

**BRADFORD RECLAMATION DISTRICT 2059**  
**NOTICE, CALL & AGENDA**  
**For a Regular Meeting of the Board of Trustees**  
**Tuesday, July 28, 2020 at 10:00 AM**  
**Location: Antioch Fair Grounds**  
**1201 West 10<sup>th</sup> St Antioch, CA**

Pursuant to the Governor's Executive Order N-29-20, the physical meeting requirements of the Brown Act have been lifted due to the Coronavirus (COVID-19). The State and Contra Costa County Orders have prohibited public gatherings, so physical attendance by members of the public is not possible at this time. Therefore, interested members of the public may participate in the meeting via phone/video conference.

Please join my meeting from your computer, tablet or smartphone at:  
<https://global.gotomeeting.com/join/640564909>

You can also dial in using your phone: +1 (224) 501-3412

**Access Code: 640-564-909**

Board President:	Rob Davies
Trustees:	Bill Hall
	Brian Elliff
	Kevin Finta
	Smith Cunningham

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

**PUBLIC COMMENT ON NON-AGENDA ITEMS**

**PUBLIC HEARING**

- P.1 PROP 218 PUBLIC HEARING, BALLOT TABULATION AND CONSIDERATION OF RESOLUTION 2020-08 ORDERING PROPOSED ASSESSMENTS: DISCUSSION/POSSIBLE ACTION**
- a. Prop 218 Proposed Assessment Public Hearing
  - b. Tabulation of Ballots and Announcement of Election Outcome
  - c. Consideration of Resolution 2020-09 Confirming Diagram and Assessment, and Ordering Levy of the Levee and Flood Control Facilities Improvement Assessment District for Fiscal Year 2020-2021

**CONSENT ITEMS (Items listed as C.1 through C.3 on this Agenda) -**

- C.1 MEETING MINUTES: Review Board meeting minutes.**  
Attachments: RD 2059 Regular Meeting Minutes from May 12, 2020, Special Meeting Minutes for May 28, 2020, Regular Meeting Minutes from June 2, 2020, Special Meeting Minutes for the Prop. 218 Community Meeting on June 23, 2020, and Special Meeting Minutes for the Prop. 218 Community Meeting #2 on July 22, 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: DISCUSSION/POSSIBLE ACTION on any Consent Items removed from Consent Agenda for Discussion.**
- D.2 FERRY MATTERS: DISCUSSION/POSSIBLE ACTION**  
a. Report from President Davies
- D.3 ENCROACHMENT REGULATIONS: DISCUSSION/POSSIBLE ACTION**  
a. Report from Encroachment Committee
- D.4 LEVEE SUPERINTENDENT: DISCUSSION/POSSIBLE ACTION**  
a. Receive update from Levee Superintendent on Road Repairs and consider a Newsletter/Notice to landowners
- D.5 DISTRICT BANK SIGNATURE(S) FOR 2020/2021: DISCUSSION/POSSIBLE ACTION**  
a. Consider updating authorized signers for the Account
- D.6 ASSESSMENTS COLLECTION ON COUNTY TAX ROLL: DISCUSSION/POSSIBLE ACTION**  
a. Consider Resolution 2020-10 Authorizing the Entry of Assessments on the Contra Costa County Tax Roll for the 2020-2021 Fiscal Year

#### **REPORTS:**

- a. Trustee**
- b. District Secretary:**  
1. District Financials  
2. Summary of Activity Report
- c. Engineer**  
1. Update on Encroachment Permits – Future Dredging Permit and required deposit
- d. Attorney**  
1. Report on County Coronavirus Orders

**ADJOURNMENT:** Next meeting to be held **Tuesday, August 4, 2020**

Katie responds that a meeting needs to be held within the same County as the District, but the County is continuing to restrict public gatherings due to the Coronavirus. If they limit the gathering numbers, we cannot have ten (10) people at a location regardless of where the location is. An outdoor location or other options will be researched for the meeting on 6/2/2020 at 10 AM to see what the County Orders will allow.

John if we do the 6/2/2020 and in addition to that, he is recommending a virtual community meeting for those who prefer that and an additional face to face. A May 26 virtual community meeting is planned.

b. Consider Resolution 2020 – 06 Adopting Procedures for the 2020 District Assessment Process – Board Tabled consideration to future meeting.

c. Consider Resolution 2020 – 07 Initiating Assessment Proceedings, Providing Intention to Levy – Assessments for Fiscal Year 2020-21, Preliminarily Approving the Engineer’s Report, and Providing for Notice of Hearing, and the Mailing of Assessment Ballots - Board Tabled consideration to future meeting.

**ADJOURNMENT @ 12:36:** Next meeting to be held **Tuesday, June 2, 2020**

Recorded at the request of:  
Bradford Reclamation Dist. 2059

After Recording Please Mail To:  
Bradford Reclamation District No. 2059  
P.O. Box 1059  
Oakley, CA 94561

The above section is for County Use Only



Bradford Reclamation District No. 2059  
Overnight Mailing: 19 Minaret Road Oakley, CA 94561  
PO Box 1059 Oakley, CA 94561  
Phone: 925-209-5480  
angelia\_bradford@sbcglobal.net

## **RESOLUTION NO. 2020-08**

### **A RESOLUTION OF THE BOARD OF TRUSTEES OF RECLAMATION DISTRICT NO. 2059 CONFIRMING DIAGRAM AND ASSESSMENT, AND ORDERING LEVY OF THE LEVEE AND FLOOD CONTROL FACILITIES IMPROVEMENT ASSESSMENT DISTRICT FOR FISCAL YEAR 2020-21**

**WHEREAS**, the Board of Trustees ("Board") of Reclamation District No. 2059 ("District") on June 2, 2020, ordered the initiation of the proceedings for the formation of an assessment pursuant to the provisions of California Government Code Section 53750, 54710 *et seq.* and Article XIII-D of the California Constitution, to be known as the Levee and Flood Control Facilities Improvement Assessment District ("Assessment"), for the purpose of continuing to maintain and repair levee, flood control and internal drainage facilities to protect all the properties within the boundaries of the District (the "Improvements") as specified in the Engineer's Report prepared by the Assessment Engineer, SCI Consulting Group; and

**WHEREAS**, the Board adopted Resolution No. 2020-07 approving and filing an Engineer's Report which includes: (1) a description of the levee and flood control facility Improvements and Repairs to be funded with assessment proceeds; (2) an estimate of the annual cost of improvements, services and repairs described in the Engineer's Report; (3) a description of the assessable parcels of land within the proposed Improvement District and proposed to be subject to the new assessment; (4) a description of the proportionate special and general benefits conferred on property by the proposed assessment; (5) a diagram and boundary map for the Assessment, and (6) a specification of the amount to be assessed upon various types of assessable land within the Assessment to fund the cost of the Improvements; and

**WHEREAS**, the Board adopted Resolution No. 2020-06 on June 2, 2020, a "Resolution Initiating Proceedings, Providing Intention to Levy Assessments for Fiscal Year 2020-21, Preliminarily Approving the Engineer's Report, and Providing Notice of Public Hearing, and the

Mailing of Assessment Ballots for the Reclamation District No. 2059 Levee and Flood Control Facilities Improvement Assessment.” ; and

**WHEREAS**, the Board mailed a 45-day written notice of the public hearing on the proposed Levee and Flood Control Facilities Improvement Assessment District (“Notice”) to each record owner of the assessable parcels within the Assessment boundaries. The public hearing was held at a regular Board meeting on July 28, at 10 am at the Antioch Fair Grounds Board Room - 1201 West 10th St Antioch, CA 94509 on the issue of whether the Levee and Flood Control Facilities Improvement Assessment should be formed and assessments levied and collected as proposed in the Engineer’s Report for fiscal year 2020-21 and subsequent years; and

**WHEREAS**, the Notice contained all the following information: (a) the total amount of assessments proposed to be levied within the Assessment for fiscal year 2020-21; (b) the assessment chargeable to each owner’s parcel; (c) the duration of the proposed assessment; (d) the reason for the assessment; (e) the basis upon which the amount of the proposed assessment was calculated; (f) the date, time and place of the public hearing as specified in this resolution; and (g) a summary of the voting procedures and the effect of a majority of votes in opposition. The Notice also included an Assessment ballot by which each property owner could express their support or opposition to the proposed assessment (“Ballot”). The Ballot indicated that it must be returned before the conclusion of the public hearing on July 28, 2020, in order to be valid and counted, and that all Ballots received would be tabulated after the conclusion of the public hearing on July 28, 2020, by the Assessment Engineer; and

**WHEREAS**, pursuant to the provisions of California Constitution Article XIII-D, an opportunity for public comment has been afforded, and the Ballots, have been received and tabulated, with the votes cast in the Ballots weighted according to the proportional financial obligation of each affected parcel; and

**WHEREAS**, the Board received and considered all written protests, verbal protests, and any other information submitted during the public hearing.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of the Reclamation District No. 2059 finds, determines, and orders that:

Section 1: The above recitals are true and correct.

Section 2: The canvass of the Ballots submitted by property owners is complete and certified by SCI Consulting Group, the Tabulator, and the votes cast are as follows:

Total Number of Valid Ballots Processed:	_____
Total Assessment Amount of Valid Ballots:	\$ _____
Total Number of “Yes” Votes Processed:	_____
Total Assessment Amount of “Yes” Votes Processed:	\$ _____
Percentage of “Yes” Votes, unweighted:	_____ %
<b>Total Percentage of “Yes” Ballots, Weighted by Assessment:</b>	<b>_____ %</b>
Total Number of “No” Votes Processed:	_____

Total Assessment Amount of "No" Votes Processed:	\$ _____
Percentage of "No" Votes, unweighted	_____ %
<b>Total Percentage of "No" Ballots, Weighted by Assessment:</b>	<b>_____ %</b>

Total Number of "Invalid" Ballots Processed:	_____
Total Assessment Amount of "Invalid" Ballots Processed:	\$ _____

Section 3: \_\_\_\_\_ Ballots were returned and received prior to the close of the public input portion of the public hearing on July 28, 2020. This represents a \_\_\_\_\_% ballot return rate of the \_\_\_\_\_ Ballots mailed. Of the assessment ballots returned, \_\_\_\_\_ assessment ballots were declared invalid, because they were either not marked with a "Yes" or "No", were marked with both a "Yes" and a "No", were not signed, or the property ownership and barcode information was illegible.

Section 4: As determined by Ballots cast, on an unweighted basis, \_\_\_\_\_% of the property owners cast Ballots in support of the measure. As determined by Ballots cast, as weighted according to the amount of assessment for each parcel, \_\_\_\_\_% of the property owners cast Ballots in support of the Levee and Flood Control Facilities Improvement Measure. Since a majority of the weighted votes were cast in favor of the proposed assessment, this Board thereby acquired the authority to order the levy of assessment prepared by and made a part of the Engineer's Report to pay the costs and expenses thereof.

**BE IT FURTHER RESOLVED** that the Board of Trustees of the Reclamation District No. 2059 hereby orders as follows:

1. The Final Engineer's Report for the Levee and Flood Control Facilities Improvement Assessment, together with the diagram and boundary map of the Assessment contained therein, and the proposed assessment roll for fiscal year 2020-21, attached hereto as Exhibit "A", are hereby confirmed and approved; and
2. That based on the oral and documentary evidence, including the Engineer's Report, offered and received at the public hearing, the Board expressly finds and determines that: (a) each of the several assessed lots and parcels of land within the Assessment will be specially benefited by the Improvements (as described in the Engineer's Report) in at least the amount of the Assessment apportioned against such lots and parcels of land, respectively; and (b) that there is substantial evidence to support this finding and determination as to special benefit to property with the Assessment from the Improvements to be financed with assessment proceeds; and
3. That the Levee and Flood Control Facilities Improvement Assessment District is hereby formed, and assessments consistent with the Engineer's Report are hereby levied, pursuant to the provisions of California Government Code Section 53750, 54710 *et seq.* and Article XIII-D of the California Constitution; and
4. That assessments for fiscal year 2020-21 shall be levied at the rate. It is the intention of this Board to levy and collect assessments within the Assessment District. The estimated

fiscal year 2020-21 cost of providing the Services to be funded by this proposed assessment is \$213,705.89. This cost results in a proposed assessment rate of ONE HUNDRED FIFTY FOUR DOLLARS AND SIXTY EIGHT CENTS (\$154.68) per single family home; ONE HUNDRED NINETY SEVEN DOLLARS AND FIVE CENTS (\$197.05) per commercial acre; SIXTY EIGHT DOLLARS AND THIRTY EIGHT CENTS (\$68.38) per agricultural acre; and TWENTY EIGHT DOLLARS AND TWO CENTS (\$28.02) per vacant lot for fiscal year 2020-21; and

5. That levee and flood control facility Improvements to be financed with assessment proceeds described in the Engineer's Report are hereby ordered; and
6. The authorized maximum assessment to be levied in future fiscal years may be adjusted annually by the consumer price index, not to exceed 4 percent. This annual adjustment would be based on the US Department of Labor's Consumer Price Index for Northern California (San Francisco Bay Area) and would be reviewed and approved each year at a public meeting; and
7. The monies representing assessments collected shall be deposited in a separate fund established under the distinctive designation of the Levee and Flood Control Facilities Improvement Assessment District. Funds collected from the Levee and Flood Control Facilities Improvement Assessment District shall be expended only for the special benefit of parcels within the Levee and Flood Control Facilities Improvement Assessment District; and
8. The Levee and Flood Control Facilities Improvement Assessment District, as it applies to any parcel, may be corrected, cancelled or a refund granted as appropriate, by order of the Board if the Assessment Engineer determines that the Assessment should be revised to be consistent with the method of assessment established in the Engineer's Report. Any such corrections, cancellations or refunds shall be limited to the current fiscal year.
9. The Levee and Flood Control Facilities Improvement Assessment District shall continue for a period of no more than two (2) years.

**APPROVED AND ADOPTED** by the Board of Trustees of the Reclamation District No. 2059 at a regular meeting thereof held on the 28<sup>th</sup> day of July, 2020 by the following votes:

AYES \_\_\_\_

NAYES \_\_\_\_

ABSENT \_\_\_\_

ABSTAIN \_\_\_\_

---

Robert Davies  
President, Reclamation District No. 2059

ATTEST:

---

Angelia H. Tant  
Secretary, Reclamation District No. 2059



Exhibit “A”  
Final Engineer’s Report



# **RECLAMATION DISTRICT 2059**

## **(BRADFORD ISLAND)**

### **LEVEE AND FLOOD CONTROL FACILITIES IMPROVEMENT ASSESSMENT**

## **FINAL ENGINEER'S REPORT**

JULY 2020

PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 53750, 54710 ET SEQ.,  
AND ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION

ENGINEER OF WORK:  
**SCI Consulting Group**  
4745 MANGELS BOULEVARD  
FAIRFIELD, CALIFORNIA 94534  
PHONE 707.430.4300  
FAX 707.430.4319  
[WWW.SCI-CG.COM](http://WWW.SCI-CG.COM)

## RECLAMATION DISTRICT 2059

---

### DISTRICT BOARD

Robert Davies, President/Treasurer  
Smith Cunningham  
Brian Elliff  
Kevin Finta  
William Hall

### DISTRICT COUNSEL

Katie Lucchesi, Terpstra Henderson

### DISTRICT ENGINEER

Blake Johnson, P.E. MGE Engineers

### ASSESSMENT ENGINEER OF WORK

John Bliss, P.E., SCI Consulting Group

## TABLE OF CONTENTS

---

INTRODUCTION.....	5
LEGAL AUTHORITY.....	7
DESCRIPTION OF FACILITIES IMPROVEMENTS .....	9
IMPROVED MAINTENANCE AND OPERATIONS .....	9
COST AND BUDGET ESTIMATE .....	13
METHOD OF APPORTIONMENT .....	14
DISCUSSION OF BENEFIT.....	14
FLOOD CONTROL IS A SPECIAL BENEFIT .....	15
BENEFIT FACTORS.....	16
GENERAL VERSUS SPECIAL BENEFIT .....	17
SPECIAL NOTE ON GENERAL BENEFIT TO THE NEARBY LOCAL, STATE AND FEDERAL WATER PROJECTS .....	20
ASSESSMENT APPORTIONMENT .....	20
METHOD OF ASSESSMENT.....	20
ZONES OF BENEFIT .....	21
FLOOD RISK FACTORS (PARCEL SPECIFIC FACTOR I) .....	22
FLOOD DAMAGE FACTORS (PARCEL SPECIFIC FACTOR II) .....	22
SHARED FACILITY FACTORS (PARCEL SPECIFIC FACTOR III) .....	23
WEIGHTED PARCEL FACTOR SUBTOTALS .....	23
LAND USE FACTORS TO DETERMINE REPLACEMENT FACTORS .....	24
SUMMARY OF SFEs AND RATES FOR VARIOUS LAND USES.....	27
CRITERIA AND POLICIES .....	28
ASSESSMENT .....	30
ASSESSMENT DIAGRAM.....	33
APPENDICES .....	34
APPENDIX A – ASSESSMENT ROLL, FY 2020-21 .....	34

## LIST OF TABLES

---

TABLE 1 – FISCAL YEAR 2020-21 PROPOSED BUDGET .....	13
TABLE 2 – EQUATIONS.....	20
TABLE 3 – FACTORS.....	21
TABLE 4 – FLOOD RISK FACTORS.....	22
TABLE 5 – FLOOD DAMAGE FACTORS .....	22
TABLE 6 – SHARED FACILITY FACTORS .....	23
TABLE 7 – TOTAL RELATIVE PARCEL FACTORS.....	23
TABLE 8 – LAND USE FACTORS FOR PROPERTY TYPES .....	24
TABLE 9 – MINERAL RIGHTS PARCELS AND ASSOCIATED RELATIVE SPECIAL BENEFIT .....	25
TABLE 10 – SUMMARY OF SFES AND RATES FOR VARIOUS LAND USES .....	28

LIST OF FIGURES

---

FIGURE 1 – LEVEES MAINTAINED BY RD 2059 ..... 6

FIGURE 2 – VARIOUS LAND USE TYPES ON RD 2059 ..... 26

FIGURE 3 – RECLAMATION DISTRICT 2059 ASSESSMENT DIAGRAM FY 2020-21 ..... 33

## INTRODUCTION

---

The purpose of this Engineer's Report ("Report") is to estimate and justify the need for Reclamation District No. 2059 ("RD 2059" or "District") to form a Levee and Flood Control Facilities Improvement Assessment beginning in fiscal year 2020-21. This report is based upon a review of the operations of the District, its current funding mechanisms, and its near-term projected funding needs to evaluate the total costs to be incurred by the District in providing its services.

