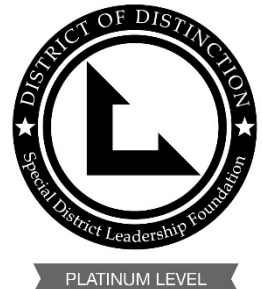




# TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

**SDLF Platinum-Level of Governance**



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

**NOTICE OF THE REGULAR MEETING  
OF THE BOARD OF DIRECTORS  
OF THE TOWN OF DISCOVERY BAY  
Wednesday December 7, 2022, 7:00 P.M.**

**NOTICE**  
**Coronavirus COVID-19**

In response to the current proclaimed State of Emergency, indoor masking recommendations, and recommended measures to promote social distancing imposed by State and local officials, the Town of Discovery Bay Community Services District Board of Directors has arranged for members of the public to observe and address the meeting telephonically (if available) or in person.

**TO ATTEND IN PERSON:** The meeting will be held at the Community Center located at 1601 Discovery Bay Boulevard.

**TO ATTEND BY ZOOM WEBINAR:** <https://us06web.zoom.us/j/85454370841>

**TO ATTEND BY PHONE:** +1 (669) 444 9171 or +1 (719) 359 4580 **WEBINAR ID:** 854 5437 0841

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

**REGULAR MEETING 7:00 P.M.**

**A. ROLL CALL AND PLEDGE OF ALLEGIANCE**

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

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

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

**C. CONSENT CALENDAR**

All matters listed under the CONSENT CALENDAR are considered by the District to be routine and will be enacted by one motion.

1. Approve Regular Board of Directors DRAFT Meeting minutes from November 16, 2022.
2. Approve Register of District Invoices.
3. Approve Resolution 2022-39 Re-Authorizing Remote Teleconference Meetings of the Legislative Body of the Town of Discovery Bay Community Services District Pursuant to the Brown Act Provisions.

**D. AREA AGENCIES AND LIAISON REPORTS / PRESENTATIONS**

1. Supervisor Diane Burgis, District III Report.
2. Assembly Member Lori Wilson's Office Report.
3. Sheriff's Office Report.

4. CHP Report.
5. ~~Contra Costa Fire Report~~ (Assignment by Con Fire Pending)

**E. PRESENTATIONS**

**F. DISCUSSION AND POSSIBLE ACTION**

1. Discussion and Possible Action to Approve Resolution 2022-41 Authorizing Five Star Bank as the Town of Discovery Bay's Main Depository.
2. Discussion and Possible Action Regarding Approval and Adoption of Resolution 2022-40 that Authorizes the Preparation and Submittal of a Sustainable Groundwater Management Act ("SGMA") Implementation Round 2 Funding Application to DWR; and Authorize the Board President to Sign a Letter of Support.

**G. MANAGER'S REPORT**

**H. GENERAL MANAGER'S REPORT**

**I. DIRECTOR REPORTS**

**J. DIRECTORS REGIONAL MEETING AND TRAINING REPORTS**

**K. CORRESPONDENCE RECEIVED**

**L. MUNICIPAL ADVISORY COUNCIL**

**M. FUTURE AGENDA ITEMS**

**N. ADJOURNMENT**

1. Adjourn to the next Regular Meeting of the Board of Directors on December 21, 2022, beginning at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard.

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

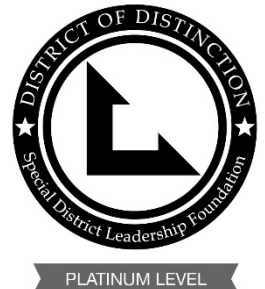
"Materials related to an item on the Agenda submitted to the Town of Discovery Bay after distribution of the agenda packet are available for public inspection in the District Office located at 1800 Willow Lake Road during normal business hours."



# TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

## SDLF Platinum-Level of Governance



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

### MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY Wednesday November 16, 2022, 7:00 P.M.

#### REGULAR MEETING 7:00 P.M.

##### A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Meeting Called to order 7:00 p.m.
2. Pledge of Allegiance was led by Assistant General Manager, Allan Cantando.
3. Roll Call was taken and all members were present with the exception of Vice President Porter and Director Callahan.

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

None.

##### C. CONSENT CALENDAR

All matters listed under the CONSENT CALENDAR are considered by the District to be routine and will be enacted by one motion.

1. Approve Regular Board of Directors DRAFT Meeting minutes from November 2, 2022.
2. Approve Register of District Invoices.
3. Approve Resolution 2022-38 Re-Authorizing Remote Teleconference Meetings of the Legislative Body of the Town of Discovery Bay Community Services District Pursuant to the Brown Act Provisions.

Director Gutow made a Motion to Approve the Consent Calendar.

Director Graham seconded.

Vote: Motion carried – AYES: 3, NOES 0, ABSTAINED 0, ABSENT 2.

##### D. AREA AGENCIES AND LIAISON REPORTS / PRESENTATIONS

None.

##### E. PRESENTATIONS

1. Veolia Presentation.

Anthony Harper, Project Manager II with Veolia, presented reports for the months of September and October.

- Safe working days through September 2022: 4781
- Participated in CPR and First-Aid training with the Town of Discovery Bay.
- There was one Sanitary Sewer Overflow and seven customer inquiries in September.
- Safe working days through October 2022: 4812
- Safety Coordinator from Veolia corporate office visited and gave extremely high ratings.
- All lift stations are active.

##### F. DISCUSSION AND POSSIBLE ACTION

1. Discussion and Possible Action Regarding Revised Location of Holiday Tree Placement at the Community Center.

Presented by Recreation Programs Supervisor, Monica Gallo.

- To avoid damaging existing grass and landscaping, staff recommends moving the site of the Holiday Tree to the front of the property from the originally proposed grass area.
- There is ample electrical available at the newly proposed site.

Director Gutow made a Motion to Approve Staff Recommendation Regarding Revised Location of Holiday Tree Placement at the Community Center.

Director Graham seconded.

Vote: Motion carried – AYES: 3, NOES 0, ABSTAINED 0, ABSENT 2.

2. Discussion and Possible Action to Approve the Cancellation of the January 4, 2023, Regular Board of Directors Meeting.

Presented by General Manager, Dina Breitstein.

- The Town of Discovery Bay Holiday closure is the week before the January 4, 2023, meeting. Staff will not be available to prepare the agenda.

Director Gutow made a Motion to Approve Staff Recommendation Regarding the Cancellation of the January 4, 2023, Regular Board of Directors Meeting.

Director Graham seconded.

Vote: Motion carried – AYES: 3, NOES 0, ABSTAINED 0, ABSENT 2.

#### **G. MANAGER'S REPORT**

1. Vac Truck Update.

Presented by Water & Wastewater Manager, Aaron Goldsworthy.

- New Vac truck has been assembled and painted.
- Truck is being shipped to Vacaville. Once it arrives there will be a 100-point inspection.
- Delivery and training are expected to take place the second week of December.

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

1. Replacement of the Failed Influent Line at the Clipper Drive Bridge.

Presented by General Manager, Dina Breitstein.

- September 14, 2022, there was a Sanitary Sewer Overflow at the Clipper Drive Bridge.
- Veolia will subcontract with W.R. Forde for the repairs.
- Project cost estimate is approx. \$163,000 with a lead time for materials being 3-4 weeks.

#### **I. DIRECTOR REPORTS**

None.

#### **J. DIRECTORS REGIONAL MEETING AND TRAINING REPORTS**

1. Contra Costa County Aviation Advisory Committee Meeting – October 13, 2022. (President Kevin Graves)
2. Liberty Union High School District Board Meeting – October 26, 2022. (President Kevin Graves)
3. Contra Costa County-East County Code Enforcement Meeting – November 2, 2022. (Vice-President Ashley Porter)

#### **K. CORRESPONDENCE RECEIVED**

None.

**L. MUNICIPAL ADVISORY COUNCIL**

1. Discussion and Possible Action Regarding Contra Costa County Agency Comment Request File #CDLP22-02062.

Presented by General Manager, Dina Breitstein.

- Staff has no objection and recommends a comment of “none” on Agency Comment Request File #CDLP22-02062.

Director Graham made a Motion to Approve Staff Recommendation of no comment on Agency Comment Request File #CDLP22-02062.

Director Gutow seconded.

Vote: Motion carried – AYES: 3, NOES 0, ABSTAINED 0, ABSENT 2.

**M. FUTURE AGENDA ITEMS**

None.

**N. ADJOURNMENT**

1. Meeting adjourned at 7:33p.m. to the next Regular Meeting of the Board of Directors on December 7, 2022, beginning at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard.

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

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# Town of Discovery Bay

*"A Community Services District"*

## STAFF REPORT

Meeting Date

December 7, 2022

**Prepared By:** Julie Carter, Finance Manager & Lesley Marable, Accountant  
**Submitted By:** Dina Breitstein, General Manager

### Agenda Title

Approve Register of District Invoices.

### Recommended Action

Staff recommends that the Board approve the listed invoices for payment.

### Executive Summary

District invoices are paid on a regular basis, and must obtain Board authorization prior to payment. Staff recommends Board authorization in order that the District can continue to pay warrants in a timely manner.

