

**BRADFORD RECLAMATION DISTRICT 2059
MEETING MINUTES
For a Regular Meeting of the Board of Trustees**

Tuesday, January 16, 2018

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

Board President: Rob Davies
Trustees: Michael Craig
Bill Hall
James Folsom

Others Present: Blake Johnson, PE, Angelia Tant, Dist. Manager/Secretary, Smith Cunningham Levee Superintendent, landowner, Katie Lucchesi, Attorney with Terpstra Henderson.

10:05 A.M. Convene, Call to Order, and Determine a Quorum

PUBLIC COMMENT

Karen Cunningham brings up the Franks Tract Project which will use the tunnel mud. Karen shared a map that outlined the affect on local businesses and homes to be built in the area. Karen tells the Board that Jacob McQuirk with DWR was present at a recent meeting that she, Smith Cunningham and Blake Johnson attended recently.

CONSENT ITEMS (Items listed as C.1 through C.4 on this Agenda) M/S/P by Hall/Craig all in favor and zero opposed.

C.1 MEETING MINUTES: APPROVE Board meeting minutes.

Attachments: RD 2059 Meeting Minutes November 7, 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

DISCUSSION ITEMS

D.1 CONSENT AGENDA: DISCUSS/POSSIBLE ACTION on Consent Items removed from Consent Agenda for Discussion. – There were no items removed from the consent calendar.

D.2 NEW LEGAL COUNSEL:

Katie Lucchesi introduces herself and gives the Board a briefing of her background and employment history. Katie tells the Board that she has water law experience. Trustee Folsom inquired with Angelia on how much prior counsel made.

- a. The Board reviewed Terpstra Henderson's Proposal of Qualifications
- b. Appoint Legal Counsel Katie Lucchesi – M/S/P by Craig/Folsom with all and favor and zero opposed to hire Katie Lucchesi with Terpstra and Henderson as the new District Legal Counsel.

D.3 FERRY MATTERS:

- a. President Davies tells the Board that he discussed DFA staff personnel matters with David Forkel. Trustee Folsom voiced that there are people on the Webb Tract side of the island shooting guns and riding dirt bikes. Karen Cunningham expresses her concerns with who may fill the Ferry Captain Position in the future.

D.4 FRANKS TRACT FEASIBILITY STUDY:

The Board authorized the District Secretary to send out the Frank's Tract Feasibility Study email survey. Blake Johnson reports that DFW had a meeting at the San Joaquin Yacht Club on the Franks Tract feasibility study. This project will be similar to the previous solidity barrier project. People present at the DFW meeting expressed their concerns about how it would affect annual bass tournament(s) and local landowners. Pr. Davies inquired whether the environmental studies had been done. Blake responds that UC Davis is involved with this project and that DWR will have to conduct further environmental studies.

- a. District's participation in assisting with the Franks Tract feasibility study – Blake explains UC Davis' request that the District forward a survey to the landowners, but that the board would not see the results. Landowner Cate Kuhne (Historical Board President) shared that Jacob McQuirk reached out to her and brought up the project which is owned by Metropolitan District. Jacob McQuirk inquired if Cate wanted to be involved and Cate suggested that they give the Bradford Reclamation District the opportunity to respond. The Barrier report is supposed to already be out, but has been delayed until March. Blake tells the Board that the District had no knowledge about this project and that there was no public notice of the meeting. Blake expresses that this is the start of their environmental study process. President Davies expressed that the District never received the accurate flow reports on the historical barrier project installed on Bradford Island. Blake recommends that we stay in communication with the Department of Water Resources and the Department of Fish and Wildlife. Cate inquires whether the Board will appoint someone to follow up with the DWR for this specific project.
- b. District's Comments regarding the Frank's Tract feasibility study – The District Manager will reach out to Jacob McQuirk at DWR and request to be put on the project mailing lists for upcoming meetings and notices. President Davies requests that he be included on correspondence for this project. Landowner Cate Kuhne states that DWR has a 10 year permit for the historical barrier project but that a new permit will be required. Blake tells the Board that DWR changed the project manager and he believes it is Darren Suen. Blake goes over the historical bio metric surveys and gives some history on this subject.

D.5 ELECTION:

- a. Bylaw ballots for upcoming election – The District will have to send out protest ballots to the landowners since the affirmative vote did not receive a large enough response. District Counsel and Secretary will work together to draft a new ballot with return dates outlined.

D.6 LEVEE IMPROVEMENT MATTERS:

Smith Cunningham reports that the district is not completing any improvements at this time.

D.7 BOARD VACANCY: M/S/P by Hall/Folsom with all in favor and zero opposed to do an appointment at the February 6, 2018 Board Meeting by reviewing a statement of qualifications or resume.

Trustee Gilbert Orozco sold his property and reports the closing date as being 12/12/2017. The District Manager drafted a letter to the Board of Supervisors notifying them of the board vacancy. The District will need to post a Notice of Vacancy and fill the position within 60 days of the vacancy. The Board must choose either election or appointment to fill the vacancy. The Board chose to fill the vacancy by appointment at the February 6, 2018 Board Meeting.

- a. The Notice of Gilbert Orozcos's Board Vacancy has been announced.
- b. The deadline to have the statement of qualifications or resume submitted is 01/29/2018.

D.8 REPORTS:

a. District Secretary:

1. Financials & District Manager's Report – The District Manager provided the Profit and Loss Report, List of Delinquent Assessments, Checks issued and the report from the Bank of Stockton on how much is owed on the pump station. Trustee Folsom inquired on the status of audits for the past three years. The District Manager reported that the company has sent over a punch list of items that they need to conduct the audits and that she is working on compiling all of these items.

b. Levee Superintendent

- 1. Report on general maintenance activities

c. Engineer

- 1. California Conservation Corps. Contract for Clearing & Grubbing
- 2. Blake gives a brief update on the Emergency Action Plan
- 3. Update regarding the PG&E utility pole raising – Blake reports that PG&E continues to be unresponsive but he will continue to try and reach them. Blake tells the Board that he has been working on the District's Emergency Action Plan. Blake describes possible locations where people should congregate on the island. Blake tells the Board that typically you would have a command center. Blake will look into the Denny's in Antioch as being the identified command center.

d. Attorney

D.9 CLOSED SESSION: Conference With Legal Counsel—Pending Litigation (Government Code section 54956.9(d)(2)):

- 1 potential case: Claim by Scott and CJ Kuhne – The board goes into a closed session at 11:51 AM. The board comes out of closed session at 12:24

The reportable action is that Blake Johnson will prepare bid documents for a construction project for review at the next Board meeting.

D.10 TRUSTEE COMMENTS:

ADJOURNMENT: Next meeting to be held February 6, 2018