

**BRADFORD RECLAMATION DISTRICT 2059**

**Meeting Minutes**

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

**Tuesday, March 3, 2020 at 10:00 AM**

**Location: Antioch Fair Grounds**

**1201 West 10<sup>th</sup> St Antioch, CA**

Present are the following:

Board President: Rob Davies

Trustees: Bill Hall – Absent  
Brian Elliff – Came in a few minutes late.  
Kevin Finta  
Smith Cunningham

Attorney, Katie Lucchesi, Engineer, Blake Johnson, Levee Superintendent, Ron Mijares, District Manager and Secretary Angelia Tant is taking the meeting minutes. Landowners present: Karen Cunningham, Cate Kuhne.

10:00 A.M. Convene, Call to Order, and Determine a Quorum

**PUBLIC COMMENT ON NON-AGENDA ITEMS:**

Karen Cunningham reports that DWR has had meetings and expressed that they are forging along with the tunnels. Karen Cunningham expressed that it would be nice have other people on the island come and be a part of this project due to the fact that; in the near future, there may not be a need for some of the islands.

**CONSENT ITEMS (Items listed as C.1 through C.3 on this Agenda) – M/S/P by: Kevin/Smith with 3 votes in favor (Davies, Finta, and Cunningham) and zero opposed to adopt all three items.**

**C.1 MEETING MINUTES: Review Board meeting minutes.**

Attachments: RD 2059 Special Meeting Minutes from January 28, 2020

**C.2 PAYROLL: Review Appropriation warrant for \$5,000.00 deposit to Payroll account.**

Attachments: Payroll documents

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

Attachments: List of Warrants

**DISCUSSION ITEMS**

**D.1 CONSENT AGENDA: No items removed on the Consent Agenda for Discussion.**

**D.2 FERRY MATTERS:**

a. All with the ferry appears to be going well per President Davies

b. Update on Repairs Conducted on the Bradford Island Ferry Transmission Repair

Smith Cunningham inquires whether someone was terminated from working on the ferry because Jake Cruz was working as a deckhand on the ferry. Smith expressed that the District is part of the joint powers agreement and the district should have some say in who is hired. President Davies states that he was not advised of any new hires but that he would check with Dave Forkel. Landowner Khune expressed that this board has never been a part of the hiring decisions with the DFA. Khune expressed that if there was ever an issue in the past it was brought up via a written letter and then Pr. Davies

would bring it up at the DFA's next board meeting. Tr. Finta expressed that it's a matter of liability and the concern is if there are unapproved people riding on the ferry or if he was hired by the DFA. President Davies confirms he will speak with Dave Forkel and report back to the Board to see if a letter needs to be written to the DFA.

**D.3 ENCROACHMENT REGULATIONS:**

a. Report from Encroachment Committee Meeting. Katie expressed that the committee is working on identifying changes and the Committee plans to meet again on March 23, 2020.

**D.4 PUMP STATION REPAIRS:**

a. Discuss Pump Station Repairs Required – Blake reported that the smaller of the two (2) pumps has a bearing issue and is leaking water. Ron Mijares had a company come out and assess the issue. Blake reported that the estimate is approximately \$10,000 just to remove the pump. They have contacted De Jesus and Martel Pumps to come and provide additional estimates. Ron reported that there are some other damages that need repairing - gouges and conduit that was damaged when the tree historically fell.

b. Review Proposed Bids for Repair Work to be Conducted – Blake goes over the bid he has received. Blake reported that the trash rack needs to be upgraded. There is debris reported to be in the rack. Blake expressed that when De Jesus pumps came out that they checked the pumps.

**D.5 CONTRACT FOR FACILITY USAGE: M/S/P by Finta/Smith with all in favor and zero opposed to allow payment of \$200 per year for District employees and agents to use the Boat Club's Restroom while awaiting a final agreement for board for review and approval.**

a. Review and Consider Bayview Boat Club's Contract for Usage of Restroom Facility's for District Staff. – The District Manager presented information on the Boat Club's terms for use of their Restroom Facility (annual payment of \$200, locking the unit, providing own paper products). The Boat Club will prepare a final Use Agreement for the Board to consider at a future meeting. The Board agreed in principle to these initial terms so that the Levee Superintendent can utilize these facilities during his work until the final agreement is ready and approved by the Board.

**D.6 FIVE YEAR PLAN/FRANKS TRACT:**

a. Five Year Plan Update – The District Engineer will be converting the units from meters to feet and Blake confirmed this will include survey needs.

b. Frank's Tract Update – The advisory meeting will be held on 3/4/2020

**D.7 LEVEE IMPROVEMENT MATTERS:**

a. Receive update from District Engineer – Blake reported that he was on the island with DWR and Ron Mijares for the subventions claim review. Blake reported that there is a new group now and they visited the mitigation site and that they will be making a decision in the upcoming months. Blake reported that he previously saw some cracking on the Northside of the Island and he would just like to continue monitoring this site.