### Fiscal Impact:

**Amount Requested** \$ 353,881.49

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

**Prog/Fund #** See listing of invoices. **Category:** Operating Expenses and Capital Improvements

### Previous Relevant Board Actions for This Item

### Attachments

Request For Authorization to Pay Invoices for the Town of Discovery Bay CSD 2022/2023

AGENDA ITEM: C-2

**Request for Authorization to Pay Invoices**  
**For The Meeting On December 7, 2022**  
**Town of Discovery Bay CSD**  
**Fiscal Year 7/22 - 6/23**

Pacific Gas & Electric	\$97,553.29
Loprest Division of WRT	\$68,512.50
Town of Discovery Bay CSD	\$54,427.90
Luhdorff & Scalmanini	\$20,553.73
J.W. Backhoe & Construction, Inc.	\$19,609.58
Veolia Water North America	\$19,148.50
San Joaquin County Office Of Ed	\$12,650.00
Robert Half	\$12,380.57
SiteOne Landscape Supply, LLC	\$11,647.25
BSK Associates	\$7,295.00
Freedom Mailing Service, Inc	\$3,541.00
Sterling Administration	\$3,447.76
Univar Solutions USA Inc.	\$3,149.34
Janitorial Plus	\$3,090.00
Vortex Aquatic Structures	\$3,004.75
Devil Mountain Wholesale Nurse	\$2,224.24
Mt Diablo Resource Recovery	\$1,590.00
Bob Harkrader & Sons Trucking, Inc.	\$1,504.71
Watersavers Irrigation Inc.	\$1,245.66
Herwit Engineering	\$1,187.50
National Aquatic Services, Inc.	\$1,130.00
Utility Refund Customers	\$992.23
ODP Office Solutions, LLC	\$648.92
Concentra	\$540.00
Streamline	\$480.00
Backflow Distributors, Inc.	\$439.72
Big O Tires	\$429.88
Dina Breitstein	\$317.75
Quadient Leasing USA, Inc.	\$302.26
UniFirst Corporation	\$164.24
Alhambra	\$158.80
Kelly Rajala	\$154.00
Discovery Pest Control	\$143.44
ULINE	\$130.91
County Of Contra Costa, Dept of Info Tec	\$61.00
Verizon Wireless	\$25.06

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**\$353,881.49**



**TOWN OF DISCOVERY BAY  
COMMUNITY SERVICES DISTRICT  
RESOLUTION 2022-39**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TOWN DISCOVERY BAY COMMUNITY SERVICES DISTRICT RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODY OF THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT PURSUANT TO BROWN ACT PROVISIONS**

WHEREAS, the Town of Discovery Bay Community Services District (the "Town") is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of the Town's legislative body are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District's legislative body conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, the Town's Board of Directors previously adopted a Resolution, Number 2021-16 on October 20, 2021, finding that the requisite conditions exist for the legislative body of the Town to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Board of Directors must make findings that the Board has reconsidered the circumstances of the state of emergency that exist in the Town, and that either the state of emergency continues to directly impact the ability of the members to meet safely in person, or State or local officials continue to impose or recommend measures to promote social distancing; and

WHEREAS, on March 4, 2020, the Governor proclaimed a State of Emergency continues to exist throughout California as a result of the threat of COVID-19; and

WHEREAS, currently the dominant strain of COVID-19 in the country continues to be more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations, therefore, meeting in person would present imminent risks to the health or safety of attendees and members; and

WHEREAS, the Cal-OSHA adopted emergency regulations (Section 3205) imposing requirements on California employers, including measures to promote social distancing remain in effect; and

WHEREAS, the Contra Costa County Health Officer, through guidance and current health orders, strongly encourages indoor masking for everyone, regardless of vaccination status, recommends measures for social distancing when individuals have been exposed to COVID-19, and also acknowledges that close contact to other persons increases risk of transmission.

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

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.



Section 2. AB 361 Compliance. The Board of Directors began using teleconferencing in accordance with subdivision (e) of Section 54953 of the Government Code, as amended by AB 361, on October 20, 2021, and have made the requisite findings by majority vote not later than 30 days after October 20, 2021, and every 30 days thereafter.

Section 3. State of Emergency. The Board of Directors hereby reconsiders the circumstances of the current State of Emergency proclaimed by the Governor on March 4, 2020, and find that the ongoing conditions of the State of Emergency directly impact the ability of members to meet safely in person.

Section 4. Measures to Promote Social Distancing. The Board of Directors hereby finds that Cal-OSHA and the County Health Official continue to recommend measures to promote physical distancing.

Section 5. Remote Teleconference Meetings. The General Manager of the Town of Discovery Bay Community Services District is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 6. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption.

---

Kevin Graves  
Board President

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Town of Discovery Bay Community Services District at a meeting, held on December 7, 2022, by the following vote of the Board:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

Dina Breitstein  
Board Secretary



# Town of Discovery Bay

*"A Community Services District"*

## STAFF REPORT

**Meeting Date**

December 7, 2022

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

**Agenda Title:**

Discussion and Possible Action to Approve Resolution 2022-41 Authorizing Five Star Bank as the Town of Discovery Bay's Depository.

**Recommended Action:**

Approve and Adopt Resolution 2022-41 authorizing Five Star Bank as the Town of Discovery Bay's ("Town") main depository; and authorize the General Manager to sign all documents and agreements associated therewith.

**Executive Summary:**

For years, the Town has had a satisfactory banking relationship with the Bank of Agriculture and Commerce ("BAC"). Recently, the Town received notification that the local BAC branch in Discovery Bay was closing. The decision by BAC to close the local branch provided the Town an opportunity to evaluate whether it should continue its banking relationship with BAC. Staff evaluated:

- **Location:** having a local branch for the Town's banking needs was convenient. The closure of the local branch will eliminate the convenience of banking locally.
- **Customer Service:** BAC at one time provided the Town with exceptional customer service; however, continued changeover of branch managers has caused lengthy delays in resolving problems and an overall steady decline in customer service.
- **Cost & Interest Earning:** The fees to hold and disperse Town funds are considerable considering how much money the Town has on deposit. Interest earning capabilities remain low.
- **Ease of Conducting Business:** Staff found BAC's administrative requirements cumbersome and inconvenient. Technology is behind when compared to other banking institutions.

During the August 2022 CSDA Conference, staff reached out to other general managers and to the Financial Officer of the California Special Districts Association ("CSDA") for recommendations on new banking solutions. During discussions, Town staff articulated the minimum qualifications should include the following attributes: being a Federal or State of California-chartered financial institution, a member of the Federal Reserve System, a qualified depository for public funds, a full-service bank in good standing capable of providing services sought by the Town, and sufficient capitalization to accommodate cash/investment management needs. After multiple discussions with other agencies and with CSDA Financial Officer, Rick Wood, Five Star Bank was the standout recommendation.

Staff contacted Five Star Bank and requested a proposal for banking services. Jerry Legg, President of Five Star Bank, presented a proposal to the Finance Committee on November 2, 2022. Highlights of Five Star Bank's offerings include:

**Analyzed Checking Account with 2.00% Earning Credit Rate** – Five Star Bank is offering as many checking accounts as you need all with an Earnings Credit Rate of 2.00%. This rate will offset all fees you would normally incur. We propose keeping \$2 million spread among your checking accounts based on recent cashflow usage. All funds are always collateralized as per state law.

**A public money market account with a 2.75% interest rate** – Five Star Bank’s collateralized money market account pays 2.75%. The interest is paid monthly on the 1st of the month. This helps to maximize earnings while having the funds only a balance transfer away from your checking account. Transfers can be completed online 24 hours a day, 7 days a week.

These accounts will include the following:

- Free checking accounts with ability to write checks
- Free online banking with online transfer capability between accounts
- Free ACH capability (requires credit approval)
- Free Wire Transfer capability
- Free Remote Deposit Capture w/free scanner provided
- Free Mobile Deposit
- Free Bill Pay

**Five Star Bank will provide the initial order of checks, deposit slips, and endorsement stamps at no charge.**

**Streamlined Security process** –Five Star Bank showcased a less cumbersome, secure system for depositing funds, reviewing bank accounts and for transmitting payment authorization/validation files through their banking technology platform.

**Fiscal Impact**

Limited Fiscal Impact: Five Star Bank’s proposal does not charge the Town of Discovery Bay service or banking fees.

**Finance Committee Recommendation**

Approve Five Star Bank as the Town’s main depository.

**Previous Relevant Board Actions for This Item:**

Resolution 2015-04

**Attachments:**

1. Resolution 2022-41
2. Five Star Bank Proposal
3. Contract for Deposit of Monies
4. Signature Letter
5. Five Star Bank Q3 Quarterly Report
6. Bauer Report
7. IDC Q2 FSBC Report

**AGENDA ITEM: F1**



**TOWN OF DISCOVERY BAY  
COMMUNITY SERVICES DISTRICT**

**RESOLUTION 2022-41**

A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE TOWN OF DISCOVERY BAY,  
A CALIFORNIA COMMUNITY SERVICES DISTRICT,  
AUTHORIZING FIVE STAR BANK AS THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES  
DISTRICT'S MAIN DEPOSITORY

WHEREAS, the Town of Discovery Bay Community Services District (the "Town") is a community services district organized and operating pursuant to California Government Code section 61000 et seq.; and

WHEREAS, the Town previously adopted Resolution No. 2021-15 appointing the Town General Manager as the district Treasurer and appointing a new main depository of Town funds pursuant to Government Code section 61053; and

WHEREAS, the Town now desires to designate a new bank, Five Star Bank, to be the depository for certain Town funds, and

WHEREAS, the Town Board of Directors has previously adopted Resolution No. 2015-04 appointing Bank of Agriculture and Commerce as alternative depository for a revolving fund for any authorized Town expenditures pursuant to Government Code §53952(b), and

WHEREAS, the General Manager, or designee, shall have authority to make disbursements from the revolving fund and is responsible for keeping account of all receipts and disbursements from the fund, and

WHEREAS, all payments of any amount are to be authorized by the Board of Directors with two (2) signatures required; and

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

SECTION 1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

SECTION 2. Pursuant to Government Code §53952(b) the Town of Discovery Bay affirms the need for and continued use of a bank revolving fund for the purpose of paying any authorized expenditures of the Town of Discovery Bay.

