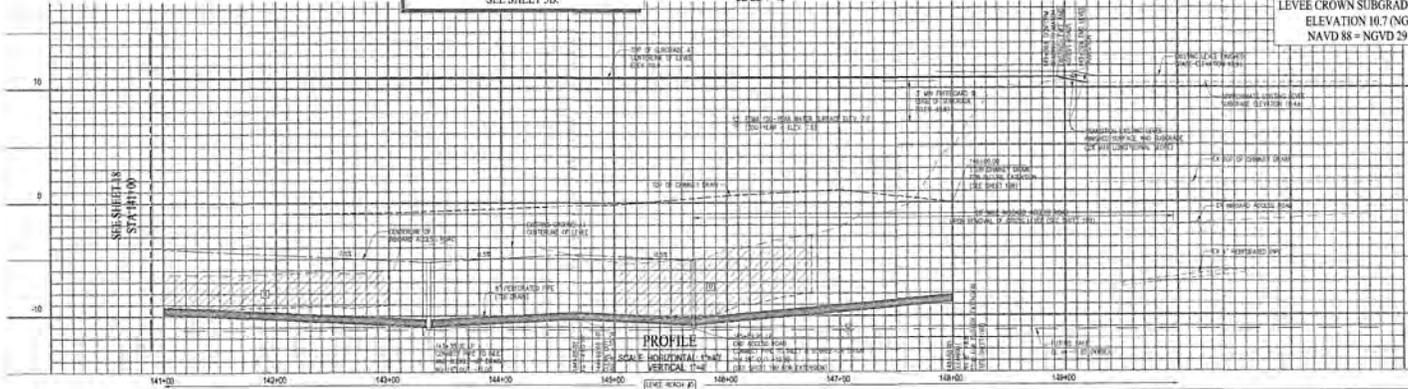
CAUTION: EXISTING UTILITIES!
 EXISTING GAS MAIN & OVERHEAD ELECTRIC LINES LOCATED ALONG BETHEL ISLAND ROAD AND SANDWICH BOULEVARD. CONTRACTOR SHALL USE EXTREME CAUTION WHEN WORKING WITHIN THE VICINITY OF UTILITIES. CONTRACTOR SHALL COORDINATE WITH UNDERGROUND SERVICE ALERT AND THE APPROPRIATE UTILITY COMPANIES PRIOR TO AND DURING CONSTRUCTION.

REMEDIATION GRADING / OVER-EXCAVATION LIMITS
 SEE REMEDIATION REPORT FOR FURTHER INFORMATION.
 (1) STA 142+50 TO STA 143+00 (DEPTH = 3 FT)
 (2) STA 143+00 TO STA 144+75 (DEPTH = 5 FT)

FOR ULTIMATE LEVEE IMPROVEMENTS (POST REMOVAL OF EXISTING CROSS LEVEE) SEE SHEET 5B.

LEVEE PLAN (INTERIM)
 SCALE 1"=40'

LEVEE CROWN SUBGRADE MINIMUM ELEVATION 10.7 (NGVD 29)
 NAVD 88 = NGVD 29 + 2.37'



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 IRVINE • (949) 261-0100
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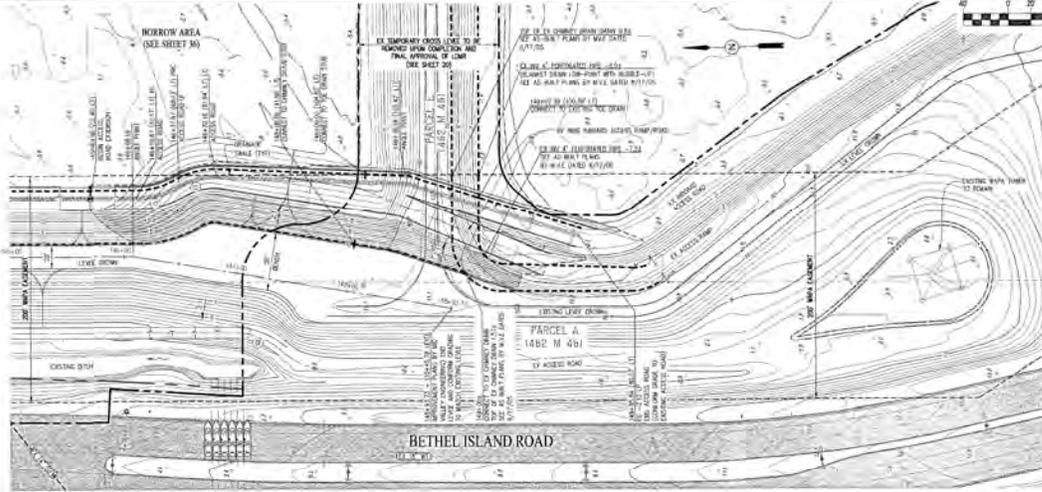
SUMMER LAKE NORTH
 CITY OF OAKLEY

LEVEE PLANS
 PLAN AND PROFILE - (INTERIM)

SUBD 9307
 CALIFORNIA

NO.	REVISIONS	BY	DATE	PREPARED UNDER THE DIRECTION OF

19A
 49



CURVE TABLE

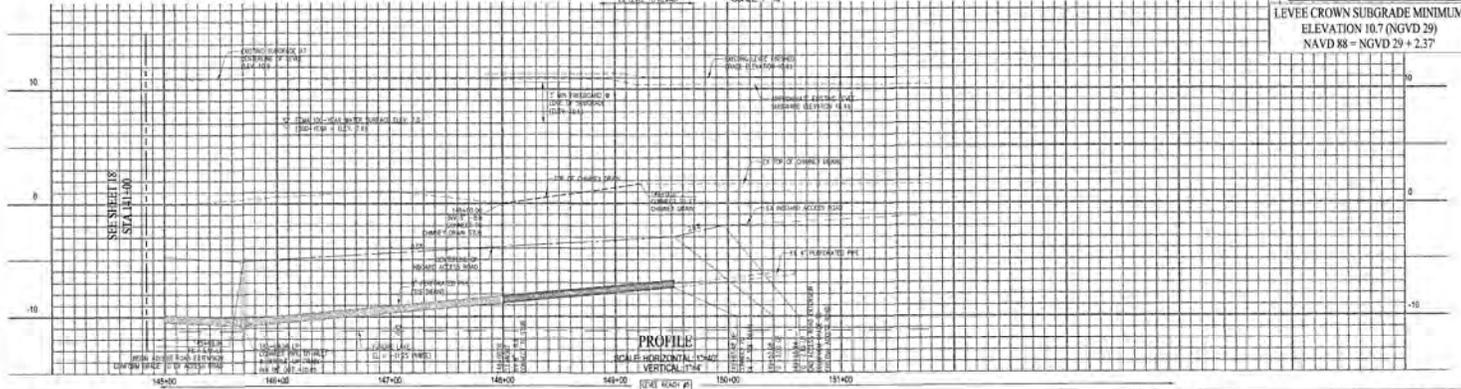
NO.	RADIUS	DELTA	LENGTH	REMARKS
01	140.0'	33°22'17"	76.29'	ACCESS ROAD TO ROAD JUNCT.
02	140.0'	33°22'17"	76.29'	ACCESS ROAD TO ROAD JUNCT.

CAUTION: EXISTING UTILITIES!
 EXISTING GAS MAIN & OVERHEAD ELECTRIC LINES LOCATED ALONG BETHEL ISLAND ROAD AND SANDMOUND BOULEVARD. CONTRACTOR SHALL USE EXTREME CAUTION WHEN WORKING WITHIN THE VICINITY OF UTILITIES. CONTRACTOR SHALL COORDINATE WITH UNDERGROUND SERVICE ALERT AND THE APPROPRIATE UTILITY COMPANIES PRIOR TO AND DURING CONSTRUCTION.

SEE SHEET 20 & 21 FOR EXISTING CROSS LEVEE REMOVAL AND CROSS SECTIONS.

LEVEE CROWN SUBGRADE MINIMUM ELEVATION 10.7 (NGVD 29)
 NAVD 88 = NGVD 29 + 2.37

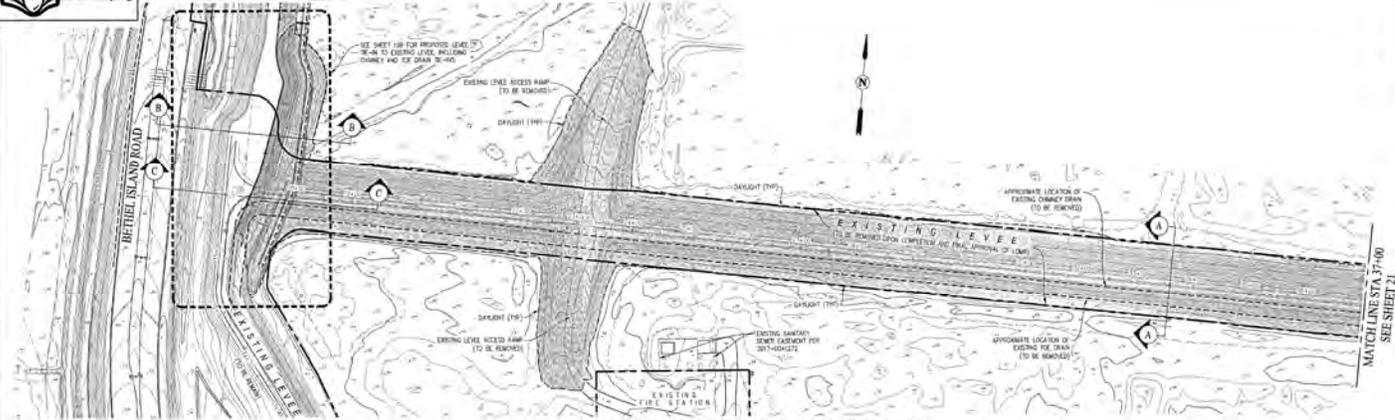
LEVEE PLAN (ULTIMATE)
 SCALE 1"=40'



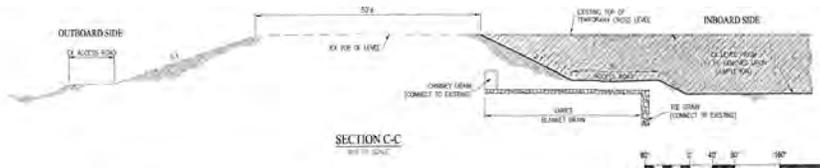
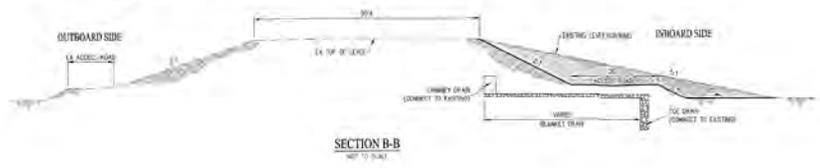
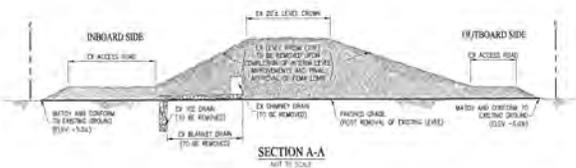
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NO.	REVISIONS	BY	DATE														



SEE SHEETS 19B



EXISTING CROSS LEVEE REMOVAL PLAN - (ULTIMATE)
SCALE 1"=87'



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LEVEE PLANS
EXISTING CROSS LEVEE REMOVAL PLAN - (ULTIMATE)
CITY OF OAKLEY CALIFORNIA

SUBD 9307

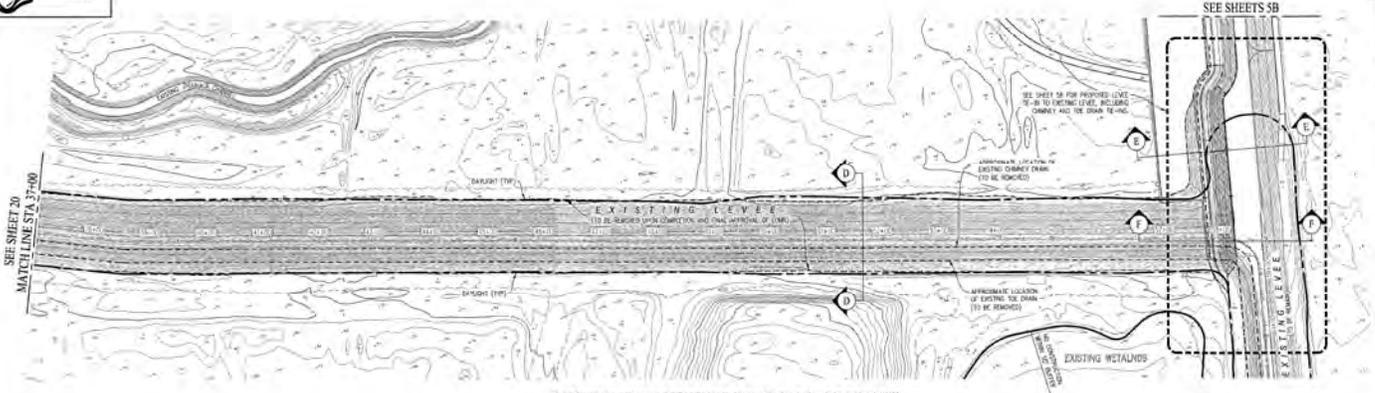
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DESIGNED UPON THE DIRECTION OF
 PREPARED BY: JLL
 DESIGN: JLL
 DRAWING: JLL
 CHECKED: JLL

DATE: 04.15.2023

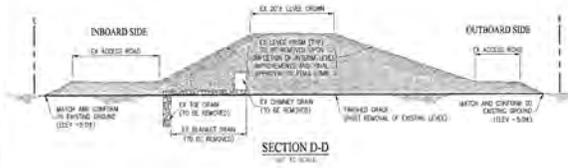
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SHEET 20 OF 49

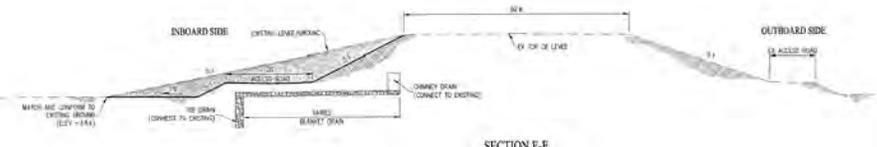


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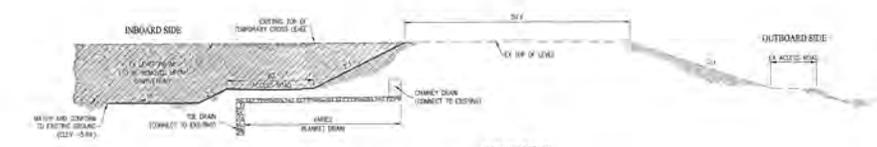
SCALE 1"=60'



SECTION D-D
NOT TO SCALE



SECTION E-E
NOT TO SCALE



SECTION F-F
NOT TO SCALE



SUMMER LAKE NORTH
LEVEE PLANS
EXISTING CROSS LEVEE REMOVAL PLAN - (ULTIMATE)
CITY OF OAKLEY

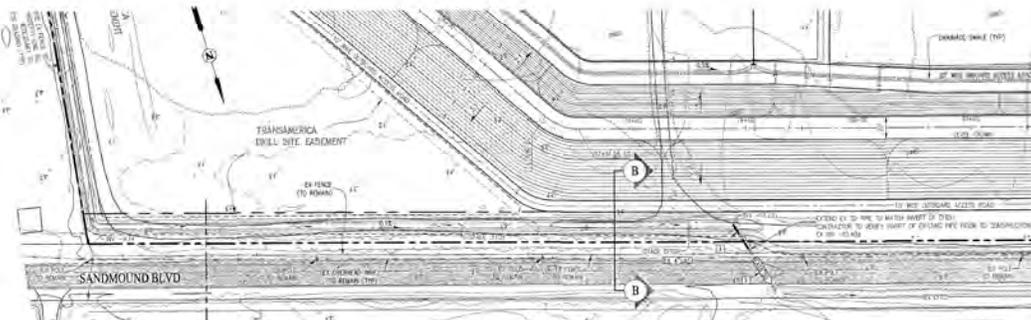
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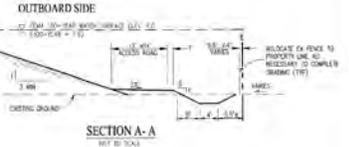
DRAWN BY / PERMITTED / CHECKED BY		DATE	