The District has been funded primarily by DWR subventions and two assessments: the initial assessment, which generated \$158,257.80 last year, and does not have an expiration; and a second overlay assessment, formed in 2015, which generated \$232,406.90 last year but expires on June 30, 2020.

The funds to be generated by this proposed assessment are intended to replace the revenue generated from the expiring 2015 assessment – the proposed budget for 2020-21 is less than \$232,406.90 budget for 2019-20 (see Table 1), so the overall assessment is less. This Report details the methodology for levying an assessment upon parcels that receive a **special benefit from the District's flood control**, internal drainage and levee maintenance services. This Report and the proposed assessment have also been made pursuant to the California Government Code section 53750, 54710 et seq. and Article XIID of the California Constitution.

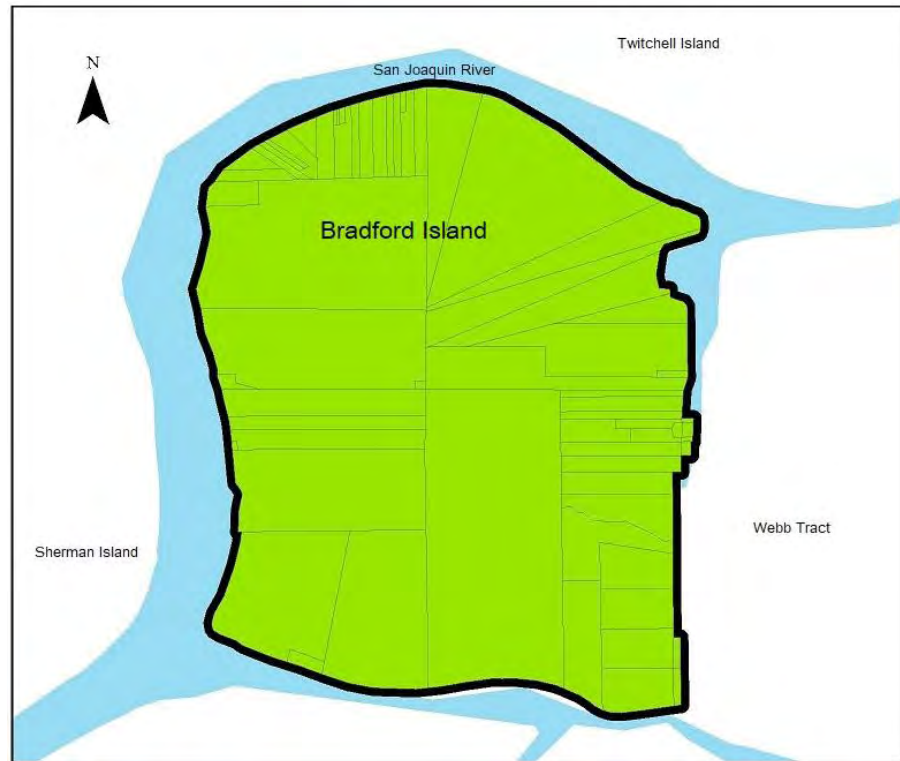
### BACKGROUND

RD 2059 is an independent special district, responsible for the maintenance, operation, capital repair of the levee and flood control system, including internal drainage, on Bradford Island in the Sacramento River Delta. Bradford Island is in the far north-eastern portion of the Contra Costa County, just north of Jersey Island and Bethel Island. RD 2059's **levee and flood control system protects life and property from potential flooding from San Joaquin River to the north and west, the False River to the south and Fisherman's Cut to the east.** RD 2059 is protected by non-project levees.

The District encompasses approximately 2,385 acres of predominately agricultural and recreational land. It is home to a population of about 3 permanent residents, approximately 11 houses **and 22 "vacant lot" parcels created** to potentially allow for construction of a house. There are active natural gas wells operating on the island. RD 2059 maintains and operates about 7.5 miles of levees, one pump station and about 7 miles of associated internal drainage canals, and other flood control infrastructure. The District is a member of the Delta Ferry Authority, which provides ferry service from Jersey Island to Bradford Island and Webb Tract.

A map of Bradford Island is shown in Figure 1, below:

FIGURE 1 – LEVEES MAINTAINED BY RD 2059



RD 2059 was formed in 1921 by a special act of the State Legislature and the Contra Costa County Board of Supervisors in response to destructive flooding in the 1860s. Much of the **District's flood protection system was constructed during this time**. RD 2059 area is at a high risk of flooding due to the following factors:

- Topography and Regional Geography: RD 2059 is within eastern Contra Costa County which itself includes portions of the "Sacramento–San Joaquin River Delta," or "California Delta" has a history of significant flooding due to its relatively flat terrain and numerous rivers and creeks fed by potentially intense Sierra snow melt runoff.
- Local Soil Conditions and Non-Engineered Levees: The local levees were traditionally constructed by farmers and other early settlers with readily available local materials. Accordingly, these levees were built of permeable materials common in Contra Costa and Sacramento Counties. This permeable material allows water from the flood-swollen rivers to seep under the levees. During recent



significant high water events adjacent to the RD 2059 levees, there has been considerable evidence of under-seepage which is often a precursor to failure.

In order to attain its service goals for operations and maintenance, and repairs, the District needs to establish a reliable, annual funding source that will generate approximately \$213,705 per year, in addition to the approximately \$158,000 from the initial assessment, and \$25,000 other sources. This Engineer's Report supports the establishment of such a revenue source, through the formation of a Proposition 218-compliant, balloted Assessment District that if approved by property owners, would replace the existing, expiring assessment roll revenue source.

The proposed rates for fiscal year 2020-21 for the proposed RD 2059 Levee and Flood Control Improvement Assessment District are:

Single Family Residential	\$154.68 each + up to 0.25 acres
Commercial/Industrial (incl natural gas wells)	\$197.06 per acre
Agricultural	\$ 68.38 per acre
Vacant	\$ 28.02 each + up to 0.25 acres
Non Assessable	\$ 0.00 per acre

(Typical costs to maintain levees in the area range from \$25,000 to \$80,000 per levee mile, whereas the RD 2059 **proposed budget included in this Engineer's Report is approximately \$32,000 per levee mile.**)

#### LEGAL AUTHORITY

The proposed benefit assessment is being formed by RD 2059 under the authority of the Benefit Assessment Act of 1982 (Gov. Code, §§ 54703-54719). Specifically, section 54710, authorizes any local agency able to provide flood control services, which includes RD 2059, to impose a benefit assessment pursuant to the Benefit Assessment Act. (Gov. Code, § 54710(a)(2).) Such assessments are levied annually, based on a budget for expenditures.

All benefit assessments must also comply with Article XIIC and XIID of the California Constitution (**often referred to as "Proposition 218"**), and the **Proposition 218 Omnibus Implementation Act** (Government Code, § 53750, et seq.). Proposition 218 allows for benefit assessments to be levied to fund the cost of providing services and improvements, as well as maintenance and operation expenses of a public improvement which provides a special benefit to the assessed property.

Proposition 218 imposes a number of important requirements, including property-owner balloting, for the formation and continuation of assessments, and these requirements are satisfied by the process being used to establish this proposed assessment.

#### ASSESSMENT PROCESS AND FUTURE CONTINUATION OF ASSESSMENT

Following submittal of this Report to RD 2059 for preliminary approval, the Board of Directors of RD 2059 (**the "Board"**) may, by Resolution, call for an assessment ballot proceeding and

public hearing on the proposed establishment of a Levee and Flood Control Facilities Improvement Assessment.

If the Board approves such a Resolution, a notice of assessment and assessment ballot shall be mailed to each property owner within the proposed Assessment District boundaries who will be subject to the proposed assessment. Such notice will include a description of the services and improvements to be funded by the proposed assessments, the total amount of the proposed assessment chargeable to the entire Assessment District and the amount chargeable to the specific **owner's parcel, the reasons for the proposed assessments and** the basis upon which they were calculated, and an explanation of the process for submitting a ballot. Each notice would also include a postage prepaid return envelope and a ballot on which the property owner may mark his or her approval or disapproval of the proposed assessments as well as affix his or her signature.

After the ballots are mailed to property owners in the Assessment District, a minimum 45-day time period must be provided for the return of the assessment ballots. Following this balloting time period, a public hearing must be held for the purpose of allowing public testimony regarding the proposed assessments. At the public hearing, the public will have the opportunity to speak on the issue. The Public Hearing is currently scheduled for July 28, 2020.

If it is determined that the assessment ballots submitted in opposition to the proposed assessments do not exceed the assessment ballots submitted in favor of the assessments (weighted by the proportional financial obligation of the property for which ballots are submitted), the Board may take action to approve the imposition of assessments for fiscal year 2020-21 and each fiscal year thereafter. The levy and collection of the assessments would continue year-to-year until terminated by the Board.

The authority granted by the ballot proceeding would be for a maximum assessment rate of \$154.68 per single family home and \$68.38 per acre for agriculture, increased each subsequent year the United States Department of Labor Northern California Consumer Price Index (CPI) (also known as the "San Francisco Bay Area CPI").

As outlined in Government Code section 53739, the Board may levy the assessment in future years without conducting a new vote procedure, as long as the assessments are within the authorized inflation-adjusted range authorized in the original balloting procedure. If the assessment amount is enough to fund the preliminarily approved budget, a CPI adjustment will not be included.

## DESCRIPTION OF FACILITIES IMPROVEMENTS

---

RD 2059 provides a range of levee and drainage construction, repair, operations, **maintenance and flood prevention activities and services (the “Services”)** within its boundary.

The maintenance, operations, repairs and improvements proposed to be undertaken by RD 2059 and the cost thereof paid from the levy of the annual assessment provide special benefit to Assessor Parcels within the proposed Assessment District as defined in the Method of Assessment herein. In addition to the definitions provided by the California **Government Code Section 54710 et seq., (the “Code”)** the **maintenance, operations and improvements** activities are generally described in the following sections.

This proposed benefit assessment would provide funding for the major areas of service improvement for its operations.

- Operations and maintenance of flood protection facilities
- Maintenance of Levees to HMP Standard
- Operations of pump station and maintenance of internal drainage

Due to the expiration of the 2015 assessment combined with pre-existing inadequate funding, the level of flood protection in the proposed Assessment District would be expected to fall below the desired level of service. In other words, the projected baseline level of service for 2020-21, and beyond (without this proposed assessment) would be inadequate to fund the desired service level, and this baseline would diminish over time. If the proposed assessment is approved, it will fund improved and enhanced Services over and above the baseline level of service.

The formula below describes the relationship between the final level of Services, the baseline level of Service if the assessment is not instituted, and the enhanced level of services funded by the assessment.

<b>Final Level of Service</b>	=	<b>Baseline Level of Service</b>	+	<b>Enhanced Level of Service</b>
-----------------------------------	---	--------------------------------------	---	--------------------------------------

Below is a more detailed description of these improvements that are proposed to be provided for the special benefit of property in the Assessment District.

### IMPROVED MAINTENANCE AND OPERATIONS

Specifically, **as described in the District’s** 2018- 2019 Final Subventions Claim presented to the California Department of Water Resources, the improved flood control maintenance and operations activities include:

## “ANNUAL ROUTINE LEVEE MAINTENANCE

### ▪ A. General

- 1. The annual routine and regular maintenance of levees under the **District's jurisdiction will consist of continuing with regularly planned** and scheduled maintenance activities.
- 2. **The District's planned and budgeted activities and work items may** require adjustment, elimination, increase, or decrease of certain line items in response to any or all of the following circumstances:
  - Unforeseen levee site conditions.
  - Changes in State and Federal standards and regulations.
  - Changes in levee maintenance and rehabilitation requirements, and/or
  - Environmental Programs.
  - District budget/cash flow constraints.
- 3. Maintenance activities are performed district wide on an as needed **basis and in accordance with the District's "Agreement for Annual Routine Levee Maintenance" as required by DFG Code Section 1601.** The District will notify the Subventions Program Staff in advance of activities that will impact overall habitat values.

### ▪ B. Maintenance Activities

- 1. Levee Inspection – Routine and joint levee inspections to check on maintenance activities, discover any changes in levee conditions, and report conditions that need repairs or further engineering investigations.
- 2. Rodent Control – Extermination of burrowing rodents and filling of burrows with compacted material, as needed. No filling of burrows in burrowing owl areas, as designated by DFG, shall take place during the period of March 15 through August 15, with the exception of the filling of beaver and muskrat dens near the waterline. Application of County permitted and restricted bait materials or any other approved method of rodent eradication, in accordance with labeled instructions and regulations.
- 3. Shaping Levee Crown to Drain Freely – As needed the levee crown will be maintained to have a uniform shape, which will drain water equally throughout the surface without allowing pocketing or excess runoff locations. Repair and Grade Patrol/Access Roads and Ramps – Repair, grade, and shape levee crown, as needed. Levee patrol road areas may require placement of road surfacing for wet weather accessibility. Work will be performed in a manner that will keep dust to a minimum and prevent siltation into the adjacent waterways.
- 4. Repair Minor Slipouts, Erosion, or Subsidence of the Levee Section – Repair of active levee slip outs, erosion, rodent burrows, subsidence, or other site specific conditions that threaten the safety and stability of the levee, as determined by engineering investigations. Levee cavities

that require considerable slope rebuilding will be backfilled with clean earthen materials and compacted.

- 5. Removal of Drift Deposits and Debris from Levee and Berm – Removal of flood deposited woody or herbaceous vegetation and associated debris to alleviate significantly reduced channel capacities, threatened levee safety, and liability to the District and the public.
- 6. Seepage/Boil Control – Repair of active seeps where necessary to maintain levee safety and structural integrity. repair sites will be covered with clean quarry stone riprap or other suitable revetment materials. All site repairs that are contracted out and exceed the lengths **set forth in the District's DFG Annual Routine Maintenance Permit Agreement will be applied for under a separate "Site Specific" DFG 1601 Agreement.**
- 7. Cleaning Drains and Toe Ditches Adjacent to the Landside Levee Toe – Cleaning of toe ditches, as needed, when they become ineffective and/or clogged, preventing proper levee seepage and drainage and impairing levee safety.
- 8. Vegetation Control – Continuation of annual weed/vegetation/Arundo donax
- (bamboo) control on the levee crown and slopes in accordance with County, State, and federal requirements. Controlling vegetation on the levee slopes shall include applying permitted herbicides, and cutting or trimming vegetative growth such as weeds, brush, berry vines, and trees to the extent necessary to inspect and maintain the levee.
- 9. Repairing or Restoring Waterside Slope Protection – Repair/restoration of existing waterside slope protection is an ongoing project along levee slopes that are subjected to considerable boat activity, wind and wave wash, and degradation by rodents. Repairs are determined by routine levee inspections and detailed engineering investigations. The repair/restoration may require slope rebuilding with clean embankment materials, compacted in place and covered with clean quarry stone riprap or other suitable revetment materials to maintain levee stability.
- 10. Flood Emergency Planning and Preparation – Activities shall be performed as needed.
- 11. Removing or Modifying Encroachments – Encroachments, which do not meet State standards, endanger levee safety, or interfere with levee maintenance and road access, will be removed or modified. Existing encroachments (e.g., discharge pipes, siphons, slide/flap/tide gates, weirs, drop structures, or other existing water control devices) are scheduled to be cleaned, repaired, raised, modified, and/or replaced as needed for operation and levee safety.
- 12. Levee Profiles, Cross Sections, and Other Surveys – Engineering and surveying services will be performed as needed.
- 13. Other levee and underwater surveys (scour investigations).

- 14. Engineering Services and Bradford Island Subventions Program Management. Provide engineering services and management as needed including DWR mandated labor compliance program.
- 15. Miscellaneous items – gates, guard rails and traffic control.