SECTION 3. That the Town establishes Five Star Bank as its main depository.

SECTION 4. That the Town keeps necessary bank accounts with Bank of Agriculture and Commerce for deposits and disbursements.

SECTION 5. That the Town Treasurer, or their designee, shall have authority to make authorized disbursements from the revolving fund and all other banking accounts and is responsible for keeping account of all receipts and disbursements from the funds.

SECTION 6. Signature requirements for disbursements issued from these accounts shall be in accordance with Article VII of the Town's Board of Directors Bylaws.

SECTION 7. The Town's Treasurer and all Town employees responsible for handling the Town's finances shall be covered in the amount set forth in the Town's Employee Dishonesty (Crime & Fidelity) Insurance Policy.

SECTION 8. The Town's Treasurer shall make quarterly or more frequent written reports to the Town's Board, as the Town's Board shall determine, regarding the receipts and disbursements and balances in the accounts controlled by the Town's Treasurer.

SECTION 9. This resolution shall take effect immediately upon its passage.

PASSED, APPROVED AND ADOPTED THIS 7<sup>th</sup> DAY OF December 2022.

---

Kevin Graves  
Board President

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Town of Discovery Bay Community Services District at a regularly scheduled meeting, held on December 7, 2022, by the following vote of the Board:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

Dina Breitstein  
Board Secretary



November 10, 2022

Ms. Dina Breitstein, General Manager  
Town of Discovery Bay  
1800 Willow Lake Rd.  
Discovery Bay, CA 94505

Dear Ms. Breitstein,

I hope this finds you well! Thank you for the opportunity to present this proposal to the Town of Discovery Bay.

We believe that you deserve nothing less than outstanding customer service, reliability, competitive pricing, efficient means of managing your accounts electronically and direct access to a team of qualified banking professionals. We are keenly knowledgeable with special districts and municipalities, the statutes that pertain to public funds and who also have the experience of having managed at a public entity. We have the experience, expertise and hands on approach that sets us apart. And we are the only bank in California to provide scholarships to districts like yours for the CSDA General Manager Summit each year.

We believe Five Star Bank is the perfect partner for the Town of Discovery Bay. As a sign of our partnership, Five Star Bank is offering the District:

- **Analyzed checking accounts with a 2.00% Earning Credit Rate** - We are offering as many checking accounts as you need all with an Earnings Credit Rate of 2.00%. This rate will offset all fees you would normally incur. We propose keeping \$2 million spread among your checking accounts based on recent cashflow usage. All funds are always collateralized as per state law.
- **A public money market account with a 2.75% interest rate** - Excess liquid cash could be deposited into a collateralized money market account that pays 2.75%. Interest is paid monthly on the 1<sup>st</sup> of the month. This helps to maximize your earnings while having the funds only a balance transfer away from your checking account. Transfers can be completed online 24 hours a day, 7 days a week.

These accounts will include the following:

- **Free checking accounts with ability to write checks**
- **Free online banking with online transfer capability between accounts**
- **Free ACH capability (requires credit approval)**
- **Free Wire Transfer capability**
- **Free Remote Deposit Capture w/free scanner provided**
- **Free Mobile Deposit**
- **Free Bill Pay**

- **Five Star Bank will also provide your initial order of checks, deposit slips, and endorsement stamps at no charge.**

Five Star Bank also can provide all the financing to meet the District's needs including refinancing existing loans, new equipment & vehicles, buildings, infrastructure, lines of credit as well as pension obligation bonds. We also can offer rewards credit cards for purchasing and merchant services to accept payments by credit card in person, online or by phone.

This opportunity to partner with you is very important to our Bank and, as always, we will take every measure possible to ensure your success. I can assure you that I will personally oversee the entire transition, we will provide your staff with all the necessary training they need and provide you with designated backup personnel as well. We will be your partner every step of the way, from pre-conversion through conversion and implementation.

Please let me know if we can discuss the opportunity in greater detail and plan the next steps to move forward. Thank you once again for considering this proposal. We look forward to the chance to build a long, sustainable future with the Town of Discovery Bay!

Sincerely,

*Jerry Legg*



**Jerry Legg, CTP**  
**SVP/Government Banking Manager**

t: [916-640-1512](tel:916-640-1512) | m: [916-471-9977](tel:916-471-9977)

e: [jlegg@fivestarkbank.com](mailto:jlegg@fivestarkbank.com)

a: 2240 Douglas Blvd., Suite 100  
Roseville, CA 95661



## Contract for Deposit of Monies

THIS CONTRACT, relating to the deposit of monies, as of November 10, 2022, between Dina Breitstein, (hereafter designated "Treasurer" acting in her official capacity as General Manager (Treasurer, Finance Director, etc.) of the Town of Discovery Bay (hereinafter designated "Depositor"), and Five Star Bank (hereinafter designated "Depository"), having a shareholder's equity of Two Hundred and Thirty-Five Million, Forty-Six Thousand Dollars (\$235,046,000) as of December 31, 2021.

### WITNESSETH

WHEREAS, the Treasurer proposes to deposit in the Depository from time to time, commencing on November 10, 2022, monies in his/her custody in an aggregate amount on deposit at any one time not to exceed the total shareholder's equity of the Depository, and said monies will be deposited subject to Title 5, Division 2, Part 1, Chapter 4, Article 2 (commencing with Section 53630) of the Government Code of the State of California; and WHEREAS, said provisions of the Government Code requires the Treasurer to enter into a contract with the Depository, setting forth the conditions upon which said monies are deposited; and

WHEREAS, in the judgment of the Treasurer, this contract is to the public advantage;

NOW, THEREFORE, it is agreed between the parties hereto as follows:

1. This contract cancels and supersedes any previous contracts between the Treasurer and the Depository relating to the method of handling and collateralization of deposits of monies.
2. This contract, but not the deposits then held hereunder, shall be subject to termination by the Treasurer or the Depository at any time upon 30 days written notice. Deposits may be withdrawn in accordance with the agreement of the parties and applicable federal and state statutes, rules and regulations. This contract is subject to modification or termination upon enactment of any statute, rule or regulation, state or federal, which, in the opinion of the Administrator of the Local Agency Security, is inconsistent herewith, including any changes relative to the payment of interest upon monies so deposited by the Treasurer. Upon notification from the Administrator, the Treasurer may withdraw deposits in the event the Depository fails to pay assessments, fines, or penalties assessed by the Administrator.
3. Interest shall accrue on any monies so deposited as permitted by any act of the Congress of the United States or by any rule or regulation of any department or agency of the Federal Government adopted pursuant thereto. If interest may be legally paid, all monies deposited in accordance with this contract shall bear interest at a rate agreed upon by the Treasurer and the Depository.
4. The Depository shall issue to the Treasurer at the time of each inactive deposit, a receipt on a form agreed to by the Depository and the Treasurer, stating the interest to be paid, if any, the duration of the deposit, the frequency of the interest payments, and the terms of withdrawal. Each such deposit receipt is by reference made a part of this contract.
5. As security for said deposit, the Depository shall at all times maintain with the Agent of Depository named herein, commencing forthwith, eligible securities having a market value in excess of the actual total amount of local agency monies on deposit with the depository as per Government Code 53652. If the eligible security is determined by the Administrator of the Local Agency Security of the State of California in accordance with Government Code Section 53661 to be not qualified to secure public deposits, additional security shall be substituted immediately by the depository, as necessary, to comply with the requirements of this Paragraph.



6. Eligible securities are those listed in Government Code Section 53651, which may include the use of letters of credit issued by the Federal Home Loan Bank of San Francisco pursuant to Government Code 53651(p).
7. The Agent of Depository, authorized by the Treasurer and the Depository to hold the eligible securities posted as collateral under this contract is U.S. Bank (See Section 8 below). Said Agent of Depository has filed with the Administrator of Local Agency Security of the State of California an agreement to comply in all respects with the provisions of Title 5, Division 2, Part 1, Chapter 4, Article 2 (commencing with Section 53630) of the Government Code.
8. Authority for placement of securities for safekeeping in accordance with Government Code Section 53659 is hereby granted to the Agent of Depository, including placement with any Federal Reserve Banks or branch thereof, pursuant to Government Code Section 53657, or the Federal Home Loan Bank of San Francisco.
9. If the Depository fails to pay all or part of any deposits of the Treasurer which are subject to this contract when ordered to do so in accordance with the terms of withdrawal set forth on the deposit receipt (which is by reference made a part hereof), the Treasurer will immediately notify, in writing, the Administrator of the Local Agency Security. Action of the Administrator in converting the collateral required by Paragraph 5 above for the benefit of the Treasurer is governed by Government Code Section 53665.
10. The Depository may add, substitute, or withdrawal eligible securities being used as security for deposits made hereunder in accordance with Government Code Section 53654, provided the requirements of Paragraph 5 above are met.
11. The Depository shall have and hereby reserves the right to collect the interest on the securities, except in cases where the securities are liable to sale or are sold or converted in accordance with the provisions of Government Code Section 53665.
12. The Depository shall bear and pay the expense of transportation of eligible securities to and from the designated Agent of Depository.
13. This contract, the parties hereto, and all deposits governed by this contract shall be subject in all respects to Title 5, Division 2, Part 1, Chapter 4, Article 2 (commencing with Section 53630) of the Government Code, and of all other state and federal laws, statutes, rules and regulations applicable to such deposits, whether now in force or hereafter enacted or promulgated, all of which are by this reference made a part hereof.
14. The Treasurer named herein waives the right to collateral based on insurance provided by the Federal Deposit Insurance Corporation not to exceed the maximum amount insured pursuant to federal law, in accordance with Government Code Section 53653.