DRAINAGE DITCH PLAN
SCALE: 1"=40'



DRAINAGE DITCH PLAN
SCALE: 1"=40'



SECTION A-A
NOT TO SCALE



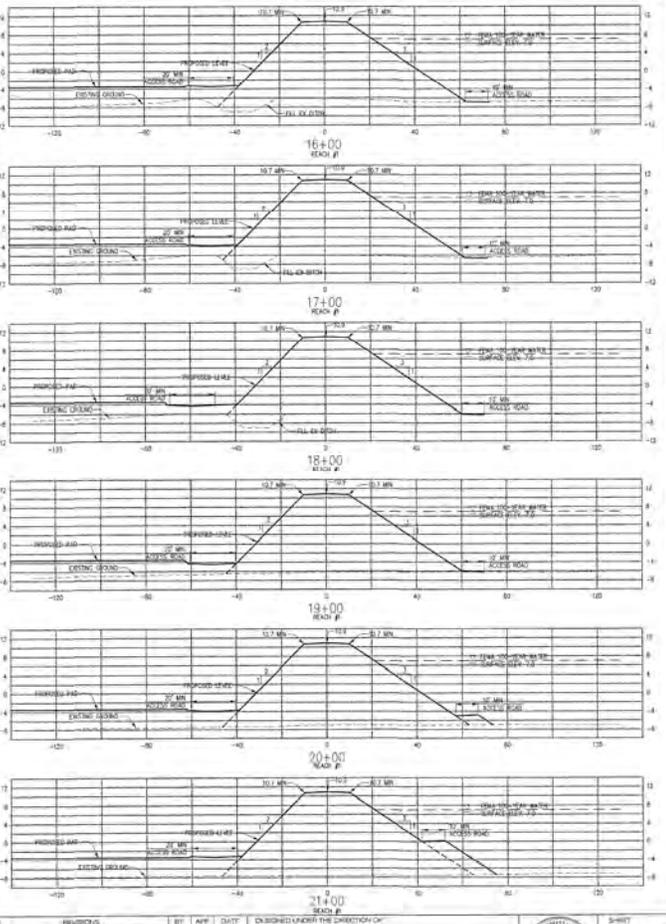
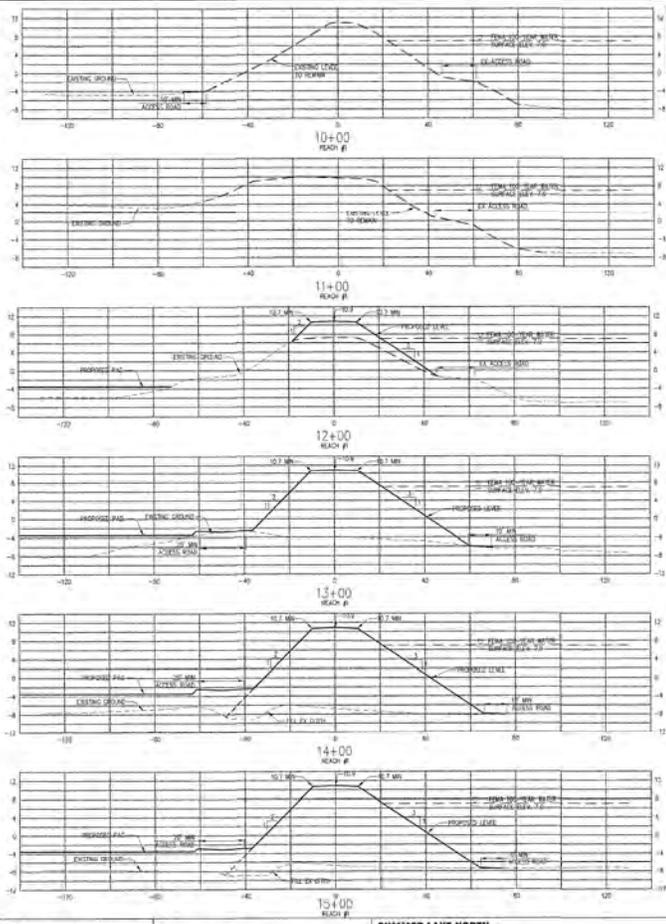
SECTION B-B
NOT TO SCALE

- CONSTRUCTION NOTES**
- (1) INSTALL 24" DIA. STORM DRAIN PIPE 54" DIA.
 - (2) EXISTING 18" DIA. CURB DRAIN PIPE.

		<p>SUMMER LAKE NORTH</p> <p>CITY OF OAKLEY</p>	<p>LEVEE PLANS</p> <p>NORTH DRAINAGE DITCH</p>	<p>SUBD 9307</p> <p>CALIFORNIA</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>BY</th> <th>APP.</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	DESCRIPTION	BY	APP.	DATE																<p>DESIGNED UNDER THE SUPERVISION OF</p> <p>_____ CIVIL ENGINEER</p> <p>DATE: JULY 04, 2020</p>	
NO.	DESCRIPTION	BY	APP.	DATE																							



NOTE:
 1. THE CONTRACTOR SHALL ENSURE THAT THE PROPOSED ELEVATIONS AND RELATED SLOPES ARE SUFFICIENT TO COMPLY WITH FEMA REQUIREMENTS.
 2. FOR DAMAGED DAMBET, SEE THE DESIGN DETAILS, SEE FINAL LEVEL SECTION IN SHEET 4.



CROSS SECTIONS
 SCALE HORIZONTAL: 1"=20'
 VERTICAL: 1"=10'



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LEVEE PLANS
 CROSS SECTIONS

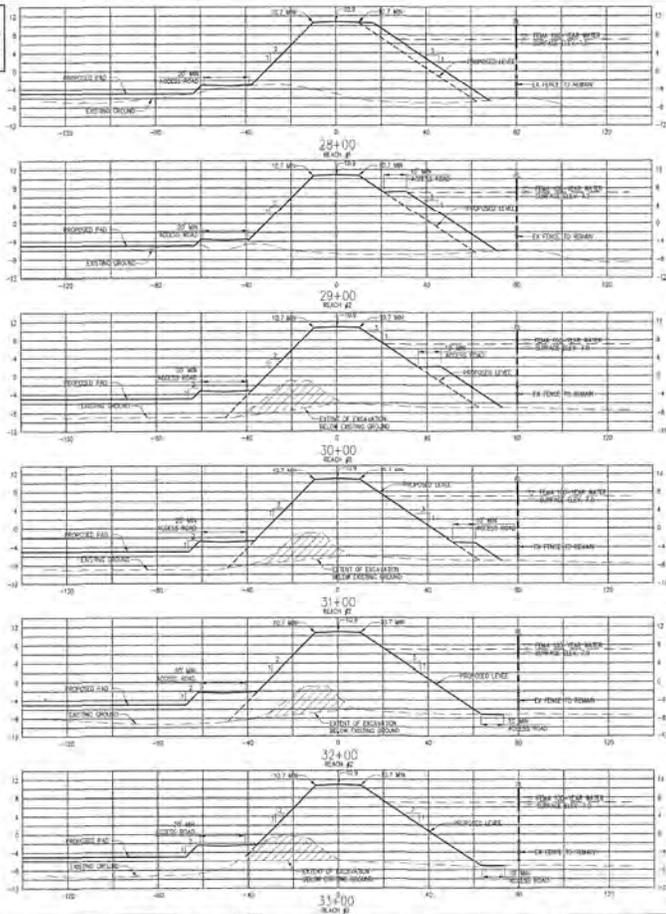
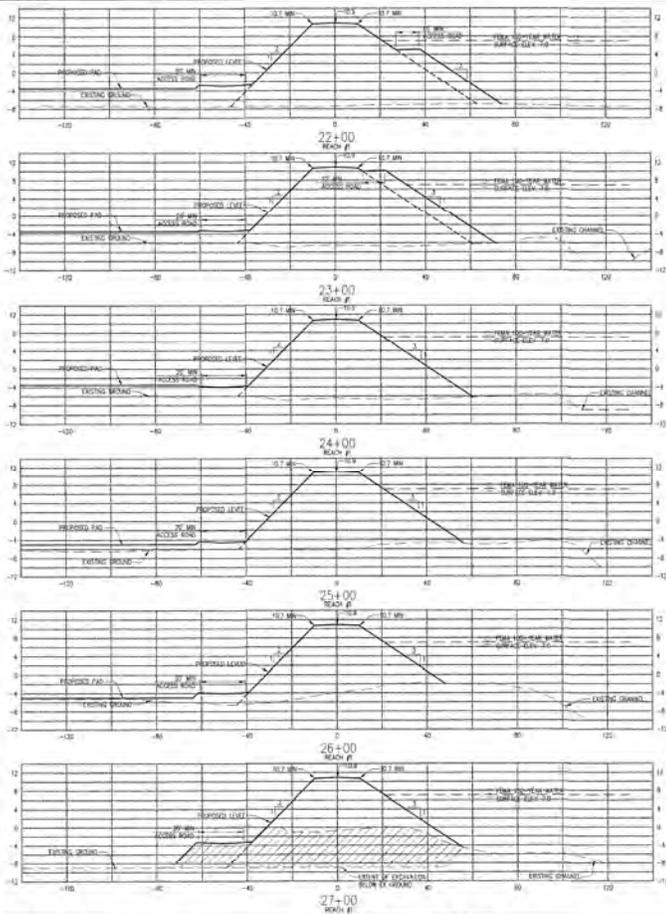
SUBD 9307
 CALIFORNIA

NO.	REVISIONS	BY	APP.	DATE	DESIGNED UNDER THE DIRECTION OF

DATE: JULY 16, 2020
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 23
 49



NOTE:
 1. THE CONTRACTOR SHALL ENSURE THAT THE PROPOSED ELEVATIONS AND REQUIRED SLOPES ARE MAINTAINED IN ORDER TO COMPLY WITH FEMA REQUIREMENTS.
 2. FOR CHANGES, BLANKET AND SEE DRAWING NUMBER FOR TRAILER, LEVEL SECTION OF SHEET 4.



CROSS SECTIONS
 SCALE HORIZONTAL 1"=20'
 VERTICAL 1"=10'

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LEVEE PLANS
CROSS SECTIONS

SUBD 9307
 CALIFORNIA

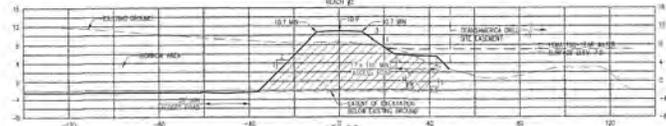
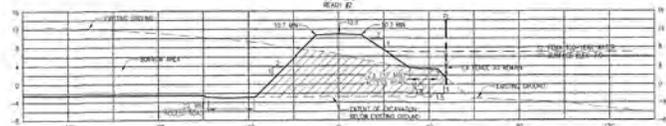
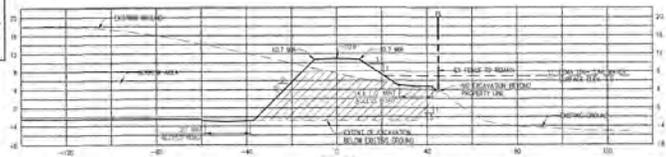
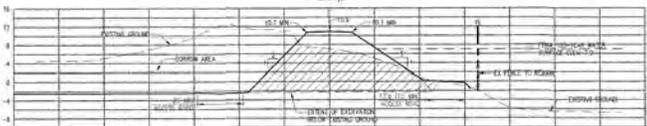
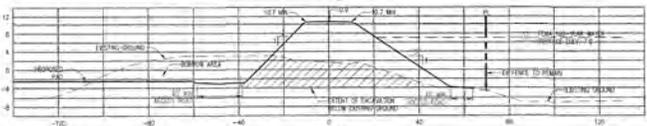
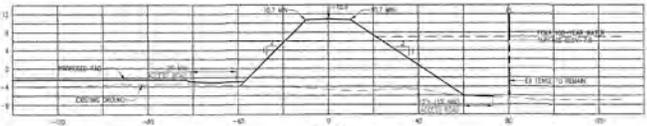
NO.	REVISIONS	BY	APP.	DATE

DESIGNED UNDER THE DIRECTION OF:
 CHECKED BY:
 DATE:
 DATE: JULY 14, 2008

24
49



NOTE:
 1. THE CONTRACTOR SHALL INSURE THAT THE FINISH ELEVATIONS AND SLOPES SHOWN ARE MAINTAINED IN ACCORD TO COMPLY WITH TBM REQUIREMENTS.
 2. THE CONTRACTOR SHALL MAINTAIN THE SHOWN TOTALS OF TYPICAL LEVEE SECTION ON SHEET 4.



CROSS SECTIONS
 SCALE: HORIZONTAL: 1"=20'
 VERTICAL: 1"=10'



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 BAKER • (916) 278-9077

SUMMER LAKE NORTH

**LEVEE PLANS
 CROSS SECTIONS**

CITY OF OAKLEY

SUBD 9307

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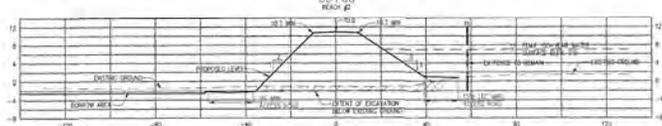
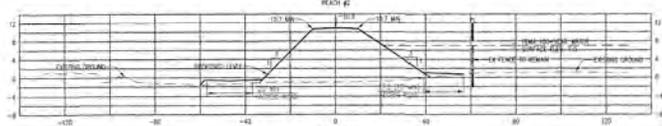
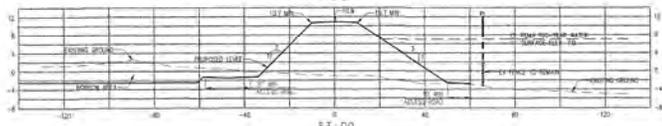
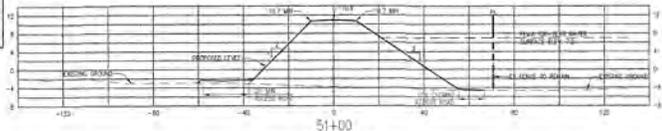
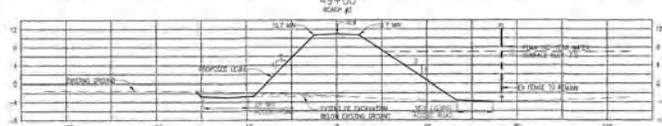
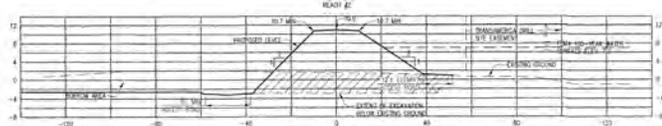
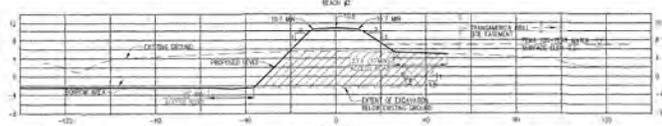
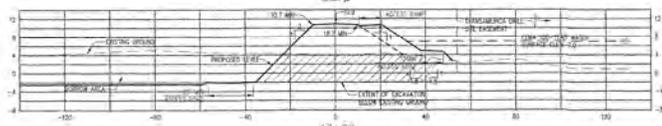
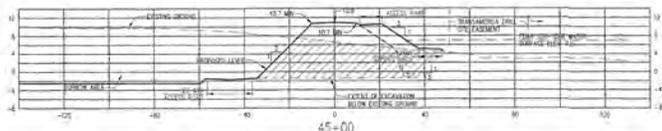
NO.	DESCRIPTION	BY	DATE

APPROVED UNDER THE SUPERVISION OF:
 DATE: JULY 06 2000
 DRAWN BY:
 CHECKED BY:





NOTE:
 1. THE CONTRACTOR SHALL INSURE THAT THE NUMBER LOCATIONS AND REQUIRED SLOPES ARE SHOWN IN ORDER TO COMPLY WITH PERM REQUIREMENTS.
 2. FOR GRABBY, SHAWET AND THE SHAWET DETAILS, SEE TYPICAL LEVEE SECTION ON SHEET 4.

