

BRADFORD RECLAMATION DISTRICT 2059
Meeting Minutes for a Regular Meeting
Tuesday, September 11, 2018 at 10:00 AM
Location: Antioch Fair Grounds
1201 West 10th St Antioch, CA

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

Other's present: Attorney Katie Lucchesi, Engineer Blake Johnson, Landowner Karen Cunningham, and District Manager/Secretary Angelia Tant is taking the meeting minutes. The Levee Superintendent Smith Cunningham is not present at today's board meeting.

10:07 A.M. Convene, Call to Order, and Determine a Quorum

MEETING FORMAT UPDATE

District Counsel gave an update on the meeting format.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Landowner Karen Cunningham expressed that East Bay Regional Park has funding and would like to partner with other islands. Karen expresses that East Bay Regional Park has spent approximately ten million dollars purchasing land. Karen also comments that the State may purchase property and become a landowner within the District, that may make the District more likely to get funding. Landowner Cate Kuhne comments that there is additional discussion on that topic that the District should consider as a future agenda item. The Board President directs staff to add this topic to **the next agenda**.

CONSENT ITEMS M/S/P by Hall/Craig with all in favor and zero opposed (Items listed as C.1 through C.3 on this Agenda) –

C.1 MEETING MINUTES: APPROVE Board meeting minutes.

Attachments: RD 2059 Regular Meeting Minutes from August 14, 2018 and Special Meeting Minutes from August 24, 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 items Removed: There are no consent items removed from Consent Agenda for Discussion.

D.2 Open Session Disclosure regarding Closed Session Items pursuant to Government Code Section 54957.7

D.3 CLOSED SESSION:

a. Conference With Legal Counsel—Anticipated Litigation (Government Code section 54956.9(d)(2)): One potential case: Claim by Scott and CJ Kuhne

b. Conference With Legal Counsel—Anticipated Litigation (Government Code section 54956.9(d)(2)): One potential case

D.4 RETURN TO OPEN SESSION back at 10:55 AM: Public report of action(s) taken in Closed Session (Government Code section 54957.1) – There were no reportable actions.

D.5 FERRY MATTERS:

a. Report from President Davies: President Davies reported that he attended the Delta Ferry Authority meeting, he is making sure everyone is using their ferry passes, and that the ferry just renewed their insurance policy. President Davies expressed that he spoke with the new DFA personnel regarding driving too fast. President Davies reported that they are repairing the existing leaks on the ferry boat. Katie outlined that Angelia received an email with possible funding for the ferry and expressed that President Davies could have the DFA look into this.

D.6 FRANKS TRACT PROJECT: Franks Tract Project Update was given by Blake Johnson, PE. Blake expressed that the Franks Tract Project is currently looking for funding and he hasn't heard anything other than this about the project.

D.7 FIVE YEAR PLAN:

a. Five Year Plan Update reported by Blake Johnson, PE. Blake reported that he hasn't heard anything current on this project. Blake will continue to follow up with the State.

D.8 LEVEE IMPROVEMENT MATTERS:

a. Receive update from Levee Superintendent and District Engineer – Blake Johnson, PE reported on this item. Blake reports that he has not heard anything other than the seepage being an issue on the island. Trustee Craig expressed that the levee vegetation on the island is over grown. Blake reported that the District typically cuts the weeds in the spring and the fall, and Smith would be doing this work in the next couple months. Karen Cunningham reported for Smith, whom was absent, that all was OK on the island.

D.9 SEEPAGE EMERGENCY:

a. Blake Johnson, PE reported that he has a bid from the contractor and a contract drafted to conduct the repairs for \$198,650.00. The Contractor was ready to go once the contract was signed and could begin as soon as next week. Blake anticipates that it should only take 3 days or so to complete the repairs. Blake reported that he received an email from Sandi Maxwell with DWR expressing that she will be sending out a DRAFT work agreement for the fifty thousand dollars for the emergency. Trustee Elliff asked who the contractor is and

the Blake responded that it was McVey General Engineering. President Davies inquired on how the sheet piles will be installed. Blake responded that they will be installed below grade to not interfere with driving on the road.