IN WITNESS WHEREOF, the Treasurer, in his/her official capacity has signed this contract in duplicate and the Depository has caused this contract to be executed in like number by its duly authorized officers.

PUBLIC ENTITY NAME  
Town of Discovery Bay

FIVE STAR BANK

NAME OF AUTHORIZED PERSON  
Dina Breitstein – General Manager

NAME OF AUTHORIZED PERSON  
Jerry Legg – SVP/Government Banking Mgr

SIGNATURE OF AUTHORIZED PERSON  
 \_\_\_\_\_

SIGNATURE OF AUTHORIZED PERSON  
 \_\_\_\_\_

**MUST BE ON PUBLIC ENTITY LETTERHEAD**

Date: November 10, 2022

Five Star Bank

2240 Douglas Blvd., Suite 100

Roseville, CA 95661

To Five Star Bank (Bank):

I Dina Breitstein, General Manager, for the Town of Discovery Bay, certify that the resolutions on this document are correct for the Town of Discovery Bay, whose Federal Tax ID Number is (XX-XXXXXXX). I further attest that the following individuals are authorized signatories on all of the Town of Discovery Bay accounts with Five Star Bank.

Signer Name	DL #	DL Issue Date	DL Expiration Date	Signature	Authorizations
Joseph B. Treasurer	CA B1234321	3/3/2016	3/4/2021		1, 2, 3, 4

I Dina Breitstein further attest that the signers listed above are authorized to exercise from the following powers related to our transaction accounts as indicated above: (1) Open or close any deposit account; (2) Endorse checks and orders for payment of money or otherwise withdraw or transfer funds on deposit at Five Star Bank; (3) Enter into Cash Management or other Agreements such as online banking, remote deposit capture, positive pay and others; (4) to give instructions, either orally or in writing, for transfer of funds electronically or other means acceptable to Five Star Bank as per the signed Bank agreements; (5) enter into loans, credit card or merchant services agreements with Five Star Bank.

This Signature Letter supersedes any previous Signature Letters or authorizations on file. This Signature Letter will remain in effect until an updated or amended Letter has been received by the Bank and processed.

Sincerely,

(Signature of authorized person)

Title - General Manager

**Quarterly Call Report**  
**Local Agency Security Program - California Department of Financial Protection and Innovation**

Institution Name:  CID #:   
Mailing Address:   
Quarterly Report As of Date:  Submission Date:

	Pool #1 (x110%)	Pool #2 (x150%)	Pool #3 (x105%)	Total
Total Deposits & Accrued Interest:	\$ 8,899,477.00	\$ -	\$ 411,905,875.00	\$ 420,805,352.00
Less: Deposits Subject to Waivers:	\$ 255,251.00	\$ -	\$ 8,615,574.00	\$ 8,870,825.00
Less: Interest:	\$ -	\$ -	\$ -	\$ -
Less: Uncollected Funds:	\$ -	\$ -	\$ -	\$ -
Less: CDAR Deposits:	\$ -	\$ -	\$ 60,439,828.00	\$ 60,439,828.00
Less: Other (Specify on Line 17):	\$ -	\$ -	\$ -	\$ -
Total Secured Deposits:	\$ 8,644,226.00	\$ -	\$ 342,850,473.00	\$ 351,494,699.00
Minimum Collateral Required:	\$ 9,508,648.60	\$ -	\$ 359,992,996.65	\$ 369,501,645.25

Agent of Depository:

Market

Value of Pledged Securities as of Quarter End:	\$ 20,008,766.00	\$ -	\$ 390,000,000.00	\$ 410,008,766.00
Excess/Deficiency in Pledged Collateral:	\$ 10,500,117.40	\$ -	\$ 30,007,003.35	\$ 40,507,120.75

Description of Other Deposits:

Preparer Name:  Preparer Phone #:   
Preparer Title:  Preparer Email Address:   
Authorizer #1 Name:  Authorizer #1 Title:   
Authorizer #2 Name:  Authorizer #2 Title:

Part II Summary

	Active Deposits			Inactive Deposits		
	Total Amount	Waiver Amount	Secured Amount	Total Amount	Waiver Amount	Secured Amount
Total:	420,651,502.00	69,310,653.00	351,340,849.00	153,850.00	0.00	153,850.00

Market Value of the Pledged Securities shown in the Securities Account Statement:

	Pool #1	Pool #2	Pool #3	Total
	\$ -	\$ -	\$ -	\$ -

# Bank LLAMAS Report Bundle

Includes:  
Summary Report  
&  
Analytical Report



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# Bank Summary Report

Five Star Bank  
Roseville, CA  
(FDIC Cert.#35361)

Rated 5-Stars as of 8/29/2022 based on  
financial data as of 06/30/2022



[BauerFinancial.com](http://BauerFinancial.com)

BauerFinancial Inc.  
P.O. Box 143520  
Coral Gables, Florida 33114-3520  
800.388.6686 \* FAX 800.230.9569  
[customerservice@bauerfinancial.com](mailto:customerservice@bauerfinancial.com)

This Summary Report was compiled from financial data as reported to federal regulators. Although the financial data obtained from these sources is consistently reliable, the accuracy and completeness of the data cannot be guaranteed by BauerFinancial Inc.

#### Definitions:

Stars	BauerFinancial's proprietary rating. (See below.)
Total Assets	Anything of value owned by the bank.
Average Tangible Assets	Total average assets less intangible assets.
Tier 1 Capital	Per regulators, primarily stock + retained earnings - intangible assets
Leverage Capital Ratio	Tier 1 Capital divided by tangible assets. (Minimum regulatory requirement is 4%.)
CET 1 Ratio	Common Equity Tier 1 Capital divided by risk-weighted assets. (Minimum regulatory requirement is 4.5% - not reported by all banks effective 2020.)
Total Risk-based Ratio	Total net worth divided by risk-weighted assets. (Minimum regulatory requirement is 8%; not reported by all banks effective 2020.)
Profit (Loss)	Profit or loss for the period noted.
Return on Assets (ROA)	Annualized net income as a percent of average assets.
Return on Equity (ROE)	Annualized net income as a percent of average equity.
Delinquent Loans	Loans past due 90 days or more plus nonaccrual loans.
Other Real Estate Owned (Repos)	Real estate owned but not being used by the bank. Usually acquired via foreclosure.
Nonperforming Assets % Tangible Assets	Delinquent loans and other real estate owned as a percent of tangible assets.
Nonperforming Assets % Tier 1 Capital	Delinquent loans and other real estate owned as a percent of Tier 1 Capital.

#### Star Ratings:

BauerFinancial star ratings classify each institution based upon a complex formula factoring in current and historical data. The first level of evaluation is the capital level of the institution followed by other relevant data including, but not limited to: profitability, historical trends, loan delinquencies, repossessed assets, reserves, regulatory compliance, proposed regulations and asset quality. Negative trends are projected forward to compensate for the lag time in the data. BauerFinancial employs conservative measures when assigning these ratings and consequently our analysis may be lower than those supplied by other analysts or the institutions themselves. More than thirty years of experience has shown this to be a prudent course of action. As a general guideline, however, the following groupings were used:

5-Stars	Superior. These institutions are recommended by <b>Bauer</b> .
4-Stars	Excellent. These institutions are recommended by <b>Bauer</b> .
3½-Stars	Good.
3-Stars	Adequate.
2-Stars	Problematic.
1-Star	Troubled.
Zero-Stars	Our lowest rating.
FDIC	Institution has failed or is operating under FDIC conservatorship.

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**BauerFinancial, Inc.**  
**Bank Summary Report**  
**Five Star Bank - Roseville, CA (FDIC Cert.#35361)**  
(916) 626-5000  
[www.fivestarbanc.com](http://www.fivestarbanc.com)

Five Star Bank was established in 1999 and has 7 branch(es).

