

BRADFORD RECLAMATION DISTRICT 2059
Meeting Minutes
For a Regular Meeting of the Board of Trustees
Tuesday, November 17, 2020 at 10:00 A.M. (P.S.T.)

Pursuant to the Governor's Executive Orders, 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 Contact the District Manager at angelia_bradford@sbcglobal.net or (925)209-5480 with questions or if accommodations are necessary.

Please join the meeting from your computer, tablet or smartphone at:
<https://us02web.zoom.us/j/81531572234?pwd=MLk4NTNFl0E2Q0JxWW9BUk05ZlZlNz09>

You can also dial in using your phone: +1 (408) 638-0968

Meeting ID: 815 3157 2234
Passcode: 821095

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

10:03 A.M. Meeting was called to Order, and a Quorum was Confirmed

Present: Engineer Blake Johnson, Chris Lim with the CCRCDC, Levee Super Ronald Mijares, Legal Counsel Katie Lucchesi, Molly Ferrell with the CCRCDC, District Manager/Secretary Angelia Tant is taking the meeting minutes, Landowners: Cate Kuhne and Henrick Mann. List of Phone numbers identified on the online zoom meeting:

209-924-4801
925-998-2439
925-525-5329
925-766-5074
510-367-4799
Call in User 1

PUBLIC COMMENT ON NON-AGENDA ITEMS

THERE WERE NO PUBLIC COMMENTS

CONSENT ITEMS (Items listed as C.1 through C.3 on this Agenda) – M/S/P by Elliff/Finta all in favor and zero opposed to adopt all the following consent items:

- C.1 MEETING MINUTES: Review Board meeting minutes.** Attachments: RD 2059 Special Meeting Minutes from July 22, 2020, Regular Meeting Minutes for July 28, 2020, and Emergency Meeting Minutes for August 7, 2020.
- C.2 PAYROLL: Review Appropriation warrant for \$8,000.00 deposit to Replenish Payroll Account.** Attachments: Payroll documents for two (2) Employees

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

Attachments: List of Warrants

DISCUSSION ITEMS

D.1 CONSENT AGENDA: No Consent Items were removed from Consent Agenda for Discussion.

D.2 DWR LONG TERM MITIGATION: DISCUSSION/POSSIBLE ACTION

a. Discussion By DWR Molly Ferrell Representative for proposed cleanup of mitigation site – Blake announced that Molly Ferrell was present to discuss the long term maintenance for the mitigation site. Blake reported that he had invited Molly and Chris Lim from CCRCDD to go over the future maintenance plan. Molly thanked everyone and identified her position with CCRCDD. Molly reported that they were able to start a program that will help with the habitat program that includes enhancement of mitigation sites. Typically, the mitigation sites are maintained by the RD's she explained. With this program they will be able to take care of the mitigation site for a limited time under deferred maintenance. Molly went over how bond funds worked for mitigation sites. Molly reported that they were willing to work with the RD and hoping to support the effort of maintenance. Chris Lim introduced himself and reported that he was with CCRCDD a non-regulated district of the State which means special districts are like fire stations and gives some other examples. RCD's are a network and Chris reported there are approximately 96 RCDs at this time. Chris outlined some other districts they work with one being the Farm Bureau. Chris reported that some of the plan was to work on the blackberries. Molly discussed the five-year deferred maintenance plan packet that was presented to the trustees for review prior to the board meeting. Molly reported that the maintenance team would work on the fence line for the first year or two and once the edges are contained, they would begin to work inward to remove the big black berry patches.

Chris opened the document online titled 11/12 Bradford Island Blackberry Survey and it outlined the locations of the blackberries on a map of the District. Blake reported that our pot of money saved for the mitigation site would continue to grow and in five years, the pot of money would be that much larger.

Public Comment – Cate Kuhne inquired on if the funds would continue to grow for the mitigation site. She further inquired on if it's the 2% or \$4,000 for year that would help the account grow? Blake reported that the district is not pulling any funds out of this account at this time and that Molly could answer the first question for Cate Kuhne. Cate Kuhne inquired about who would pay for the future fires. Blake reported that the fire issue would possibly be put it in the long-term maintenance plan. It will either be included or excluded in the plan he explained. Blakes reported that this was a big issue, and the folks Blake has spoken with feel that we should be reimbursed, if we have to fight a fire. Blake reported that this answer will be clearer in the long-term mitigation site plan. Cate Kuhne reported that there was several changes in personnel over the years and she wanted to know if the district was going to have to go through this again. Blake reported that when the plan is in place, if the plan needs to be modified; both parties will have to agree to the changes. Molly reported that they (DFW) are able to pay Ronald Mijares the Levee Superintendent for his work done on the mitigation site and reported that the district would continue to collect the \$4,000 per year.

