

BRADFORD RECLAMATION DISTRICT 2059

Meeting Minutes for a Regular Meeting for
Tuesday, November 7, 2017

Location: Antioch Fair Grounds
1201 West 10th St Antioch, CA

Board President: Rob Davies
Trustees: Michael Craig, Bill Hall, Gill Orozco, and James Folsom

Other's Present: Blake Johnson, PE, Smith Cunningham; Levee Superintendent, Angelia Tant; District Manager/Secretary, Mia Brown; Attorney, Landowners: Cate Kuhne, Karen Cunningham, Brian Ellis, and the Boat Club President Cynthia Hall.

The meeting was called to order at 10:15A.M. **Convene, Call to Order, and Determine a Quorum**

PUBLIC COMMENT

Karen Cunningham announces that Georgianna's brother's car (Neil) went into the river. Karen expresses that this was one more thing associated with speeding. Karen expresses that he had to kick the window out after going into the river and further expressed that they lost their car as a result of this. Cynthia Hall expresses that she wrote a letter to the boat clubbers and some people admitted to being the culprits. Cynthia discussed fire protection with them and touched base on some other subjects. Cynthia reports that they are willing to cooperate and help. Pr. Davies expresses that the other issue is the cigarette's being thrown out of the car windows. Landowner Brian Ellis tells the board that they are doing a good job and compliments Mia Brown, the current District Attorney.

CONSENT ITEMS (Items listed as C.1 through C.4 on this Agenda) – there are no items for removal from Consent Calendar. M/S/P by Hall/Folsom with all in favor and zero opposed.

C.1 MEETING MINUTES: APPROVE Board meeting minutes.

Attachments: RD 2059 Meeting Minutes October 17, 2017.

C.2 PAYROLL: APPROVE Appropriation warrant for \$5,000.00 to deposit into the Payroll account.

Attachments: Payroll documents

C.3 GENERAL WARRANTS: APPROVE Warrants for General Expenses/Work Agreements

Attachments: List of Warrants – The board reviewed and approved the three warrants list.

DISCUSSION ITEMS

D.1 CONSENT AGENDA: Consent Items removed from Consent Agenda for Discussion.
– There are no items removed.

D.2 BUDGET: M/S/P by Hall/Orozco with all in favor and zero opposed to adopt the proposed anticipated budget for 2017/2018 fiscal year

- a. Budget Committee Met @ 9 AM – Present: Blake Johnson; PE, Smith Cunningham, Trustee Folsom, Trustee Michael Craig, Angelia Tant Dist. Manager/Secretary, President Davies and Mia Brown towards the very end.
- b. Board's Review & Approval for the 17/18 Fiscal Year's Budget - The District Manager/Secretary Angelia Tant went over the budget with the board of trustees.

D.3 FERRY MATTERS:

- a. Report from President Davies – Pr. Davies discussed the personnel issues with Dave Forkel with the Delta Ferry Authority; regarding staff being late and on one occasion being several hours late. The high beam was damaged this past week. The boat is currently running ok with the exception of them noticing some vibration and small leakage. Pr. Davies would like to stay on top of ferry maintenance to ensure that the district doesn't have to pay so much for ferry repairs.

D.4 LEGAL SERVICES: DISCUSS/POSSIBLE ACTION

Review Proposals & Conduct Interview(s) for District General Legal Counsel

- a. Review Submitted Proposals - Mia sent out the RFP by the deadline and no one responded. Mia asks for direction on how the board would like to proceed. Mia expresses that they can go out the broader net or go out to a firm directly. Pr. Davies expresses that in the budget meeting the subject of how much the district is offering for the attorney and inquires if this is an hourly rate. Mia goes over the gist of the qualifications that she put into the RFP and expresses that these Attorneys are out of the Stockton, Modesto and Manteca area. Pr. Davies expresses that he did bring up Cate's questions with Mia regarding the conflict of interest by using Al Hosslet's office. Mia addresses this question and expresses that there could be a conflict when discussing the ferry district matters because they represent the ferry district. Mia expresses that on other general legal matters that this may not apply. Cate expresses that the issue is that Web Tract is now under metropolitan water and expresses that Al Hosslet's office is associated with this. Mia expresses that she reached out to the following Law Firms sending an RFP to them Al Hosslet's Office, Dean and Louis, Terpstra Law office located in Ripon; this is the office that Katie Lucchesi came from, Jennifer Spalleta's office and the last is Kroloff Law Firm.
- b. Conduct Interviews
- c. Board Approval for New District Legal Counsel

D.5 SPEED BUMPS & SIGNAGE FOR BRADFORD ISLAND – Removed, this item was completed at the last board meeting.