#### **LEEVE REHABILITATION PLANS**

A. Though no levee rehabilitation work has not been formally presented, the District has several locations that could be rehabilitated if funding were available. The District has two low spots on the north side of the island that needs to be raised on average three feet. Due to high water in the San Joaquin River, additional rock slope protection is needed along the western side of the island.

B. Site Specific engineering plans and work will be coordinated with the appropriate agencies, including the Bradford Island Subventions Program Staff, following authorization for the work by the District and prior to commencement of the work.

C. All engineering plans will be prepared and signed by a Civil Engineer licensed by the California Board for Professional Engineers, Land Surveyors, and Geologists.

D. The District will comply with the Department of Industrial Relations (DIR) for public works projects. All contractors awarded public works contracts from the District shall be registered with DIR.”

TABLE 1 – FISCAL YEAR 2020-21 PROPOSED BUDGET

Item	Total Amount
Beginning Unrestricted Net Assets, July	\$0.00
Annual District Operations	\$ 262,422.71
Delta Ferry Operations	\$134,750.00
<b>Total Annual Costs</b>	<b>\$397,172.71</b>

Assessment Calculator		
Total Annual Costs		\$397,172.71
Less Contribution from existing assessment (towards General Benefit contribution)		(\$158,257.00)
Less Contribution from tolls and other sources (towards General Benefit contribution)		(\$25,209.82)
Balance to Assessment		\$213,705.89
	<u>Benefit Units</u>	<u>SFE Rate</u>
	1,381.60	\$154.68
<b>Total Assessment Amount =</b>		<b>\$213,705.89</b>

Note: Benefit Units are based upon Single Family Equivalents as explained in the following section.

## METHOD OF APPORTIONMENT

---

This section includes an explanation of the special benefits to be derived from the maintenance, operations and repair activities, the criteria for the expenditure of assessment funds and the methodology used to apportion the total assessments to properties within the proposed Assessment District. The proposed Assessment District area consists of all Assessor Parcels included within the RD 2059 boundary.

Pursuant to Proposition 218, the method used for apportioning the assessment is based upon the proportional special benefits conferred to the properties over and above the general benefits conferred to real property in the proposed Assessment District, or to the public at large. Special benefit is calculated for each parcel in the District using the following process:

- 1.) Identification of all benefit factors derived from the Improvements
- 2.) Calculation of the proportion of these benefits that are general
- 3.) Determination of the relative special benefit within different areas of the Assessment District
- 4.) Determination of the relative special benefit per property type
- 5.) Calculation of the specific assessment for each individual parcel based upon special vs. general benefit, zones, property type and other supporting attributes

### DISCUSSION OF BENEFIT

Maintenance, operational, and improvement activities relating to flood control fall within the scope of Services that may be funded by assessments under the Code. (See Gov. Code, § 54710.5 (permitting any local agency with flood control capabilities to impose an assessment **to finance those activities**); Gov. Code, § 53750 (defining “flood control” as “any system of public improvements that is intended to protect property from overflow by water.”))

**However, Proposition 218 expressly prohibits any assessment** “imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel.” (Cal. Const., art. XIII C.) The assessments can be levied based only on the special benefit to property. This benefit is received by property over and above any general benefits. **Moreover, such benefit is not based on any one property owner’s specific use of the maintenance, operations and improvements activities or a property owner’s specific demographic status.**

The benefit factors below, when applied to property in the proposed Assessment District, confer special benefits to property and ultimately protect property in the proposed Assessment District and improve the safety, utility and functionality of such property.

A special benefit is a particular and distinct benefit over and above the general benefits conferred on real property located in the district or to the public at large. The total cost of the Services must be apportioned among the properties being assessed, based on the proportionate special benefit the properties will receive. Proposition 218 requires any local



agency proposing a new **special assessment to “separate the general benefits from the special benefits conferred on a parcel.”** (Cal. Const. art. XIID §4.) The basis for separating special and general benefits is to ensure that certain property owners are not charged for Services provided to the general public or to property outside the assessment district. (See *Silicon Valley Taxpayers’ Assn., Inc. v. Santa Clara County Open Space Authority* (2008) 44 Cal. 4th 431, 450.)

#### FLOOD CONTROL IS A SPECIAL BENEFIT

Flood control operations, such as the **District’s**, provide only special benefits. **Special benefits are benefits that are “peculiar and distinct over and above general benefits located in the district or to the public at large.”** (Cal. Const. art. XIID § 2(i).) Because flood control infrastructure protects particular identifiable parcels (including residents of the parcel and any appurtenant facilities or improvements) from damage due to inundation or force by rising floodwaters, the benefits are provided directly to those parcels, and to none other.

By contrast, general benefits provided to the public at large are discussed in terms of general enhanced property values, provision of general public Services such as police and fire protection, and recreational opportunities that are available to people regardless of their location. (*Silicon Valley*, 44 Cal 4<sup>th</sup> at 450-456)

The issue of general benefits merits further discussion to the extent that flood control Services and improvements also have an obvious indirect relationship to the provision of general benefits. For example, the Services may protect restaurant and/or recreation facilities in the Assessment District that may be used by people regardless of whether they own property in the District. But this indirect relationship does not mean that the Services and Improvements themselves will provide any general benefits. Rather, the Services will provide direct special benefits to parcels that may themselves be used in the provision of general benefits.

More to the point, the public at large will be paying for the general benefits provided to benefiting “public **use**” property, and specially-**benefited property owners’ assessments will** not be used to subsidize general benefits provided to the public at large or to property outside the Assessment District. All property that is specially benefited by the Services and Improvements will be assessed, including the parcels used in the provision of general benefits. Thus, the general public will pay for a portion of the provision of the flood control Services and Improvements because the assessed public agencies will use general taxes and other public revenue to pay their Assessments, and privately-owned parcels (such as restaurants) will collect **revenue from customers to pay for any “general benefits”**.

The Assessment Engineer finds that the Services and Improvements are of distinct and direct special benefit to the property within the Assessment District.

The Assessment Engineer conducted a parcel-by-parcel analysis and has developed an approach, described below is the industry standard. In any case, following is a description of the separation of general benefit from special benefit, and the quantification of the general

benefit, in the District. In each step of this analysis, conservative assumptions and determinations have been used in order to ensure that the total calculated general benefit is maximized which reduces the special benefit assessed on any one parcel.

This Report concludes that enhanced flood control is a special benefit directly to the property that is being protected from flooding. The proposed Maintenance and Operations Services and Improvements, which would be over and above the baseline level, will result in the levees being maintained to a much higher standard, and accordingly will reduce the risk of flooding and the associated damage to property.

The following Benefit Factors section describes how and why the Services and Improvements specially benefit properties. This benefit is particular and distinct from its effect on property in general or to the public at large.

## BENEFIT FACTORS

The primary special benefit from the Services and Improvements is the significantly reduced risk of damage to property from flooding. In addition, this section describes other special benefits conferred to residential, commercial, industrial, institutional and other lots and parcels resulting from the Services and Improvements that will be provided. These types of special benefit are summarized as follows:

### REDUCED RISK OF DAMAGE TO REAL PROPERTY ASSETS FOR ALL PROPERTY OWNERS WITHIN THE ASSESSMENT DISTRICT

Properties in the proposed Assessment District are currently at higher risk for flood. The proposed Assessments will fund an increase in maintenance, operations and improvement activities to reduce the likelihood of levee failure and reduce the threat from flooding. The reduced risk of direct and indirect contact with flood water will increase public safety and will provide positive health benefits in the Assessment District. The proposed Assessments will fund an increase in maintenance, operations and improvement activities to reduce the likelihood of levee failure and reduce the threat from flooding, thereby significantly reducing the risk of property damage potential and loss of life associated with floods. Clearly, levee and flood control maintenance helps to protect and specifically benefits all properties in the Assessment District. These are special benefits to property in the Assessment District because property is ultimately more desirable and valuable in areas that are safer and have less risk of harmful flooding.

### REDUCED RISK OF LOSS OF LIFE OR HARM TO PROPERTY FROM FLOODING

The proposed Assessments will fund maintenance, operations and improvement activities to reduce the likelihood of levee failure and reduce the threat from flooding. These services will reduce the loss of life, injuries, and other public health issues associated with flooding. The reduced risk of direct and indirect contact with flood water will increase public safety and will provide positive health benefits in the Assessment District. These are special benefits to property in the Assessment District because property is ultimately more desirable and valuable in areas that are safer and have less risk of harmful flooding.

#### PROTECTION OF JOBS, ECONOMIC BASE AND TRANSPORTATION SYSTEMS AFFECTING PROPERTY

The proposed Assessment District will provide funding for maintenance, operational and improvement activities that will reduce the risk of significant disruption and harm to jobs and the economic base in the Assessment District. The maintenance, operations and improvement activities will also better protect the roads and transportation systems in the Assessment District that are crucial for maintaining the local economic base. Without accessible roads and access to jobs, the value of property in the Assessment District would be diminished. Therefore, another special benefit to property is the protection of jobs, the local economic base and local transportation systems.

#### GENERAL VERSUS SPECIAL BENEFIT

The assessment revenue will be used to provide maintenance, operations and improvement activities to reduce the risk of property damage and harm from flooding. This is a special benefit to property in the proposed Assessment District because the reduction in likelihood of flooding confers the special benefit factors described above and these benefits ultimately flow to property in the Assessment District. Moreover, in absence of the proposed Assessments, the annual ongoing revenues available to RD 2059 are not sufficient to effectively maintain the levees and flood control facilities and will not be sufficient to cover the approximately 20% local share of the funds to make the upgrades to the sections of levee system that have been identified as being in need of **“critical” upgrade and/or repair**. Therefore, in the absence of the proposed assessment, the potential for flooding in the proposed Assessment District could substantially increase.

Proposition 218 requires any local agency proposing to increase or impose a special assessment to **“separate the general benefits conferred on a parcel.”** (Cal. Const. art. XIII D, § 4.) The rationale for separating special and general benefits is to ensure that property owners are not charged a benefit assessment in order to pay for general benefits. Thus, a local agency carrying out a project that provides both special and general benefits may levy an assessment to pay for the special benefits, but must acquire separate funding to pay for the general benefits. (*Silicon Valley*, 44 Cal 4<sup>th</sup> at 431, 450.)

In other words:

<b>Total Benefit</b>	<b>=</b>	<b>Special Benefit</b>	<b>+</b>	<b>General Benefit</b>
--------------------------	----------	----------------------------	----------	----------------------------

A formula to estimate the general benefit is listed below:

<b>General Benefit</b>	<b>=</b>	<b>Benefit to Real Property Outside of Assessment District</b>	<b>+</b>	<b>Benefit to Real Property Inside of Assessment District</b>	<b>+</b>	<b>Benefit to Public at Large</b>
------------------------	----------	--	----------	---	----------	-----------------------------------

#### BENEFIT TO PROPERTY OUTSIDE, BUT PROXIMATE, TO THE DISTRICT

There are no parcels that receive special benefit from the levee and flood protection services provided by RD 2059 that are not within the legal boundaries of the District. The general benefit to property outside of the District is calculated as follows with the parcel and data analysis performed by SCI Consulting Group.

##### **Assumptions:**

0 parcels outside and adjacent to the District  
75 parcels in the Assessment District

##### **Calculation**

General Benefit to Property outside the Improvement District=  
(0/(75)) = 0%

TOTAL GENERAL BENEFIT TO PROPERTIES OUTSIDE, BUT PROXIMATE, TO THE DISTRICT = 0%

#### BENEFIT TO PROPERTY WITHIN THE ASSESSMENT DISTRICT

The “indirect and derivative” benefit to property within the District is particularly difficult to calculate. A solid argument can be presented that all benefit within the Assessment District is special, because the Improvements are clearly “over and above” and “particular and distinct” when compared with the baseline level of service and the unique proximity and access of the Services and Improvements enjoyed by benefiting properties in the Districts.

Nevertheless, the *Silicon Valley Taxpayers Association* decision indicates there may be general benefit “conferred on real property located in the district.” A measure of the general benefits to property within the District is the percentage of land area within the District that is publicly owned, open to the public, and used for regional purposes such as major roads, rail lines, hospitals, and other regional facilities because such properties, while physically within the District, are used for regional purposes and could provide indirect benefits to the public at large. Nonetheless, the Engineer has liberally assigned an allowance of a 1% general benefit factor.

TOTAL GENERAL BENEFIT TO PROPERTIES WITHIN THE ASSESSMENT DISTRICT = 1%

#### BENEFIT TO THE PUBLIC AT LARGE

In *Beutz v. County of Riverside* (2010) 184 Cal.App.4th 1516, the Court opined that general benefits from parks and recreation facilities could be quantified by measuring the use of parks and recreation facilities by people who do not live within the assessment boundaries. This Report uses this general benefit measure as the third component of the overall general benefit quantification. Therefore, the general benefit to the public at large can be estimated **by the proportionate amount of time that the District's facilities are used and enjoyed by** individuals who are not residents, employees, customers or property owners in the District. Here, the public at large within the District is primarily made up of non-resident boaters and fisherman.

However, the need for access by those who do not contribute to the assessment in any way (e.g. visitors who are not residents, employees, customers or property owners) in the District is extremely limited and difficult to measure. Nonetheless, the Engineer has liberally assigned an allowance of a 1% general benefit factor.

TOTAL GENERAL BENEFIT TO PUBLIC AT LARGE = 1%

#### SPECIAL NOTE ON GENERAL BENEFITS

In *Dahms v. Downtown Pomona Property* (2009) 174 Cal.App.4th 708, the court upheld an assessment that was 100% special benefit on the rationale that the Services funded by the assessments were directly provided to property in the assessment district. Similar to the assessments in Pomona that were validated by *Dahms*, the Assessments described in this **Engineer's Report fund Flood Control Services** that are directly provided to property in the assessment area. Moreover, as noted in this Report, the Services directly reduce flood risk on all property in the assessment area. Therefore, *Dahms* establishes a basis for minimal or zero general benefits from the Assessments. However, in this report, the general benefit is more conservatively estimated and described, and then budgeted so that it is funded by sources other than the assessment.

#### TOTAL GENERAL BENEFITS

Using a sum of these three measures of general benefit, we find that approximately 2% of the benefits conferred by the Improvements may be general in nature and should be funded by sources other than the assessment.

##### **General Benefit =**

**0 % (Outside the District)**  
**+ 1 % (Property within the District)**  
**+ 1 % (Public at Large)**  
  
**= 2 % (Total General Benefit)**

RD 2059's **budget for** fiscal year 2020-21 for this proposed Assessment would be \$213,705. Of this total assessment budget amount, RD 2059 will contribute at least \$4,274 or at least 2% of the total budget from sources other than this assessment. The contribution from the initial assessment (greater than \$190,000) more than satisfies this requirement.

#### SPECIAL NOTE ON GENERAL BENEFIT TO THE NEARBY LOCAL, STATE AND FEDERAL WATER PROJECTS

Any additional general benefit from the proposed improvements to the nearby local, State and Federal water projects, is addressed through above-described 2% general benefit allowance, and by the **DWR's** programs which financially support a significant portion of RD 2059's operations and maintenance, and capital repairs.

#### ASSESSMENT APPORTIONMENT

In the process of determining the appropriate method of assessment, various alternatives were considered. For example, an assessment only for all residential improved property was considered but was determined to be inappropriate because vacant, commercial, industrial and other properties also receive special benefits from the Assessments. Moreover, a fixed or flat assessment for all properties of similar type was deemed to be inappropriate because properties less likely to be affected by flooding would be assessed the same as properties more likely to be affected. Hence, the appropriate method of assessment should be based on the type and use of the property, the relative size of the property, and the level of potential damage to property. This method is further described below.

#### METHOD OF ASSESSMENT

The next step in apportioning assessments is to determine the relative special benefit for each property. This process involves determining the relative benefit received by each property in relation to a "benchmark" property, a single family detached dwelling on one parcel of five acres or less. **(one "Single Family Equivalent Benefit Unit" or "SFE"). This SFE methodology is commonly used to distribute assessments in proportion to estimated special benefits. In this Engineer's Report, all properties are assigned an SFE value, which is each property's relative benefit in relation to a single-family home on one parcel.**

The relative benefit to properties from maintenance, operational and improvement activities that reduce the potential for levee failure and flooding is described by the following equations:

TABLE 2 – EQUATIONS

Equations	
1	$\sum \text{Special Benefit}_{\text{parcel}} = \sum \text{Assessment}_{\text{parcel}}$
2	$\text{Assessment}_{\text{parcel}} = \text{Rate}_{\text{zone}} \times f(\text{Replacement Factors, Parcel Specific Factors})$

3	$\text{Rate}_{\text{zone}} = \text{Base Rate} * \text{Relative Zone Factor}$
4	$\text{BaseRate} = \frac{\sum \text{Costs}}{\sum \text{SFEs}}$

TABLE 3 – FACTORS

Factor	Reference
$\sum \text{Cost}$	Table 2
$\sum \text{SFE}$	Table 2
Parcel Specific Factors:	
I. Flood Risk Factors	Table 4
II. Flood Damage Factors (Groups)	Table 5
III. Shared Facilities Factors	Table 6
Weighted Parcel Factor Summary	Table 7
Replacement Factors	Table 8
Summary of Proposed Rates	Table 10

That is, the special benefit conferred to property is a function of flood risk factors, flood damage factors, shared facilities factors and land use factors. The derivation of these factors is described in the sections below.

