

BRADFORD RECLAMATION DISTRICT 2059

Meeting Minutes

For a Regular Meeting of the Board of Trustees

Tuesday, July 28, 2020 at 10:00 AM

Location: Antioch Fair Grounds

1201 West 10th 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 - Present by phone
Trustees: Bill Hall - Present
Brian Elliff - Present
Kevin Finta - Present
Smith Cunningham – Present

Others Present: Attorney Katie Lucchesi, Engineer Blake Johnson, District Manager/Secretary Angelia Tant taking meeting minutes, Engineer John Bliss and Brandon Vanleuven are present from SCI Consulting, Landowners Present: Gene and Esther Lewis, Larry White with the Bay View Boat Club, Nedim Tosyali, Sarah Davis, Cate Kuhne, Henrick Mann, and Karen Cunningham

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

PUBLIC COMMENT ON NON-AGENDA ITEMS – none.

PUBLIC HEARING

P.1 PROP 218 PUBLIC HEARING, BALLOT TABULATION AND CONSIDERATION OF RESOLUTION 2020-08 ORDERING PROPOSED ASSESSMENTS:

a. Prop 218 Proposed Assessment Public Hearing – President Davies reads the agenda aloud, and asks District Counsel Katie Lucchesi to introduce what the purpose of today's public hearing is for. President Davies then turns the presentation to SCI Consulting for the staff presentation. John Bliss thanks everyone that assisted him in this Prop 218 process and in reviewing the Engineer's Report. Mr. Bliss explained ballot submission process and how ballots will be tabulated. and he expressed that there are some final amendments to the Final Engineer's Report based on the public comments. Mr. Bliss then asked if there were any Board clarifying questions and there were non.

President Davies then opened the public hearing and asked for any public comment. The following landowners spoke during the meeting:

1st speaker Cate Kuhne wanted to thank John Bliss and everyone else who worked to get this done on time prior to the next assessment period. Cate brought up the fact that the ferry hangers expired June 30, 2020. If the Prop. 218 does not pass, the district will have to look at landowners paying for tickets again. Cate wanted to announce that if anyone wants to change their ballot vote that now is the time to change their ballot vote.

2nd Speaker - Gene and Esther Lewis – Gene expressed that he just wanted to know that he was on the line.

3rd Speaker Larry White introduces himself and expresses that he was the old commodore for the boat club and expressed that they do support the measure. Larry White comments regarding one of the blurry cameras.

John went out to the parking lot to see if there were any landowners out there that would like to speak. None of the landowners would like to speak at this time. John expressed that they did express that they had a hard time hearing anyone. John attempted to repair the microphone.

Trustee Elliff then comments that this an additional assessment to his knowledge and the Ad Volurum will not be covering ferry ticket hangers. If the Ad Volurum was the revenue source, it is not the main source of income for the ferry. Katie expressed that the Delta Ferry Authority bills us and on the bill it states, "Special Assessment".

President Davies expressed that this is the last call for ballots and if there is anyone that would like to amend their ballot that they can do this now.

President Davies then closed the public input portion of the hearing.

b. Tabulation of Ballots and Announcement of Election Outcome – At 10:25 AM the board closed the ballot submittal period. President Davies requested that John Bliss and his assistant from SCI Consulting to begin the tabulation of the ballots.

During tabulation the Board continued the meeting and considered agenda items C.1-D.5.

At 10:59 AM, the meeting is re-opened to confirm the ballot tabulation. Mr. John Bliss reports the following tabulation results:

- Final Counts by SCI Consulting:
 - Total Number of Valid Ballots Processed: 28
 - Total Assessment Amount of Valid Ballots: \$ 168,360.50
 - Total Number of "Yes" Votes Processed: 16
 - Total Assessment Amount of "Yes" Votes Processed: \$ 100,123.30
 - Percentage of "Yes" Votes, unweighted: 57.14 %
 - Total Percentage of "Yes" Ballots, Weighted by Assessment: 59.47 %
 - Total Number of "No" Votes Processed: 12
 - Total Assessment Amount of "No" Votes Processed: \$ 68,237.20
 - Percentage of "No" Votes, unweighted 42.86 %
 - Total Percentage of "No" Ballots, Weighted by Assessment: 40.53 %
 - Total Number of "Invalid" Ballots Processed: 0
 - Total Assessment Amount of "Invalid" Ballots Processed: \$ 0
- 28 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 60.08 % ballot return rate of the 46 Ballots mailed. Of the assessment ballots returned, 0 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.
- As determined by Ballots cast, on an unweighted basis, 57.14 % 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, 59.47 % 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.