D.3 FERRY MATTERS:

a. Report from President Davies on Ferry Damages and Repairs – President Davies reported that a beam broke off on the port side of the ferry and that the center beam had bent. Pr. Davies reported that the ferry

was down for a week to conduct the repairs. The costs of the repairs were under \$15k and the District had already paid for that amount with their existing funds and would not have to pay any more money.

b. Update on Ramp Repairs – No Ramp repairs

c. Update on \$20,000 Grant to Conduct Repairs – Upcoming meeting for this grant and Pr. Davies will report back on this subject once the meeting is conducted and he knows more information.

d. Renewing Landowners Ferry Hangers Which Expired 06/30/2020 – President Davies reported that we need to vote on renewing to waive the ferry hanger charge in which is \$7.75 apiece for landowners since the prior approval expired on June 30, 2020. .

Trustees discuss the benefit to landowners by holding a placard and Trustees Elliff, Hall, and Cunningham express support for approving the placards again.

Motion by Eliff to approve the ferry hangers and not have any back fees from July 1, 2020 owed by any of the landowners.

A friendly amendment to the motion is suggested to allow for spouses of the owner on the deed to also receive a ferry placard. District Counsel advises that the State of California recognizes married couples as having joint property even if the spouse is not listed on the deed. The board discusses that the District Manager/Secretary can request a copy of a marriage license upon the request of adding a spouse. The District Manager/Secretary can also continue to update the list of landowners on the deeds and identify any added spouses to this list, for the Delta Ferry Authority.

Trustee Elliff amended the motion to approve the issuance of placards to landowners on the deed and their spouses with proof of a marriage certificate, and that no back fees will apply from July 1, 2020 to this approval. M/S/P Elliff/Hall/Finta/Davies in favor and one opposed: Trustee Cunningham. The vote carries by majority vote to adopt and include the new changes outlined above for the ferry pass rules.

D.4 ENCROACHMENT REGULATIONS: Tabled

a. Encroachment Committee meetings postponed until the COVID-19 meeting restrictions are lifted.

D.5 LEVEE SUPERINTENDENT:

a. Receive update from Levee Superintendent on District Maintenance – Ron announced the completion of the road project and other maintenance conducted.

b. Consider Herbicide Spray Permit – Ron announced that he completed his operator certification to be able to purchase herbicides. The type of herbicides to be purchased would depend on the application type. Ron reported that he met with the State several times on a method to spray the brush on the island and on the mitigation site. Blake reported that they wanted to make sure that the district is in compliance with the State requirements and recommendations. Blake reported that the battle with the berry bushes and vegetation is approximately a three (3) year clean up battle. Blake reported that Ron is also monitoring beaver activity on Fisherman’s Cut, located south of the Cunningham’s property, and in between the ferry landing and Cunningham’s property. Blake reported that the beaver is moving some of the rip rap and reported that Ron will continue to monitor the activity and changes.

Pr. Davies thanked Blake, Kevin and Ron for getting things back up and running. Trustee Elliff reported that an individual landowner had rented an excavator from Holt to clean a private ditch and it cost a couple of thousand dollars to rent. Trustee Elliff reported to the Board could try to coordinate with that the landowner and Holt to keep the tractor on the island longer and work on the District ditches as well. Trustee Elliff reported that a contractor and machine already out on the island could get the ditches cleaned and save costs. Trustee Elliff reported that there would be no benefit to him personally and that he had not spoken with anyone else on the Board nor the District Engineer with regards to this subject matter however, he just wanted to get this out there to see if this could save money. Blake reported that a contract would have to be drafted up and it would have to not exceed \$25k, so this type of contract would not have to go out for a

formal bid. The Board directed the District Engineer and Levee Supervisor to gather more information to see if this is an option and if so, to add it to a future Board Meeting agenda for consideration.