#### ZONES OF BENEFIT

Most assessment districts, including assessment districts to fund flood protection, confer different types and amounts of special benefit on parcels in different areas of the assessment district. Therefore, the creation of zones of benefit, corresponding to these various areas, are routinely considered in the development of an assessment district.

However, the geography and topography of RD 2059 is relative consistent throughout its boundaries, and it is essentially a single basin with uniform levee crown and toe elevations. Therefore different zones of benefit are not appropriate.

Nonetheless, to in order to rigorously evaluate the different areas of RD 2059, the analysis has been divided into the

- Northern (including Sta 65+00 to 250+00 and the area contained therein)
- Southern (including Sta 0+00 to 65+00 & 250+00 to 393+01 and the area contained therein)

areas, as shown in Tables 4, 5, 6 and 7. (In this case, because of the uniformity of the District, the values are the same in all 4 tables)

#### FLOOD RISK FACTORS (PARCEL SPECIFIC FACTOR I)

Flood risk factors are typically derived from an analysis of the relative risks corresponding to specific sections of flood protection system, and then assigned to specific corresponding geographic zones. An analysis was conducted comparing the flood risk in the North and South ends of the District and the flood risk is uniform and all properties are protected by the same sections of levees, with the same relative risk of failure. A breach or failure anywhere on the levees will affect all interior properties uniformly. Therefore, the relative risk factors are the same.

TABLE 4 – FLOOD RISK FACTORS

Area	Flood Risk Factors (%)
Northern (Sta 65+00 to 250+00)	100.0
Southern (Sta 0+00 to 65+00 & 250+00 to 393+01)	100.0

#### FLOOD DAMAGE FACTORS (PARCEL SPECIFIC FACTOR II)

Flood damage is generally a function of the depth of flooding, with higher water levels causing greater damage to structures. The proposed Assessment District area was evaluated, with properties subject to uniform flood depth throughout.

Based upon the relevant Flood Damage Percent curves (Corp of Engineer's Economic Guidance Memorandum (EGM) 01-03, Generic Depth-Damage Relationships, Table 2 Two-story with no Basement), relative Damage Factors were determined, and normalized, as shown in Table 6, below:

TABLE 5 – FLOOD DAMAGE FACTORS



	Approx Area Levee Crown Elevation (a)	Approx Levee Toe Elevation (b)	Effective Flood Depth (ft.) (a-b)	Mean of Damage	Normalized Flood Damage (%)
Northern (Sta 65+00 to 250+00)	9.0	-6.0	15.00	67.70	100.0
Southern (Sta 0+00 to 65+00 & 250+00 to 393+01)	9.0	-6.0	15.00	67.70	100.0

### SHARED FACILITY FACTORS (PARCEL SPECIFIC FACTOR III)

Shared facilities factors affect the calculated special benefit to parcels by evaluating the relative benefit to essential facilities and services. (For example, in the extreme hypothetical case of comparing benefit to a house at the lowest grade versus a house on stilts, the flood risk and flood damage to the properties may be very different, but both may receive very similar benefit in accessibility and access to water, power, sewer and drainage) A weighted system is used based upon an equal distribution for each of the five critical shared facilities to model the effect of the degradation of these facilities in different zones during a flood event. This component of this special benefit apportionment is the same in both zones as summarized in Table 7, below.

TABLE 6 – SHARED FACILITY FACTORS

Area	Water	Power	Sewer	Drainage	Road Access	Total (%)
Northern (Sta 65+00 to 250+00)	20	20	20	20	20	100
Southern (Sta 0+00 to 65+00 & 250+00 to 393+01)	20	20	20	20	20	100

### WEIGHTED PARCEL FACTOR SUBTOTALS

Within the proposed Assessment District boundaries, Flood Risk Factors, Flood Damage Factors and Shared Facility Factors describe the relative benefit to each parcel within the North and South areas, and are adjusted by their relative importance (weighting). Table 8 below shows the total weighted and normalized flood, Risk, Flood Damage and Shared Facilities factors. (Note: This analysis concludes that the special benefit conferred on North and South areas are equal, as shown in Table 8)

TABLE 7 – TOTAL RELATIVE PARCEL FACTORS

Area	Flood Risk Factor	Flood Damage Factor	Shared Facilities Factor	Total Weighted Parcel Factors
Relative Weight (%)	33.33	33.33	33.33	
Northern (Sta 65+00 to 250+00)	100.00	100.00	100.00	100.00
Southern (Sta 0+00 to 65+00 & 250+00 to 393+01)	100.00	100.00	100.00	100.00

The relative weights were determined with the greatest emphasis on potential flood damage and the conclusion that the potential loss of shared facilities is critical to the use of all property in the District. They have been given a relative weight of 33.33% each, based upon engineering judgment.

#### LAND USE FACTORS TO DETERMINE REPLACEMENT FACTORS

The final step in determining the apportionment is to factor in the land use, or replacement value for each type of use within a Group.

Using the Contra Costa County **Assessor's** data for land and total value, appraisal results, and other regional characteristics and sources, relative land use factors were determined for various property types.

These property types and land use factors are described below and summarized in Table 9.

TABLE 8 – LAND USE FACTORS FOR PROPERTY TYPES

Land Use	Normalized Replacement/Ag Loss Value(%)	Unit
Single Family Residential	100.0	each + <= 0.25 acres
Commercial/Industrial	127.4	acre
Agricultural	44.2	acre
Vacant	18.1	each + <= 0.25 acres
Non Assessable	0.0	acre

#### LAND USE TYPES ON BRADFORD ISLAND

The parcels on Bradford Island include large, rectangular (> 15 acres) agricultural parcels primarily used for grazing; smaller, long and narrow residential and vacant residential parcels (<=15 acres); mineral right parcels that are not shown on County parcel maps and several utilitarian parcels including 4 owned by the District.

#### RESIDENTIAL PROPERTIES

All improved residential properties with a single residential dwelling unit, are assigned a land use factor of 1.0 SFE per single family residence. These residential properties are assessed on a per acre basis, with 0.25 acres dedicated to the residence and the remainder assessed at the agricultural rate.

### COMMERCIAL/INDUSTRIAL & OFFICE PROPERTIES

Commercial and industrial properties are assigned a land use factor on a per acre basis, since there is a relationship between parcel size, structure size and relative benefits. The land use factor for commercial and industrial properties was determined to be 1.271 SFEs per acre, with the actual acreage rounded up to the next full acre.

### MINERAL RIGHTS PROPERTIES

There are a number of active natural gas wells on Bradford Island, and the associated gas well infrastructure receives significant special benefit from the proposed services and improvements. Mineral rights parcels do not necessarily receive special benefit commensurate directly with acreage. Hence, long-standing distribution of special benefit, **as calculated in the 2015 Engineer's Report**, to various parcel is maintained as shown in table 9 below:

TABLE 9 –MINERAL RIGHTS PARCELS AND ASSOCIATED RELATIVE SPECIAL BENEFIT

Current Owner	Parcel Number	Special Benefit Portion	Effective Acreages
Vintage Petroleum LLC	026-050-800-7	40.05%	148.18
Vintage Petroleum LLC	026-050-801-5	4.08%	15.11
Vintage Petroleum LLC	026-100-802-3	4.08%	15.11
Vintage Petroleum LLC	026-100-803-1	4.08%	15.11
Vintage Petroleum LLC	026-100-804-9	11.43%	42.31
Vintage Petroleum LLC	026-100-805-6	12.77%	47.26
Vintage Petroleum LLC	026-100-806-4	23.49%	86.92

Mineral Rights parcels are assessed at the Commercial/Industrial rates at the effective acreages listed in the table above. These assigned effective acreage model the relative special benefit conferred to each parcel.

Additional analysis has been performed to 1.) Confirm the accuracy of the legacy special benefit from the 215 Engineer's Report shown in Table 9, above and 2.) Provide a basis to calculate the special benefit of (albeit highly unlikely) any new or changed mineral rights parcels.

**Working with local and state data sources as well as property owner's staff**, each of the 8 mineral rights parcels was evaluated according to status of any wells (active, idle or plugged), the associated acreages and the relative special benefit of these attributes to the overall parcel. A special benefit score of 500 points was assigned for each active well, 50 points for each idle well and 10 points for a plugged well. These scores were added to the associated acreages to determine relative special benefit and then pro-rated (multiplied by 23.5%) to match the existing 370 acre natural gas basin. This analysis confirmed the accuracy of the 2015 study.

#### AGRICULTURAL PROPERTIES

Based upon an in-depth analysis of revenue production value over time for agricultural properties, the land use factor for vacant properties was determined to be 0.463 SFEs per parcel, based upon the actual acreage.

#### VACANT/UNDEVELOPED PROPERTIES

The land use factor for vacant properties was determined to be 0.190 SFEs per parcel. . . . These vacant residential properties are assessed on a per acre basis, with 0.25 acres dedicated to the vacant residence and the remainder assessed at the agricultural rate.

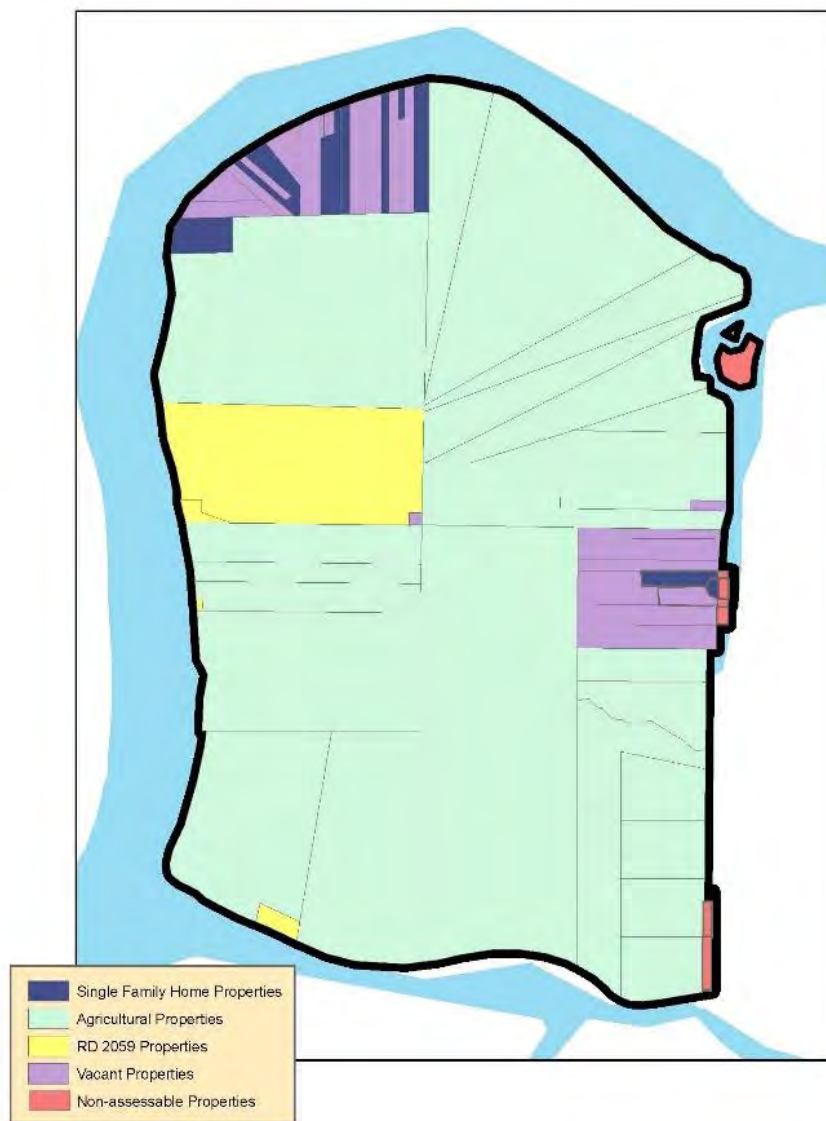
#### PUBLICLY OWNED PARCELS

Publicly owned parcels were individually reviewed and assigned the most appropriate property type.

Article XIID, Section 4 of the California Constitution states that publicly owned properties shall not be exempt from assessment unless there is clear and convincing evidence that those properties receive no special benefit. All public properties that are specially benefited are assessed.

A map of Bradford Island with various land use types is shown in Figure 2 below:

FIGURE 2 – VARIOUS LAND USE TYPES ON RD 2059



#### SUMMARY OF SFEs AND RATES FOR VARIOUS LAND USES

The SFE column in this table is determined multiplying “Total Weighted Parcel Factors” values in Table 7 by the “Normalized Replaces/Crop Loss Value” values in Table 8, for each area. (In this case the values for each area are the same.)

The Rate column of this table is determined by dividing the total benefit by the number of Single Family Equivalents (SFEs) in order to determine an assessment rate per SFE. The base rate for a single family home is set at \$154.68. This calculation is shown in Table 1. Rates for other types of parcels, as based upon relative replacement costs are shown in

Table 10, below. For parcels with Single Family Residential or Vacant uses, the assessment on parcels beyond the first 0.25 acres are charged at the Agricultural rate.

TABLE 10 – SUMMARY OF SFEs AND RATES FOR VARIOUS LAND USES

Land Use	SFE	Rate	Unit
Single Family Residential	1.000	\$154.68 each + <= 0.25 acres	
Commercial/Industrial	1.274	\$197.06 acre	
Agricultural	0.442	\$68.38 acre	
Vacant	0.181	\$28.02 each + <= 0.25 acres	
Non Assessable	0.000	\$0.00 acre	

## CRITERIA AND POLICIES

### PARCEL CHANGES

The signatory Assessment Engineer is responsible for a parcel by parcel analysis, to determine the special benefit and assessment amount for each parcel in the proposed Assessment District. Each year, the Assessment Engineer will re-analyze and re-calculate individual benefits and corresponding assessments for each parcel, incorporating parcel splits and combinations, land use changes, specific flood risks, etc. The Assessment Engineer shall use the lien date roll obtained from the County of Contra Costa, or a third-party distributor of this data as the basis for the levy roll. Review of aerial photos and other data including real estate data, and site visits are anticipated.

### APPEALS OF ASSESSMENTS LEVIED TO PROPERTY

Any property owner who feels that the assessment levied on their property is in error as a result of incorrect information being used to apply the foregoing method of assessment may file a written appeal. Any such appeal is limited to correction of an assessment during the then current fiscal year. Upon the filing of any such appeal, District will promptly review the appeal and any information provided by the property owner. If the District finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the County for collection, the District is authorized to refund to the property owner the amount of any approved reduction.

### DURATION OF THE ASSESSMENT

If approved by property owners in an assessment ballot proceeding conducted pursuant to the Article and Government Code Section 53750 et seq., the assessments can be levied annually commencing with fiscal year 2020-21, and continuing each year at the discretion of the RD 2059 Board.

#### COST OF LIVING ADJUSTMENTS TO ASSESSMENT RATE

The assessment cannot be increased in future years without approval from property owners in another assessment ballot proceeding, except for an annual adjustment tied to the change in the U.S. **Department of Labor, Bureau of Labor Statistics Consumer Price Index ("CPI")** for the San Francisco Bay Area, not to exceed 4% per year. The December to December CPI will be used to calculate the CPI. In the case of a negative December to December CPI, a 0.0% CPI will be used.

This sub-section describes the criteria that shall govern the expenditure of assessment funds and ensures equal levels of benefit for properties of similar type. The criteria established in this Report, as finally confirmed, cannot be substantially modified; however, the Board may adopt additional criteria to further clarify certain criteria or policies established in this Report or to establish additional criteria or policies that do not conflict with this Report.

#### ASSESSMENT FUNDS MUST BE EXPENDED WITHIN THE PROPOSED ASSESSMENT DISTRICT

The net available assessment funds, after incidental, administrative and other costs, shall be expended exclusively for the maintenance, operations and improvements provided to levees that protect property within the boundaries of the proposed Assessment District.

#### SENIOR, LOW-INCOME AND OTHER EXEMPTIONS

The Government Code does not provide for exemptions to assessments for senior citizen or low-income property owners. If such a program were desired, RD 2059 or another agency could pay this assessment on behalf of the exempted property owners with funds collected from one or more non-assessment sources.

## ASSESSMENT

---

WHEREAS, the Board of Reclamation District 2059 is proceeding with the proposed formation of the Levee and Flood Control Facilities Improvement Assessment District under the California Codes Government Code sections 54703 et seq. and Article XIIIID of the **California Constitution (the "Article")**, to proceed with the proposed levy of assessments;

WHEREAS, the undersigned Engineer of Work has prepared and filed a report presenting an estimate of costs, a diagram for the Assessment District and an assessment of the estimated costs of the Improvements upon all assessable parcels within the Assessment District;

NOW, THEREFORE, the undersigned, by virtue of the power vested in me under Government Code Section 54703 and Article and the order of said Board, hereby make the following assessment to cover the portion of the estimated cost of said Improvements, and the costs and expenses incidental thereto to be paid by the Assessment District.

