

DANIEL P. DOPORTO**REPRESENTATIVE ENGAGEMENTS**

The following is a partial list of the clients to whom Dan Doport has provided legal services, with a brief description of the nature of the services provided.

City of Antioch

FUA 1 Planning and Environmental Review/General Plan Update and Specific Plan Development. Counseled City regarding compliance with CEQA, Planning And Zoning Laws, and Urban Water Management Planning laws (SB 610 and SB 221) for various planning and environmental review processes relating to its 2,700 acre Future Urbanization Area #1. Prepared and reviewed planning and environmental documents for FUA 1, including General Plan update, Specific Plan, program- and project-level Resources Management Plans, and statutorily-required Water Supply Assessment, and prepared resolutions and findings to ensure legal defensibility of City's approvals.

Residential Development Allocation (RDA) Program Amendment. Reviewed and evaluated legal defensibility of City's Residential Development Allocation ("RDA") Ordinance, and developed amendments to RDA Ordinance adopted by City in March 2005.

West Coast Homes v. City of Antioch (Contra Costa County Superior Court).

Represented City in defense of action alleging violations of Mitigation Fee Act in adopting increased sewer connection fee. Services included evaluating and advising City on validity of increased connection fee under Mitigation Fee Act; developing and advising City regarding strategy for defending Mitigation Fee Act claims; and advising City regarding adoption of new fee to avoid potential future claims.

Special Counsel for Land Use, CEQA and Local Government Law Matters. Served as Special Counsel to City on various matters arising under land use, environmental and local government laws, including Planning and Zoning Laws, CEQA, Brown Act, Public Records Act, Subdivision Map Act, and other land use and municipal law requirements.

City of Brentwood

Special Counsel for Land Use, CEQA and Local Government Law Matters. Served as Special Counsel to the City on a variety of matters arising under the California Environmental Quality Act (CEQA), the Planning and Zoning Laws, the Subdivision Map Act, the Public Records Act, and other environmental and land use laws. Issues raised include the adequacy of CEQA compliance for land use entitlements, compliance by developers with subdivision conditions of approval, the validity of proposed zoning ordinances, and the adequacy of proposed environmental mitigation requirements relating to special status species.

Biddle v. City of Brentwood (Contra Costa County Superior Court). Successfully defended City against challenge to development approvals for residential subdivision project, involving claims under the State Planning and Zoning Laws, the Subdivision Map Act, and CEQA.

Solid Waste Transfer Station. Advised City regarding General Plan, Zoning and CEQA compliance for expansion of municipal solid waste transfer station.

City of Milpitas

Currently advising City on participation in entitlement and environmental review processes undertaken by neighboring city for proposed expansion of landfill on client city's border. Services include reviewing and commenting on application materials for proposed entitlements, reviewing and commenting on CEQA documents, reviewing and commenting on proposed mitigation agreements.

City of Napa

Special Counsel for Land Use, CEQA and Local Government Law Matters. Served as Special Counsel to City on various matters arising under land use, environmental and local government laws, including Planning and Zoning Laws, CEQA, Public Records Act, and housing laws and requirements.

General Plan Housing Element Update. Advised City on preparation of and environmental review for statutory update of General Plan Housing Element. Services included reviewing and commenting on proposed revisions to updated housing element; reviewing and commenting on CEQA process and compliance; preparation of resolutions, staff reports and CEQA findings.

St. Regis Resort Project. Advised City regarding processing of entitlement applications and environmental review and CEQA compliance for proposed hotel resort development project.

Napa Pipe Project. Currently advising City with respect to its participation in County of Napa's entitlement and environmental review processes for proposed mixed-use project adjacent to City of Napa city limit.

City of Oakley

Advised City regarding California Energy Commission's process for reviewing and approving proposed power plant in City of Oakley. Negotiated and drafted agreement Cooperation Agreement between power plant developer and City to provide for mitigation and benefits to City in exchange for City's support in CEC proceedings. Advised City on

issues arising under CEQA, the Brown Act, the Planning and Zoning laws, and CEC regulations and requirements.