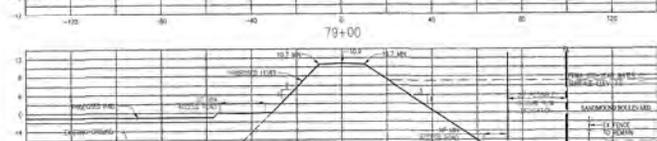
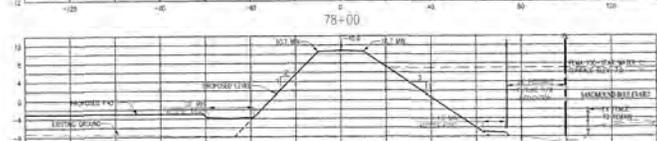
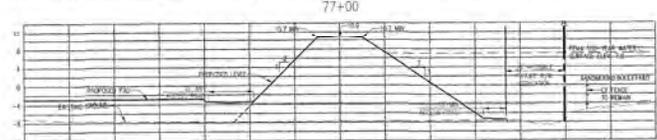
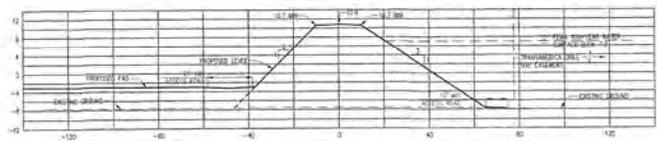
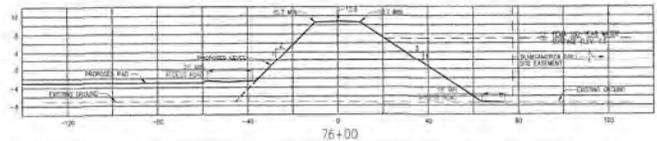
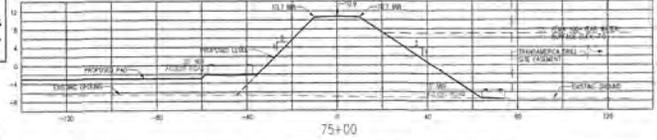
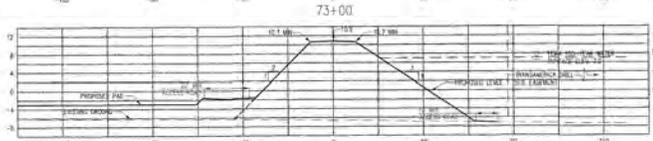
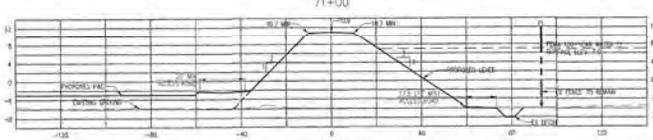
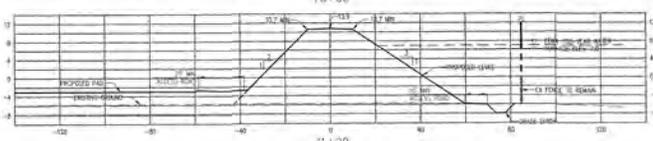
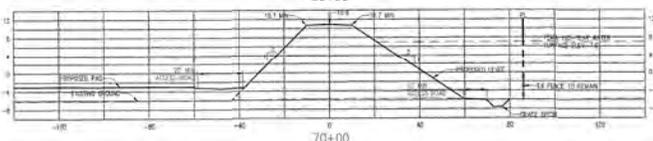


CROSS SECTIONS
 SCALE: HORIZONTAL 1"=10'
 VERTICAL 1"=10'

		SAN RAMON • (925) 960-8222 SACRAMENTO • (916) 378-1677 WWW.CBGEO.COM	SUMMER LAKE NORTH LEVEE PLANS CROSS SECTIONS CITY OF OAKLEY	SUBD 9307 CALIFORNIA	DATE: 07/11/08	DRAWN: JMM	CHECKED: JMM	DATE: JULY 11, 2008		SHEET 26 OF 49
					DATE: 07/11/08	DRAWN: JMM	CHECKED: JMM	DATE: JULY 11, 2008		



NOTE:
 1. THE CONTRACTOR SHALL ENSURE THAT THE MINIMUM ELEVATIONS ARE REQUIRED TO BE MAINTAINED IN ORDER TO COMPLY WITH FIRM REQUIREMENTS.
 2. FOR CHANNEL, BULWARK AND TIE BEAMS DETAILS, SEE TYPICAL CROSS SECTIONS ON SHEET #



CROSS SECTIONS
 SCALE HORIZONTAL 1"=50'
 VERTICAL 1"=10'

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SUMMER LAKE NORTH
 CITY OF OAKLEY

LEVEE PLANS
 CROSS SECTIONS

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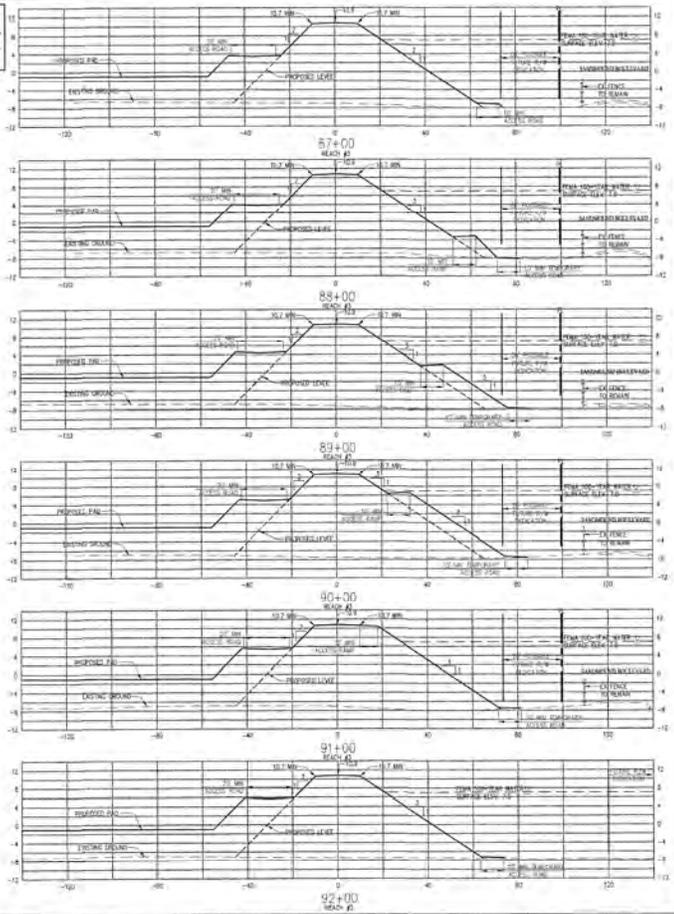
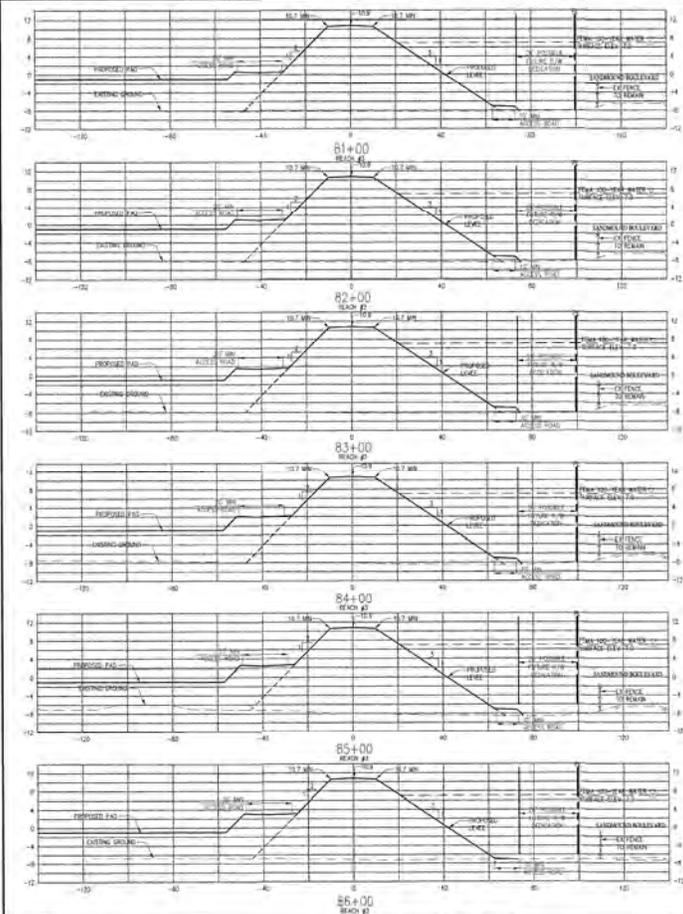
NO.	REVISION	BY	DATE

DESIGNED BY: THE CONSULTING ENGINEER
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 DATE: JAN 08, 2002

PROJECT NO. 28
 SHEET 49



NOTE:
 1. THE CONTRACTOR SHALL ENSURE THAT THE PROPOSED ELEVATIONS AND REQUIRED SLOPES ARE INDICATED IN ACCORDANCE WITH THE CITY OF OAKLEY REQUIREMENTS.
 2. FOR CHANNEL BANKS AND TO BANK SLOPES, SEE TYPICAL LEVEE SECTION ON SHEET 4.



CROSS SECTIONS
 SCALE: HORIZONTAL 1"=30'
 VERTICAL 1"=10'



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CROSS SECTIONS
 CITY OF OAKLEY

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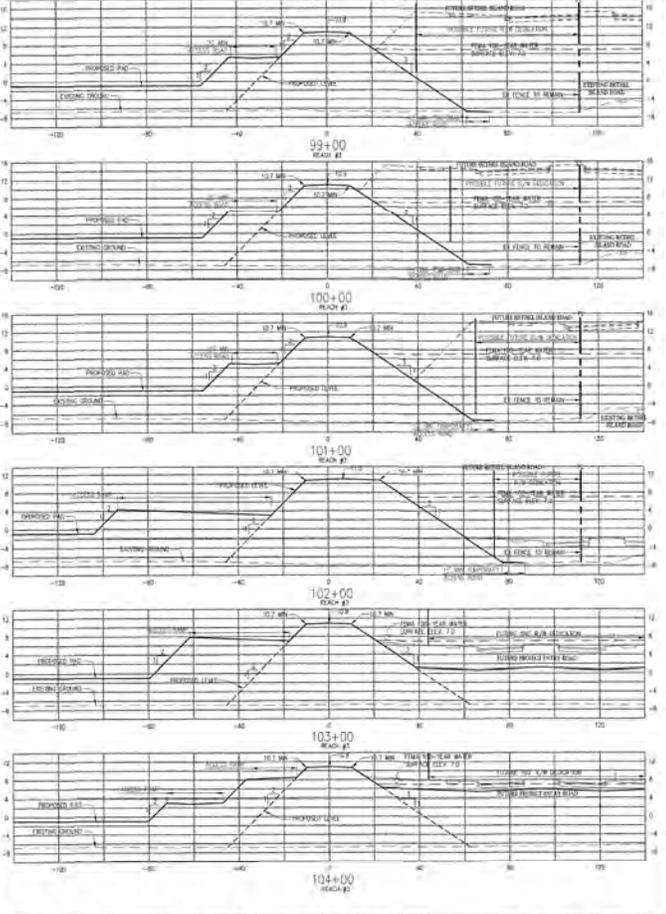
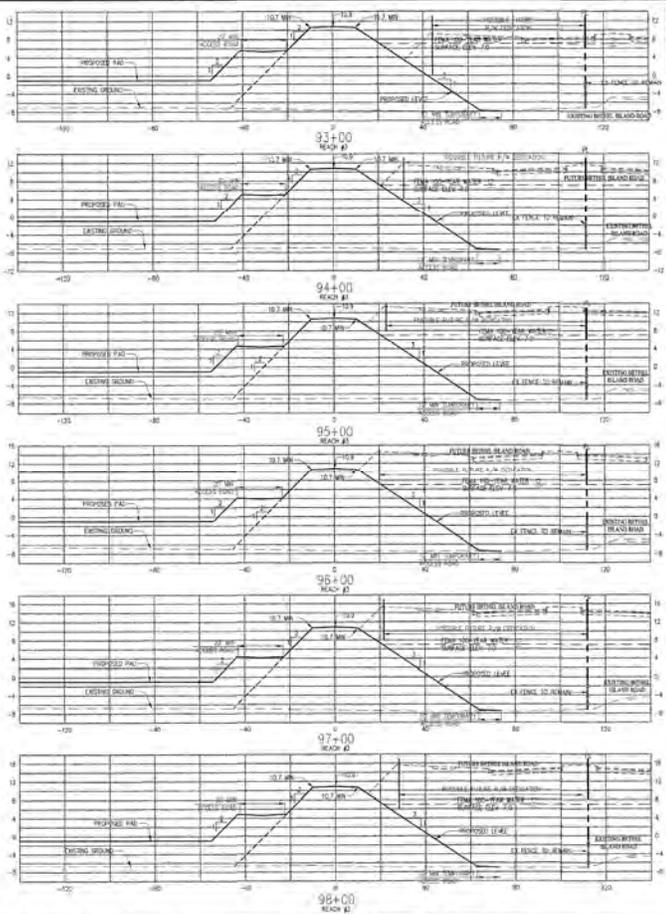
DESIGNED/INVESTIGATING: []
 CHECKED: []
 DATE: JULY 06, 2000

PROFESSIONAL SEAL
 CIVIL ENGINEER
 STATE OF CALIFORNIA
 No. []
 DATE: JULY 06, 2000

SHEET **29** OF **49**



NOTE:
 1. THE CONTRACTOR SHALL INSURE THAT THE MINIMUM ELEVATIONS AND SPACING STIPES ARE MAINTAINED IN ACCORDANCE WITH THE REQUIREMENTS.
 2. FOR CHANNEL BANKS AND FOR CHANNEL STALLS, SEE TYPICAL LEVEE SECTION IN SHEET A.



CROSS SECTIONS
 SCALE HORIZONTAL: 1"=20'
 VERTICAL: 1"=10'



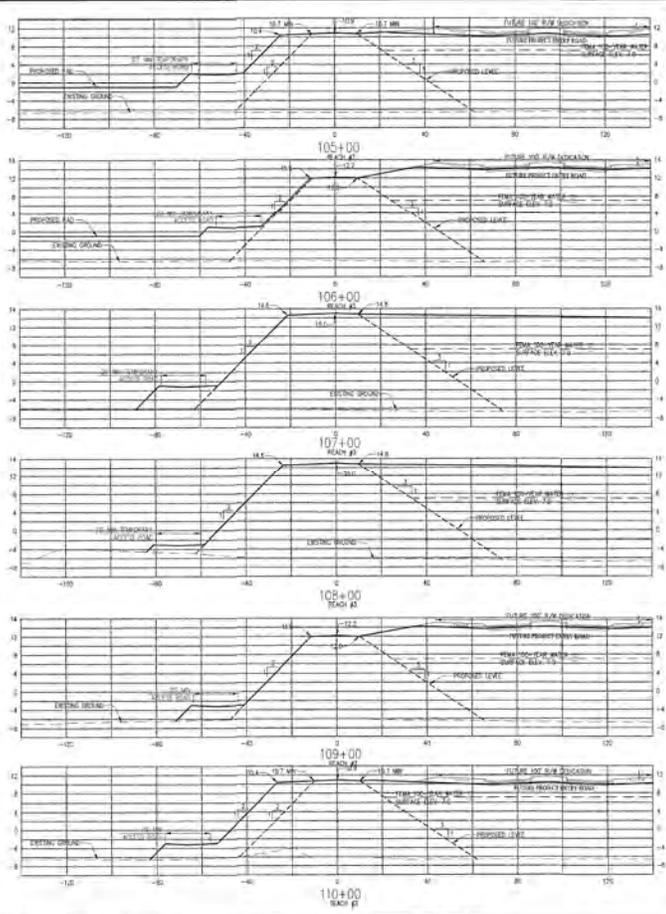
SUMMER LAKE NORTH
LEVEE PLANS
CROSS SECTIONS
 CITY OF OAKLEY

SUBD 9307
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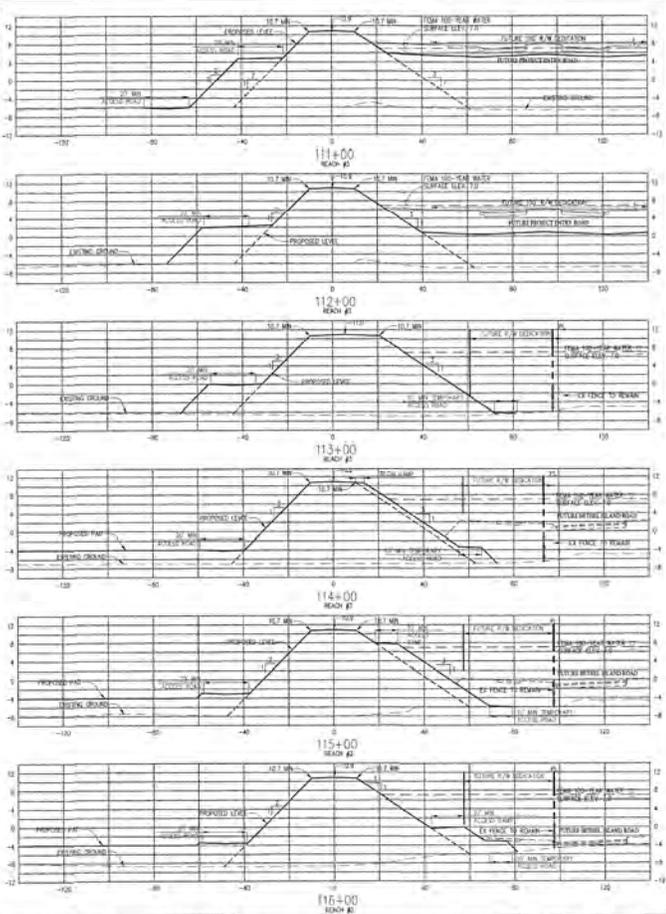
NO.	REVISIONS	BY	APP.	DATE	DESCRIPTION UNDER THE DIRECTION OF

DATE: 11/15/11
 DRAWN: JPH
 CHECKED: JPH
 DATE: 11/15/11

30
49



NOTE:
 1. THE CONTRACTOR SHALL INSURE THAT THE EXISTING ELEVATIONS AND REQUIRED SLOPES ARE SHOWN IN ORDER TO COMPLY WITH FEMA REQUIREMENTS.
 2. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.