**CRA Rating:** Satisfactory

<b>Data as of:</b>	<b>06/30/2022</b>	<b>03/31/2022</b>	<b>12/31/2021</b>	<b>09/30/2021</b>	<b>06/30/2021</b>
<b>Bauer's Star Rating:</b>	<b>5-Stars</b>	<b>5-Stars</b>	<b>5-Stars</b>	<b>5-Stars</b>	<b>5-Stars</b>
	<b>Recommended for 39 consecutive quarters.</b>				
<b>Number of Employees</b>	182	177	157	145	150
<b>Total Assets:</b>	\$2,836.570	\$2,776.995	\$2,557.072	\$2,433.819	\$2,327.369
<b>Average Tangible Assets:</b>	\$2,764.429	\$2,616.486	\$2,463.868	\$2,361.678	\$2,243.804
<b>Tier 1 Capital:</b>	\$266.438	\$258.891	\$255.807	\$247.065	\$238.562
<b>Leverage Capital Ratio:</b>	9.64%	9.90%	10.38%	10.46%	10.63%
<b>CET 1 Ratio:</b>	10.53%	11.74%	12.55%	14.09%	14.84%
<b>Total Risk-based Capital Ratio:</b>	11.55%	12.83%	13.69%	15.34%	16.09%
<b>Current Quarter's Profit (Loss):</b>	\$10.694	\$10.560	\$11.859	\$11.590	\$11.605
<b>Year-to-date Profit (Loss):</b>	\$21.254	\$10.560	\$46.960	\$35.101	\$23.511
<b>Profit (Loss) Previous Calendar Year:</b>	\$46.960				
<b>Profit (Loss) 2 Calendar Years Ago:</b>	\$38.713				
<b>Return on Assets (annualized):</b> (Tax equivalent for Sub S corporations.)	1.58%	1.61%	1.83%	1.87%	1.85%
<b>Return on Equity (annualized):</b> (Tax equivalent for Sub S corporations.)	16.62%	16.52%	21.60%	23.39%	21.27%
<b>Delinquent Loans:</b>	\$0.442	\$1.328	\$0.587	\$0.556	\$0.431
<b>Other Real Estate Owned:</b>	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000
<b>Nonperforming Assets % of Tangible Assets:</b>	0.02%	0.05%	0.02%	0.02%	0.02%
<b>Nonperforming Assets % of Tier 1 Capital:</b>	0.17%	0.51%	0.23%	0.23%	0.18%

Bank and Credit Union data compiled from financial data for the period noted, as reported to federal regulators. The financial data obtained from these sources is consistently reliable, although; the accuracy and completeness of the data cannot be guaranteed by BauerFinancial, Inc. BauerFinancial relies upon this data in its judgment and in rendering its opinion (e.g. determination of star ratings) as well as supplying the data fields incorporated herein. BauerFinancial, Inc. is not a financial advisor; it is an independent bank research firm. BauerFinancial is a registered trademark. Any unauthorized use of its content, logos, name, and/or Star-ratings is forbidden.

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**BauerFinancial, Inc.**  
**Bank Summary Report**

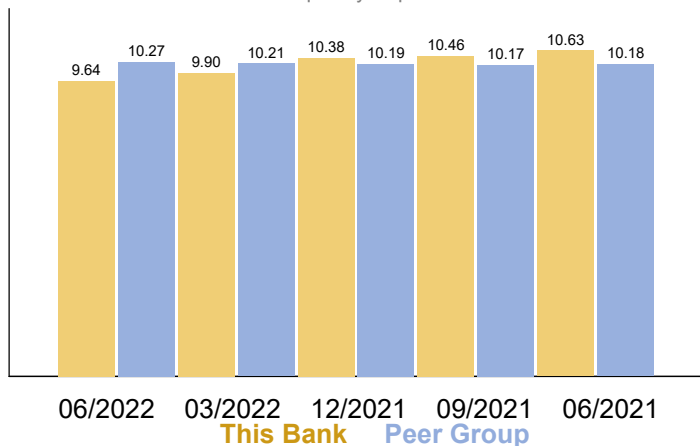
**Five Star Bank - Roseville, CA (FDIC Cert.#35361)**  
 (916) 626-5000

[www.fivestarbanc.com](http://www.fivestarbanc.com)

Five Star Bank was established in 1999 and has 7 branch(es).

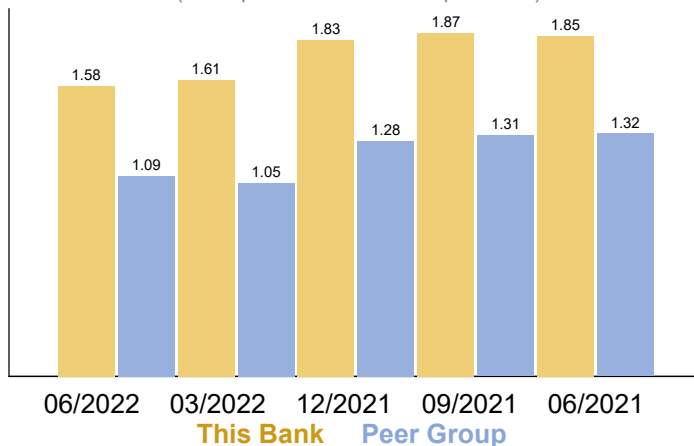
**Leverage Capital Ratio**

Min. for Adequately Capitalized is 4%



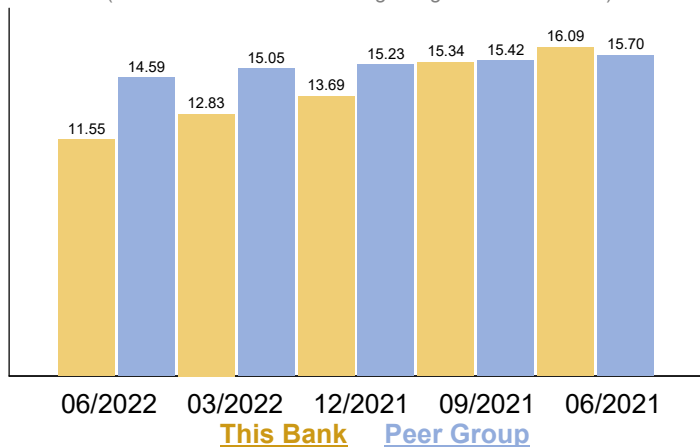
**Return on Assets (annualized)**

(Tax equivalent for Sub S corporations.)

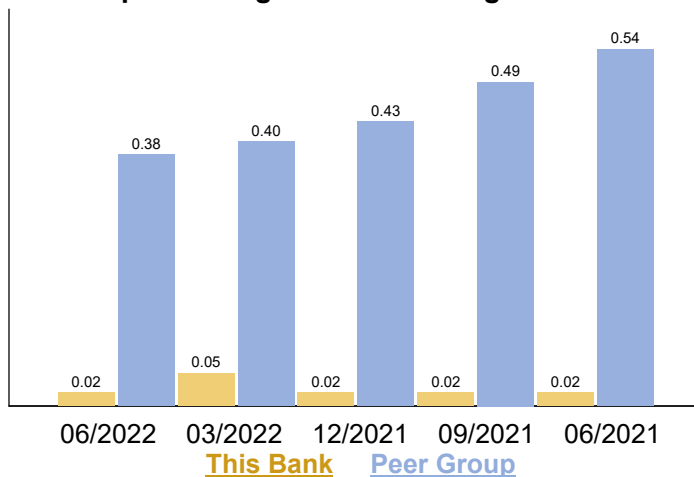


**Risk-based Capital Ratio**

(not available for all banks beginning March 2020 Data)



**Nonperforming Asset % of Tangible Assets**



Dollar amounts are in millions. For example, \$12,345.678 represents \$12 billion, 345 million, 678 thousand.

**Peer Groups:**

- Group 1 Banks with: foreign and domestic offices; assets >=\$100 bill; and/or adv. approach banks
- Group 2 Assets >= \$3 billion
- Group 3 Assets >= \$1 billion and < \$3 billion
- Group 4 Assets >= \$300 million and < \$1 billion
- Group 5 Assets >= \$100 million and < \$300 million
- Group 6 Assets < \$100 million

Bank and Credit Union data compiled from financial data for the period noted, as reported to federal regulators. The financial data obtained from these sources is consistently reliable, although; the accuracy and completeness of the data cannot be guaranteed by BauerFinancial, Inc. BauerFinancial relies upon this data in its judgment and in rendering its opinion (e.g. determination of star ratings) as well as supplying the data fields incorporated herein. BauerFinancial, Inc. is not a financial advisor; it is an independent bank research firm. BauerFinancial is a registered trademark. Any unauthorized use of its content, logos, name, and/or Star-ratings is forbidden.

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# Bank Analytical Report

Five Star Bank  
Roseville, CA  
(FDIC Cert.#35361)

Rated 5-Stars as of 8/29/2022 based on  
financial data as of 06/30/2022



[BauerFinancial.com](http://BauerFinancial.com)

## Introduction

The financial data used to prepare this report, unless otherwise noted, was compiled from data reported to Federal Regulators. Although the information obtained from these sources is consistently reliable, the accuracy and completeness of this data cannot be guaranteed by BauerFinancial. In fact, an astute investor would agree, and experience has shown, that marginally performing institutions sometimes give themselves the benefit of the doubt when filing their reports. Our historical data helps us detect these variances.

## STAR RATING SYSTEM

**BauerFinancial's** star ratings classify each institution based upon a complex formula factoring in current and historical data. The first step of evaluation is the capital level of the institution followed by other relevant data including, but not limited to: profitability, historical trends, loan delinquencies, repossessed assets, reserves, regulatory compliance, current and proposed regulations and asset quality. Negative trends are projected forward to compensate for the lag time in the data. BauerFinancial employs conservative measures when assigning these ratings and consequently our analysis may be lower than those supplied by other analysts or the institutions themselves. Four decades of experience has shown this to be a prudent course of action. As a general guideline, however, the following groupings were used:

5-Stars	Superior. These institutions are recommended by <b>Bauer</b> .
4-Stars	Excellent. These institutions are recommended by <b>Bauer</b> .
3½-Stars	Good.
3-Stars	Adequate.
2-Stars	Problematic.
1-Star	Troubled.
Zero-Stars	Our lowest rating.
FDIC	Institution has failed or is operating under FDIC conservatorship.