City of Palo Alto

Stanford University Medical Center Expansion Projects. Advising client on land use and CEQA issues relating to proposed expansion of Stanford University Medical Center and Stanford Shopping Center. Services include reviewing and advising on entitlement applications, including general plan amendment, rezoning and use permits; negotiation and drafting development agreement; reviewing and counseling on preparation of environmental impact reports, including supporting technical reports.

Infrastructure Agreements. Reviewed and revised infrastructure agreements with neighboring municipalities to provide for expansions, improvements and operation and maintenance responsibilities for various aspects of regional and municipal wastewater conveyance and treatment facilities.

High Speed Rail Authority Project Advice. Advised City with respect to its participation in environmental review process for California High Speed Rail Authority's proposal for high speed rail line through City. Services included reviewing environmental document prepared by High Speed Rail Authority and assisting in preparation of comment letter on same.

City of Redwood City

General Plan Update. Advised City regarding preparation and adoption of 2010 General Plan Update, and associated CEQA compliance. Reviewed and provided comments on drafts of proposed general plan and environmental documents, staff reports, resolutions, findings to support project approval including CEQA findings, and other project-related materials.

Downtown Precise Plan. Advised City regarding preparation and adoption of Downtown Precise Plan and associated CEQA compliance. Assisted in preparation of drafts of Precise Plan and environmental documents, staff reports, resolutions, findings to support project approvals including CEQA findings, and other project-related materials.

Bay Conservation & Development Commission Bay Plan Amendment Advice. Advised City regarding regional agency's proposal to amend San Francisco Bay Plan under McAteer-Petris Act; reviewed proposed Bay Plan amendment and prepared comments on behalf of City regarding implications of proposed amendment for local government jurisdictions.

Special Counsel for Land Use, CEQA and Local Government Law Matters. Currently advising City Attorney's office and various City Departments regarding City's processing of

numerous development applications and associated environmental review processes. Past and current projects include a mixed-use commercial/residential project, multiple high-density residential housing projects with affordable housing components, multiple single-family residential subdivision projects, a proposed medical/health care facility, a proposed expansion of a commercial, marine-related recreational facility. Providing advice on compliance with Planning and Zoning Laws, Subdivision Map Act, CEQA, the Public Records Act, the McAteer-Petris Act, the Permit Streamlining Act, affordable housing requirements, local planning and zoning ordinances, and other applicable state and federal legal requirements.

Port of Stockton

Shields v. Port of Stockton (San Joaquin County Superior Court). Successfully defended Port's expansion project against CEQA challenge by neighboring property owners.

Middletown Unified School District

Advised school district client regarding property acquisition and expansion of school facilities. Services included assisting in preparation of real property transaction, including preparation of real property purchase and sale agreement, and advising on environmental review and CEQA compliance.

Klamath/Trinity Joint Unified School District

Advised school district client regarding environmental review requirements and CEQA compliance for multiple school expansion and improvement projects.

County of Alameda

Advised county regarding CEQA/NEPA compliance for proposed juvenile justice facility. Services included reviewing portions of joint EIR/EIS to ensure compliance with CEQA and NEPA requirements; reviewing local land use plans of multiple jurisdictions to determine whether alternatives to proposed facility would conform to local land use rules and regulations; reviewing land use regulatory agreement between city and county to identify constraints on development of proposed facility.

John Muir/Mt. Diablo Health System

Brentwood Medical Center (City of Brentwood). Counseled major health care provider in successfully preparing and processing application for General Plan amendment, rezoning, and amendment to development agreement for approximately 900,000 square foot mixed use medical center project. Services provided included drafting amendment to development agreement; negotiating and drafting amendments to General Plan and zoning ordinance to ensure consistency with development agreement; working with City staff to prepare legally

defensible approval documents including staff report, approval resolution and supporting findings.

Mt. Diablo Medical Center (City of Concord). Assisted major health care provider in developing entitlement, subdivision and CEQA strategy for approximately 500,000 square foot expansion of existing downtown hospital, and construction of new approximately 50,000 square foot cardiac care facility. Services provided included meeting and working with City officials and staff to develop political support for project; working with client and consultants to coordinate preparation and assembly of various elements of application package including project description, CEQA compliance assessment, General Plan land use and zoning diagrams, and preliminary architectural, engineering and landscaping drawings; serving as liaison with City staff to ensure that application materials conform to City requirements; developing and packaging project materials to bring to maximum extent possible scope of project within CEQA exemption for hospital retrofit projects.