**D.8 LEVEE SUPERINTENDENT:**

a. Receive update from District Levee Superintendent – Ron reported that he has been working on extensive vegetation control and has been focusing on the Northside of the island. Ron reported that there are some black berry bushes near the ferry landing and he expressed that, these will be done last. Ron expressed that there is a plan to conduct spraying in the near future. Pr. Davies expressed that we need conduct vegetation control due to the fire season coming up.

There is a brief discussion on the new landowner welcome letter. The board would like to review the letter and add some additional information.

- b. Purchasing Status of the AB Aggregate Rock – Ron expressed that he has not ordered the rock at this time. The board recommends looking into purchasing the rock and stock piling it for future needs. Tr. Finta brought up the option of potentially concrete some problematic area.
- c. Report on Pump Station Repairs – Item discussed in section D.4 of the agenda
- d. Development of Routine Maintenance Plan – Ditch Cleaning, Vegetation Control, Beaver Den Monitoring. Blake reported that the District may need to hire a contractor to have the ditch cleaning conducted. Smith Cunningham expressed that it will require renting a machine and hiring someone that can operate the equipment. Blake reported that we can hire a temporary employee that is an equipment operator, rent the equipment and get our ditches cleaned out, and that the District will need to look at the liability factors. Tr. Finta expressed that sometimes hiring an operator would be more cost effective and the person would know what they were doing.

Smith Cunningham expressed the he looked at the beaver dens because, he felt that no one went to look at this and that there was also a plugged culvert. Angelia expressed having a customized grate made and using the grate to block the opening of the culvert. There was a brief discussion on the beaver management and the depredation permit requirements. Angelia expressed that the district currently has a permit for the District with Smith Cunningham on the permit. The District would need to submit photos of the dens and describe the concerns. The Department of Fish and Wildlife will review the information and notify us if it is approved.

**D.9 ANNUAL CAER GRANT:**

- a. Update on District’s Participation – Blake stated that he will work on the grant application w/ the CCC.

**D.10 DISTRICT ASSESSMENT PROP 218 PROCESS:**

- a. Extension of SCI Consulting Group Contract Expiration Date – Katie reported that SCI requested an extension of the contract to December 31, 2020 to be able to continue to answer landowner’s questions on the assessments until then. M/S/P by Finta/Cunningham and unanimous approval by Finta, Cunningham, Elliff, and Davies to approve the contract extension until 12/31/2020.
- b. Update on Timeline for Completion of Prop. 218 – Angelia reported the schedule for the Prop. 218 proposed by SCI Engineering, Inc. SCI will provide a presentation on the Prop 218 process at the April 7, 2020 Board meeting.

**D.11 REPORTS:**

**a. District Secretary:**

- 1. Financials & District Manager’s Report – Year-to-Date Budget, Profit and Loss Report, Balance Sheet, Delinquent Assessments Report and Manager’s Report – Angelia provided financial reports and a cost analysis report as conducted historically.

**b. Engineer Blake Johnson reported on the following items:**

- 1. Emergency Action Plan – At the County.
- 2. Update on Future Maintenance for the 50 Acre Mitigation Site – DWR will be preparing a report on their requirements.
- 3. Update on Encroachment Permits – None at this time.

4. Update on DWR Proposal Solicitation Package (PSP) 2018 – nothing new from the State yet.

**c. Attorney**

1. Legal Reported that there are no legal items to report

**D.12 Open Session Disclosure regarding Closed Session Items pursuant to Government Code Section 54957.7 – The board goes into closed session at 11:54 AM**

**D.13 CLOSED SESSION:**

a. Conference with Legal Counsel—Existing Litigation (Government Code § 54956.9 (d) (1)): Kuhne v. Bradford Island Reclamation District No. 2059, Case No. C18-02432

b. Conference with Legal Counsel – Public Employment (Government Code § 54957(b)): Employee Benefits

c. Conference with Legal Counsel—Anticipated Litigation (Government Code section 54956.9(d)(2)): Two potential cases

**D.14 RETURN TO OPEN SESSION:** Public report of action(s) taken in Closed Session (Government Code section 54957.1) The board returned from closed session at 12:44 PM and finished at 1:26 PM

Reportable Action – No reportable action at this time, but for Item D13c Trustee Cunningham was recused.

**D.15 TRUSTEE TRAINING ON BROWN ACT AND ETHICS REQUIREMENTS  
THE BOARD GOES INTO A BROWN ACT TRAINING @ 12:46**

**ADJOURNED at 12:45:** Next meeting to be held **Tuesday, April 7, 2020**

Items to place on the future agenda:

- Inquire with the DFA on if Jake Cruz is working as a staff member
- Welcome Letter to Landowners – Propose amending it to add some additional information
- Getting additional bids for the pump station repair
- Committee Meeting 03/23/2020 – Notify committee in advance
- Blake to get an estimate on the tonnage of rock that is needed also look into blading
- Inquire with the DFW regarding the beaver trapping
- Completing Grant Application w/ the CCC for the CAER Grant