CROSS SECTIONS
 SCALE HORIZONTAL: 1"=20'
 SCALE VERTICAL: 1"=10'



SUMMER LAKE NORTH
 CITY OF OAKLEY

LEVEE PLANS
 CROSS SECTIONS

SUBD 9307
 CALIFORNIA

NO.	DESCRIPTION	BY	CHKD	DATE

DESIGNED UNDER THE SUPERVISION OF:
 JASON L. HARRIS
 CIVIL ENGINEER
 OAKLEY, CA
 DATE: JULY 06, 2020

DATE: JULY 06, 2020

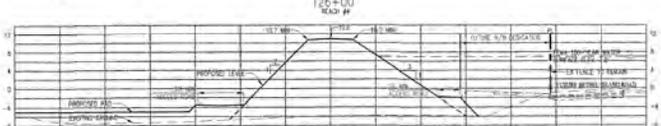
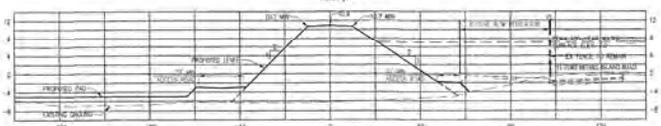
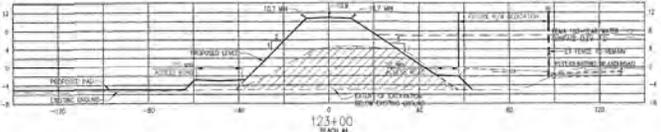
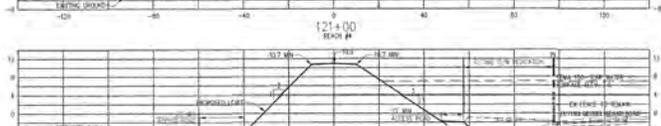
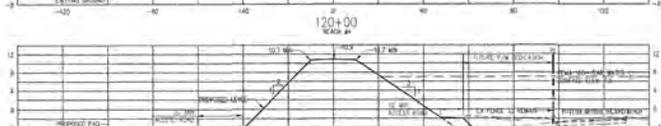
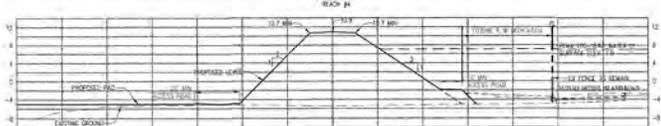
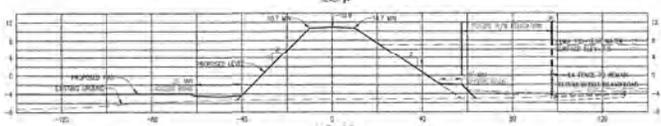
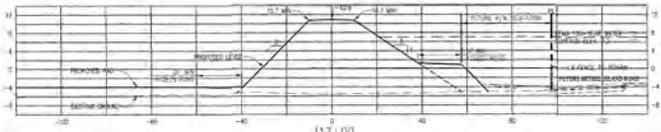
31 SHEETS

49 SHEETS





NOTE:
 1. THE CONTRACTOR SHALL ENSURE THAT THE MINIMUM CLEARANCE AND REQUIRED SIGNS ARE MAINTAINED AS SHOWN TO COMPLY WITH LOCAL REQUIREMENTS.
 2. FOR CHANNEL, BLANKET AND FOR BRANCH WALLS, SEE TYPICAL LEVEE SECTION ON SHEET #.



CROSS SECTIONS
 SCALE: HORIZONTAL: 1"=100'
 VERTICAL: 1"=10'

OAKLEY
 CALIFORNIA

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 (916) 295-8877

SUMMER LAKE NORTH
LEVEE PLANS
CROSS SECTIONS
 CITY OF OAKLEY

SUBD 9307
 CALIFORNIA

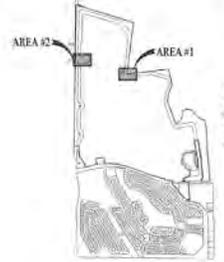
NO.	REVISIONS	BY	APP.	DATE

PREPARED UNDER THE DIRECTION OF
 JOHN J. WILSON
 CIVIL ENGINEER
 DEBBY J. JAY
 CIVIL ENGINEER
 JAMES R. JAY
 CIVIL ENGINEER

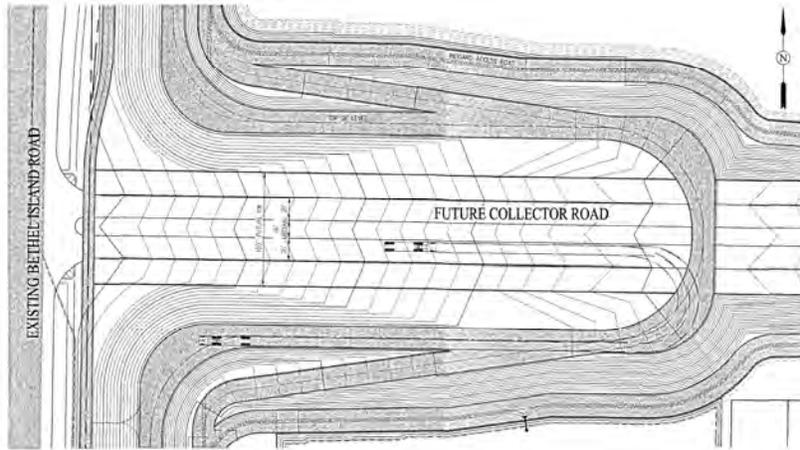
32
 49



AREA #1
SCALE: 1"=40'



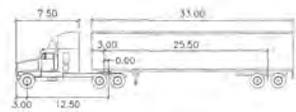
AREA INDEX
(SEE P. 12 SCALE)



AREA #2
SCALE: 1"=40'

LEGEND

- VEHICLE BODY
- VEHICLE GROUNDING
- FRONT WHEEL



WB-40

- TRACTOR WIDTH : 8.00 FEET
- TRAILER WIDTH : 8.00 FEET
- TRACTOR TRACK : 8.00 FEET
- TRAILER TRACK : 8.00 FEET
- LOCK TO LOCK TIME : 6.00
- STEERING ANGLE : 25.30
- ARTICULATING ANGLE : 70.00



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SUMMER LAKE NORTH

LEVEE PLANS
TRUCK TURNING ANALYSIS

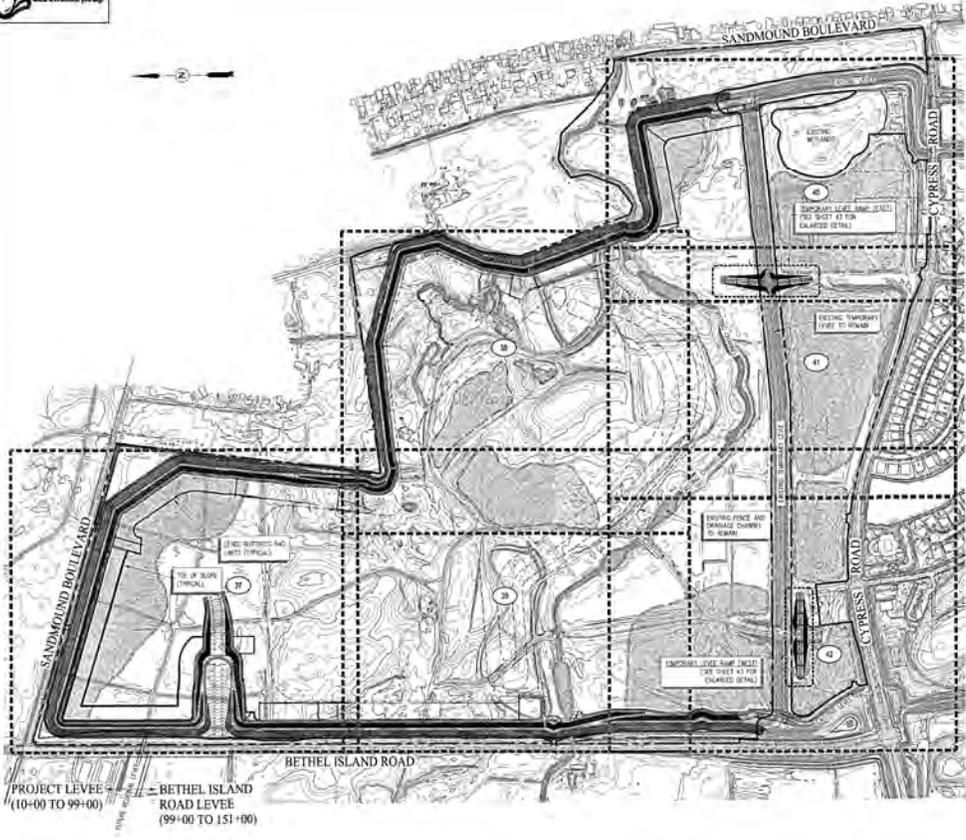
CITY OF OAKLEY

SUBD 9307

NO.	REVISIONS	BY	APP	DATE

DRAWING REVISIONS (SEE DIRECTION OF)	

35
49



EARTHWORK SUMMARY			
DESCRIPTION	CUT	ADJUSTED CUT	FILL
PROJECT LEVEE (10+00 TO 99+00)	-	-	80,000
EXCAVATION	24,607	19,681	99,000
SUBGRADE STABILIZATION (10+00 TO 99+00)	26,902	79,320	99,000
BETHEL ISLAND ROAD LEVEE (10+00 TO 151+00)	2,322	2,322	276,300
SUBGRADE STABILIZATION (10+00 TO 151+00)	41,700	30,886	41,700
SUBGRADE STABILIZATION (151+50 TO 154+00)	96,410	93,121	96,410
LEVEE BUTTRESS PADS	3,700	2,161	83,800
SUBGRADE STABILIZATION	94,808	79,843	94,808
SUBTOTAL	402,449	321,959	1,040,600
BORROW AREA #1*	65,000	54,420	-
BORROW AREA #2*	7,500	6,020	-
BORROW AREA #3*	47,000	38,080	-
BORROW AREA #4*	3,700	2,981	-
BORROW AREA #5*	23,100	18,480	-
BORROW AREA #6*	90,000	72,180	-
BORROW AREA #7*	20,000	16,000	-
BORROW AREA #8*	72,700	58,160	-
BORROW AREA #9*	12,000	9,600	-
SITE MASS GRADING	54,230	43,800	-
SUBTOTAL	696,330	562,680	-
EARTHWORK TOTAL	1,098,779	1,084,639	1,040,600

* THE GRADED BORROW SOURCE LOCATIONS PER THE GEOTECHNICAL REPORT AGREEMENT WILL BE SUPPLEMENTED, EXPANDED AND REFINED. GRADING AGREEMENT PREPARED BY ENGRS DATED NOVEMBER 6, 2015 (PROJECT NO. 585-00000005).

- NOTES:**
- ALL QUANTITIES ARE IN CUBIC YARDS.
 - ALL QUANTITIES ARE APPROXIMATE.
 - CONTRACTOR SHALL IMMEDIATELY NOTIFY THE CIVIL ENGINEER OF ANY DISCREPANCIES IN GRADING QUANTITIES.
 - CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL LATERAL QUANTITIES AND PROVIDE VERIFICATION IN WRITING TO THE CIVIL ENGINEER PRIOR TO THE START OF WORK.
 - SHORLAGE IS ESTIMATED TO REDUCE THE CUT VOLUME BY 10-15% SHORTAGE OF 20% IS USED BY THE ADJUSTED CUT QUANTITIES ABOVE.
 - SUBGRADE STABILIZATION FOR LEVEE AND BUTTRESS PADS ASSUMED TO BE 8 FEET OVER-EXCAVATION OF EXISTING SOIL MATERIAL (DOWNSIDE AND UPSTREAM FOR GEOTECHNICAL RECOMMENDATIONS) AND OBSERVATION.
 - NO GRADING ALLOWED WITHIN EXISTING WETLANDS/CHANNELS UNLESS APPROPRIATE PERMITS HAVE BEEN ACQUIRED BY OWNER/CONTRACTOR.
 - THE GRADED SOILS EXCAVATED FROM BORROW AREAS MUST BE RE-USED AT A MINIMUM RATE OF 3:1 PER GEOTECHNICAL RECOMMENDATIONS AND OBSERVATION.