Kaiser Foundation Hospitals

Deer Valley (FUA 1) Medical Center (City of Antioch). Assisted major health care provider in successfully preparing and processing applications for Phase 2 of 1.2 million square foot mixed use medical center in Future Urbanization Area #1 in Antioch. Services provided included working with client to prepare and process applications for development of a 340,000 square foot hospital building, a 230,000 square foot medical office building, and a 30,000 square foot central utility plant; working with environmental consultants to develop project modifications required to avoid need for an EIR; preparing and processing an addendum to a previously-certified EIR; assisting in negotiation of conditions of approval for tentative map; working with City staff to prepare legally defensible approval documents including staff report, approval resolution and supporting findings; negotiating and drafting oil pipeline relocation agreements with multiple pipeline companies; negotiating and drafting construction easements and rights of entry with neighboring landowners to allow construction to proceed in timely manner; working with City staff preparing 2003 General Plan Update to incorporate provisions to ensure that ongoing medical center project would remain consistent with General Plan.

Vacaville Medical Center (City of Vacaville). Assisted client with application and environmental review processes for Phase 2 of 800,000 square foot hospital/medical center. Services provided included reviewing existing development agreement to determine whether modifications to project required development agreement amendment; reviewing EIR for existing project approvals to expedite environmental review process for Phase 2; advising on CEQA strategy for Phase 2 approvals and construction; reviewing proposed conditions of approval to ensure consistency with development agreement; reviewing applicable Airport Land Use Compatibility Plan to determine whether project modifications required amendment to ALUC Plan.

Vallejo Medical Center (City of Vallejo). Assisted client with CEQA compliance for seismic retrofit project required by SB 1953. Services provided included reviewing CEQA exemption analysis; advising client on steps required to address neighbors complaints regarding noise, slope issues; working with noise consultants to ensure that ongoing construction complies with City's noise ordinance.

Mercy Housing, Inc.

El Dorado Hills Affordable Housing Project (El Dorado County). On a *pro bono* basis, successfully defended challenge to County's approvals of client's affordable housing project. Negotiated settlement agreement that preserved client's approvals and allowed project to proceed on a timely basis.

City of Galt Affordable Housing Project (City of Galt). On a *pro bono* basis, represented client in successful challenge to City's refusal to approve applications for affordable housing project. Negotiated settlement agreement requiring City to re-consider and approve applications, allowing project to proceed on a timely basis.

National Alliance for the Mentally Ill

Provided *pro bono* legal services to non-profit, self-help and advocacy organization to successfully secure approvals for residential mental health care facility.

Gerry N. Kamilos, LLC

Mariposa Lakes Specific Plan (City of Stockton/San Joaquin County). Advised private developer client on all aspects of entitlement process for 3,810 acre mixed-use development project in unincorporated San Joaquin County, to be annexed to the City of Stockton. Entitlements sought from the City of Stockton include an Urban Service Area expansion, General Plan amendment, Specific Plan approval, pre-zoning, approval of development agreement, cancellation of Williamson Act contracts, approval of tentative maps, and certification of accompanying environmental impact report (EIR). Approvals and permits sought from other agencies include approvals by the County Local Agency Formation Commission of an amendment to the City's Sphere of Influence and of annexation of the project site to the City, and permits and approvals required by state and federal regulatory agencies for modifications to wetlands and streambeds. Services provided included providing strategic advice on preparation and processing of entitlement applications and CEQA documents; advising client on City requirements applicable to processing and consideration of development applications, including open government requirements of the Brown Act and Public Records Act; reviewing and commenting on administrative drafts of proposed Specific Plan and CEQA documents, including technical reports to support environmental analysis; and preparing required CEQA findings, drafting findings to support cancellation of Williamson Act contracts; reviewing and commenting on proposed findings to support legislative approvals; reviewing and commenting on proposed

development agreement; reviewing and commenting on applications and supporting materials to obtain regulatory agency approvals, including approvals from the U.S Army Corps of Engineers, the California Department of Fish & Game, and the San Joaquin Valley Air Pollution Control District.