D.10 DWR PROPOSAL SOLICITATION PACKAGE (PSP) 2018

a. Blake Johnson, PE; reported that the next PSP should be out in the next month or two. It will come out as a DRAFT for public review and comment. Blake reported that it will be similar to the last levee improvement and expressed that the District will have to have a plan for what we can do to remove any encroachments. The state doesn't want to see the same issues that we had with BR-10-1.0. Blake recommended that the District bring in a property appraiser for the properties that need to be appraised and have the numbers in hand. The District would be able to show the state that we are being proactive. Blake expressed that the value of the property may be included in the grant however, this is not finalized through the state yet. Blake expressed that the DWR is willing to meet with the District now to provide preliminary information and once the grant is released, the DWR will be willing to meet again. Landowner Cate Kuhne outlines the three (3) grants that Blake previously discussed. Blake further described these three grants for the Board of Trustees. M/S/P by Hall/Craig with all in favor and zero opposed to allow for Blake Johnson, PE to hire an appraiser for the four (4) properties on the island and also to allow for Blake to meet with the DWR to have a meeting. Blake has recommended that a board member go to this meeting along with Attorney Katie Lucchesi. District Manager Angelia announced that she would be willing to attend the meeting as well to take notes.

D.11 BANK OF STOCKTON LOAN:

a. The District Manager Angelia Tant reported that she, Blake Johnson, and Trustee Elliff all three went to the Bank of Stockton per the Boards request to meet with the Branch Manager Doug Eberhardt Jr. Angelia expressed that the meeting went well and that Mr. Eberhardt described the options for the District to pay off existing debt and re-borrow new funding. This would save the District approximately \$1,000 per month in interest, and allow the District to pay back any amount when the assessment funding and subvention reimbursements come in.

Angelia described the potential amendments to the budget that would occur if the pump station debt is repaid and new money is borrowed.

The District Counsel and District Manager described the elements of Resolution 2018-05 that would allow the District to borrow up to \$700,000 to repay the pump station, fund the Seepage Emergency project, and borrow additional funding to pay budgeted expenses as needed. The Resolution also includes the 2018/2019 budget amendment to reflect the repayment and new debt.

b. DRAFT Amended District Budget – Added a line item to repay pump station.

c. M/S/P by Hall/Craig with all in favor and zero opposed to adopt Resolution 2018-05 – Authorizing the issuance of demand warrants and to finance the repair of seepage, approving the terms and obligations of the Bank of Stockton, and approving corresponding amendments the District budget.

D.12 ANNUAL SUBVENTIONS CLAIM:

a. Deadline for Claim November 1, 2018 – Blake described the Subvention claim deadline and recommended that the District submit the claim sooner for review prior to the final deadline. Angelia described the claim submission requirements and the additional work she has done to prepare logs and reports for the Levee Superintendent. Angelia asked the Board consider requiring the Levee Superintendent to submit monthly inspection logs and reports, so that all of the Subvention Claim work is not left for the end of the year. M/S/P by Hall/Craig with all in favor and zero opposed to have Smith Cunningham do his monthly inspection logs and send the logs with the photos to Angelia once a month.

D.13 REPORTS:

a. District Secretary:

1. Financials & District Manager's Report was given by Angelia Tant – Profit & Loss/Budget year-to-date, outstanding assessments and a list of warrants issued were provided to the board of trustees.

b. Levee Superintendent

1. Report on general maintenance activities – Levee Superintendent was absent today

c. Engineer

1. Emergency Action Plan – No update, the District Engineer is waiting to hear back from Contra Costa County staff.

2. PG&E Pole Raising update – PGE has been busy with all of the fires at this time and Blake reported that they should be out at the island today.

d. Attorney

1. Prop 218 Requirement – Katie reported that she spoke with Scott Brown from Larzen and Wurzel regarding the District's last Prop. 218. Scott outlined how the current assessments are supposed to play out. Katie reported that in 2019 the board will need to consider whether the District will need to do a new Prop. 218. The district will need to look at their budget next spring. Katie reported that the rates are currently set through 2021, we have about a year and a half from that time to consider looking at a new Prop. 218.

ADJOURNMENT at 11:55 AM: Next meeting to be held **Tuesday, October 2, 2018 @ 10 AM**