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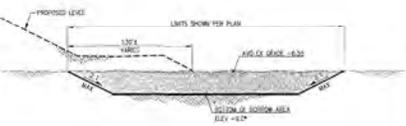
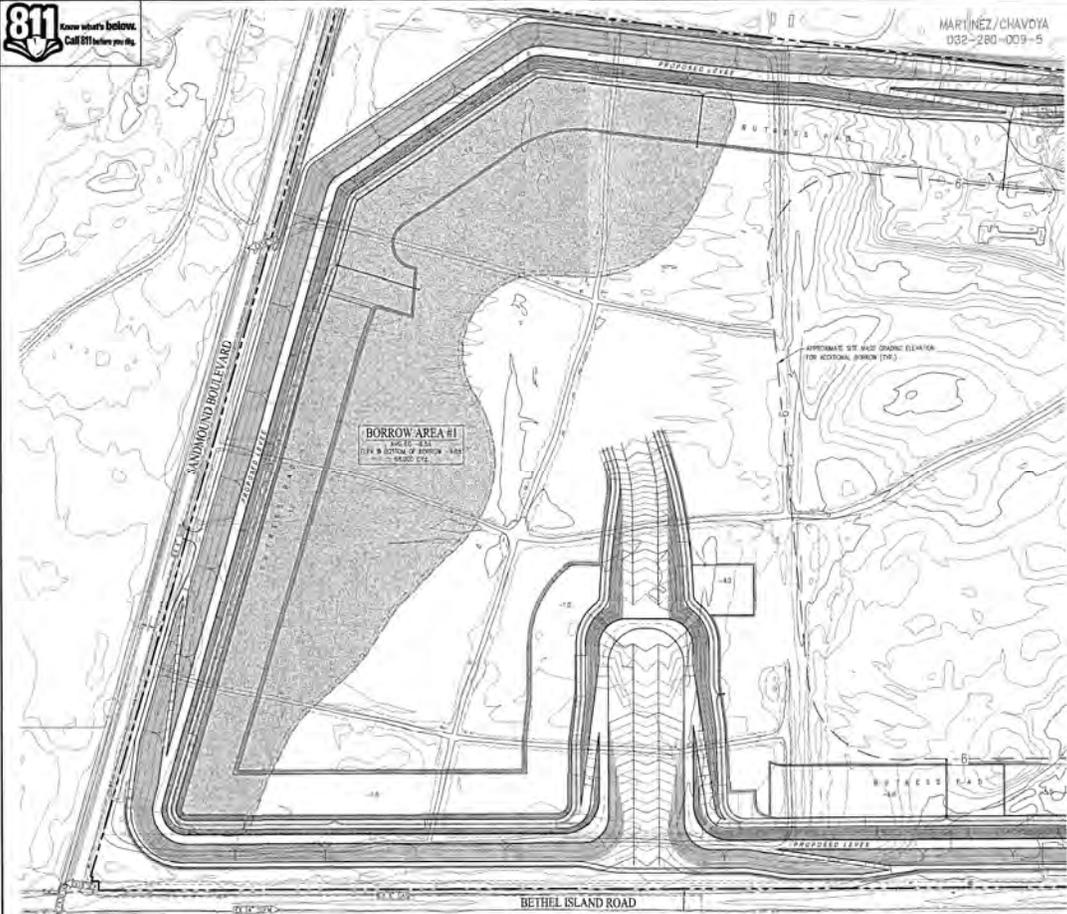
SUMMER LAKE NORTH SUBD 9307
LEVEE PLANS
 BORROW PLAN INDEX MAP & EARTHWORK SUMMARY
 CITY OF OAKLEY CALIFORNIA

NO.	REVISIONS	BY	APP.	DATE	DESCRIPTION OF THE REVISION

36
 49



MARTINEZ/CHAVOYA
032-280-009-5



TYPICAL SECTION BORROW AREA #1
NOT TO SCALE

POSITION OF BORROW AREA ELEVATION IS APPROXIMATE AND MAY VARY PER ACTUAL FIELD CONDITIONS. CONTRACTOR TO OBTAIN FIELD BORROW ELEVATION FOR ELECTRICAL ENGINEER FIELD OBSERVATIONS, RECOMMENDATIONS AND ESTIMATIONS.



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SUMMER LAKE NORTH
LEVEE PLANS
BORROW AREA & MASS GRADING PLAN
CITY OF OAKLEY

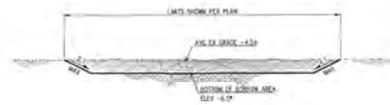
SUBD 9307
CALIFORNIA

NO.	REVISIONS	BY	APP.	DATE

DESIGNED UNDER THE SUPERVISION OF:

DATE: _____
 DESIGN: JPS DATE: JULY 06, 2000
 DRAWN: BPN
 CHECKED: JJA

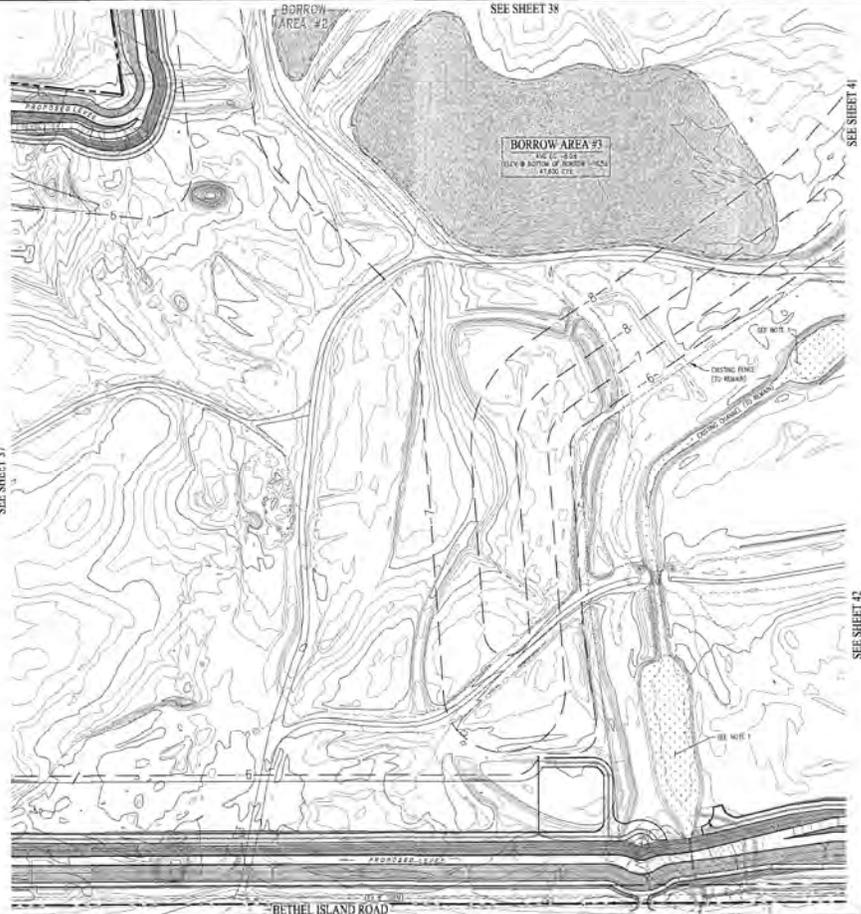
37
49



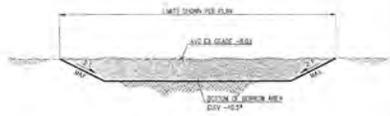
TYPICAL SECTION BORROW AREA #2
NOT TO SCALE

BOTTOM OF BORROW AREA ELEVATION IS APPROXIMATE AND MAY VARY FOR ACTUAL FIELD CONDITIONS. CONTRACTOR TO COORDINATE FINAL BORROW ELEVATION AND SOILS/GEOTECHNICAL ENGINEER FIELD OBSERVATIONS, RECOMMENDATIONS AND DETERMINATIONS.

		8455 BARNOR • (925) 948-1212 2620 WILSON • (925) 478-1877 WWW.CBGANDCO.COM	SUMMER LAKE NORTH LEVEE PLANS BORROW AREA & MASS GRADING PLAN CITY OF OAKLEY	SUBD 9307 CALIFORNIA	<table border="1"> <thead> <tr> <th>NO.</th> <th>REVISION</th> <th>BY</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	REVISION	BY	DATE													DESIGNED BY: [] CHECKED BY: [] DRAWN BY: [] APPROVED BY: []		SHEET 38 OF 49
		NO.	REVISION	BY	DATE																			
JUN 10 2010																								



NOTE:
 1. CONTRACTOR TO PROVIDE EXISTING WEIPLANDS AND DRAINING FACILITIES AS NECESSARY TO AVOID ACCIDENTAL OVERTURNAGE AND DISRUPTION OF EXISTING WEIPLANDS.



TYPICAL SECTION BORROW AREA #1
 NOT TO SCALE

POSITION OF BORROW AREA ELEVATION IS APPROXIMATE AND MAY VARY PER ACTUAL FIELD CONDITIONS. CONTRACTOR TO CONSULT FINAL BORROW ELEVATION FOR GEOLOGICAL ENGINEER FIELD OBSERVATIONS, RECOMMENDATIONS AND DETERMINATIONS.



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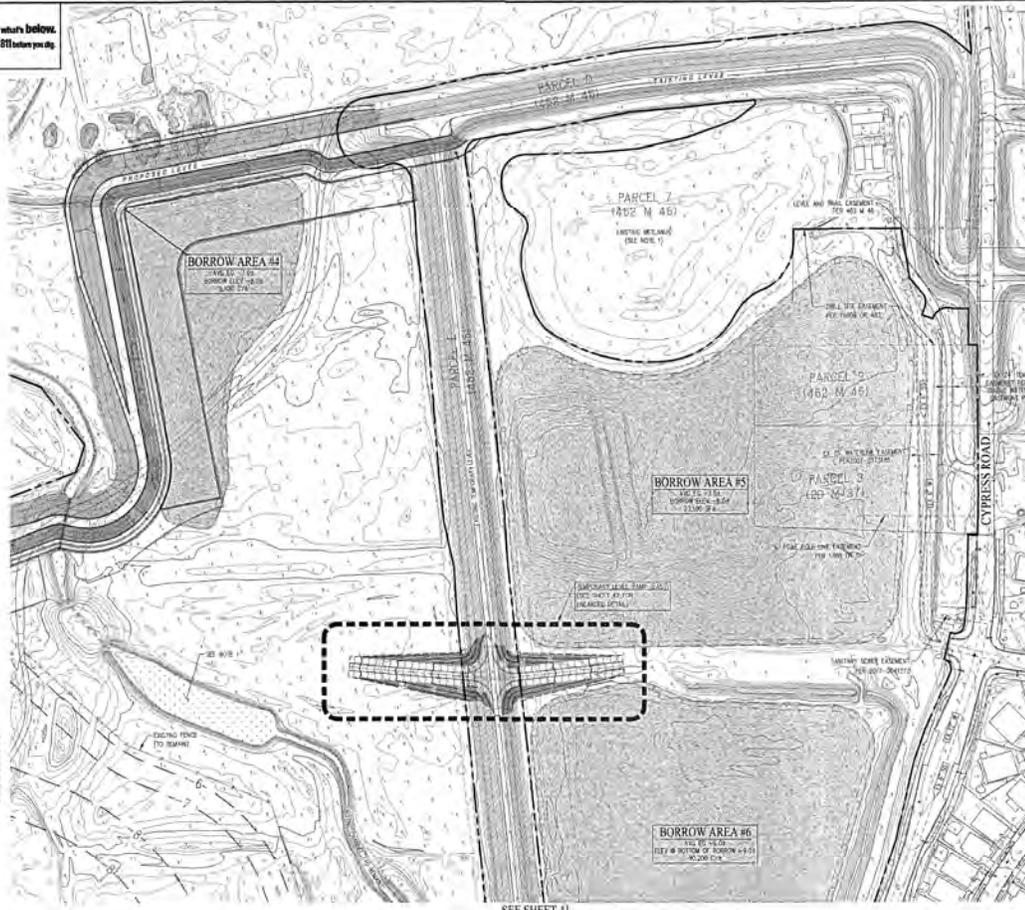
SUMMER LAKE NORTH
LEVEE PLANS
 BORROW AREA & MASS GRADING PLAN
 CITY OF OAKLEY

SUBD 9307
 CALIFORNIA

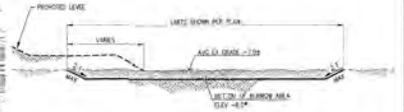
NO.	REVISIONS	BY	APP.	DATE	DESIGNED UNDER THE SUPERVISION OF

DATE: JULY 04, 2020
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]

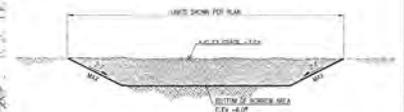
39
 49



NOTE: CONTRACTOR TO PROTECT EXISTING WEIRLANDS AND DRAINAGE FACILITIES AS NECESSARY TO AVOID ACCIDENTAL OCCURRENCE AND DISRUPTION OF EXISTING WEIRLANDS.



TYPICAL SECTION BORROW AREA #4
NOT TO SCALE



TYPICAL SECTION BORROW AREA #5
NOT TO SCALE



TYPICAL SECTION BORROW AREA #6
NOT TO SCALE

BOTTOM OF BORROW AREA ELEVATION IS APPROXIMATE AND MAY VARY FOR ACTUAL FIELD CONDITIONS. CONTRACTOR TO OBTAIN FINAL BORROW ELEVATION FOR GEOTECHNICAL ENGINEER FIELD OBSERVATIONS, RECOMMENDATIONS AND DETERMINATIONS.

SEE SHEETS 35

SEE SHEET 41

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BORROW AREA & MASS GRADING PLAN
CITY OF OAKLEY

SUBD 9307
CALIFORNIA

NO.	REVISIONS	BY	APP.	DATE	DESIGNED UNDER THE SUPERVISION OF:

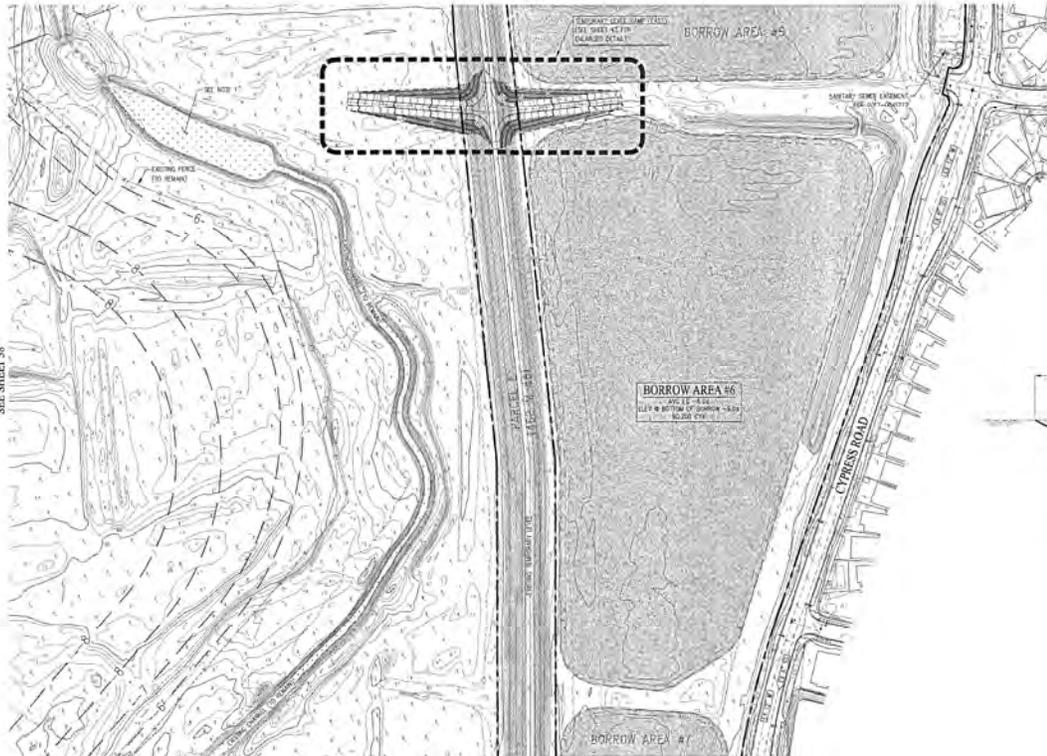
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DATE: JULY 08, 2020

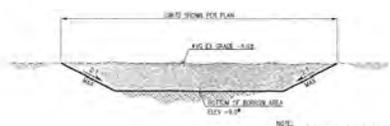
40
49



SEE SHEET 40



NOTE:
 CONTRACTOR TO PROTECT EXISTING UTILITIES AND
 DRAINAGE FACILITIES AS NECESSARY TO AVOID ACCIDENTS,
 DISBURSING, AND OBSTRUCTION OF EXISTING UTILITIES.



TYPICAL SECTION BORROW AREA #6
 NOT TO SCALE

NOTE:
 ELEVATION OF BORROW AREA ELEVATION IS
 APPROXIMATE AND NOT MEANT FOR
 ACTUAL FIELD CONSTRUCTION CONTRACTOR
 TO DETERMINE FINAL BORROW ELEVATION
 FOR GEOTECHNICAL ENGINEER FIELD
 OBSERVATIONS, RECOMMENDATIONS AND
 DETERMINATIONS.