c. Consideration of Resolution 2020-08 Confirming Diagram and Assessment, and Ordering Levy of the Levee and Flood Control Facilities Improvement Assessment District for Fiscal Year 2020-2021

M/S/P by Finta/Hall/Elliff/Cunningham/Davies with all votes in favor and zero opposed to adopt resolution 2020-08 to approve the Prop. 218 process, Final Engineer's Report, the ballot results and to authorize the assessment. This resolution also adopts the tabulation results as reported by John Bliss and Brandon Vanleuven from SCI Consulting.

CONSENT ITEMS (Items listed as C.1 through C.3 on this Agenda) – M/S/P by

Hall/Elliff/Finta/Cunningham/Davies with all in favor and zero opposed to adopt the following consent items.

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. – The July 22, 2020 board meeting minutes are removed from this agenda because the meeting minutes were not ready at this time and will be brought back at the next board meeting.

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: on any Consent Items removed from Consent Agenda for Discussion.
There were not items removed**

D.2 FERRY MATTERS:

a. Report from President Davies – Dave Forkel and himself were notified that Cal Trans is offering a grant up to \$20,000 to conduct ramp repairs and other repairs. President Davies reported that they submitted the Grant application in time and expressed that it does look promising. President Davies expressed that there was a ferry budget adopted and if there are any additional repairs needed that we will not have to dip into the cookie jar. Landowner Cate Kuhne inquired on if they have an idea on which ramps would be repaired. President Davies responded to Cate's question in regard to which ramps were being considered. Sarah Davis inquires on if there is anyway to replace the signage at the ferry slip. Landowner Sarah Davis also requested that a sign for the mileage be placed.

D.3 ENCROACHMENT REGULATIONS:

a. Report from Encroachment Committee – Katie reported that they had a meeting set up for in June however, due to the COVID-19 and the County Shelter in Place Orders the encroachment committee has not been able to meet. The committee will schedule to meet again after the County restrictions are lifted.

D.4 LEVEE SUPERINTENDENT:

a. Receive update from Levee Superintendent on Road Repairs and consider a Newsletter/Notice to landowners – Ron Mijares reported 250 tons of aggregate base, established a comprehensive maintenance plan to prolong the life of it. Ron expressed that if we do obtain the signs for speeds it will help protect the lifespan of the road. Blake reported that the District has had several discussions over the past few months with regards to putting out a Newsletter. Blake recommends putting out a quarterly Newsletter. President Davies thanks Trustee Finta for use of the equipment to conduct the vegetation control on the island. Blake reported that the equipment has been working great and has been a good machine.

D.5 DISTRICT BANK SIGNATURE(S) FOR 2020/2021:

a. Consider updating authorized signer for the District Bank Account - M/S/P by Elliff/Hall/Finta/Davies with one (1) Trustee opposed Smith Cunningham to update 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. M/S/P Hall/Elliff/Finta/Cunningham/Davies with all in favor and zero opposed authorized the assessment to be submitted to Contra Costa County to be collected on the tax roll to include the Ad Volurum and the new Prop. 218 Assessment.

REPORTS:

a. Trustee

b. District Secretary:

1. District Financials – Ferry Budget, Warrants Paid
2. Summary of Activity Report

c. Engineer

1. Update on Encroachment Permits – Future Dredging Permit and required deposit. Blake reported that a new dredging contractor that is out of Southern California will be conducting the dredging this year. As of today, no permit application has been received. The contractor did report that they would like to conduct work in August and will be conducting approximately 50 yards of dredging. This contractor reported to Blake that they will be bringing their own pump in. President Davies inquires on where the silt will go and if they will be repairing the road after the project. Blake reported that this is a new contractor and he recommended collecting a retainer from the Dredging company and once the project is complete, we can return the remaining amount of money. Blake reported that in the permit it will address the silt in the ditch.

Landowner Cate Kuhne has inquired with Blake on if he has heard anything with regards to the five-year plan. Blake reported that he has not heard

d. Attorney

1. Report on County Coronavirus Orders – We are still under complete probation of public gatherings, we don't know when we will be able to meet, understands that this is frustrating, and we will continue to keep everyone updated.

ADJOURNMENT at 11:14 AM: Next meeting to be held **Tuesday, September 1, 2020**