### Peer Groups:

Group 1	Banks with: foreign and domestic offices; assets >=\$100 bill; and/or adv. approach banks
Group 2	Assets >= \$3 billion
Group 3	Assets >= \$1 billion and < \$3 billion
Group 4	Assets >= \$300 million and < \$1 billion
Group 5	Assets >= \$100 million and < \$300 million
Group 6	Assets < \$100 million

Bank and Credit Union data compiled from financial data for the period noted, as reported to federal regulators. The financial data obtained from these sources is consistently reliable, although; the accuracy and completeness of the data cannot be guaranteed by BauerFinancial, Inc. BauerFinancial relies upon this data in its judgment and in rendering its opinion (e.g. determination of star ratings) as well as supplying the data fields incorporated herein. BauerFinancial, Inc. is not a financial advisor; it is an independent bank research firm. BauerFinancial is a registered trademark. Any unauthorized use of its content, logos, name, and/or Star-ratings is forbidden.

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**BauerFinancial, Inc.**  
**Bank Analytical Report**  
**Five Star Bank - Roseville, CA**

Rated 5-Stars based on financial data as of 06/30/2022

**A. Financial Statements as of 06/30/2022**

Balance Sheet: (\$ millions)

Assets:

Cash & Due From Banks	\$ 281.599
Securities & Fed Funds Sold	\$ 126.903
Loans (net)	\$ 2,367.711
Other Real Estate Owned	\$ 0.000
Premises & Fixed Assets	\$ 6.239
Investments in Subsidiaries	\$ 0.000
Intangible Assets	\$ 2.280
Other Assets	\$ 51.838

Total Assets:	\$ 2,836.570
---------------	--------------

Liabilities & Owner's Equity:

Non-Interest Bearing Deposits	\$ 1,010.737
Interest Bearing Deposits	\$ 1,495.245
Fed Funds Purchased & Securities Sold w/ Repurchase Agreements	\$ 0.000
Subordinated Debt	\$ 0.000
Other Borrowed Money	\$ 60.000
Other Liabilities	\$ 14.617

Total Liabilities:	\$ 2,580.599
--------------------	--------------

Owner's Equity:

Preferred Stock	\$ 0.000
Common Stock & Surplus	\$ 210.126
Retained Earnings	\$ 58.592
Other Equity (Includes net unrealized gains/losses on AFS securities)	\$(12.747)

Total Equity	\$ 255.971
--------------	------------

Total Liabilities and Equity:	\$ 2,836.570
-------------------------------	--------------

Year-to-Date Income Statement (\$ millions)

Interest Income:	\$ 49.406
Interest Expense:	\$ 1.571

Net Interest Income:	\$ 47.835
----------------------	-----------

(plus) Non-Interest Income	\$ 3.582
(plus) Gains (losses) Securities Transactions	\$ 0.005
(minus) Non-Interest Expense	\$ 18.608
(minus) Provisions	\$ 3.200
(minus) Income Taxes	\$ 8.360
(plus) Other Income (Expense)	\$ 0.000

Net Year-to-date Income:	\$ 21.254
--------------------------	-----------

Bank and Credit Union data compiled from financial data for the period noted, as reported to federal regulators. The financial data obtained from these sources is consistently reliable, although; the accuracy and completeness of the data cannot be guaranteed by BauerFinancial, Inc. BauerFinancial relies upon this data in its judgment and in rendering its opinion (e.g. determination of star ratings) as well as supplying the data fields incorporated herein. BauerFinancial, Inc. is not a financial advisor; it is an independent bank research firm. BauerFinancial is a registered trademark. Any unauthorized use of its content, logos, name, and/or Star-ratings is forbidden.

**BauerFinancial, Inc.**  
**Bank Analytical Report**  
**Five Star Bank - Roseville, CA**

Rated 5-Stars based on financial data as of 06/30/2022

Year Established: 1999  
 Number of Branches: 7

Telephone Number: (916) 626-5000  
 WebSite: [www.fivestarbanc.com](http://www.fivestarbanc.com)

**B. CAPITAL ADEQUACY.** In order to be classified as at least adequately capitalized, current regulatory capital requirements include a leverage capital ratio  $\geq 4\%$ , a Common Equity Tier 1 (CET1) Ratio  $\geq 4.5\%$ , a Tier 1 Risk-based Capital Ratio  $\geq 6\%$  AND a Total Risk-based Capital Ratio  $\geq 8\%$ . (Note: Certain well-capitalized banks are not required to report the data for the CET1 Ratio and Risk-based ratios; display as N.A.)

	This Bank	Peer Group
Leverage Capital Ratio:	9.64%	10.27%
CET1 Ratio:	10.53%	17.28%
Tier 1 Risk-based Capital Ratio:	10.53%	17.31%
Total Risk-based Capital Ratio:	11.55%	14.59%
Regulatory Capital Classification:	Well-Capitalized	

**C. REGULATORY STATUS.** The Community Reinvestment Act (CRA) is intended to ensure institutions help meet the credit needs of the communities in which they operate. If available, the institution's CRA Rating is noted below. Similarly, if the institution's primary regulator has made public any current enforcement actions that could impact the safety and soundness of the institution, the regulator will be noted. If applicable, you may read the action by visiting the regulator's website (link below). (Disclaimer: Enforcement Action data is maintained by BauerFinancial based on media releases issued by the agencies; the accuracy and completeness cannot be guaranteed by BauerFinancial, Inc.)  
 Search Regulatory Enforcement Actions via these links: [OCC](#) [FDIC](#) [FEDERAL RESERVE](#)

**CRA Rating:** Satisfactory

**Supervisory Agreement:** None

**D. ASSET QUALITY.** The quality of an institution's assets is determined by two factors: what specifically is the asset and how does it relate to the entire portfolio. Asset quality can be the difference between survival and insolvency during periods of economic uncertainty.

	This Bank	Peer Group
Reposessed Assets/Net Worth:	0.00%	0.34%
Nonaccrual Loans & Other Loans Past Due 90 Days or More/Net Worth:	0.17%	3.63%
Nonperforming Assets/Net Worth + Reserves (a/k/a Texas Ratio):	0.16%	3.32%

**The following five ratios refer to the nonperforming assets and reserves in the bank's portfolio:**

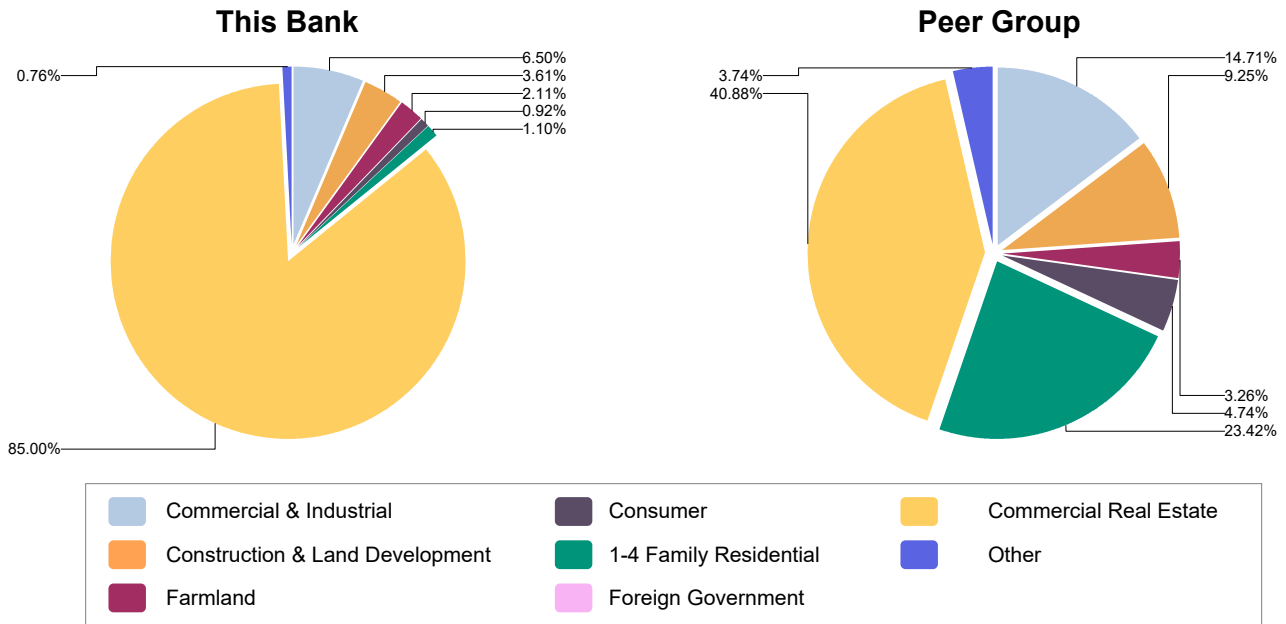
	This Bank	Peer Group
Nonperforming Assets/Total Assets:	0.02%	0.38%
Delinquent Loans/Total Loans:	0.02%	0.52%
Reposessed Assets/Total Assets:	0.00%	0.03%
Net Year-to-Date Chargeoffs/Total Loans:	0.05%	0.03%
Loan Loss Reserve/Total Loans:	1.08%	1.25%

Bank and Credit Union data compiled from financial data for the period noted, as reported to federal regulators. The financial data obtained from these sources is consistently reliable, although; the accuracy and completeness of the data cannot be guaranteed by BauerFinancial, Inc. BauerFinancial relies upon this data in its judgment and in rendering its opinion (e.g. determination of star ratings) as well as supplying the data fields incorporated herein. BauerFinancial, Inc. is not a financial advisor; it is an independent bank research firm. BauerFinancial is a registered trademark. Any unauthorized use of its content, logos, name, and/or Star-ratings is forbidden.