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 BORROW AREA & MASS GRADING PLAN
 CITY OF OAKLEY
 CALIFORNIA

NO.	REVISIONS	BY	APP.	DATE	DESIGNED UNDER THE DIRECTION OF

DESIGNED UNDER THE DIRECTION OF: _____
 CHECKED BY: _____
 DATE: JULY 10, 2023

 SHEET 41 OF 49



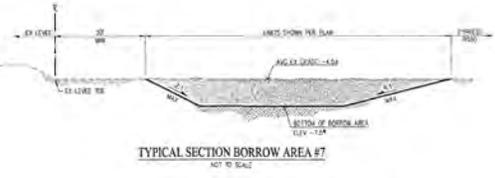
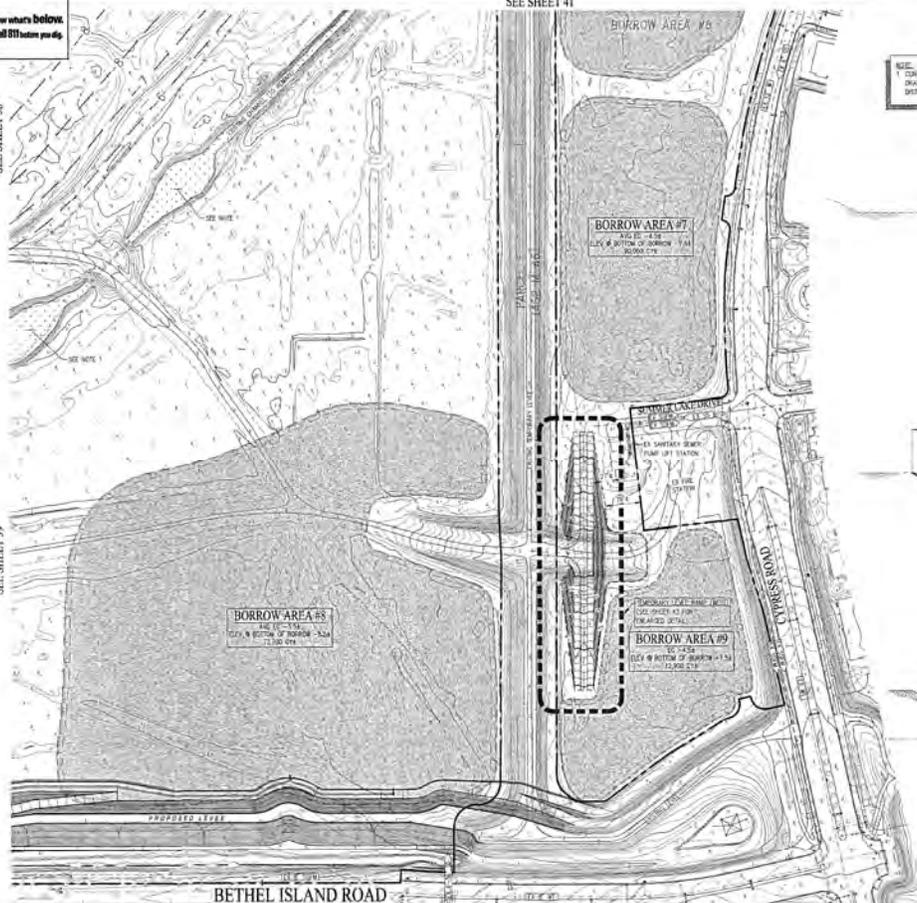
SEE SHEET 41



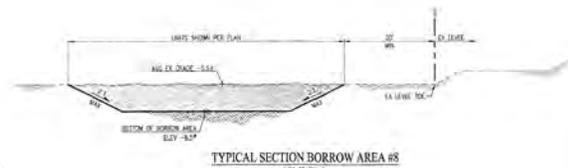
NOTE:
1. CONTRACTOR IS PROSELY LOCATING PILELAYS AND
SHOULDER PAVED AS NECESSARY TO AVOID ACCIDENTS.
DISTANCE AND DIRECTION OF EXISTING RETRADES.

SEE SHEET 38

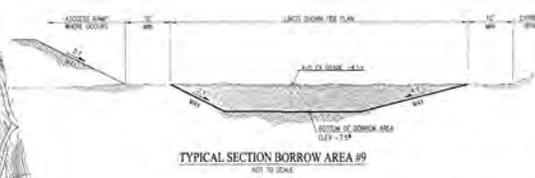
SEE SHEET 39



TYPICAL SECTION BORROW AREA #7
NOT TO SCALE



TYPICAL SECTION BORROW AREA #8
NOT TO SCALE



TYPICAL SECTION BORROW AREA #9
NOT TO SCALE

NOTE: BOTTOM OF BORROW AREA ELEVATION IS APPROXIMATE AND MAY VARY PER ACTUAL FIELD CONDITIONS. CONTRACTOR TO CORRECTLY FINAL BORROW ELEVATION PER GEOTECHNICAL ENGINEER FIELD OBSERVATIONS, RECOMMENDATIONS AND RETRADEMENTS.



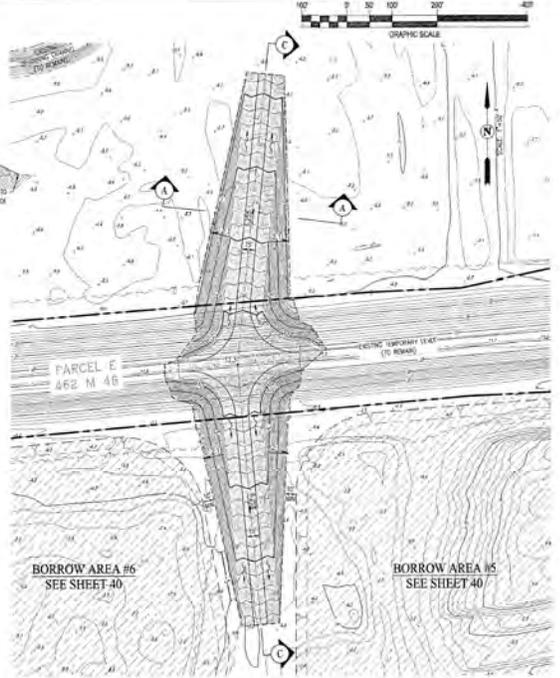
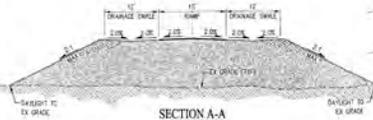
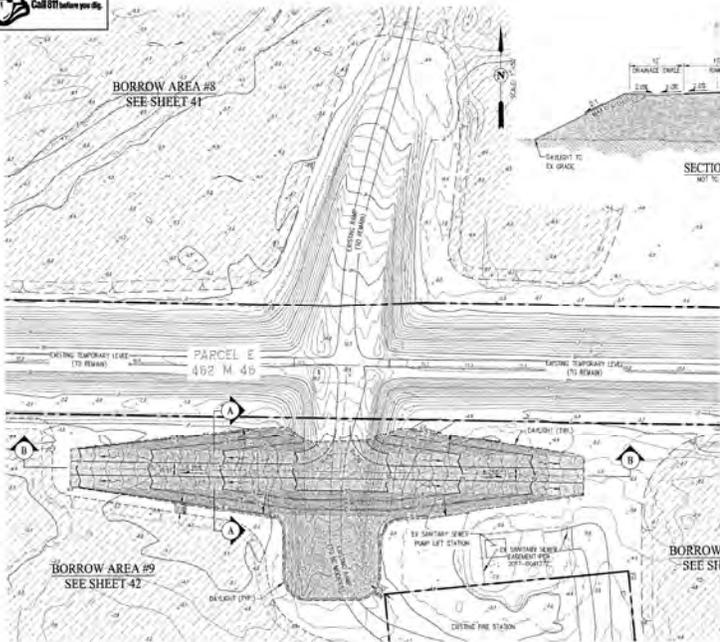
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CITY OF OAKLEY

SUBD 9307
CALIFORNIA

NO.	REVISIONS	BY	APP.	DATE	CHANGED UNDER THE DIRECTION OF:

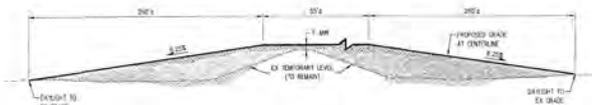
Professional Engineer Seal for Ran Ramon, State of California, License No. 49242. Includes sheet number 42 of 49.



RAMP (EAST) DETAIL
SCALE: 1"=50'
(SEE SHEET 38 FOR LOCATION)



RAMP (WEST) DETAIL
SCALE: 1"=50'
(SEE SHEET 38 FOR LOCATION)



SECTION C-C
NOT TO SCALE

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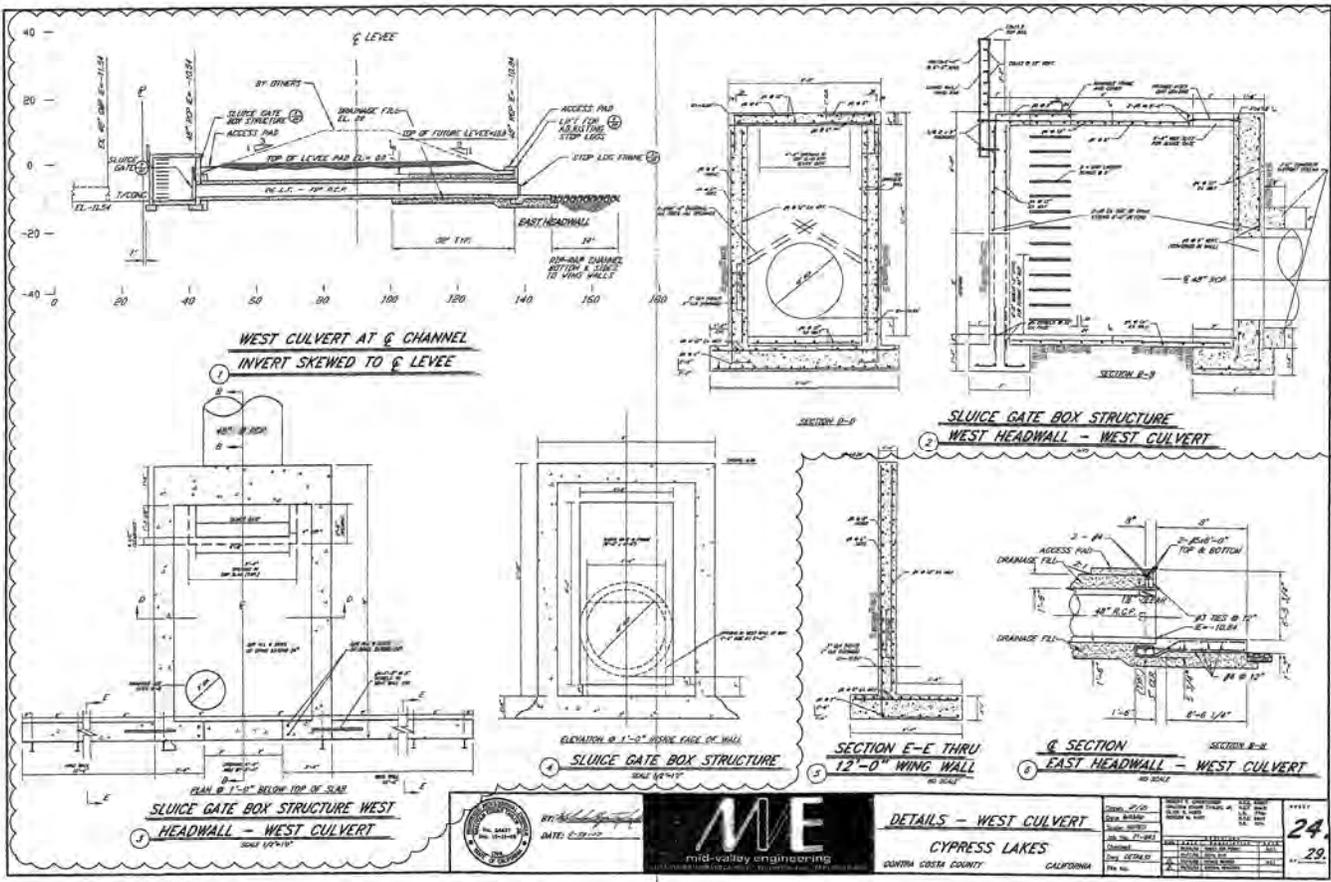
SUMMER LAKE NORTH
LEVEE PLANS
TEMPORARY LEVEE RAMP DETAILS
CITY OF OAKLEY

SUBD 9307
CALIFORNIA

NO.	REVISIONS	BY	APP.	DATE	EXEMPTED UNDER THE DISPOSITION:

DATE: JULY 02, 2008

43
49



DATE: 8-21-12

ME
mid-valley engineering

DETAILS - WEST CULVERT
CYPRESS LAKES
QUINCY COSTA COUNTY
CALIFORNIA

Drawn: J.P.D.	Checked: J.P.D.	Scale: AS SHOWN	Sheet No. 24
Date: 8/21/12	Date: 8/21/12	Scale: AS SHOWN	Sheet No. 29
Drawn: J.P.D.	Checked: J.P.D.	Scale: AS SHOWN	Sheet No. 24
Date: 8/21/12	Date: 8/21/12	Scale: AS SHOWN	Sheet No. 29

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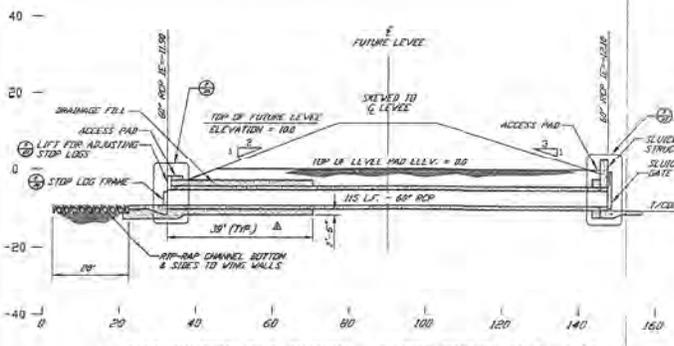
SUMMER LAKE NORTH
LEVEE PLANS
WEST CULVERT DETAILS (FOR REFERENCE)
CITY OF OAKLEY

SUBD 9307
CALIFORNIA

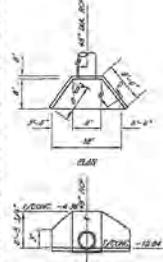
NO.	REVISIONS	BY	APP.	DATE

DESIGNED UNDER THE DIRECTION OF:
DATE: JULY 22, 2011

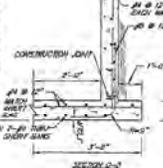
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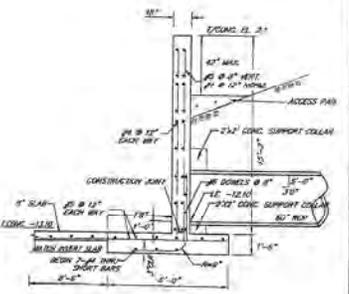
1 EAST CULVERT AT @ CHANNEL - INVERT SKEWED TO @ LEVEE



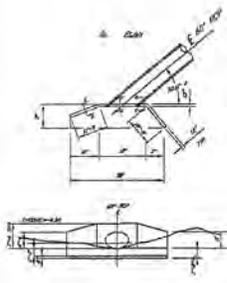
ELEVATION 1



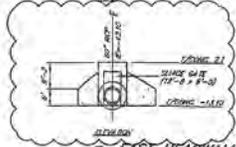
ELEVATION 2



3 EAST HEADWALL - EAST CULVERT

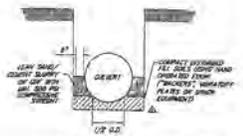


2 WEST HEADWALL EAST CULVERT - 60" R.C.P.

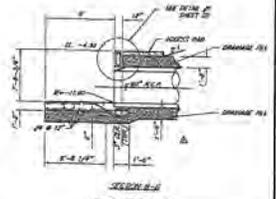


4 EAST HEADWALL - EAST CULVERT

5 EAST HEADWALL WEST CULVERT 48" R.C.P.



6 CULVERT INSTALLATION



7 SECTION WEST HEADWALL EAST CULVERT



M.E.
mid-valley engineering
CIVIL ENGINEERS

DETAILS - EAST CULVERT
CYPRESS LAKES
SANTA CLAY COUNTY CALIFORNIA

DATE: 07-06-2020	PROJECT: SUBD 9307	25
DRAWN: DEH	CHECKED: DEH	29
DATE: 07-06-2020	DATE: 07-06-2020	

OAKLEY
CALIFORNIA

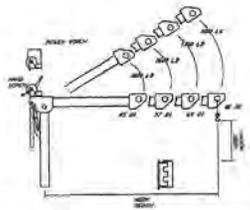
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SUMMER LAKE NORTH
LEVEE PLANS
EAST CULVERT DETAILS (FOR REFERENCE)
CITY OF OAKLEY

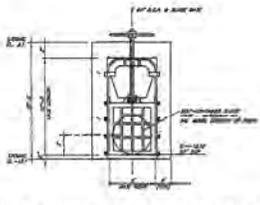
SUBD 9307
CALIFORNIA

NO.	REVISIONS	BY	DATE	DESIGNED/INTEGRATING ENGINEER(S)