Mountain House/College Park Specific Plan (San Joaquin County). Advised client on all aspects of entitlement and development processes for 815 acre mixed-use development project in unincorporated San Joaquin County. Services included providing strategic advice on preparation and processing of entitlement applications and hearing processes, including advising client on open government requirements of the Brown Act and Public Records Act; advising on General Plan amendment, Master Plan amendment, Specific Plan approval, re-zoning, approval of development agreement, issuance of use permits, cancellation of Williamson Act contracts, and certification of environmental impact report (EIR); reviewing and advising on adequacy of CEQA documents; preparing required CEQA findings; preparing findings to support cancellation of Williamson Act contracts; and negotiating and drafting agreements to settle disputes with neighboring landowners; negotiating and drafting infrastructure cost-sharing and reimbursement agreements with neighboring landowners and state and local government agencies; and advising on land use, subdivision and environmental issues arising in course of construction.

Lennar Corporation

Windemere BLC Land Company/Dougherty Valley Development Project (Contra Costa County). Counseled developer of 5,000 acre mixed-use, master planned community on various aspects of project entitlement processes and development including CEQA compliance, subdivision issues, federal wetlands and endangered species regulations, and various issues arising under client's development agreement and multiple settlement agreements applicable to development of property, including issues arising under the Planning and Zoning Laws, the Development Agreement laws, CEQA, and the Public Records Act. Services provided included negotiating with County to resolve disputes over scope of development permitted by development agreement and various settlement agreements; reviewing CEQA documents for existing project approvals to develop CEQA strategy for subsequent project approvals and avoid need for subsequent EIRs; working with County to prepare CEQA documents, including Initial Studies, addenda to EIRs, and mitigated negative declarations; reviewing studies prepared by biological consultants to expedite environmental review and minimize constraints on development posed by biological conditions on project site.

Lennar Communities/Northern California Portfolio Acquisition (Contra Costa County). Oversaw land use due diligence for client's successful acquisition of multi-property portfolio of projects from major northern California home builder. Coordinated land use due diligence by five attorneys for six separate projects in four counties. Performed land use due diligence for proposed residential community, including review of title reports, local planning documents and regulations (general plans, specific plans, zoning ordinances,

subdivision ordinances, etc.), Phase 1 environmental site assessments, Airport Compatibility Land Use Plans, applicable CC&Rs, Urban Water Management Plans, Williamson Act contracts, annexation and LAFCO requirements, environmental impact reports covering the sites (e.g., General Plan EIRs, Specific Plan EIRs, etc.), utility service requirements and availability (including water, sewer, fire and police services), school facility requirements and availability, existence of applicable assessment and community facility districts, and other applicable permitting requirements (e.g., federal wetlands/404 permits, state streambed alteration agreements, endangered species permits or requirements). Prepared and coordinated preparation of comprehensive due diligence reports for all properties.

Lennar Mare Island/Mare Island Base Reuse Project (City of Vallejo). Advised client regarding water supply assessment requirements under Urban Water Management Planning laws (SB 610, SB 221). Services provided included reviewing and evaluating sufficiency of City's Urban Water Management Plan to determine whether project could rely on existing Plan to satisfy SB 610 requirements for residential component of base reuse project.

Sierra Pacific Industries

Martis Valley Community Plan (Placer County). Advised landowner regarding proposed rezoning of property designated as a "Timber Production Zone." Advised client regarding requirements for rezoning under CEQA, Planning and Zoning Laws, Forestry Practices Act, California Timberland Productivity Act, and various County and Forestry Department regulations.

Peaceful Oaks Estates Subdivision (Tuolumne County). Advised client on adequacy of environmental impact report prepared for proposed 600 acre residential development project in unincorporated Tuolumne County.

Cambay Group

Silver Springs Residential Subdivision Project (El Dorado County). Advised client regarding subdivision, annexation issues for proposed residential project. Services provided included evaluating whether tentative map for property had expired or had been automatically extended by filing of large lot final map to determine viability of proposed acquisition; participating in development of LAFCO strategy to secure annexation of property to El Dorado Irrigation District and establish that property was not subject to EID moratorium.