**BauerFinancial, Inc.**  
**Bank Analytical Report**  
**Five Star Bank - Roseville, CA**

Rated 5-Stars based on financial data as of 06/30/2022

**D. ASSET QUALITY, Continued.** Generally speaking, the more risky loans in a bank's portfolio are construction, commercial real estate, and foreign loans. Local economic conditions cause regional variances. Individuals or businesses interested in obtaining a loan or line of credit should check that the bank is actively engaged in that type of lending. Undercapitalized banks may be required to limit their lending activity due to an effort to shrink their asset size (thus increasing their capital ratios).



Loans to executive officers, principal shareholders and their related parties (with or without collateral) are not unusual in the banking industry. However, excessive lending to insiders can cause problems if the loans are not subject to the same arm's length underwriting standards as similar loans to other customers (as is required).

	This Bank	Peer Group
Loans to Insiders/Total Loans:	0.34%	1.08%
Loans to Insiders/Total Net Worth:	3.21%	7.47%

Intangible assets are acquired by various transactions in which the purchase price exceeds the book value. For example, a bank may buy a branch of another bank for more than its book value; the premium paid would be an intangible asset to the purchaser known as "goodwill". The leverage capital ratio on page 4 excludes most intangible assets.

	This Bank	Peer Group
Intangible Assets/Net Worth:	0.89%	8.14%

Investments in unconsolidated subsidiaries and related companies can be a drain on a bank's net worth. If the book value of the subsidiary declines, so does that of the bank.

	This Bank	Peer Group
Investments in Subsidiaries/Net Worth:	0.00%	0.00%

Bank and Credit Union data compiled from financial data for the period noted, as reported to federal regulators. The financial data obtained from these sources is consistently reliable, although; the accuracy and completeness of the data cannot be guaranteed by BauerFinancial, Inc. BauerFinancial relies upon this data in its judgment and in rendering its opinion (e.g. determination of star ratings) as well as supplying the data fields incorporated herein. BauerFinancial, Inc. is not a financial advisor; it is an independent bank research firm. BauerFinancial is a registered trademark. Any unauthorized use of its content, logos, name, and/or Star-ratings is forbidden.

**BauerFinancial, Inc.**  
**Bank Analytical Report**  
**Five Star Bank - Roseville, CA**

Rated 5-Stars based on financial data as of 06/30/2022

**E. LIQUIDITY.** Liquidity ratios measure the relationship between current assets and current liabilities; they are indicators of an institution's ability to meet current obligations. Higher ratios reflect a reliance on funding sources that may not be available in times of financial stress or adverse changes in market conditions.

	This Bank	Peer Group
Loans to Deposits:	95.51%	76.12%
Non-core Funding Dependence:	1.28%	0.96%
Brokered Deposits/Total Deposits:	0.00%	2.83%
Deposits Acquired from use of Listing Services/Total Deposits:	0.00%	0.46%

**F. GROWTH.** As a general rule, growth in a bank is considered normal and desirable. If the growth accelerates to a point where it becomes unmanageable, however, it can lead to a situation of capital inadequacy and/or unprofitability. Asset shrinkage could indicate a cutback in lending and equity shrinkage could portend negative trends.

	This Bank	Peer Group
% Change in Assets (year):	21.88%	7.73%
% Change in Equity (year):	6.20%	-3.23%
% Change in Deposits (year):	20.80%	9.54%
% Change in Loans (year):	50.74%	8.82%

**G. PROFITABILITY.** Standard measures of profitability are Return on Assets and Return on Equity which reflect the percentage of each that has been earned during the current period. The ratios facilitate comparisons between institutions and time periods, as the same dollar figure of net income may be good or bad, depending on the balance sheet of the institution.

Current quarter's profit:	\$10.694	million
Year-to-date profit:	\$21.254	million
Profit for Previous Calendar Year:	\$46.960	million
Profit for Calendar Year 2 Years Ago	\$38.713	million

	This Bank	Peer Group
Annualized Return on Assets:	1.58%	1.09%
Annualized Return on Equity:	16.62%	11.44%

Bank and Credit Union data compiled from financial data for the period noted, as reported to federal regulators. The financial data obtained from these sources is consistently reliable, although; the accuracy and completeness of the data cannot be guaranteed by BauerFinancial, Inc. BauerFinancial relies upon this data in its judgment and in rendering its opinion (e.g. determination of star ratings) as well as supplying the data fields incorporated herein. BauerFinancial, Inc. is not a financial advisor; it is an independent bank research firm. BauerFinancial is a registered trademark. Any unauthorized use of its content, logos, name, and/or Star-ratings is forbidden.



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Jerry Legg

jlegg@fivestarbanc.com

## FIVE STAR BANK

(FIVE STAR BK)

LOCATION: ROSEVILLE, CA

TYPE: BANK

TOTAL ASSETS: \$2,837MM

IDC Rank of Financial Ratios 2022-Q2:

**300**

Superior (200 - 300)

## CAMEL Analysis

### Capital Ratios - A Foundation for Safety and Soundness

Tier 1 Capital % Tier 1 Assets	9.6%
Risk Based Capital % Risk Based Assets	11.6%
Tier I Capital % Risk Based Assets	10.5%

**Well Capitalized**

### Adequacy of Capital and Loan Loss Reserve to Cover Loan Delinquency

Loan Loss Reserve % Tier I Capital	9.7%
Loans 90 Days Delinquent % Tier I Capital	0.0%
Loans Nonaccrual + REO % Tier I Capital	0.2%

**More than Adequate Capital and Loan Loss Reserve to Cover Loan Delinquency**

### Margins Measure Management

Common Shareholder's Net Operating Profit After Tax % Tangible Equity Capital, NOPAT ROE (1yr)	17.8%
Cost of Equity COE (1yr)	4.8%

**ROE Adds Substantial Value**

Net Interest % Earning Assets (1yr)	3.74%
Noninterest Income % Earning Assets (1yr)	0.26%
Noninterest Expense % Earning Assets (1yr)	1.47%
Operating Profit Margin OPM (1yr)	63.3%

**Wide OPM**

OPM Risk Standard Deviation	1.2%
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**Low OPM Risk**

### Earnings Return on Equity Equals the Operating Return Plus the Financial Return

Return of Net Operating Profit From Operations After Tax % Earning Assets (ROEA)	2.10%
<b>High Operating Return</b>	
Return on Financial Leverage (ROFL) = Spread X Leverage	15.70%
<b>High Financial Return</b>	
ROEA less COF AT = Leverage Spread	1.99%
<b>Wide Spread</b>	
Leverage Multiplier	7.87
<b>Average Multiplier</b>	

## Liquidity Determines the Ability to Grow

Balance Sheet Cash Flow % Tier I Equity	49.3%
Percent Annual Growth in Equity Capital	11.9%
Nonperforming Assets % Total Loans	0.0%
Illiquid Loans % Stable Deposits and Borrowings Plus Excess Liquidity	76.5%
Interest-Bearing Liabilities % Earning Assets	56.5%
<b>Liquidity Ample to Support Growth</b>	

## Supplemental Ratios

Investment Yield	0.7%
Loan Yield	4.7%
Cost of Adjusted Debt - After Tax	0.1%
Net Income % Avg Assets	1.8%

## Reports

## Resources



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The quality of a financial institution is not fixed over time, but tends to undergo change. For this reason, changes in ranks occur, reflecting changes in the individual financial ratios. The data utilized for calculations, ranks, and other information was obtained from sources believed to be reliable and accurate; however, neither the publisher nor its employees assume responsibility for the correctness or accuracy of data, calculations, or liability for their use.



# Town of Discovery Bay

*“A Community Services District”*

## STAFF REPORT

Meeting Date

December 7, 2022

**Prepared By:** Dina Breitstein, General Manager

**Submitted By:** Michael R. Davies, Staff

### Agenda Title

Discussion and Possible Action Regarding Approval and Adoption of Resolution 2022-40 that Authorizes the Preparation and Submittal of a Sustainable Groundwater Management Act (“SGMA”) Implementation Round 2 Funding Application to DWR, and Authorize the Board President to Sign a Letter of Support.

### Recommended Action

Approve and adopt Resolution 2022-40 and authorize the President of the Board to sign the attached letter of support.

### Executive Summary

The Sustainable Groundwater Management Act (“SGMA”), effective January 1, 2015, established a framework of priorities and requirements to facilitate sustainable groundwater management throughout the State of California. The legislative intent of the SGMA is for groundwater to be managed in California’s groundwater basins by local public agencies and Groundwater Sustainability Agencies (“GSA”).

Discovery Bay’s service area did overlay a portion of the Tracy Subbasin in East Contra Costa County, which was identified by the State as Basin 5-22.15 San Joaquin Valley. On April 5, 2017, the Board adopted Resolution No. 2017-07 approving the formation of Discovery Bay as a GSA and authorized the General Manager to execute a Memorandum of Understanding (“MOU”) with the GSAs of City of Antioch, City of Brentwood, Byron-Bethany Irrigation District, Contra Costa Water District, Contra Costa County, Diablo Water District, and East Contra Costa Irrigation District (collectively “Parties”) to adopt and implement a Groundwater Sustainability Plan (“GSP”). On May 9, 2017, the Parties entered into an MOU to develop a GSP for the East Contra Costa County Portion of the Tracy Subbasin and to split the costs evenly. On November 5, 2017, the Board authorized the General Manager to execute and carryout the terms of a First Amendment to the MOU to retain the continued services of Luhdorff and Scalmanini (“Consultant”) for the preparation of the GSP, and to provide the methodology for sharing equally in the cost. The First Amendment to the MOU was fully executed by the parties on November 16, 2017.