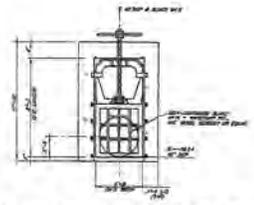
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49
DATE: JULY 06, 2020



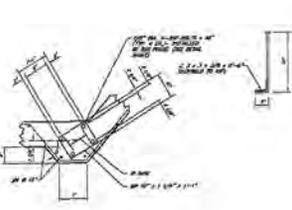
1 FUTURE CRANE—THERN MODEL 5124M2 OR EQUAL
AS SHOWN



2 FUTURE SLUDGE GATE ELEVATION EAST HEADWALL
EAST CULVERT
AS SHOWN

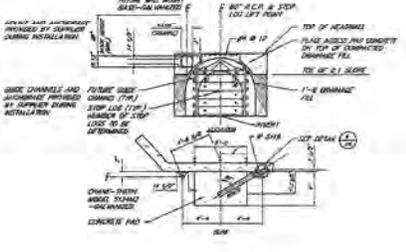


3 FUTURE SLUDGE GATE ELEVATION WEST HEADWALL
WEST CULVERT
AS SHOWN

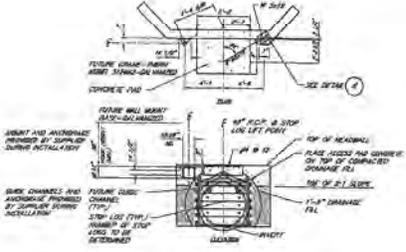


4 FALL PROTECTION POSITIONING DEVICE
BASE PLATE AND ANCHORAGE—48" R.C.P.
AS SHOWN

NOTE: BASE PLATE AND ANCHOR BOLTS TO BE INSTALLED DURING WALL CONSTRUCTION



5 STOP LOG LIFTING MECHANISM & ACCESS PAD
VIEW AT BACK OF HEADWALL 60" R.C.P.
AS SHOWN



6 STOP LOG LIFTING MECHANISM & ACCESS PAD
VIEW AT BACK OF HEADWALL 48" R.C.P.
AS SHOWN



ME
mid-valley engineering
CYPRESS LAKES, CALIFORNIA

DETAILS
CYPRESS LAKES
CALIFORNIA

DATE: 01-12	SCALE: AS SHOWN	PROJECT: SUBD 9307	SHEET: 27
DRAWN: J. W. BROWN	CHECKED: J. W. BROWN	APPROVED: J. W. BROWN	DATE: 01-12-00
TITLE: DETAILS	DESIGNED: J. W. BROWN	DATE: 01-12-00	29

OAKLEY
CALIFORNIA

cbg
CIVIL ENGINEERS • SURVEYORS • PLANNERS

SUMMER LAKE NORTH
CITY OF OAKLEY

LEVEE PLANS
DETAILS (FOR REFERENCE)

SUBD 9307
CALIFORNIA

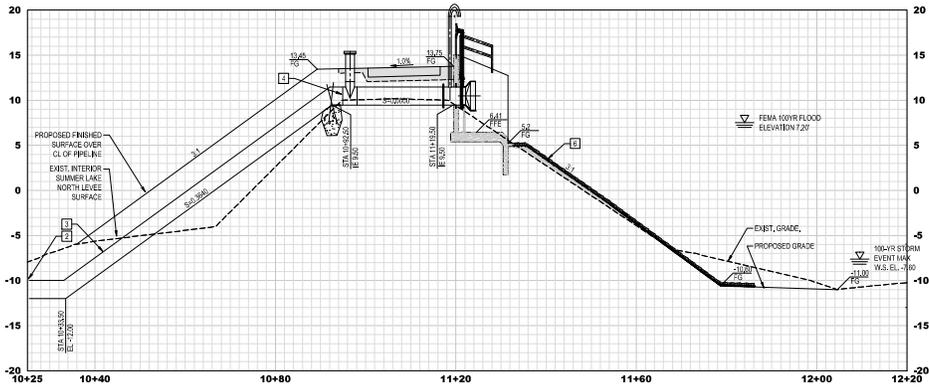
NO.	REVISION	BY	DATE	EXEMPTED UNDER THE SPECIFICATION

SHEET 46 OF 49
DATE: 01-12-00

ATTACHMENT D

**Excerpt from the Summer Lake North Integrated Pump Station
Plans**

(developed by Pacific Advanced Civil Engineering, Inc.)



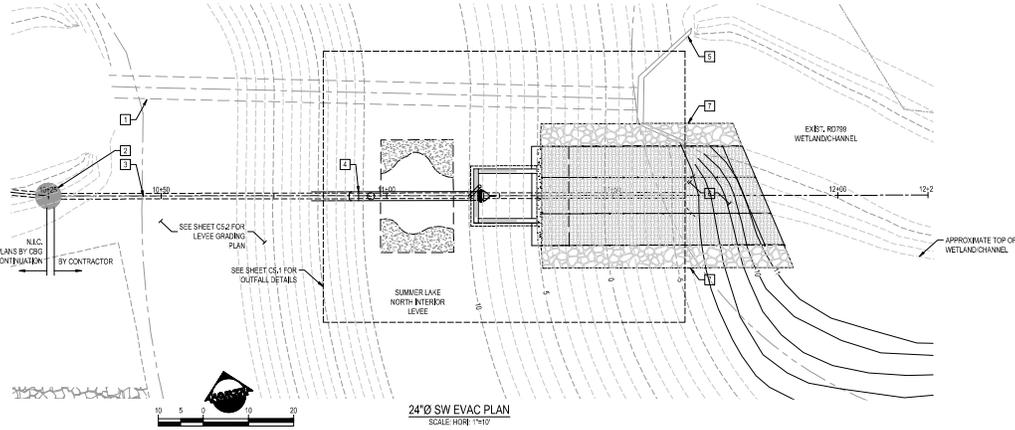
24"Ø SW EVAC PROFILE
SCALE: HORIZ. 1"=10'
VERT. 1"=4'

CONSTRUCTION NOTES

- 1 EXIST. 60"Ø SD TO BE ABANDONED IN PLACE. SEE LEVEE PLANS BY CBG.
- 2 INSTALL 24"Ø RESTRAINED REPAIR COUPLING FOR CONNECTION TO SW EVAC LINE (BY CBG)
- 3 INSTALL 24"Ø CMOU DR 33.5 SW EVAC PVC PIPE AND ELBEC DL FITTINGS (W/ RESTRAINED).
- 4 INSTALL 24"Ø SCH. 40 ELBEC SW EVAC STEEL PIPE MANIFOLD. SEE SHEET CS.1 FOR FURTHER DETAILS.
- 5 EXIST. SD HEADWALL TO REMAIN.
- 6 INSTALL ARWOPFLEX L-35 CLOSED MAT PER THE MANUFACTURER'S REQUIREMENTS.
- 7 INSTALL 18" MINUS RP R4P.

NOTES:

- 1. ALL BELOW GROUND DUCTILE IRON PIPE AND FITTINGS SHALL BE INSTALLED WITH POLYETHYLENE ENCASUREMENT (DOUBLE WRAPPED WITH CLEAR EXTERIOR PER AWWA C105).
- 2. CONTRACTOR SHALL EXCAVATE AND INSTALL ALL PROPOSED FALL PER THE REQUIREMENTS OF THE SITE GEOTECHNICAL REPORT.



24"Ø SW EVAC PLAN
SCALE: HORIZ. 1"=10'

DATE	DATE	DATE	DATE	DATE	DATE	DATE	DATE
BY	BY	BY	BY	BY	BY	BY	BY
REVISIONS	REVISIONS	REVISIONS	REVISIONS	REVISIONS	REVISIONS	REVISIONS	REVISIONS
<p style="font-size: small;">THESE DRAWINGS ARE THE PROPERTY OF PACE AND SHALL NOT BE REPRODUCED IN ANY FORM OR BY ANY MEANS WITHOUT THE WRITTEN PERMISSION OF PACE CONSULTING, INC.</p>							
<p style="font-size: small;">THIS DRAWING IS FOR CONSTRUCTION PURPOSES ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION.</p>							
<p style="font-size: small;">DRAWN BY: [Name]</p> <p style="font-size: small;">CHECKED BY: [Name]</p> <p style="font-size: small;">DATE: [Date]</p>							
<p style="font-size: small;">PROJECT: [Project Name]</p> <p style="font-size: small;">SHEET: [Sheet Number]</p>							
<p style="font-size: small;">CITY OF OAKLEY SUMMER LAKE NORTH INTEGRATED PUMP STATION</p>							
<p style="font-size: small;">OAKLEY CA</p>							
<p style="font-size: small;">75% PLANS - ISSUED FOR REVIEW</p>							
<p style="font-size: small;">13250 N. 10th Street, Suite 200, Oakland, CA 94612 Tel: (510) 438-1500 Fax: (510) 438-1501 www.paceconsulting.com</p>							
<p style="font-size: small;">SHEET C5.0 OF # SHEETS</p>							
<p style="font-size: small;">JOB NO. 8487</p>							

ATTACHMENT E

Levee Inspection Logs
(provided by RD799)

LOCAL AGENCY LEVEE MAINTENANCE INSPECTION LOG

Sheet _____ of _____

Reclamation District 799

Unit _____ Length in Miles _____

Island or Tract Name Hotchkiss Tract Date of Inspection: _____

Inspection Item:	Station	Station	Address:	Levee				Total
	Marker	to Marker		Crown	Landside	Waterside	Toe	
Vegetation Control								
Rd. Surface Maintenance or Repair								
Road Crown Grading								
Other								
Veg. to be Trimmed Up From Ground								
Slipout, Erosion, Crack or Sub. Rep.								
Toe Ditch Cleaning								
Revetment Repair								
Drift Deposits or Debris Removal								
Encroachments								
Encroachments								
Encroachments								
Speepage and Boil								
Burrow Filling								

Notes: _____

Inspected By: _____ Date: _____
 District Engineer: _____ Date: _____

Reclamation District 799 (Hotchkiss Tract)
 6325 Bethel Island Road
 PO Box 353
 Bethel Island, CA 94511-0244
 (925) 684-2398
 Fax: (925) 684-2399
 Email: dlnard799@outlook.com
 Web site: www.rd799.com

LEEVE INSPECTION REPORT

Station Number: _____ Inspector Name: _____
 Address: _____ Initial Observation Date: _____
 Latitude: _____ Time: _____
 Longitude: _____

Type of incident observed:

- _____ Rodent damage
- _____ Cracking
- _____ Sloughing
- _____ Erosion
- _____ Sinkhole Diameter: _____
- _____ Overtopping
- _____ Wave wash erosion

_____	Boil			
_____	Seepage			
_____	Clear	_____ Dirty	_____ Sandy	_____ Silty
_____	Bubbling	_____ Trickling	_____ Constant flow (how much/how often)	

Initial Evaluation:

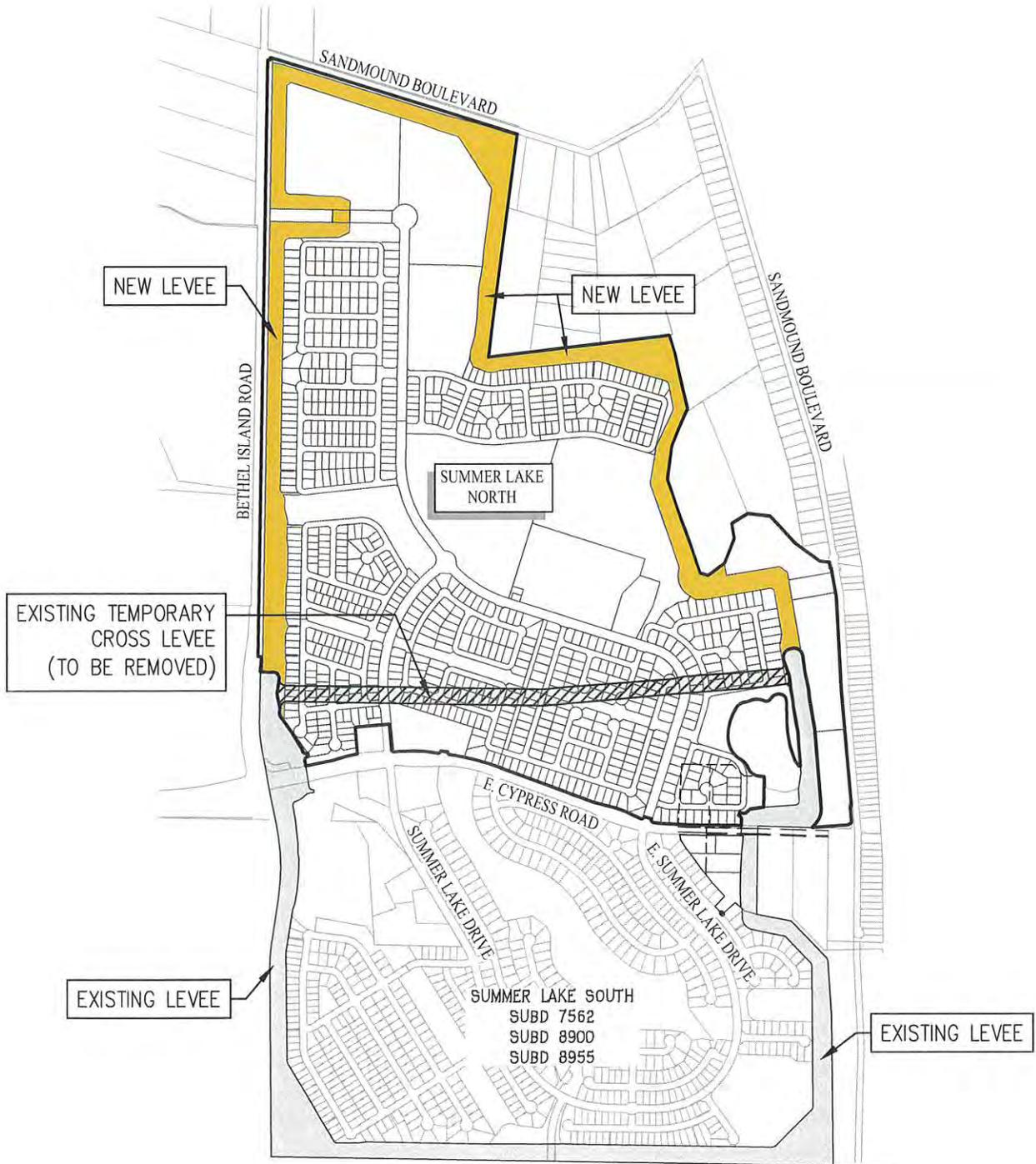
- _____ Continue to monitor
- _____ Schedule repair
- _____ Contact engineer for further evaluation
- _____ Activate emergency action plan

Follow up

Date	Time	Remarks	Initials

Repair/Close Date: _____

Initials _____



LEGEND

-  EXISTING LEVEE
-  EXISTING TEMPORARY CROSS LEVEE (TO BE REMOVED)
-  NEW LEVEE

NEW LEVEE

SUMMER LAKE NORTH

CITY OF OAKLEY CONTRA COSTA COUNTY CALIFORNIA

DATE: AUG 2022 SCALE: 1"=1200'



SAN RAMON (925) 866-0322
 ROSEVILLE (916) 788-4456
 WWW.CBANDG.COM

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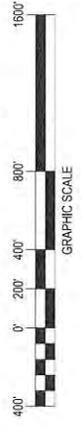
SUBDIVISION 9307 SUMMER LAKE NORTH

CONSISTING OF 20 SHEETS
BEING A SUBDIVISION OF A PORTION OF ...



SAN RAMON • (925) 888-0222
ROSEVILLE • (916) 788-4456
WWW.CBGMEDICAL.COM

CIVIL ENGINEERS • SURVEYORS • PLANNERS
SCALE: 1" = 400' MAY 2022



BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE MONUMENT LINE OF OLIVE BETHEL ISLAND ROAD, BEING N102°28'E PER SUBDIVISION 7562 (462 M 46). THE BEARINGS SHOWN HEREON ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM, ZONE II (CCS 27).