Centex Homes

Woodland Residential Subdivision Project (City of Woodland). Advise client with respect to CEQA requirements for tentative map to determine whether project presented viable acquisition opportunity. Services provided included reviewing General Plan, Specific

Plan, and associated EIRs to determine scope of CEQA review required for tentative map; developing CEQA strategy to avoid need for subsequent EIR.

Concerned Citizens of El Dorado County

Concerned Citizens v. County of El Dorado (El Dorado County Superior Court). Successfully represented citizens group in challenge to anti-growth initiative measure purporting to amend the County's General Plan to limit development based on increased traffic levels of service. Obtained a court order holding that the ordinance had no further force or effect.

Davidon Homes

Davidon Homes v. City of San Ramon (Contra Costa Superior Court). Represented landowner in challenge to City ordinance limiting owner's ability to amend General Plan and implement residential development project. Assisted in development of settlement strategy providing for City to continue to process development application.

Equus Group

Slatten Ranch Regional Retail Center (City of Antioch). Advised landowner/developer clients regarding CEQA compliance for approximately 500,000 square foot regional retail center; assisted client in preparing and successfully processing addendum to previously-certified EIR for broader specific plan area; advised client regarding compliance with prevailing wage laws; assisted in negotiating and drafting multi-party reimbursement agreement between client and adjoining cities for shared infrastructure.

D.R. Horton, Inc.

Advised major residential home builder on various land use and development matters arising from multiple residential development projects in multiple jurisdictions. Services included performing land use due diligence investigations and title reviews to determine scope of entitlements and development potential for proposed property acquisitions, negotiating amendments to pre-existing development agreements for new property and project acquisitions, advising on CEQA compliance, advising on Subdivision Map Act compliance, advising on compliance with various growth management requirements, advising on compliance with affordable housing requirements.

Paramount Homes/Wm. Lyon Homes

Advised clients regarding dispute with neighboring landowner over rights to water service, including reviewing and evaluating water service agreements and developing legal and political strategies to successfully overcome obstacles posed by water service agreements; advised on preparation of Water Supply Assessment for 1,100 acre mixed use development

project. Advised clients regarding legal requirements to annex project site into water agencies' service areas.

Richland Development

Advised client regarding extent to which project modifications could require additional environmental review. Services provided included reviewing project proposal and proposed modifications; reviewing prior CEQA documents providing coverage for project (General Plan EIR and draft Specific Plan DEIR); and evaluating and advising client of extent to which prior CEQA documents provided coverage for proposed project modifications and whether subsequent EIR would be required.

Rocklin 650 Investors/Clover Valley Estates Owners Association

Advised landowners/developer in connection with approximately 620 acre mixed use development project. Services provided included evaluating and advising client on scope of development permitted under development agreement; advising client on entitlement strategy (e.g., scope and timing of entitlement applications, including General Plan amendment, amendment to development agreement, and rezoning); advising client on CEQA strategy; reviewing and advising on tentative map application materials; advising on requirements for processing tentative map application; assisting in negotiation of proposed conditions of approval for tentative map; advising on extent to which zoning ordinance constrains proposed parcel maps and circulation layouts.

Smith Ranch Company

Smith Ranch Homeowners Ass'n v. Smith Ranch Co. (Solano County Superior Court). Successfully defended landowner/residential developer client against quiet title action filed by neighboring homeowners' association. Obtained favorable ruling on all claims in binding arbitration.

San Lucas Ranch

Crawford-Hall v. Cachuma Operations and Maintenance Board (Santa Barbara County Superior Court). Represented landowner in successful CEQA challenge to joint powers authority's approval of creek modifications intended to create access for endangered fish species' to client's private property, thereby threatening client's existing ranching and quarrying operations.

Toll Bros.

Land Use Due Diligence (Contra Costa County). Performed land use due diligence for proposed property acquisition. Services provided included reviewing title reports, local planning documents and land use regulations, Williamson Act contracts, annexation and

LAFCO requirements, environmental impact reports and environmental studies covering the site (*e.g.*, General Plan EIR, wetlands delineation, species surveys, etc.), utility service requirements and availability, school facility requirements and availability, and other applicable permitting requirements. Reviewed County's planning history and conferred with County officials and staff to assess political support for development of property, and assisted in development of application processing strategy and related Brown Act issues.