The amount to be paid for said Improvements and the expense incidental thereto, to be paid by the Assessment District for the fiscal year 2020-21 is generally as follows:

Costs	
Beginning Unrestricted Net Assets, July	\$0.00
Total Annual Costs	\$397,172.71
Less Contribution from other Sources	(\$183,466.82)
Net Amount to Assessment	\$213,705.89

An Assessment Diagram is hereto attached and made a part hereof showing the exterior boundaries of said Assessment District. The distinctive number of each parcel or lot of land in said Assessment district is its Assessor Parcel Number appearing on the Assessment Roll.

I do hereby assess and apportion said net amount of the cost and expenses of said Improvements, including the costs and expenses incident thereto, upon the parcels and lots of land within said Assessment District, in accordance with the special benefits to be received by each parcel or lot, from the Improvements, and more particularly set forth in the Cost Estimate and Method of Assessment hereto attached and by reference made a part hereof.

The assessment is subject to an annual adjustment tied to the annual change in the Consumer Price Index for the San Francisco Bay Area as of December of each succeeding year, with the maximum annual adjustment not to exceed 4%.



In the event that the actual assessment rate for any given year is not increased by an amount equal to the maximum of 4% or the yearly CPI change plus any CPI change in previous years that was in excess of 4%, the maximum authorized assessment shall increase by this amount. In such event, the maximum authorized assessment shall be equal to the base year assessment as adjusted by the increase to the CPI, plus any and all CPI adjustments deferred in any and all prior years. The CPI change above 4% can be used in a future year when the CPI adjustment is below 4%.

If property owners, in an assessment ballot proceeding, approve the initial fiscal year benefit assessment for the special benefits to their property including the CPI adjustment schedule, the assessment may be levied annually and may be adjusted by up to the maximum annual CPI adjustment without any additional assessment ballot proceeding. In the event that in future years the assessments are levied at a rate less than the maximum authorized assessment rate, the assessment rate in a subsequent year may be increased up to the maximum authorized assessment rate without any additional assessment ballot proceeding.

If property owners, in an assessment ballot proceeding, approve the initial fiscal year benefit assessment for the special benefits to their property, the proposed assessment shall continue for a period not more than two (2) years (i.e. this measure would have a 2 year sunset).

Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as shown on the Assessor's Maps of the County of Contra Costa for the fiscal year 2020-21. For a more particular description of said property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of Contra Costa County.

I hereby place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Roll, the amount of the assessment for the fiscal year 2020-21 for each parcel or lot of land within the said Assessment District.<sup>1</sup>

Dated: July 28, 2020



Engineer of Work

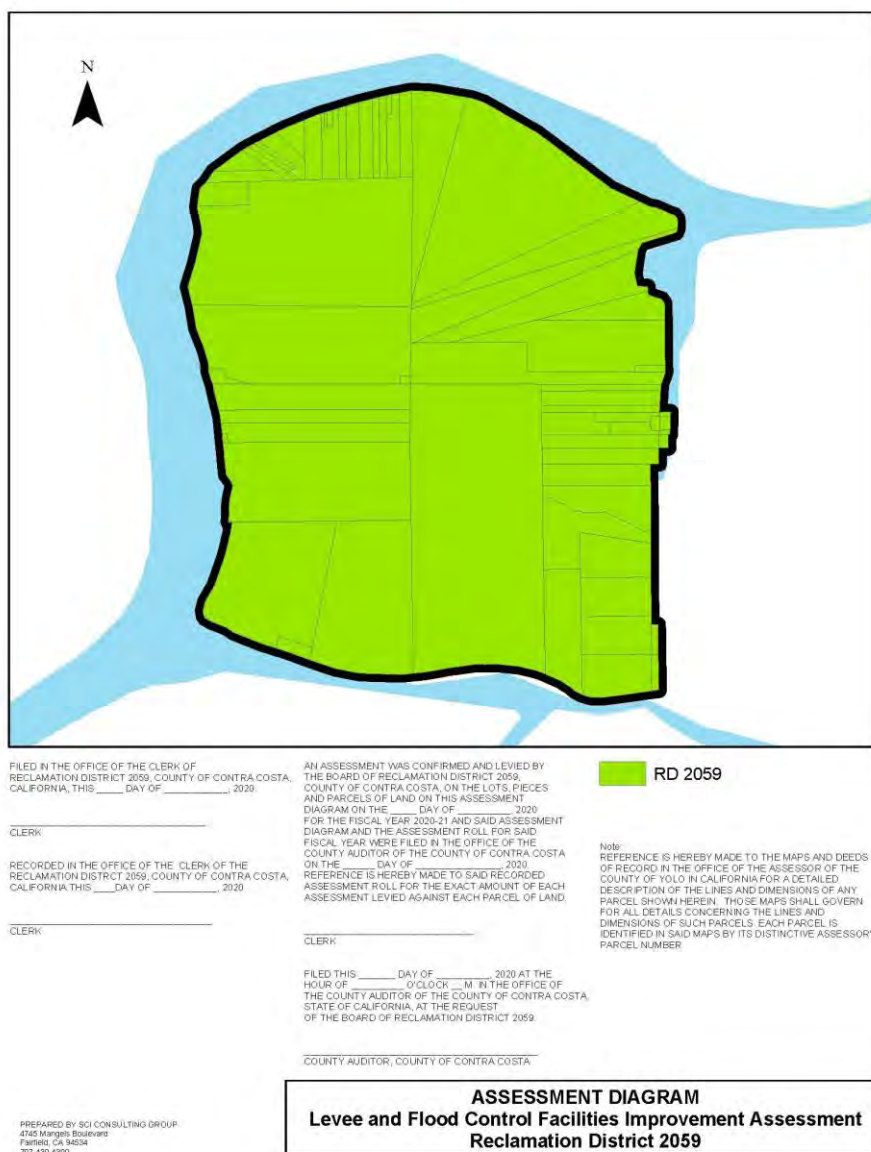
<sup>1</sup> Each parcel has a calculated assessment based on the estimated level of special benefit to the property.

By \_\_\_\_\_  
John Bliss, License No. C052019

## ASSESSMENT DIAGRAM

The Assessment District includes all properties within the proposed boundaries of the Levee and Flood Control Facilities Improvement Assessment. The boundaries of the Assessment District are displayed on the following Assessment Diagram. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions as shown on the maps of the Assessor of the County of Contra Costa, for fiscal year 2020-21, and are incorporated herein by reference, and made a part of this Diagram and this Report.

FIGURE 3 – RECLAMATION DISTRICT 2059 ASSESSMENT DIAGRAM FY 2020-21



## APPENDICES

---

### APPENDIX A – ASSESSMENT ROLL, FY 2020-21

The Assessment Roll is made part of this report and is available for public inspection during normal office hours. Each lot or parcel listed on the Assessment Roll is shown and illustrated on the latest County Assessor records and these records are, by reference, made part of this report. These records shall govern for all details concerning the description of the lots or parcels.

026-020-002-7	\$0.00
026-020-003-5	\$79.35
026-020-004-3	\$0.00
026-020-005-0	\$821.35
026-020-006-8	\$16,709.93
026-030-001-7	\$3,418.43
026-030-002-5	\$13,673.71
026-030-003-3	\$3,418.43
026-030-004-1	\$3,418.43
026-030-005-8	\$3,418.43
026-030-008-2	\$79.35
026-030-009-0	\$3,418.43
026-030-011-6	\$0.00
026-030-012-4	\$0.00
026-030-013-2	\$1,093.90
026-030-014-0	\$4,717.43
026-040-002-3	\$9,268.73
026-040-003-1	\$8,428.51
026-040-004-9	\$8,204.23
026-040-005-6	\$0.00
026-040-007-2	\$0.00
026-040-008-0	\$2,043.48
026-040-010-6	\$3,213.32
026-040-011-4	\$1,594.29
026-050-004-6	\$1,367.37
026-050-006-1	\$22,896.66
026-050-009-5	\$523.75
026-050-011-1	\$1,036.51
026-050-012-9	\$1,036.51
026-050-013-7	\$1,036.51
026-050-014-5	\$523.75
026-050-015-2	\$1,843.17
026-050-016-0	\$1,709.21
026-050-017-8	\$1,709.21
026-050-018-6	\$1,709.21
026-050-019-4	\$831.41

026-050-024-4	\$2,734.74
026-050-028-5	\$0.00
026-050-029-3	\$0.00
026-050-030-1	\$0.00
026-050-031-9	\$1,914.32
026-050-032-7	\$2,336.91
026-050-800-7	\$29,200.65
026-050-801-5	\$2,977.59
026-100-802-3	\$2,977.59
026-100-803-1	\$2,977.59
026-100-804-9	\$8,337.72
026-100-805-6	\$9,313.13
026-100-806-4	\$17,128.64
026-100-807-2	\$0.00
026-100-808-0	\$0.00
026-111-001-9	\$480.59
026-111-002-7	\$391.03
026-111-003-5	\$263.88
026-111-004-3	\$273.63
026-111-005-0	\$146.95
026-111-006-8	\$616.25
026-111-007-6	\$363.03
026-120-001-8	\$672.70
026-120-002-6	\$36.20
026-120-003-4	\$36.20
026-120-004-2	\$64.19
026-120-005-9	\$750.20
026-120-006-7	\$479.51
026-120-007-5	\$616.71
026-120-008-3	\$641.92
026-120-009-1	\$472.55
026-120-010-9	\$345.25
026-120-011-7	\$206.65
026-120-012-5	\$605.73
026-120-013-3	\$1,891.74
026-130-001-6	\$480.75
026-130-002-4	\$357.47
026-130-004-0	\$370.92
026-130-006-5	\$0.00

**BRADFORD RECLAMATION DISTRICT 2059**  
**MEETING MINUTES**  
**for a Regular Meeting of the Board of Trustees**  
**Tuesday, May 12, 2020 at 10:00 AM**  
**Location: There was No Physical Location**

Pursuant to the Governor's Executive Order N-29-20, the physical meeting requirements of the Brown Act have been lifted due to the Coronavirus (COVID-19). Therefore, all members of the Board of Trustees, the District Manager, District Engineer, District Counsel, District Consultants, and interested members of the public will join the meeting via phone/video conference and no physical locations are required at this time.

RD 2059 Board Meeting  
Tue, May 12, 2020 10:00 AM - 1:00 PM (PDT)

**Please join my meeting from your computer, tablet or smartphone.**

<https://global.gotomeeting.com/join/662804397>

**You can also dial in using your phone.**

United States: +1 (571) 317-3122

**Access Code: 662-804-397**

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/662804397>

**President:** Rob Davies

**Trustees:** Bill Hall  
Brian Elliff  
Kevin Finta  
Smith Cunningham

**Other's Present:** Attorney Katie Lucchesi, Engineer, Blake Johnson District Manager/Secretary Angelia Tant, Landowner Gene Lewis, Michael Gonce, Dr. Henrick Mann, Esther Lewis, Henrick Mann, Karen Cunningham

**10:00 A.M.** Voice roll call determined all Trustees were present and there was a **Quorum**.

Motion to Amend the agenda to add a late item - Resolution 20-05 to agenda item D.7.b.2. M/S/P by Elliff/Hall with all in favor and 1 opposed Smith Cunningham.

**PUBLIC COMMENT ON NON-AGENDA ITEMS**

**CONSENT ITEMS (Items listed as C.1 through C.3 on this Agenda) – Smith Cunningham pulled out # 1 and #3 for Discussion**

- C.1 MEETING MINUTES:** Review Board meeting minutes. M/S/P by Elliff/Hall with all in favor and 1 opposed Smith Cunningham  
Attachments: RD 2059 Special Meeting Minutes from April 7, 2020 and March 3, 2020 – discussed under D.1.
- C.2 PAYROLL:** Review Appropriation warrant for \$5,000.00 deposit to Payroll account.  
Attachments: Payroll documents M/S/P by Hall/Elliff/Davies/Finta/Cunningham with all in favor and zero opposed to approve C.2.

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

Attachments: List of Warrants – discussed and voted under D.1.

**DISCUSSION ITEMS**

**D.1 CONSENT AGENDA: two Consent Items removed # 1 and #3 from Consent Agenda for Discussion.**

C.1 – Trustee Cunningham expressed that there are discrepancies and what he personally said regarding, “Beaver Dams/Secretarial Positions’. He feels that it was taken out of context, with regards to his interpretation of administrator.

C.3 - Trustee Cunningham questioned C3 because Resolution 20-05 had the April date on it. The District Secretary clarified the date was a typo due to the fact that it was up for discussion and adoption at the April meeting date, however, the agenda was shortened to just discuss the Prop. 218. The Secretary expressed that the date was corrected and submitted to reflect that it would be discussed at this meeting (5/12/2020) and was emailed out prior to this meeting.

Motion to approve pulled consent items - M/S/P by Davies/Hall with 4 votes in favor and 1 opposed Smith Cunningham.

**D.2 FERRY MATTERS:**

a. Report from President Davies – Landowner Dr. Henrick Mann inquires on the Joint Powers contract between our Island, the state the runs the ferry, Webb Island and Jersey Island. Landowner Dr. Henrick Mann would like to know when the contracts come up for renewal. Katie expressed that the Delta Ferry Authority, is a Joint Power’s Authority. Katie further expressed that they operate as two agencies working together under an Agreement. Landowner Dr. Henrick Mann inquired on if Webb island is larger. Elliff responded that the acreage for Webb 5,000 vs. Bradford 2,000 acres. Pr. Davies expressed that Webb does not have tenants and is strictly agriculture. Dr. Henrick Mann requested on how the ferry is calculated and Pr. Davies expressed that the bill is split between both districts. Dr. Henrick Mann requested a copy of the joint power’s agreement and the details of the shared costs.

**D.3 ENCROACHMENT REGULATIONS:**

a. Set up a new Encroachment Committee Meeting Date - Katie expressed that since COVID-19 that the Committee has not been able to meet. Tr. Elliff inquired on if it would be ok to meet outdoors. Landowner Gene Lewis interjected and expressed that he is ok with having a phone conference and expressed that he would like to have the meeting within the next to weeks. Gene Lewis interjected and expressed that no other people should be added onto the committee. The District Secretary expressed that Gene Lewis is referring to Landowner Sara Davis requesting to be added. Katie expressed that this is now a public meeting and all landowners and trustees are able to participate in the encroachment process.

**D.4 PUMP STATION REPAIRS:**

a. Review Proposed Bids for Repair Work to be Conducted – Blake Tabled this agenda item due to Ron being out on a personal emergency. Blake expressed that Ron is the one that has been speaking with the contractors about the repairs and this item would be presented at a future meeting. Landowner Dr. Henrick Mann inquired if he siphoned water onto his land and it ran off into the district ditches and then need to be pumped off of the island, would he have to pay the costs as a landowner for increased PGE. Engineer Blake Johnson expressed that; this would not accrue the

landowner any additional costs. This only applies to contractors such as dredging agencies. Brian Elliff expressed that the landowner pumped thousands of gallons of water onto the property that he purchased.

**D.6 LEVEE SUPERINTENDENT:**

a. Receive update from Levee Superintendent – Blake gave a brief update reporting that currently the Levee Superintendent is conducting Pump checks, weed abatement, and that they have a mower out on the island. Blake expressed that they will be mowing along the levee crown and on the mitigation site over this next week. Henrick Mann expressed that he has seen Ron leaving the island many times and expressed that he never appears to be dirty like he has been doing vegetation control. President Davies expressed that he has seen Ron working conducting vegetation control and assisted in purchasing equipment to do the work.

**D.7 REPORTS:**

a. **Trustee – No reports.**

b. **District Secretary:**

1. Planning for 20/21 Budget Review and Consideration of Budget Committee Appointments – Board did not take action to appoint.

2. Consider Resolution 2020-05 Subventions Claim 2019/2020 (This item was added on as a late agenda item.)

It was explained that this resolution would allow the District to submit the 20/21 subventions program claim. Smith Cunningham expressed that he did not want a change that allows any board member to sign on behalf of the district. Henrick Mann inquires on if there are any changes to the Resolution, and the response is no it is the same resolution that is submitted annually for the Subventions claims. Henrick Mann inquired on if the entire board must vote to approve the claim submission. The response from Katie is yes. Smith Cunningham inquired on why the chairperson would not continue to sign the document and why would we make changes to that? Katie expressed that the President would be the one signing the agreement and, only in the event, that the President is not available, an alternate trustee could sign. President Davies confirmed.

M/S/P by Hall/Elliff to approve Resolution 2020-05 with Hall, Elliff, Finta, and Davies voting in favor and Cunningham opposed.

c. **Engineer**

1. Update on Future Maintenance for the 50 Acre Mitigation Site – State working on Maintenance Plan, there have been some instructions with regards to the maintenance, fencing, trees and black berry bushes.

2. Update on Encroachment Permits – 1 Permit submitted to the District by new landowner Jerry Kinnaman – Permit to Repair Docks. Blake is working with the property owner to verify the project.