D.6 CATTLE ON DISTRICT'S LEVEES & ROADS:

a. Discuss Cattle on District Levees and District Roads and possible response. Blake announced that there were reports of cattle loose. The District contacted the Cattle Rancher and the gentleman reported that someone had cut the lock on his gates. Blake reported that the issue is someone is out cutting gates and locks on the island and is requesting that everyone on the island keep an eye out. Blake reported that the Cattle Rancher was out attempting to gather them all up. Trustee Elliff reported that he spoke with Shaun and confirmed that he was gathering up the cattle and it appeared that the fence was damaged and as of the other that he had approximately 90% of them put away. Ronald Mijares reported that in his inspection of the gates he found damaged gates but no locks that appeared to be cut.

D.7 ROSS ISLAND DREDGING PERMIT:

a. Status of Project – Blake reported that the project was a real quick turn around and they were in and out in three (3) days. The dredging company provided their own pumps and the District pumps were not needed. Ron was out during the project to make a final inspection. Ross Island Dredging placed some pipes across the levee and put some dirt over them, a final inspection showed that there was no damage to the roads.

D.8 ACH ELECTRONIC FUNDS TRANSFER(S) & PAYMENTS:

- a. Consider Future Issued Subvention's Payments from DWR
- b. Discuss District's Bank of Stockton account and minimum amount due

The District Manager advised the Board that future Subventions payments can be issued by electronic transfers directly to the District accounts if approved by the Board. The District Manager also stated that electronic payments can be made for the credit card payments which would be easier than requiring Board approval of warrants.

M/S/P by Hall/Finta/Elliff/Cunningham/Davies with all in favor and zero opposed to allow for the ACH Electronic fund Debit for C.C. Payment for minimum due and to have the Subventions Claim funds deposited by ACH.

D.9 CONFLICT OF INTEREST CODE:

- a. Biennial Review of Conflict of Interest Code and Consider adoption of Resolution 2020-11 To Update the District Conflict of Interest Code –

District Counsel advised the Board that it had previously adopted the FPPC Conflict of Interest requirements as its own Code, but that the Board is supposed to review its Code every few years and make changes as necessary. The District has now added the Levee Superintendent as an employee, so it is a good time to update its Code to reflect that it will still follow the FPPC requirements for all designated positions and Resolution 2020-11 includes that information.

M/S/P by Hall/Elliff/Davies/with all in favor and zero opposed to adopt resolution number 2020-11.

REPORTS:

a. **Trustee** – Trustee Elliff raised a concern about whether the ferry could possibly run at noon and at 8 AM again. Requested to add this subject to a future agenda. Trustee Elliff had a question with regards to lunch hours and breaks. There was a request to run the winter hours for the ferry to start at 8 AM and closing at 4 PM.

b. District Secretary:

- 1. District Financials are included in the packet for review for the trustees

2. Summary of Activity Reports for the past two (2) months was included in the trustee's packet
 The District's year end budget for 19/20 showed an approximate surplus of \$16,139.57 due to deferred maintenance

c. Engineer

1. Update on Permits – Dredging permit was reported on earlier in the meeting.
2. 2019/2020 Subventions Claim Submitted for \$143,441.66 – Blake reported that the DWR/DFW was able to come out and conduct the inspection for the claim. Blake reported the future plans for maintenance. Blake goes over the needed ditch cleaning and the pump repairs that are needed.

Trustee Elliff requested that a brief explanation be given on how the Subventions claim works. The District Manager/Secretary provided the following brief explanation of the cost to the District:

\$	143,441.66	Total Claim
	\$	
	(9,800.00)	\$1,000 per levee mile
\$	133,641.66	Net
	25%	Dist. out of pocket
\$	33,410.42	Dist. total out of pocket
\$	133,641.66	Net Amount After
	\$	
	(33,410.42)	Minus out of pocket
<hr/>		
\$	100,231.24	Dist.'s Free Maint.
<hr/> <hr/>		

d. Attorney

1. Report on County Coronavirus Orders – The State and Contra Costa County are still prohibiting public gathers with very few exceptions. So, the District still cannot allow in person public attendance at meetings.

ADJOURNMENT: Next meeting to be held in January 2021, with a specific date TBA.