

**BRADFORD RECLAMATION DISTRICT 2059  
MEETING MINUTES**

**For a Special Meeting of the Board of Trustees**

**Tuesday, May 1, 2018 at 10:00 AM**

**Location: 2145 Elkins Way Ste. A Brentwood, CA 94513**

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

Other's present: Engineer Blake Johnson, Attorney Katie Lucchesi, Levee Superintendent Smith Cunningham, and District Manager/Secretary Angelia Tant (taking the meeting minutes).

Landowners: Karen Cunningham and Cate Kuhne

10:30 A.M. Convene, Call to Order, and Determine a Quorum

**PUBLIC COMMENT ON NON-AGENDA ITEMS**

Karen Cunningham discussed on the new version of the Franks Tract Project. The Board will add this as an agenda item for future meetings.

**CONSENT ITEMS: M/S/P by Hall/Folsom with all in favor and zero opposed to adopt the following consent calendar items:**

- C.1 MEETING MINUTES: APPROVE Board meeting minutes.**  
**Attachments: RD 2059 Special Meeting Minutes for March 27, 2018**
- C.2 PAYROLL: APPROVE Appropriation warrant for \$5,000.00 deposit to 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: There was no consent Items removed**

**D.2 FERRY MATTERS:**

- a. Report from President Davies – Ferry Authority is purchasing a new container and one of the deck hands just passed the captains test. Trustee Folsom inquires on rust and paint repairs that were supposed to be done approximately two (2) years ago. Rob reports that he will inquire with the Ferry Authority and see when they will be performing the work. Smith Cunningham inquires on if Dave Forkel went to the County to request additional funding. President Davies will inquire and report back to the board.

**D.3 PUBLIC HEARING AND DETERMINATION OF LANDOWNER PROTEST ELECTION ON AMENDED DISTRICT BYLAWS**

- a. Public Hearing open up for public comment – President Davies opened the public hearing. Cate Kuhne thanks Michael Craig, Karen Cunningham and Smith Cunningham for assisting with the bylaw amendment and putting in their time on the committee. The public hearing was closed.
- b. Receipt and tabulation of Protest Ballots – There were no Protest Ballots returned by property-owners to tabulate.
- c. Determination whether majority protest exists or if Landowners approve of Amended Bylaws – District Manager stated there is no majority protest.
- d. M/S/P by Hall/Folsom with all in favor and zero opposed to Adopt Resolution 2018-02 finding Landowner approval and adopting Amended Bylaws. The bylaws have passed by protest vote.

**D.4 FIVE YEAR PLAN:**

- a. Five Year Plan Letter Update – Blake stated the letter was submitted to DWR and we are awaiting a response. Smith Cunningham expressed that there was an addition regarding the ability to pay. Blake reports that the section was included and he expects to hear from the state within the next month.

**D.5 LEVEE IMPROVEMENT MATTERS:**

- a. Received an update from Levee Superintendent Smith Cunningham and District Engineer Blake Johnson – Smith and Blake discussed maintenance on the island and that a large chunk of the money will be used on the berm repair. The East side will require road repair work on potholes. The 75% subvention funding is due to expire on 7/1/2018 and revert back to 50% unless the statute is continued at the 75% rate.

**D.6 IMPROVEMENT PLANS FOR KUHNE PROPERTY:**

- a. M/S/P by Hall/Folsom with all in favor and zero opposed to adopt Resolution 2018-03 Approving Award of Construction Contract for Maintenance Work for Stability Berm Repair not to exceed the \$86,126.75 and requiring future board approval for any change orders. Katie Lucchesi will draft the contract with McVey Engineering to conduct the Stability Berm Repair work.
  - Blake reports that the project went out for bid to a wide geographic area for review. There were two addendums added clarifying the project requirements. There were four contactors that bid on the project ranging \$86,000 up to \$143,000. Blake recommends that the board select McVey Engineering whom came in as the lowest bidder and they have provided the proper bond for the project. Approval of the resolution will authorize entering into a contract with McVey in an amount not to exceed their bid. Any change orders will have to come back to the board.
  - Blake confirmed the PG&E and AT&T lines are out of the way for construction, but he will need to meet with a PG&E representative to go over the specifics of the final location of the pole. President Davies inquired if this is the only pole that needs to be moved. Blake reports that other poles at Smith Cunningham's property and Rodney Mariani's property may also need to be moved.

**D.7 REPORTS:**

**a. District Secretary:**

**1. Financials & District Manager's Report** – the Board review and discussed the reports.

- Profit and Loss Report
- List of Warrants issued from last meeting to this meeting
- Delinquent Assessment Report
- List of warrants issued for this board meeting

**b. Levee Superintendent**

**1. Report on general maintenance activities** – Smith reports that he removed a beaver dam and cleaned in the east west ditch on the center road. He will perform vegetation control on the levees within the next couple of weeks. Smith reports that one of the culverts was clogged and that there has been standing water. Blake reports that if there is an issue with drainage, this becomes a District issue. The District has the authority to issue letters to the landowners to clean out their ditches and pipes. There is a brief discussion with regards to the dilapidated building on the Rodney Mariani Property and the district drafting a letter to the new owners to remove the building or give the option that the district could possibly remove it.

**c. Engineer**

**1. Subventions for 2018/2019** – the application was submitted into the DWR and was approved.

**2. Emergency Action Plan** - no new report.

**D.8 ATTORNEY** – District Counsel has nothing to report

**D.9 Open Session Disclosure regarding Closed Session Items pursuant to Government Code Section 54957.7**

**D.10 CLOSED SESSION at 11:58 AM: Conference With Legal Counsel—Pending Litigation (Government Code section 54956.9(d)(2)):**

**One potential case: Claim by Scott and CJ Kuhne**

The board came out of closed session at 12:10 with no reportable action.

**ADJOURNMENT:** Next meeting to be held **Tuesday, June 26, 2018**