- a. Designated Locations for Speed Bumps & Signage
- b. Language for Signs
- c. Budget for purchasing Speed Bumps & Signage
- d. Budget for Engineering to work on Speed Bump & Signage project

D.6 ELECTION: Status report on upcoming Trustees' election

- a. Bylaw ballots for upcoming election – These are ready to go out and they will go out by the next board meeting. If we get a protest of 50% + 1 it is deemed an affirmative vote.
- b. Notice of Appointment of Trustee(s) by the Board of Supervisors – The District Manager/Secretary announces that she has not heard from the Board of Supervisors. A letter was sent to the Contra Costa Board of Supervisors. Angelia will call to inquire on what the status is with the Board of Supervisors.

D.7 PGE BILL -

- a. Report on PGE findings from Trustee Folsom – Reports that he called however, he needs to call another phone number.

D.8 LEVEE IMPROVEMENT MATTERS:

Receive update from Levee Superintendent and District Engineer Blake Johnson: Blake reports that last meeting we discussed a couple of places that needed to be repaired:

1. Smith Cunningham's property
2. Cate Kuhne's Property
3. Rodney Mariani

There are been a lift of the directed action plan per Blake. 'There are two other districts' that came forward and applied for this money. One district dropped out and the other district is still asking. Blake reports that he spoke with John Wright and expresses that he will prepare a report and have it sent out. This should have been repaired BR-10-1.0 and it wasn't done. The chances of them approving this work will be slim. Blake expresses that there is funding available. Cate expresses that Felipe with DWR suggested that the district apply for the direct action plan funds.

D.9 DELTA LEVEE SUBVENTIONS PROGRAM for 2017-2018:

Update on Current Subventions projects - Resolution was approved at the last meeting.

Blake reports that there are two optional funding programs out now. Blake reports that he has a grant writer with his firm staying on top of this item. Blake reports that the following are the two optional funding programs:

1. Karen Cunningham sent some information to Blake after the last meeting. Blake reports that they did a 1st draft of what people wanted. These are the bigger agencies and minimal reclamation districts. Blake reports that there is 9 million and possibly up to 18 million for the Delta Conservancy. The applications have exceeded the amount. The final request for these funds is due by 11/30/2017.
2. The District can apply now or wait for the next time around. DWR has a flood preparedness program that is now for the delta that is due in January.

D.10 ENCROACHMENT PERMITS:

a. John Norment: Gangway Permit: Blake reports that he and Smitty reviewed this permit. They are not looking at the dock portion of this permit, is just looking rather at the gangway project. They will have him slide the concrete footing.. Blake reports that he is also having him put some rip rap down. Pr. Davies would like to know if there is going to be a lot of pressure on the docs when the pump is pumping? Blake reports that he will notify the landowner that he may experience some turbulence.

D.11 Board President Position: M/S/P by a unanimous vote adopt the following nominated positions: the board directs Angelia to send a letter to the Delta Ferry Authority to notify it of the new positions for the current year.

1. President – Robert Davies is nominated by the board.
2. District Secretary - Angelia Tant is nominated by the board.
3. Ferry Representative Robert Davies is nominated by the board & the Alternative Ferry. Representative – Jim Folsom is nominated by the board.

D.12 REPORTS: DISCUSS/POSSIBLE ACTION

a. District Secretary:

1. Financials & District Manager's Report – Year-to-date profit and loss, Last Fiscal year ends budget, this fiscal years proposed budget, final adopted budget, check register, three (3) warrant transmittals, pump station outstanding balance and the delinquent outstanding assessments reports.

b. Levee Superintendent by Smith Cunningham

1. Report on general maintenance activities – Smith reports that nothing much has changed since the last discussion and he feels that everything is looking ok.

c. Engineer – Blake Johnson from GHD, Inc.

1. California Conservation Corps. Contract for Clearing & Grubbing
Tr. Hall inquires if the foot bridge at his property can be repaired. Smith expresses to Tr. Hall that if he can design a drawing outlining the repair project; that Blake and Smitty can review it and let him know if this project is feasible. Smith expresses to Tr. Hall that he needs to obtain an encroachment permit. Cate expresses that this is the engineer's discretion and expresses that you cannot have one landowner treated differently from another landowner. Cate expresses that anything that goes on at the district's levee work, should be at the engineer's discretion.

2. Emergency Action Plan – Arm Surgery prevented Blake from following up with Mia. Mia expresses that Blake did reach out to her and she expresses that she has been extremely busy with other things.

3. Update regarding the PG&E utility pole raising – still waiting to hear from PGE and expresses that he has not heard back from them. Blake's belief is that PGE is waiting for AT&T to come out and move their line. Pr. Davies believes that with all of the fires that their staff is limited. Pr. Davies gives one example of him attempting to contact them himself for a school project. Blake reports that the fires and flooding all take precedent.

d. Attorney – No items to discuss

D.13 CLOSED SESSION: Conference With Legal Counsel—Pending Litigation (Government Code section 54956.9(d)(2)):

1 potential case: Claim by Scott and CJ Kuhne – No closed session took place

D.14 TRUSTEE COMMENTS –

ADJOURNMENT: Next meeting to be held December 5, 2017