3. Purchase of AB Aggregate Rock – Blake expressed that he obtained quotes for aggregate rock, and equipment rental to repair potholes on the levee crown. Blake expressed that the board historically outlined a dollar amount to get the work done and that the subventions claim period ends 6/30. The district has \$90k remaining in the budgeted subventions claim funds to get the remaining amount of work done. Blake's recommendation is that we do a mile to a mile and half of levee repair work. This would cost approximately \$50k. This will allow a month and a ½ to complete the maintenance for the District. Smith inquires on who will be doing the work. Blake responded with Ron and himself as he needed assistance. Landowner Henrick Mann inquired on how only one person does the job. Blake expressed that we hire a hall truck and they wind row the aggregate base and we tell them where



to drop it, one person adds water, aggregate base, enter into skip loader and spread the gravel around, come back with water and a compacter. Blake recommended the Board approve spending up to \$50k to include equipment, labor, and materials costs. Blake expressed that this would do a mile and a 1/2 of levee improvements. President Davies inquired on if we are reimbursed for this. Blake responded with yes, 75/25 for approved subventions claims. The district comes out of pocket 25%. Smith Cunningham inquired on who would be paying for this? Angelia responded that the current District budget included 122k for subventions tasks. M/S/P Hall/Elliff with all in favor and zero opposed to spend up to \$50,000 on materials and equipment rentals to conduct the road repair work.

**d. Attorney**

1. Report of Prior Closed Session Final Action on Kuhne v. Bradford Island Reclamation District No. 2059, Case No. C18-02432 – Katie provides a report, settlement reached, agreement is now final. Katie advised that the agreement is confidential and that no one that that was a party, engaged in settlement negotiation, or attended the mediation meeting may provide details on the case. Henrick Mann inquired on if the District paid any out of pocket for this claim. Katie expressed the District's budgeted funds would not be affected by this settlement, and all District costs paid have been part of the general District legal fees.

**D.8 DISTRICT ASSESSMENT PROP 218 PROCESS:**

a. Presentation from SCI on Prop. 218 Process and Proposed Assessments – Mr. Bliss reports on the general Prop 218 process. Katie thanks John Bliss for the overall summary. Work through the budget, the assessments are a big cost to landowners, look at areas of the budget to cut costs. Discussed the ferry is a huge cost for the district ferry. Common day to day budget is minimal. Legal side costs are primarily from big issues that have come up recently, and that are not the day to day district operations.

Tr. Elliff asked Mr. Bliss to explain what is included in general benefits analysis. Mr. Bliss states that these are benefits to the general public and not specific landowners. There are not likely many benefits in this case, but they recommend apportioning a small percentage to general benefits.

**Public Comment Speakers and comment summary:**

1. Landowner - Dr. Henrick Mann – Thanked the board, John Bliss and Angelia and stated his comments are not personal, but he has a difference of opinion on a number of items. States he wrote a letter to the oil company, sharing thoughts and asking them to vote. Historically the sunset clause was demanded by the oil company's legal department and this Prop 218 should include a discussion with oil company and their legal department. Mr. Mann disagrees with John about the sunset clause, it forces conversation of the legitimacy and the landowners have a powerful say. The standpoint of the oil company that has 20% of the vote is important, they are a major player. Mr. Mann claims they have given back mineral rights to some of the landowners.

There is a substantial portion of landowners against the status quo of management and the 8% discount on the Prop. 218 going forward. He asked the board to consider a State takeover option. The county will no longer be taking money for the district for nonpaying tax owners which could squeeze the District budget. Revenue sources from the State of CA, the 75% reimbursement, is not guaranteed. In the time of pandemic, the state may make changes on an emergency basis. The State has the power to take control and take care of the maintenance and repairs on the island. Sherman Island is running at a much cheaper rate than our island and the District should look into this. State control is just a fear and we need the State to be taking more responsibility rather than less. He recommends the Board restructure management and do significant budget cuts. We are

not living for employees and their personal finances. The reality is that there is enough energy here to propose a new budget with a \$40k reduction, by moving employees to an as needed basis, restructuring debt and paying off what we have now. In the time of crisis put into a second priority, and compromise on the reduction to somewhere between 8 and forty percent, so the Board is able to revisit financial issues. He recommends new board members and no more employees, for a limited experience and cut back in hours. Board will provide leadership if they can do the general cut for the welfare of Bradford Island. If the State took over there would not be politics were landowners are pitted against each other like historically has occurred. He would like the healthy leanest meanest, most functional type of board and employee leadership. Michael Gonce has gone into a lot of research and would like to invite him to speak and if not on the call than at a later time.

Landowner Dr. Henrick Mann inquired about how the CPI would work. John Bliss responded that it would allow the assessment to be increased annually and would affect the overall amount over time.

2. Landowner - Gene Lewis – Reiterated what Dr. Henrick Mann said. We've talked a lot with several major landowners and a few small ones. This country is in serious economic trouble and the landowners are not rich people and those people are in trouble now. Lewis references page 31 of the Engineer's Report, and states it equals a quarter of a million dollars that we would get back 8 months later. Even if the Board votes on this assessment, he won't pay it. The County of Contra Costa to say that we are going to spend the money. He wants to include the sunset clause in the assessment and to not rush this assessment going forward. Wants to hold face-to-face meetings on this.
3. Landowner - Michael Gonce - Thanked everyone in the process. He has been submitting public record act requests to look at the budget. District Manager is free to share any of the public information requests. The payroll includes insurance costs and states that levee tasks are redundant. He thinks there would be savings on subventions report if the work was outsourced to a professional who specializes in this. States that most District tasks can be done by a clerk or outside vendor, including board packets and other things. We are all stake holders, assumed that landowners have to put out all of the fires, and you landowners have to step up to the plate. The broad statement that the District will automatically get 75%, can't be expected in the future and we don't all get that now. He obtained this information from speaking with other managers. We don't know all of the costs - when we have to pay PGE for someone flooding the island, or other lawsuits for the island. The District need to be proactive and look at other options besides the status quo.
4. Karen Cunningham – Agreed with what the rest said. We have about 45 days and there can't be a face to face meeting. There were interruptions on the call with beeps, bells ringing, we heard but barely heard. There is a way to put people fact to face prior to any decision being made on this. Due to the amount of time of the legal parameter. Due to this pandemic to race forward with these meetings in which no one can hear is nuts, crazy and needs to be looked at. She asked if the Board could hold a meeting at the Antioch Fair Grounds and a specific area where paper is placed apart.

Katie responded that we are trying to hold the next meeting face to face, but the Antioch Fair Grounds is using the location as a quarantine site so it is not a possibility. Karen expressed that there is Scout Hall as an option, and she anticipated that approximately 30 or more will show up due to the importance. Pr. Davies expressed that we should look into a place for have a public meeting. Brian expressed that any High School or outdoor location may work.

**BRADFORD RECLAMATION DISTRICT 2059**  
**Meeting Minutes**  
**For a SPECIAL Meeting of the Board of Trustees**  
**Thursday, May 28, 2020 at 10:00 AM**

There was no Physical Location

Pursuant to the Governor's Executive Order N-29-20, the physical meeting requirements of the Brown Act have been lifted due to the Coronavirus (COVID-19). Therefore, all members of the Board of Trustees, the District Manager, District Engineer, District Counsel, District Consultants, and interested members of the public will join the meeting via phone/video conference and no physical locations are required at this time.

RD 2059 Board Meeting  
Thursday, May 28, 2020 10:00 AM - 1:00 PM (PDT)  
**Please join my meeting from your computer, tablet or smartphone.**  
<https://global.gotomeeting.com/join/662804397> -

**Need to update this section w/ correct call in information**

**You can also dial in using your phone.**

United States: +1 (571) 317-3122

**Access Code:** 662-804-397

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/662804397>

Present at the board meeting was

**Board President:** Rob Davies – Present

**Trustees:** Bill Hall – Present  
Brian Elliff – Present  
Kevin Finta – Present  
Smith Cunningham – Present

Legal, Katie Lucchesi, Engineer, Blake Johnson and Dist. Manager/Secretary Angelia Tant

Landowners: Michael Gonce, Henrick Mann, Karen Cunningham, Cate Kuhne, Charles Louie, Gene and Ester Lewis, and Michael Craig

**10:00 A.M. Convene, Call to Order, and Determine a Quorum – Voice confirmation that all Trustees present.**

Michael Gonce expressed that there is no item for public comments and expressed that it is a requirement per the Brown Act. Katie responded that this is a special meeting and that the Brown Act provides that only items on a Special Meeting agenda can be discussed. Mr. Gonce expressed that he felt due to the brown act that this is incorrect. Katie advised Mr. Gonce that if he has a comment on a different item, that he can request for it to be added to the next agenda.

Henrick Mann expressed that he had no comment with regards to who is on the budget committee. Henrick Mann expressed that Michael Gonce and himself had regarding the red flagging of the oil company. The County has discretion for them to be non-teetered and that he received a copy of a letter from Santa Clara County that expressed that they would be doing away with the teeter plan.

## **DISCUSSION ITEMS**

### **D.1 APPOINT 2020/2021 BUDGET COMMITTEE: DISCUSSION/POSSIBLE ACTION**

a. Consider Appointing Two Trustees to the 2020/2021 Budget Committee

Staff advised that the District usually appoints a Budget Committee each year in May to review the budget and make a recommendation to the Board for adoption of the Budget at the June Meeting.

Trustee Comments:

Smith stated that he had called Angelia and President Davies asking why we have to do this right now. No one got back to him. Katie expressed that she had returned Smith's phone call to address the question. Smith expressed that he didn't feel the answer was sufficient and didn't want to return her call to waste district money on legal fees. Katie reiterated that trustees are typically appointed at the May meeting and since we had been moving things quickly for the Prop. 218 we didn't have a chance at the last meeting to appoint the committee, so this special meeting was scheduled.

Public Comments:

Cate Khune recommended that one experienced trustee and one recently seated trustee be appointed to the committee. Cate felt that there be one seasoned trustee that would be more familiar with the budget, one recently seated trustee that would get more familiar with the budget.

Cate inquired about the ferry budget and wanted to know if the board would have the 20/21 fiscal year budget to bring forth at the June 2020 meeting. Cate expressed that the budget at the June meeting would include the ferry budget. Angelia reported that Dave Forkel advised that the budget is in progress and he will have it available for review at the end of the fiscal year.

Cate recommended that Trustee Cunningham recuse himself from the budget committee for a conflict of interest under government code 87100 and CCR 18704. Katie replied that a Conflict of Interest analysis would be reviewed.

There was a motion to elect a budget committee M/S/P Hall/Finta with all in favor and zero opposed to adopt the following committee:

- Trustee Smith Cunningham – Katie to perform the Conflict of Interest analysis and if Trustee Cunningham were recused – Kevin Finta would act as an alternate member.
- Trustee Bill Hall
- Staff

## **D.2 DISTRICT ENGINEER REPORT ON MAINTENANCE ACTIVITIES: DISCUSS/POSSIBLE ACTION**

a. Consider Hiring Temporary Employees for Maintenance Support

Blake discussed getting temporary help with the road work for placing the aggregate base rock prior to the end of June 30, 2020. There are two ways to go about hiring someone. We can hire a temporary staff that will operate equipment, or we can contract with an independent owner operator to conduct the work. Trustee Elliff inquired on if anyone knew anyone that could conduct the work (owner/operator). Trustee Finta expressed that an owner/operator, insured with a not to exceed an hourly rate amount may be the best way to go.

M/S/P by Finta/Elliff with all in favor and zero opposed to allow for Blake to move forward with purchasing aggregate and hiring a contractor to perform rock road repair on the island in an amount not to exceed \$25,000. The repairs should be completed prior to 6/30/2020.

b. Consider Expending Budgeted Funds for Pump Station Repairs and/or Ditch Cleaning

Blake discussed the need to repair the pumps and that one quote was all inclusive repair bid for \$19,000. The other bid to just remove the pump was less, but it did not include everything. Blake reported that we have funds budgeted for ditch cleaning left in the budget and the fiscal year ends 6-30-2020. Blake proposed using the ditch cleaning budget to repair the pump. President Davies questioned Smith on what was done the last time he had them worked on. Smith reported that the solid state and gear was repaired. Smith reported that the little pump could have the bearings taken out. He expressed that he listened to it and sometimes you can hear it squeal and he didn't hear this. Smith expressed that we have some time until we will need to use this. Blake reported that the pump is leaking however, at this point in time it is not squealing.

President Davies inquires with Smith on if he feels if we need to clean the ditches. Smith expressed that we don't need to clean the ditches out until the fall. Trustee Elliff expressed to the board to keep in mind that we can use the money in the 7/1/2019 – 6/30/2020 budget to repair the pumps and use the new years budget to get the ditches cleaned 7/1/2020 – 6/30/2021.

Trustee Elliff – recommends monitoring the months for another month or two. Smith expressed that we shouldn't worry about the pumps until we actually have a problem. Trustee Finta agreed with Smith Cunningham and expressed that there is no need to clean ditches at this time we are just going to have a vegetation issue come fall. The board gave direction to staff to monitor the issues but take no action at this time.

**ADJOURNMENT:** Next meeting to be held **Tuesday, June 2, 2020**

**BRADFORD RECLAMATION DISTRICT 2059**  
**Meeting Minutes**  
**For a Regular Meeting of the Board of Trustees**  
**Tuesday, June 02, 2020 at 10:02 AM**  
**Location: No Physical Location**

Pursuant to the Governor's Executive Order N-29-20, the physical meeting requirements of the Brown Act have been lifted due to the Coronavirus (COVID-19). Therefore, all members of the Board of Trustees, the District Manager, District Engineer, District Counsel, District Consultants, and interested members of the public will join the meeting via phone/video conference and no physical locations are required at this time.

Please join this meeting from your computer, tablet, or smartphone at the following link:

<https://global.gotomeeting.com/join/818467653>

You can also dial in using your phone.

United States: +1 (571) 317-3122

Access Code: 818-467-653

**Board President:** Rob Davies - present  
**Trustees:** Bill Hall - present  
Brian Elliff - present  
Kevin Finta - present  
Smith Cunningham - present

Staff Present: Legal Katie Lucchesi, Engineer Blake Johnson, Levee Superintendent

Landowners Present – Karen Cunningham, Michael Craig, Charles Louie, Michael Gonce, Jerry Kinnaman, and Brandon Vanleuven

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

**PUBLIC COMMENT ON NON-AGENDA ITEMS**

Landowner Cate Kuhne, Mute phones if not speaking, be kind and speak with peace, lay ground rules, and allow people to speak individually.

Landowner Karen Cunningham speaks about Franks Tract Project – Moving forward where we wait for the ferry to be a public access area. This may be in a few years Karen reports.

**DISCUSSION ITEMS**

**D.1 FERRY MATTERS:**

- a. Report from President Davies
- b. Report on Ferry Budget for 2020/2021 – Staff reads from an email provided by Dave Forkel with regards to the Ferry Budget progress and when it would be available.

**D.2 ENCROACHMENT REGULATIONS:**

- a. Report from Encroachment Committee – It was reported that the committee met last Friday and that they had some good discussion. The Committee plans on meeting 6/22/2020 at a face to face meeting. President Davies inquired with Gene Lewis on if he heard the future dates. The planned physical location to meet is Celia's Mexican Restaurant.

### D.3 BUDGET:

a. Report on Correspondence with County on Teeter Plan – The District Manager/Secretary read from an email from the County (included in the meeting packet) regarding the teeter plan.

Referenced:

- The county is not doing away with the Teeter Plan
- The County tests charges of significant value to see if the property value is sufficient to secure the charge.

At the last board meeting, a landowner (Henrik Mann) referenced a letter and stated that it was dated 01/18/2020 and was issued from, “Santa Clara County”. The District resides in Contra Costa County. The District Staff at the time could not identify this letter due to the incorrect information provided and requested a copy of record from the County. The District Staff included a copy of the letter in the meeting packet and the District’s copy of the letter states that it was issued in the, “Contra Costa County and is dated 1/24/2020.

b. Report & Discussion from Budget Committee and Consider Adoption of Annual Budget for the fiscal year ending 2020/2021 – Blake reported that the budget committee met yesterday 6/1/2020 and consisted of:

1. Blake Johnson
2. Angelia Tant
3. Trustee William Hall
4. Trustee Kevin Finta

Blake went over the income section of the budget and outlined where the income came from. Blake identified the District’s debt to the Bank of Stockton. Blake went over the Ferry expenses section and moved onto the General Expenses. Blake went over the budget line item by line item and explained what each category entailed. Blake identified the staff’s payroll totals and identified that the majority of the Levee Superintendent’s payroll would be reimbursed by Subventions. Blake went over the ditch cleaning strategy and the fact that the board of trustees opted to move the ditch cleaning to the following fiscal year at the last board meeting held in May 2020. Blake identified the costs of the pump station’s PGE and the budget that was set to conduct pump station repairs. Blake identified that the District pays rent for a meeting site, storage unit to store paperwork and identified that the District’s office was at Angelia’s home. Blake further expressed that Angelia does not have the space to store district records. Blake expressed the other rent was for the district’s PO Box. Blake reported on the section identified as consulting fees. Blake outlined which consultants this section entailed and budgeted amounts. Blake reported on the Subventions Section. Blake reported that the state subtracts \$1,000 per levee mile for their administrative fees. Blake identified how much the district is eligible to apply for an approximate amount of \$141,000. Blake reported that the Ditch Cleaning and Pump Station categories are Non-Reimbursable by the Subventions Program. The total dollar amount is \$107,000 eligible for Subventions. Blake reads each subventions category aloud and identifies what each category entails and the dollar amount. Blake went over the District’s Debt of \$313,122 owed to the Bank of Stockton.