On September 11, 2018, application was made to the California Department of Water Resources (“DWR”) to split the Tracy Subbasin along the Contra Costa – San Joaquin County Line (Basin Boundary Modification Request). On February 11, 2019, DWR approved the modification request. Discovery Bay’s groundwater is now located (along with the other GSA signatories to the First Amendment to the MOU), in the now designated “East Contra Costa Subbasin.” This basin is designated a “medium-priority” basin. On February 5, 2020, the Board approved an Amended and Restated MOU that recognizes the Basin Boundary change to the “East Contra Costa Subbasin.” On October 22, 2021, the Discovery Bay Board Adopted and Approved the final GSP via Resolution 2021-16. On January 25, 2022, DWR acknowledged submission of the final GSP, which is still under their review.

The First Amended and Restated MOU addressed GSP development. On May 11, 2022 the Parties entered into a Second Amended and Restated MOU for Implementation of the Groundwater Sustainability Plan for the East Contra Costa Subbasin so as to share in the costs of administering and implementing the Basin GSP within their jurisdictions, including consultants.

The Parties now desire to apply for DWR Proposition 68 (Round 2) Grant funding for the East Contra Costa Subbasin GSP Implementation, with the City of Brentwood taking the lead as the applicant on behalf the Parties. Resolution 2022-40 is a grant requirement, and the letter of support acknowledges cooperation with the City of Brentwood as the applicant.

### Previous Relevant Board Actions for This Item

April 5, 2017 Formation of GSA and Authorization to Execute MOU.  
November 5, 2017- Authorization to Execute a First Amendment to the MOU  
February 5, 2020 – Approved an Amended and Restated MOU – Basin Boundary Change  
October 22, 2021 – Adoption and Approval of the Final GSP via Resolution 2021-16  
March 2, 2022 – Approval of a Second Amended and Restated MOU

**Attachments**

1. Resolution 2022-40
2. Draft Letter of Support for GSP Implementation Dated December 7, 2022

AGENDA ITEM: F2



**TOWN OF DISCOVERY BAY  
COMMUNITY SERVICES DISTRICT  
RESOLUTION 2022-40**

**AUTHORIZING PREPARATION AND SUBMITTAL OF A SUSTAINABLE GROUNDWATER  
MANAGEMENT ACT (SGMA) IMPLEMENTATION ROUND 2 FUNDING APPLICATION TO THE  
CALIFORNIA DEPARTMENT OF WATER RESOURCES FOR THE EAST CONTRA COSTA  
GROUNDWATER SUBBASIN IN CONTRA COSTA COUNTY, CA**

**WHEREAS**, in August 2014, the California Legislature passed, and in September 2014 the Governor signed, legislation creating the Sustainable Groundwater Management Act (“SGMA”) “to provide local groundwater sustainability agencies with the authority and technical and financial assistance necessary to sustainably manage groundwater” (Wat. Code, § 10720, (d)); and

**WHEREAS**, SGMA requires sustainable management through the development of groundwater sustainability plans (“GSPs”), which can be a single plan developed by one or more groundwater sustainability agencies (“GSAs”) or multiple coordinated plans within a basin or subbasin (Wat. Code, § 10727); and

**WHEREAS**, SGMA requires a GSA be formed to manage groundwater in all basins designated by the California Department of Water Resources (“DWR”) as a medium or high priority, including the East Contra Costa Subbasin; and

**WHEREAS**, City of Antioch (“Antioch”), City of Brentwood (“Brentwood”), Byron-Bethany Irrigation District (“BBID”), Contra Costa Water District (“CCWD”), Contra Costa County (“County”), Diablo Water District (“DWD”), East Contra Costa Irrigation District (“ECCID”), and Discovery Bay Community Services District (“Discovery Bay”) were formed as GSAs [except CCWD] for the purposes of sustainably managing groundwater in the East Contra Costa Subbasin within their jurisdictional boundaries, pursuant to the requirements of SGMA; and

**WHEREAS**, the GSAs have the authority to draft, adopt, and implement a GSP (Wat. Code, § 10725 *et seq.*); and

**WHEREAS**, on May 9, 2017, the GSAs entered into a Memorandum of Understanding (“Agreement”) with all other GSAs within the East Contra Costa Subbasin along with CCWD for the purpose of jointly developing a single GSP for the East Contra Costa Subbasin and coordinating sustainable groundwater management in the Subbasin (Wat. Code, §10727(a)(2)); and

**WHEREAS**, the Brentwood GSA submitted an Initial Notification to DWR on behalf of all the GSAs to jointly develop a GSP for the Subbasin on February 12, 2018; and

**WHEREAS**, a group (“Working Group”) consisting of the GSAs and CCWD has coordinated in the Subbasin to draft a single GSP; and

**WHEREAS**, on behalf of the GSAs, the Working Group developed the draft GSP (“GSP”) and released portions of the draft GSP for public and local agency review during GSP development and released the entire draft on September 7, 2021;

**WHEREAS**, the ECC Subbasin submitted its adopted GSP to DWR by the January 31, 2022 submittal deadline; and,

**WHEREAS**, the ECC Subbasin is now pursuing GSP implementation funding from the SGMA Implementation Round 2 funding cycle through DWR with applications due by November 30, 2022; and,

**WHEREAS**, the ECC Subbasin is authorized to prepare a complete SGMA Implementation Round 2 Application, with review by the ECC Working Group, for submittal to DWR that is consistent with DWR Guidelines and Proposal Solicitation Package (“PSP”) documentation, as well as its adopted GSP goals, objectives and priority actions.

**WHEREAS**, the City of Brentwood is acting as the lead agency for the ECC Working Group per the GSP Implementation MOU executed by the ECC GSAs on date May 11, 2022 to complete the SGMA grant program application for GSP implementation for the ECC Subbasin and to enter into an agreement with the State of California to receive grant funding.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Town of Discovery Bay does hereby:

1. Find that the recited facts are true and that it has the jurisdiction to consider, approve, and adopt this Resolution.
2. Resolve that an application be made to the Department of Water Resources to obtain a grant under the 2021 Sustainable Groundwater Management (SGM) Grant Program SGMA Implementation Grant pursuant to the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018 (Pub. Resources Code, § 80000, et seq.) and the California Budget Acts of 2021 and 2022.
3. Be it further resolved that the City of Brentwood has the authority on behalf of the ECC Working Group and shall enter into a funding agreement with the Department of Water Resources to receive a grant for the ECC Subbasin GSP Implementation.
4. The City Manager of the City of Brentwood, or designee, is hereby authorized and directed to prepare the necessary data, conduct investigations, prepare, and file such application, execute a grant funding agreement and any future amendments thereto, submit invoices, and submit any reporting requirements with the Department of Water Resources.

PASSED, APPROVED, AND ADOPTED this 7th day of December, 2022 by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

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Kevin Graves, Board President

Attest:

\_\_\_\_\_

Date: \_\_\_\_\_

Dina Breitstein, Board Secretary

CERTIFICATION

I do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the City of Brentwood held on December 7, 2022.

Board Secretary: \_\_\_\_\_



# TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

SDLF Platinum-Level of Governance



PLATINUM LEVEL

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

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December 7, 2022

Mr. James Wolfe  
Water Operations Manager, City of Brentwood  
GSP Administrator, City of Brentwood Groundwater Sustainability Agency  
2201 Elkins Way  
Brentwood, CA 94513

**Subject: Support for DWR Proposition 68 (Round 2) Grant Application for East Contra Costa Subbasin Groundwater Sustainability Plan Implementation**

Dear Mr. Wolfe:

On behalf of the Town of Discovery Bay Community Services District Groundwater Sustainability Agency (“TODBGSA”) representing the residents and businesses of Discovery Bay, we wish to state our intention as a GSA to cooperate in the implementation of the Groundwater Sustainability Plan (GSP) for the East Contra Costa (ECC) Subbasin. TODBGSA supports the City of Brentwood GSA, acting on behalf of GSAs and Interested Parties in the ECC Subbasin, in applying for a Proposition 68 (Round 2) California Department of Water Resources (DWR) grant application for the ECC Subbasin GSP implementation. We understand that the purpose of the grant application is to develop and utilize the data, tools, management actions, and projects necessary to successfully implement the GSP. The GSP, adopted by our GSA together with all other participating GSAs in the ECC Subbasin, was submitted to DWR in January 2022 to comply with the Sustainable Groundwater Management Act (SGMA).

My agency will continue to cooperate and coordinate with other GSAs and Beneficial User Groups, including disadvantaged communities, tribal governments and interested parties, in accordance with the Water Code and related regulations to implement the ECC Subbasin GSP to achieve the sustainability goal for the Subbasin. Our participation includes ongoing coordination in the collection and/or sharing of monitoring and other data and strong collaboration to provide timely management actions and projects as needed to ensure future ECC Subbasin sustainability. We recognize that decades of conjunctive water resources management approaches in the ECC Subbasin have contributed to the ability of the Subbasin to buffer historical drought effects. However, in anticipation of a likely hotter and drier climate, continued proactive collaborative efforts by the GSAs along with ongoing stakeholder communication and engagement will be key to a sustainable outcome.

Thank you for the opportunity to offer support for GSP implementation for the ECC Subbasin and the City of Brentwood GSA’s application for a Proposition 68 grant on behalf of all GSAs in the Subbasin.

Sincerely,

Kevin Graves  
Board President