LEGEND

- SUBDIVISION BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- EASEMENT LINE
- CENTERLINE
- (1) TOTAL
- (R) RADIAL
- (M-M) MONUMENT TO MONUMENT
- (M-PL) MONUMENT TO PROPERTY LINE
- FOUND STANDARD STREET MONUMENT
- SET STANDARD STREET MONUMENT
- SET 5/8" REBAR AND CAP, LS 7960
- EXCLUSIVE USE EASEMENT
- INGRESS/EGRESS EASEMENT
- PUBLIC SERVICE EASEMENT
- PEDESTRIAN ACCESS EASEMENT
- EMERGENCY VEHICLE ACCESS EASEMENT
- PRIVATE STORM DRAIN EASEMENT
- PRIVATE SANITARY SEWER EASEMENT
- IRREVOCABLE OFFER OF DEDICATION

REFERENCES:

- (#) INDICATES REFERENCE NUMBER
- (1) SUBDIVISION 8925, SUMMER LAKE (1980 M 2)
- (2) SUBDIVISION 242, CROSS LAKE (1980 M 2)
- (3) SUBDIVISION 8920, SUMMER LAKE (1980 M 2)
- (4) PHASE 1B (466 M 10)
- (5) PARCEL MAP (24 PM 41)
- (6) PARCEL MAP (20 PM 37)

PRELIMINARY



**Status of the Technical Review
DeNova Homes - Summer Lake North Project**

October 27, 2022 Board Meeting

The District staff and engineering team has been working closely with DeNova and its consultants to address technical issues and concerns. Below provides a summary of the status of essential planning and technical documents that we have discussed with the DeNova team.

- Plans and profiles

The Summer Lake North levees are designed to protect the new development against a 100-year flood frequency (7.6 feet NGVD) with 3 feet of freeboard, which meets the FEMA requirements. These levees include geotechnical designs to control through seepage and under seepage. It removes the protected area from the floodplain. The developer will be seeking FEMA certification once the levee construction is completed. District team, as a stakeholder, reviewed the plans and profiles and prepared comments for consideration by project proponents. The City of Oakley is the approving agency of the plans and profiles; however, the constructed levee will need to be certified by FEMA in accordance with the CFR 65.10 et seq. The most notable comment from the District was related to the tie-in methodology for the existing District levee, also known as the "Summer Lake South levee." We proposed benching the levees and asked DeNova to provide design drawings to be reviewed by the District engineering team. We received the requested drawings and accepted it as the final design at the two locations where the levees need to tie-in.

- Design memos/Basis of design

District team reviewed the design documents and prepared comments for submittal to DeNova and its consultant team. The City of Oakley is the approving agency of the final design; therefore, the basis of design must meet FEMA requirements as the constructed levee will be certified by FEMA.

Hotchkiss Tract perimeter levees are built on land that is below water level; therefore, the waterway remains above the land surface almost all the time. This type of levee is referred to as "frequently loaded levees" and include measures to resist dynamic loading from credible earthquake forces. The proposed levee for the Summer Lake North development is not expected to be acting as a frequently loaded levee unless there is a breach in the District levees causing flooding on Hotchkiss Tract.

- Soil and Geotechnical Reports

The soil and geotechnical reports are also part of the design plans and require approval from the City of Oakley and FEMA. Nevertheless, District team reviewed the documents and prepared comments for submittal to DeNova and its consultant team.

- O&M Manual

District, as the local agency that will maintain the levee, has the primary authority for maintenance of its levees and is responsible for patrolling and protecting levees during high

water. Therefore, the Operations and Maintenance Manual (O&M) is an important element as it outlines District levee maintenance responsibilities. It is important because the DeNova levee, once constructed, will be transferred to the District. It is also an important piece of this transaction because FEMA requires a clear and concise maintenance plan prior to the final certification. District team reviewed updated versions of the O&M and prepared comments for DeNova and its consultant team, Balance Hydrologics. We believe DeNova team has adequately responded to our comments; however, some adjustments will be needed once the levee is constructed and all the components (*i.e.*, fences, gates, pipes, etc.) are clearly identified.

- Drainage Report

District reviewed and prepared comments on the Drainage Report for consideration by DeNova. All the comments have been addressed within the limitations of scientific tools available to analyze the project impacts. The project's stormwater facilities include one large lake and pump station owned and managed by the City of Oakley. Runoff from the developed areas will be routed to the lake and eventually will be directed to District Pump Station No. 3. The lake is designed as a seasonal feature with the normal water surface elevation to be -12.0 feet NGVD. It will be primarily filled by groundwater. Additional water may be added to the lake if groundwater is not sufficient to maintain normal water surface elevation. The lake can provide up to 32.1 acre-feet of active storage volume.

- Stormwater Report

District reviewed and prepared comments on the Stormwater Report for consideration by DeNova. All the comments have been addressed within limitations of scientific tools available to analyze the project impacts. The report analyzes the District ditch system capacity within the project area that ultimately leads to District Pump Station No. 3. The report considered a 100-year, both 24-hour and 96-hour storm event to examine impacts of the project on District facilities. It also discusses the strategy for management of post-construction stormwater runoff flows and water quality as required by regulatory agencies, the City of Oakley, and the District. The report discusses the hydrologic setting of the project site, addresses the regulatory framework with respect to hydrology and water quality, and identifies potential impacts and analyzes appropriate mitigation measures to address these impacts.

- Dewatering plan

District reviewed and prepared specific comments on the proposed dewatering plan for consideration by DeNova. Our comments were relevant to minimizing risks to the District perimeter levees associated with the planned dewatering operations. We required DeNova and its contractors to closely monitor the water level and make pumping adjustments when necessary. We were concerned about the subsurface conditions beneath the District levee embankments and asked for further analysis. We recommended that the surrounding levees be monitored and surveyed prior to the start of dewatering and periodically throughout the duration of dewatering to detect any unexpected adverse conditions if they occur.

In response DeNova's consultants, ENGEO, performed a dewatering drawdown evaluation and reviewed historical river stage data for the Dutch Slough Gage, which is located to the northeast of the proposed project location, and evaluated tidal fluctuation in the area. ENGEO concluded the "settlement potential of the RD 799 levee due to lowering of the water table to be negligible." Based on the supplemental analysis, ENGEO concluded that installation and monitoring of survey

monuments on top of the District levee to be unnecessary and recommended monitoring along Sandmound Boulevard. The District engineering team concurs with the recommendation.

- Pump Station No. 3

District has received copies of studies and plans associated with the proposed Pump Station No. 3. DeNova plans to construct a new pump station to house 3 pumps on the westside of Sandmound Boulevard. The existing Pump Station No. 3 is on the east side of Sandmound Boulevard. District engineering team conducted a high-level review of the construction plans, engineering specifications, geotechnical review of foundation plans, and structural calculations.

We found no obvious errors and/or miscalculations in the proposed design; however, DeNova and their designers and contractors are ultimately responsible for providing fully functional facilities. The engineering team recommendation is that the District execute an agreement with DeNova to ensure any major work resulting from facility malfunction and/or failure within a minimum of 3 years after the new facility comes online be immediately repaired and/or replaced by DeNova at no cost to the District. We further recommend that DeNova provide temporary facilities to maintain operation during such repairs.

- Emergency Action Plan Update

Emergency preparedness, response, and recovery include ways to identify and reduce the potential for adverse consequences of flooding by taking specific actions before, during, and after a flood. District has prepared an Emergency Action Plan and identified the evacuation routes for existing residents. District has also evaluated the impacts of the Summer Lake North levee on both existing and new residents. District concluded there are no significant and unavoidable impacts on emergency response activities resulting from this development. District engineering staff plans to update and revise the current Emergency Action Plan once the new levees are constructed to reflect changes in emergency actions, if any.

- Construction Management Plan

District has construction inspectors on site for oversight of all construction activities when there is potential for impacts to District drainage and/or flood control facilities. This is especially important as the District considers levee ownership and accepting the operations and maintenance responsibilities. DeNova has agreed to allow District involvement in construction inspection. In fact, District engineers have been involved in the tie-in construction of the Summer Lake North levee with the District-owned levee on the western side near Bethel Island Road. DeNova is planning to tie into the eastern side levee, near Sandmound Boulevard, in the coming weeks and engage the District engineering team to oversee the construction activities.

- Miscellaneous Items

District may seek to review other documents to address potential impacts to District facilities, for example, interior lake operations and maintenance, water quality management, and ground settlement monitoring. We do not see a need to review and comment on these documents at this time, as they currently fall within the City of Oakley's responsibilities.

Routine Levee Maintenance Activities Reclamation District 799

Summer Lake North Levee

1. **Inspection** - Levee inspections by District staff to ensure that adequate maintenance is being carried out and that dangerous or unusual conditions are discovered early.
2. **Patrols** - Routine levee patrols by District staff to identify or monitor changes to existing conditions in or along the levee and to ensure that dangerous or unusual conditions are discovered early. Routine levee maintenance patrol logs are highly recommended.
3. **Burrowing Animals** - Extermination and control of burrowing animals and filling their burrows with compacted material to minimize seepage through the levee section.
4. **Levee Crown** - Shaping the levee crown to drain run-off freely.
5. **Access Roads** - Repairing and shaping patrol or access roads and controlling the weight and speed of all vehicles using patrol roads on the levee crown.
6. **Slip Outs** - Repairing minor slip outs, erosion, or subsidence of the levee section.
7. **Seepage and Boils** - Control of seepage and boils, including installation of sections of impervious cores in the levee section.
8. **Drains and Toe Ditches** - Cleaning drains and toe ditches that are adjacent to the landside levee toe and which intercept seepage.
9. **Vegetation** - Vegetation control including cutting, removing or trimming vegetative growth such as weeds, brush, and trees in an allowable manner to the extent necessary to inspect and maintain the levee and the landside toe.
10. **Rock protection** - Repairing or restoring rock protection, if applicable.
11. **Flood Emergency** - Planning for flood emergencies, including but not limited to ensuring the availability of adequate repair materials and equipment so that immediate action can be taken in the event of a flood fight.
12. **Encroachment** - Removing or modifying encroachments which endanger the levee or interfere with maintenance.
13. **Survey** – Conducting geodetic, bathymetric and topographic survey and preparation of levee profile and cross sections.
14. **Habitat** - Conducting habitat assessments.
15. **Engineering** - Engineering services and associated administrative work, except specialized engineering work done in connection with rehabilitating levees to standards associated with proposed or ongoing change in land use.
16. **Miscellaneous** - Items such as gates to control traffic on the levee, guard rails, required signage, etc.
17. **Regulations** – Coordination with regulatory agencies in management and maintenance of mitigation sites resulting from levee work as necessary to comply with State and Federal requirements.

Reclamation District 799 (Hotchkiss Tract)

6325 Bethel Island Road

PO Box 353

Bethel Island, CA 94511

(925) 684-2398

Fax: (925) 684-2399

Web Site: <https://www.rd799.com/>

ENGINEER'S REPORT

TO: Board of Directors
FROM: District Engineer
SUBJECT: Ongoing projects
DATE: October 27, 2022

A. Emergency Response – Round 3

DWR released a draft selection as part of Emergency Response - Round 3. District asked for \$408,000 and received \$305,000 at 100 percent State cost share. The final list is expected to be released before Thanksgiving Holiday. The partial funding will be sufficient to upgrade the pumps.

B. Updating the 5-Year Plan

The plan was revised addressing DWR comments and was forwarded to DWR as the final version.

C. Summer Lake North Development

GEI is participating in the bi-monthly meetings between the District and DeNova. We have reviewed and commented on several documents and received DeNova or their consultant's response and in some cases the final versions. The ongoing discussions are focused on the maintenance agreement and pump station #3 construction schedule. We are work closely with the district legal team in preparation for a presentation at this meeting.

D. Grand Cypress Preserve Development

GEI has been participating in coordination meetings with GCP to discuss the status of the project; these meetings have been postponed by GCP for the time being. We received and commented on several technical documents for GCP considerations. We are also actively support the District Manager in the funding negotiations for Pump Station No. 4.

E. Spinnaker Development

No new developments as of last Board meeting.

F. Miscellaneous/Planning Forward

- GEI is planning to consult with a land surveyor and prepare a scope of work to renew the outdated geodetic survey for the entire levee system under FY 2022-23 subventions program agreement. The labor market is very unpredictable due to the pandemic and GEI is looking for a suitable opportunity to initiate this work.
- DWR released a PSP for levee rehabilitation work for a 45-day review and comment period, GEI reviewed the PSP and provided some comments to the District Manager for his review and consideration.

Reclamation District 799 (Hotchkiss Tract)
PO Box 353, Bethel Island, CA 94511
Phone: 925-684-2398
Email: dinard799@outlook.com
Website: www.rd799.com

MEMO

To: Board of Trustees
From: District Manager Alvarez
Date: October 18, 2022

Re: District Manager Report

DeNova Homes (SLN)

RD 799 progress with DeNova Homes is starting to realize it's final formation. We are ready to present and ask for Board approval of the **Joint Community Facilities Agreement (JCFA)** we have formed with the City of Oakley. This agreement will govern and dictate how the **Community Facilities District (CFD)** will operate and generate the new, special annual assessment revenue that will be allocated to RD 799 in Perpetuity.

RD 799's legal and engineering team will be present at our October 27, 2022, meeting to present this agreement to the Board as well as answer any and all questions.

We will also present, for informational purposes, the latest draft of the **Operations and Maintenance Agreement (O & M)** for the Board to review. This agreement will eventually be entered into with DeNova Homes. This agreement contains all the provisions that have been negotiated with DeNova Homes which relate to the actual, physical development project. Among the highlights of the document are new levee construction, drainage, pumpstations, land swap, new levee ownership, maintenance responsibilities, FEMA certification, etc.

We will not be asking for Board approval of the O & M Agreement at the October 27, 2022, meeting. We are only presenting it for board review and hope to get Board approval at our subsequent meeting. Our tentative plan is to have our RD 799 consulting team attend the meeting following October 27, 2022, to field questions and provide insights, context, and ramifications concerning the O & M Agreement. As a result of this meeting, we plan on asking for Board approval of the O & M Agreement.

Grand Cypress Preserve (GCP)

After an absence of a couple of months, the GCP group has again scheduled routine and weekly meetings starting 10/18/22. Nothing further to report at this time.

Contra Costa Water District (CCWD)

CCWD is planning on starting their dewatering and pipeline project in the Spring of 2023. This project will be impacting RD 799 facilities in the area of Rock Slough.

I have informed them that a work agreement and, perhaps, a reimbursement agreement will be required as our consulting team will need to be enlisted eventually.

Dutch Slough Restoration Project (DWR)

DWR and their consultants have reached out to RD 799 to begin formative discussions with respect to their restoration project on the Burrough's Property. This project will impact RD 799 facilities significantly, thus requiring coordination.

Reclamation District 799 (Hotchkiss Tract)
PO Box 353, Bethel Island CA 94511
(925)684-2398
dholder@rd799.com
www.rd799.com

MEMO:

To: Board of Trustees
From: District Superintendent Vornhagen
Date: October 27, 2022

Re: District Superintendent Report

All levees are in good condition.
Still trapping beavers at Pump Station 1 for DWR.
Removing beaver dams around Pump Station 1.
All pumps are currently in good working condition.
Cleaning ditches at Juquin's parcel.
Replacing materials and tools stolen from yard.
Installed new alarm system for yard.
Installed new gates for yard.
Starting to clean all ditches for winter.

Permits:
No new permits this month.

The following items have been completed last month.

- Consistent pump inspections Monday, Wednesday, and Friday.**
- Levee inspections on Tuesday and Thursday.**
- Consistent inspection of all ditches weekly.**

Reclamation District 799 (Hotchkiss Tract)
PO Box 353, Bethel Island, CA 94511
Phone: 925-684-2398
Email: dholder@rd799.com
Website: www.rd799.com

MEMO

To: Board of Trustees
From: Office Manager Hugel
Date: September 20, 2022

Re: Office Manager Report

Following is a table identifying the current receivables:

<u>Invoice date</u>	<u>Source of Reimbursement</u>	<u>Amount</u>
10/4/2022	DeNova Homes	\$23,651.00
	Total	\$23,651.00

The agenda cut-off for the December 8th board meeting is November 29, 2022.

Future tasks:

- Create board policies for board consideration and adoption; as the Board identifies the need for a policy
- Monthly billing reimbursement requests for Summer Lakes North, Cypress Preserve, and Spinnaker Cove developments
- Enter daily timesheets into Subventions spreadsheet for annual reporting
- Begin preparing for FYE 2022 District audit