Trustee Elliff thanked the committee & inquired whether the landowners are able to spread the debt out on the next assessment bill to pay this off. Angelia reported that historically the board made a motion to apply any delinquent assessments, penalties and interest collected towards the debt owed with the Bank of Stockton. The District also utilizes the recommendation of Doug Eberhardt with the Bank of Stockton to pay down warrants with the assessment advances to save the interest.

Katie responded to Trustee Elliff’s comment and expressed that there was not an assessment proposal that was historically made that included doing this. Landowner Cate Kuhne expressed that the

Subventions claim for the work on the North Side of the island was intended to use reimbursement from subventions to pay down the Bank of Stockton loan. Blake outlined that this is correct, and the District is currently awaiting payment from the DWR. Trustee Elliff inquired on how much the approximate amount would be. Within the two years Blake reported that, we could have an estimated amount of over \$200,000 dollars to apply towards the loan.

Katie outlined that Trustee Cunningham was recused from the budget committee and from voting on the budget. Trustee Smith Cunningham expressed that he got no information on this. Katie responded that the analysis and recommendation were provided to Smith Cunningham via email.

M/S/P Elliff/Hall with four in favor and one recused (Trustee Cunningham) to adopt the 2020/2021 annual budget as recommended by the Budget Committee.

#### **D.4 LEVEE SUPERINTENDENT:**

a. Receive update from Levee Superintendent – Ron Mijares identified needed pump repairs and outlined that a siphon breaker needed repairs. Ron reported that the original estimate was \$8k. The levee Superintendent has cleared most of the fallen trees around the mitigation area and cleared brush away from the fencing. It was further reported that they were scheduling road maintenance to occur later in the summer. President Davies expressed that, he had knowledge of them being on the island yesterday, 6/1/2020 and that fact that they conducted a levee inspection and were coming up with a game plan for maintenance. President Davies inquired with Ron about what he was doing with the brush coming off of the trees cut at the mitigation site. Ron expressed that he is placing the brush into piles for future burning. Ron outlined that there would be no burning conducted at this time.

Cate Kuhne questioned Blake with regards to BR-10-1.0 refuse from the clearing and grubbing and a plan for future fires. Blake responded that he hasn't received all of the requirements to maintain the mitigation site. Blake expressed that the Department of Fish and Wildlife has only requested the following work be conducted:

- Remove Trees from the Fence
- Fences Mended
- Black Berries out of there

Blake further reported that the fire risk is up for discussion with the DFW.

#### **D.5 REPORTS:**

a. Trustees – President Davies outlined that he reviewed a letter emailed to him by Henrik Mann and expressed that it was full of inconsistencies and false information. President Davies outlined that the staff was voted to be hired by the Board, Katie (Legal Counsel) was voted to be hired and outlined that, she has done a great job. President Davies clarified that the Engineer Blake Johnson was also voted on by the full Board. President Davies inquired on where did Mr. Mann come up with this and expressed that he did not know. President Davies expressed his opinion on how he felt that this is how problems start with false information.

b. District Secretary – Angelia expressed that there were a lot of public records requests coming through the district, due to the heavier workload with the Prop. 218, additional meetings and budget projects that, she had delayed a little on getting some of the public records requests out. Angelia expressed that she did update the landowners with public records requests that she would need additional time and to date had fulfilled all of the public records requests to date.



### **c. Engineer – No Comments**

### **d. Attorney**

1. Katie reported that the District Newsletter was requested to be drafted in the March and April 2020 board meetings. Katie expressed that the landowner Newsletter was to be updated and was planned to be included in the Prop. 218 Notice to Landowners. The District wanted to ensure that the Newsletter was received before the voting came about. Katie expressed that there was misunderstandings on how the district is ran and the newsletter was meant to correct that information for new landowners. Katie identified that the District Meeting Packets included various historical newsletters and historical newsletter written for previous Prop. 218s. Katie identified a letter written by Landowner Henrik Mann and expressed that the letter would be discussed under the Prop. 218 section of the meeting.

## **D.6 DISTRICT ASSESSMENT PROP 218 PROCESS:**

a. SCI Updated Report on Prop. 218 Process and Proposed Assessments – Katie introduces the Prop. 218 Engineer John Bliss with SCI. John expressed that he had some technical difficulty and begins to speak about the Prop. 218. John identified the two (2) resolutions and identified the importance of them. The planned timeline is to Mail ballots on 6/8/2020 and then hold a special board meeting on 7/28/2020 to satisfy the Prop 218 45-day period to evaluate the assessment proposal. Bliss gave additional information on the process and identifies that there will be two (2) additional community meetings for landowners to voice any questions or concerns. Bliss provided the background of what is going on and what he felt was important to discuss:

- Natural Gas Company – Bliss spoke with the CRC employee Matt Energen and they discussed the information in support of the engineering. Matt outlined that there would be No change in the use of their property and the special benefit carried in 2015 to current for the assessment was the same. Bliss reported that Matt had no indication of approval or opposition for the vote and gave no further information.
- Property Owners – Bliss had heard concerns from certain landowners that want the State to take over the District. Bliss recommended getting more information on the pros and cons from the State of California to take over and he has reached out to Andrea Lobato, of the California DWR. Andrea expressed that the California Water Code outlines the process that the State can decide to take over the maintenance or take over the RD or the RD can petition the state to take over. Bliss requested that Andrea come and speak with the Board and Andrea expressed that she was working on doing this. Andrea expressed that it would be better if the board or the district drafted some questions for Andrea/DWR to respond too. Andrea would be happy to work with everyone if there are some questions.
- Interest in the Bay View Boat Club Assessment level– Bliss identified in his research that this parcel was identified by the County as a residential property and after further analysis he has revised the classification of the parcel to a commercial designation, which will increase their assessment. This change will result in an increase in the engineers report and that parcel's proposed assessment by approximately \$1,100 dollars.
- Ballots and Postage Paid Envelopes – Bliss expressed that the landowners had questions on where the Ballots would be returned to. Bliss expressed that there is a lot of latitude – Typically, it has been returned to the agency itself. Bliss outlined:
  - Return Envelope and the ballots are sealed and there is no way to see the yes, no vote or dollar amount and he hopes that this gives comfort. At the meeting, his firm will open and tabulate the ballots, they would inspect it and remove a ballot if it had been tampered with.

- Alternatives for an agency to collect the ballots are to: (1) find a local CPA that is impartial and professional, or (2) arrange for the County Clerk to receive the ballots.
- Most often the agency receives the ballots at the agency itself.
- Bliss provided a options to the Board for the assessment: the first is to move forward with proposed assessment as is, the second is to adopt a sunset clause, and the third is to adopt a one year emergency reduction due to Covid-19.
- Bliss recommended placing a sunset since some landowners felt that they have not had time to review everything or look at a State takeover. This Sunset would be set for two (2) years and would provide an additional transparency process.
- Bliss also discussed the Board going ahead with the assessment and committing to a one (1) year reduction in the budget by 60% due to COVID-19 – the assessment Ballot would be for the full rate and the district would separately adopt a resolution that will reduce 60% of the rate to help landowners that are struggling due to the financial situation from the Coronavirus. The District would have to approve budget expense categories that can be deferred for one year. Staff would have to look for any reserves, leave no stone unturned and provide people with a financial break for one year.

Katie reported that in the near future the District hopes face-to-face meetings will be able to take place however, there would need to be a review of the County shelter in place guidelines at that time.

Landowner Cate Kuhne questioned the Prop. 218 Law and who would be able to make comments during the meeting about the Prop. 218. Katie responded that the landowners in the District could make comments on the 218 as those effected by the Prop. 218 process.

Landowner Gene Lewis inquired on if the board didn't take either of the options, how would it be structured and what would be the sunset clause. Bliss responds that there is currently no sunset clause in the assessment. It would persist in the future, but the Board would have to annually review the budget and justify it before it sends the resolution to the County but that does not require the property owners balloting each year. Gene questioned if the property owners would be able to ask for another prop. 218 next year as it sits. Bliss expressed each year, that property owners and the board have the same structural mechanism, they can be a part of the budget committee, be a part of the board as a part of the mechanism to assess the benefit. Bliss reiterated that there is no required balloting in the future.

Elliff, inquires on if there will be a sunset option. If we move forward without the sunset, the landowners have time to make adjustments. Elliff would like to move forward and inquires with the new landowners on how they felt.

Gene Lewis requested to have a two (2) year sunset. One reason outlined was, if this goes on forever, if you like the president forever, I don't want to do that, look at the Coronavirus.

Trustee Elliff proposes a five- or six-year sunset.

Landowner Michael Gonce expressed that there is a lot of opposition to this. If Mr. Bliss is willing to do this at a reduced cost, Gonce requested a Sunset clause be placed after two (2) years. Gonce expressed that the CRC is about to go bankrupt and the teeter plan is about to go away.

Gene Lewis, the penalty for every landowner if they do not pay the assessment that is decided by the 218. Very large penalty that has to be paid and it goes up 1.5% per month. Pay the assessment whether

they like it or not. Setting themselves up for bankruptcy. Because of the Coronavirus they will have to take the money out of feeding their families and paying their health insurance.

Trustees ask for Blakes opinion and he expresses that the economy is in an unknown position right now. The District is carrying over the same costs that we have had for the past five (5) years and the dollars are not significantly changing. The dollars assessed for the Prop. 218 may change a little. We are back with an unknown economy, folks out of work, and it wouldn't hurt to do a two (2) year sunset. The Board could come back in two (2) years and have this discussion when the economy is in a better place. We would need to discuss a variety of different ways to maintain the island and ways to save money for the District, which would give the Engineer and Levee Superintendent two (2) years to decide and propose it to the Board.

President Davies does not have an issue with the two (2) years due to the economy. Requested the opinion of the rest of the board.

Trustee Elliff expressed that the sunset would keep the new landowners happy and any other landowners happy, considering the natural situation and gives us flexibility.

Landowner Cate Kuhne requests what the district think of the two-year sunset vs. the board reducing the assessment for the next two (2) years.

Landowner Michael Gonce agreed with Blake Johnson. The board can choose at any time, that the board would like to assess a smaller amount. Adopting the prop. 218 assessment it adopts the top assessment. We would have to come back in two (2) years to re do the entire prop. 218. There is a distinction between both ways.

John expressed that he could do a shortened process and Katie expressed that it would still have to comply with the Prop. 218 requirements.

Cate expressed that it still requires the engineer's report and all the other meetings and requirement of waiting periods. Cate reminded the board that we went through this five (5) years ago. Cate suggested that it is reduced and that the board is mandated to follow voting on a reduced tax roll. Cate expressed that we had many down turns over the years and expressed that we don't know what the future holds.

John bliss outlines that Cate is correct, an engineer's report would be required. John Bliss feels comfortable that his company could charge \$5,000-\$10,000 range. If new landowners are concerned about process, then a two (2) year sunset would give them ample opportunity to see how things are done.

Michael Gonce pleads for the board to adopt the sunset.

Landowner Gene Lewis encourages a motion and moves forward outlining a previous number of votes. Katie clarifies that there have been no votes by the Board yet.

b. Consider Resolution 2020 – 06 Adopting Procedures for the 2020 District Assessment Process-M/S/P by with all in favor and zero opposed – Adopts procedure and how the ballots will be mailed, and this is the procedural resolution.

c. Consider Resolution 2020 – 07 Initiating Assessment Proceedings, Providing Intention to Levy Assessments for Fiscal Year 2020-21, Preliminarily Approving the Engineer's Report, and Providing for Notice of Hearing, and the Mailing of Assessment Ballots.

From the Board discussion there is a consensus for the two (2) year sunset for the Prop. 218 and Smith requests that the ballots go to the Engineering Firm.

M/S/P by Elliff/Finta with all in favor and zero opposed to adopt both resolutions 2020-06 and 2020-07 adopting the Prop. 218 procedures and proposed assessment with revisions to include a two (2) year sunset clause in the assessment and to have the ballots mailed back directly to SCI Engineering.

John Bliss expressed that he would select some dates for community meetings and the District staff will look for some meetings locations.

**ADJOURNMENT 11:53:** Next meeting to be held **Tuesday, July 28, 2020**

usages. John expressed that agriculture is was one of those codes. The reason they re-categorized the boat club, was due to the fact that it looked like a residential piece of property from and aerial view. John expressed that someone pointed out that it was a boat club. John expressed that it appeared to be subdivided, and the land classification was based on the use and not the ownership.

John responded to the what if the Prop. 218 doesn't pass question in the letter and expressed that it would be a challenge for the board as far as budget and other sources of income. Katie expressed that if it did not pass, they would have to come back to the board and look at the other alternatives for sources of income and that could also be grazing rights.

Landowner Cate Kuhne expressed that the 1<sup>st</sup> Prop. 218 took two (2) efforts to pass, this was not something new. The fact that the question about the ferry had been bantered about for years. Are we going to have a ferry or not was the question and this had been out there forever. Cate Kuhne further expressed that we had looked at it for years and that this was one of the big issues with the last prop. 218. The last prop. 218's vote was why landowners no longer pay for the ferry toll and the ferry hanger was issued. Cate Kuhne inquired on if the hanger would still be portion of the next prop. 218 and landowners would still not have pay to get back on the ferry. If the Prop. 218 failed, would this be re addressed. Attorney Katie Lucchesi expressed that there has been no discussion on the hanger, and it would have to come back to the board for discussion.

John expressed that the \$213k proposed assessment is disconnected from any details like the hanger. John expressed that the prop. 218 had been written to be used for items such as services, maintenance, and operations of some capital improvement of maintenance and drainage.

President Davies expressed that the ferry is needed, and the property is useless with out the ferry. President Davies expressed that we have dealt with this over and over again over the years. President Davies expressed that the ferry is used to bring equipment over, to conduct maintenance on the island and allow property owners to access their property.

John Bliss inquired on when there maybe a future public meeting to have a face to face.

Katie asked for direction from the board on the letter that was received. President Davies expressed that he would like to review and have some time to digest it before it was on any agenda. Trustee Finta agreed and requested a copy of the letter to have time to review the letter.

Landowner Cate Kuhne thanked the board and expressed that some people did not take advantage of this opportunity to address their questions.

John Bliss announced that July 28, 2020 will be the public hearing and there will be the ability to ask questions. Katie announced that she is anticipating that we maybe able to have a future fact to face meeting. Katie expressed that the district has been in communication with the Fair Grounds and they are only allowing 12 people at this time. Katie expressed that the district will continue to look into the alternatives for a face to face meeting if the County Orders will allow it.

**ADJOURNMENT at 7:36 PM:**

**BRADFORD RECLAMATION DISTRICT 2059**  
**SPECIAL Meeting of the Board of Trustees**  
**Tuesday, June 23, 2020 at 7:00 PM**  
**There was no physical Location**

Pursuant to the Governor's Executive Order N-29-20, the physical meeting requirements of the Brown Act have been lifted due to the Coronavirus (COVID-19). Therefore, all members of the Board of Trustees, the District Manager, District Engineer, District Counsel, District Consultants, and interested members of the public will join the meeting via phone/video conference and no physical locations are required at this time.

Please attend this meeting via computer, tablet or by phone at the address and phone number below:

Tuesday, June 23 at 7:00pm  
Online: <https://global.gotomeeting.com/join/300666061>  
Call in +(872) 240-3212  
Access Code: 300-666-061

Board President: Rob Davies - Present  
Trustees: Bill Hall - Present  
Brian Elliff - Absent  
Kevin Finta - Present  
Smith Cunningham - Absent

Other's present: Attorney Katie Lucchesi, Engineer Blake Johnson, Levee Superintendent Ronald Mijares and District Manager/Secretary Angelia Tant was taking the meeting minutes Landowners present and visible online: Cate Kuhne, Michael Hamman (Historical Landowner) and Sarah Davis. Landowners who volunteered attendance, Michael Craig, and Jerry Kinnaman, There was a number of other identifiable landowners heard online. However, they chose not to disclose themselves during role call of attendees.

**7:00 P.M. Convene, Call to Order, a Quorum was determined**

## **DISCUSSION ITEMS**

### **D.1 Prop 218 Community Meeting: Informational Workshop on Proposed Assessment**

Engineer John Bliss introduces himself and outlines his roll. John Bliss also introduces staff and expresses that they are available for assistance. John Bliss goes over the balloting process and expressed that he spoke with property owners and expressed that his firm was able to mail out the ballots. John expresses that to date, he had received a total of four (4) ballots.

Angelia, Katie and Blake expressed that they had nothing to add. President Davies expressed that he received his ballot, easy to understand and mailed it back already. Further expressed that there should be nothing hard about understanding it that it was very simple and straight forward.

Landowner Cate Kuhne expressed that she felt that this meeting was for landowners' comments and she felt that there isn't anyone on the meeting. John responded and advised her that he put the meeting notice in with the ballot information so that everyone had an opportunity to join the meeting.

Attorney Katie Lucchesi announced that there was an anonymous letter sent to the district that identified some points with regards to the Prop. 218. Katie expressed that the letter identified other things however, she can only go over the items relative to the Prop. 218 due to the meeting being about the Prop. 218 only. Katie expressed that she would go over the questions and read questions aloud.

John Bliss gave some clarification on the Boat Club question that was outlined in the letter. John expressed that the boat club has a benefit, and they look at what is the use of the property. Essentially, he expressed that they have three (3) main

# Bradford Reclamation District 2059

Summary of Warrants - for any questions call Angelia @ 925-209-5480 bradford2059@gmail.com

Auditor's Review Date \_\_\_\_\_

Fund - 412900

Account # 0830

**Warrant  
s Date:**

**Payee Name:**

**Description:**

**Payment  
Amount:**

**Warrant  
No.:**

1	6/3/2020	Angelia Tant	Telephone/Utilities (2) months	\$ 280.00	6882
2	6/3/2020	Bradford Reclamation District 2059	Payroll	\$ 8,000.00	6883
3	6/3/2020	Delta Webs	Website Maintenance	\$ 40.00	6884
4	6/3/2020	PGE	Utlities	\$ 6,326.77	6885
5	6/3/2020	Ronald D. Mijares	Telephone (2) months	\$ 120.00	6886
6	6/3/2020	Terpstra Henderson	Legal	\$ 11,383.20	6887
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
				<u>\$ 26,149.97</u>	

# Bradford Reclamation District 2059

Summary of Warrants - for any questions call Angelia @ 925-209-5480 bradford2059@gmail.com

Auditor's Review Date \_\_\_\_\_

Fund - 412900

Account # 0830

**Warrant  
s Date:**

**Payee Name:**

**Description:**

**Payment  
Amount:**

**Warrant  
No.:**

1	6/22/2020	Contra Costa SDA	Dues	\$ 100.00	6780
2	6/22/2020	Delta Webs	Website Maintenance	\$ 40.00	6888
3	6/22/2020	Ronald D. Mijares	Mileage/Supplies	\$ 520.32	6889
4	6/22/2020	State Compensation Insurance Fund	Workers' Compensation	\$ 291.38	6890
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
				<u>\$ 951.70</u>	



# Bradford Reclamation District 2059

Summary of Warrants - for any questions call Angelia @ 925-209-5480 bradford2059@gmail.com

Auditor's Review Date \_\_\_\_\_

Fund - 412900

Account # 0830

**Warrant  
s Date:**

**Payee Name:**

**Description:**

**Payment  
Amount:**

**Warrant  
No.:**

1	6/30/2020	All Star Rents	Equipment Rental	\$ 13.30	6891
2	6/30/2020	De Jesus Pump & Well Drilling	Pump Repairs	\$ 367.75	6892
3	6/30/2020	Delta Ferry Authority	Ferry Assessment	\$ 9,000.00	6893
4	6/30/2020	Joe Shaver Backhoe Service	Contract Labor	\$ 11,383.68	6894
5	6/30/2020	MG Engineering, Inc.	Engineering	\$ 7,200.00	6895
6	6/30/2020	Rain for Rent	Equipment Rental	\$ 1,284.32	6896
7	6/30/2020	Ronald D. Mijares	Reimbursements	\$ 320.82	6897
8	6/30/2020	United Rentals	Equipment Rental	\$ 6,527.97	6898
9	6/30/2020	Erik's Excavating & Drilling	Contract Labor	\$ 15,190.00	6899
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
				<b>\$ 51,287.84</b>	

**Delta Ferry Authority**  
**2020-2021 Operating Budget**  
**DRAFT BUDGET**

GL #      Description		19-20 Year-To-Date		19-20 Budget	20-21 Budget	Comment
		Actual through Jun-20	Variance Jun-20	APPROVED Jul-19 to Jun-20	DRAFT Jul-20 to Jun-21	
<b>INCOME</b>						
40-0001	Rec. Dist 2059 Assessment	103,200	0	103,200	108,000	Same as 2020 monthly budget
40-0002	Rec. Dist 2026 Assessment	103,200	0	103,200	108,000	Same as 2020 monthly budget
40-0006	Contra Costa County Funds	36,400	-20,720	57,120	57,120	Same as 19-20 budget
40-0007	After-Hrs Service Income	6,450	3,354	3,096	3,096	Same as 19-20 budget
40-0008	Miscellaneous Revenue	200	200	0	0	
<b>TOTAL INCOME</b>		<b>249,450</b>	<b>-17,166</b>	<b>266,616</b>	<b>276,216</b>	
<b>EXPENSES</b>						
<b>PAYROLL &amp; EMPLOYEE BENEFITS</b>						
50-5500	Labor	149,452	824	150,276	153,936	3% increase over 19-20 actuals
50-5505	Payroll Processing	0	360	360	360	Same as 19-20 budget
50-5510	Payroll Taxes	14,639	277	14,916	15,084	3% increase over 19-20 actuals
50-5511	Office supplies	132	468	600	600	Same as 19-20 budget
50-5515	Testing	200	400	600	600	Same as 19-20 budget
<b>TOTAL PAYROLL &amp; BENEFITS</b>		<b>164,423</b>	<b>2,329</b>	<b>166,752</b>	<b>170,580</b>	
<b>G&amp;A EXPENSES</b>						
80-5001	Accounting	4,743	-267	4,476	4,884	3% increase over 19-20 actuals
80-5010	Utilities	1,750	-393	1,357	1,800	3% increase over 19-20 actuals
80-5050	Fuel-diesel	20,068	704	20,772	20,772	Same as 19-20 budget
80-5080	Telephone/Radio	544	464	1,008	552	Same as 19-20 actuals
80-5090	Rent - Portable Toilet	3,992	-968	3,024	3,996	Same as 19-20 actuals
80-5230	R/M Equipment	0	4,500	4,500	4,500	Same as 19-20 budget
80-5250	R/M Ferry - Routine	2,840	-440	2,400	2,400	Same as 19-20 budget
80-5270	R/M Ramps	17,943	-9,939	8,004	16,008	100% increase over 19-20 budget
80-5280	Safety Equipment	213	507	720	720	Same as 19-20 budget
80-5290	Tools/Parts/Supplies	129	2,271	2,400	1,200	50% of 19-20 budget
80-5430	Insurance-General	20,057	223	20,280	20,892	3% increase over 19-20 actuals
80-5440	Taxes & Licenses	0	840	840	840	Same as 19-20 budget
80-7195	Miscellaneous	656	1,744	2,400	1,200	50% of 19-20 budget
80-7360	RD 830 Assessment	1,698	6	1,704	1,704	Same as 19-20 budget
80-7520	Permit, Fees & Dues	36	468	504	252	50% of 19-20 budget
<b>TOTAL G&amp;A EXPENSE</b>		<b>74,670</b>	<b>-281</b>	<b>74,389</b>	<b>81,720</b>	
<b>SUBTOTAL PAYROLL AND EXPENSES</b>		<b>239,093</b>	<b>2,048</b>	<b>241,141</b>	<b>252,300</b>	
<b>OTHER INCOME/EXPENSE</b>						
99-9620	Interest/Service Charge	0	0	0	0	
99-9621	Other Costs	0	0	15,000	0	
10-2250	Maintenance Reserve Fund	15,000	0	10,000	24,000	Drydock reserve fund
<b>TOTAL OTHER INCOME/EXPENSE</b>		<b>15,000</b>	<b>0</b>	<b>25,000</b>	<b>24,000</b>	
<b>NET INCOME (LOSS)</b>		<b>-4,643</b>	<b>-15,118</b>	<b>475</b>	<b>-84</b>	

8:48 AM  
07/20/20  
Accrual Basis

**Delta Ferry Authority**  
**Profit & Loss Budget Performance**  
June 2020

	Jun 20	Budget	Jul '19 - Jun 20	YTD Budget	Annual Budget
80-7520 Permit, Fees & Dues	0.00	0.00	36.00	504.00	504.00
80-0000 G&A EXPENSES - Other	0.00	0.00	0.00	0.00	0.00
<b>Total 80-0000 G&amp;A EXPENSES</b>	1,320.34	3,953.00	74,670.49	74,389.00	74,389.00
<b>96-0000 OTHER TYPES OF EXPENSES</b>					
99-9621 Other Costs	0.00	1,250.00	0.00	15,000.00	15,000.00
<b>Total 96-0000 OTHER TYPES OF EXPENSES</b>	0.00	1,250.00	0.00	15,000.00	15,000.00
<b>Total Expense</b>	13,857.48	19,099.00	239,093.43	256,141.00	256,141.00
<b>Net Ordinary Income</b>	-12,057.48	-841.00	10,356.57	10,475.00	10,475.00
<b>Net Income</b>	<b>-12,057.48</b>	<b>-841.00</b>	<b>10,356.57</b>	<b>10,475.00</b>	<b>10,475.00</b>

8:48 AM  
07/20/20  
Accrual Basis

**Delta Ferry Authority**  
**Profit & Loss Budget Performance**  
June 2020

	Jun 20	Budget	Jul '19 - Jun 20	YTD Budget	Annual Budget
<b>Ordinary Income/Expense</b>					
<b>Income</b>					
40-0001 Rec Dist. 2059 Asstmt	0.00	9,000.00	103,200.00	103,200.00	103,200.00
40-0002 Rec Dist. 2026 Asstmt	0.00	9,000.00	103,200.00	103,200.00	103,200.00
40-0006 Contra Costa County	0.00	0.00	36,400.00	57,120.00	57,120.00
40-0007 After-Hours Service	1,600.00	258.00	6,450.00	3,096.00	3,096.00
40-0008 Miscellaneous Revenue	200.00		200.00		
<b>Total Income</b>	<b>1,800.00</b>	<b>18,258.00</b>	<b>249,450.00</b>	<b>266,616.00</b>	<b>266,616.00</b>
<b>Expense</b>					
<b>50-0000 PAYROLL EXPENSES</b>					
50-5500 Labor	11,411.25	12,523.00	149,451.69	150,276.00	150,276.00
50-5505 Payroll Processing	0.00	30.00	0.00	360.00	360.00
50-5510 Payroll Taxes	1,075.89	1,243.00	14,639.23	14,916.00	14,916.00
50-5511 Office Supplies	0.00	50.00	132.02	600.00	600.00
50-5515 Testing	50.00	50.00	200.00	600.00	600.00
<b>Total 50-0000 PAYROLL EXPENSES</b>	<b>12,537.14</b>	<b>13,896.00</b>	<b>164,422.94</b>	<b>166,752.00</b>	<b>166,752.00</b>
<b>80-0000 G&amp;A EXPENSES</b>					
80-5001 Accounting/Audit	0.00	0.00	4,742.74	4,476.00	4,476.00
80-5010 Utilities	79.27	114.00	1,750.44	1,357.00	1,357.00
80-5050 Fuel-Diesel	460.42	1,731.00	20,068.37	20,772.00	20,772.00
80-5080 Telephone	45.67	84.00	544.23	1,008.00	1,008.00
80-5090 Rent	734.98	252.00	3,992.25	3,024.00	3,024.00
80-5230 R/M Equipment	0.00	375.00	0.00	4,500.00	4,500.00
80-5250 R/M Ferry	0.00	200.00	2,840.32	2,400.00	2,400.00
80-5270 R/M Ramps	0.00	667.00	17,943.45	8,004.00	8,004.00
80-5280 Safety Equipment	0.00	60.00	212.84	720.00	720.00
80-5290 Tools/Parts/Supplies	0.00	200.00	129.09	2,400.00	2,400.00
80-5430 Insurance	0.00	0.00	20,057.00	20,280.00	20,280.00
80-5440 Taxes & Licenses	0.00	70.00	0.00	840.00	840.00
80-7195 Miscellaneous	0.00	200.00	655.76	2,400.00	2,400.00
80-7360 RD 830 Assessment	0.00	0.00	1,698.00	1,704.00	1,704.00

8:57 AM  
07/20/20  
Accrual Basis

**Delta Ferry Authority**  
**Balance Sheet**  
As of June 30, 2020

	<u>Jun 30, 20</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
10-2201 Bank of Stockton	
10-2250 Maintenance Reserve	15,000.00
10-2201 Bank of Stockton - Other	82,316.56
	<hr/>
<b>Total 10-2201 Bank of Stockton</b>	97,316.56
	<hr/>
<b>Total Checking/Savings</b>	97,316.56
<b>Accounts Receivable</b>	
12-1000 Accounts Receivable	16,600.00
	<hr/>
<b>Total Accounts Receivable</b>	16,600.00
	<hr/>
<b>Total Current Assets</b>	113,916.56
	<hr/>
<b>TOTAL ASSETS</b>	<b>113,916.56</b>
	<hr/> <hr/>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Other Current Liabilities</b>	
20-2020 Payroll Liabilities	539.73
	<hr/>
<b>Total Other Current Liabilities</b>	539.73
	<hr/>
<b>Total Current Liabilities</b>	539.73
	<hr/>
<b>Total Liabilities</b>	539.73
<b>Equity</b>	
32-0000 Retained Earnings	103,020.26
Net Income	10,356.57
	<hr/>
<b>Total Equity</b>	113,376.83
	<hr/>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>113,916.56</b>
	<hr/> <hr/>



## Bradford Reclamation District 2059

PO Box 1059 Oakley, CA 94561

Phone/Cell: 925-209-5480

[www.bradfordisland.com](http://www.bradfordisland.com)

angelia\_bradford@sbcglobal.net

Reclamation Board Members: Chairman Robert Davies

Trustees: William Hall, Brian Elliff, Smith Cunningham & Kevin Finta

The Bradford Reclamation District 2059 "Board of Trustees Authorized the following signers on Fund # 4129:

_____ President Robert Davies	_____ Date
_____ Trustee Kevin Finta	_____ Date
_____ Trustee Smith Cunningham	_____ Date
_____ Trustee Brian Elliff	_____ Date
_____ Trustee William Hall	_____ Date
_____ District Manager – Angelia Tant	_____ Date

The foregoing signatures was approved and adopted by the Board of Trustees of the Reclamation District No. 2059 at a regular meeting of said Board held on July 28, 2020, by the following voice vote:

AYES \_\_\_\_\_

NAYES \_\_\_\_\_

ABSENT \_\_\_\_\_

ABSTAIN \_\_\_\_\_

\_\_\_\_\_  
Robert Davies  
President, Reclamation District No. 2059

ATTEST:

\_\_\_\_\_  
Angelia H. Tant  
Secretary, Reclamation District No. 2059

Recorded at the request of:  
Bradford Reclamation Dist. 2059

After Recording Please Mail To:  
Bradford Reclamation District No. 2059  
P.O. Box 1059  
Oakley, CA 94561

---

The above section is for County Use Only



**Bradford Reclamation District No. 2059**

Overnight Mailing: 19 Minaret Road Oakley, CA 94561  
PO Box 1059 Oakley, CA 94561  
Phone: 925-209-5480  
[angelia\\_bradford@sbcglobal.net](mailto:angelia_bradford@sbcglobal.net)

---

**RESOLUTION NO. 2020-10\_**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF RECLAMATION DISTRICT NO. 2059 AUTHORIZING THE ENTRY OF ASSESSMENTS ON THE TAX ROLL OF CONTRA COSTA COUNTY FOR THE 2020-2021 FISCAL YEAR, TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS COUNTY AD VALOREM PROPERTY TAXES**

WHEREAS, Reclamation District No. 2059 (hereafter, "District") is a reclamation district formed pursuant to sections 50000 et seq. of the California Water Code; and

WHEREAS, the District charges assessments for flood protection of parcels of real property within the District's jurisdictional boundaries; and

WHEREAS, Section 50904 of the California Water Code authorizes the District to direct said assessments to be placed on the county tax bills as a separate item, to be collected at the same time and in the same manner as the county ad valorem property taxes and subject to the same penalties and same procedures and sale in case of such delinquency provided for the ad valorem taxes; and

WHEREAS, the District desires to have the assessments placed on the county tax bills for collection;

NOW, THEREFORE, Reclamation District No. 2059 does hereby RESOLVE, ORDER and ELECT as follows:

1. Reclamation District No. 2059 shall, on or before August 10<sup>th</sup> of each year, certify to the auditor of the County of Contra Costa, the District's assessments to be collected for the fiscal year.
2. Pursuant to California Water Code section 50904, the District hereby authorizes and directs the County of Contra Costa to place said assessments on the county tax bills as a separate item, which shall be collected at the same time and in the same manner as the county ad valorem property taxes.
3. The assessments so entered shall be subject to the same penalties and the same procedure and sale in the case of delinquency as provided for ad valorem property taxes.
4. A list of the assessments due is attached in Exhibit "A".

PASSED AND ADOPTED at the regular meeting of the Board of Directors of Reclamation District No. 2059, this 28<sup>th</sup> day of July 2020.

AYES: \_\_

NOES: \_\_

ABSENT: \_\_

ABSTAIN: \_\_

---

Robert Davies,

President of the Board of Trustees

ATTEST:

---

Angelia Tant,

Secretary of the Board



Exhibit "A"

RD # 2059 Assessments to be enter the Contra Costa County Tax Roll for Fiscal Year 2020-2021