

BRADFORD RECLAMATION DISTRICT 2059
Meeting Minutes for a Regular Meeting of the Board of Trustees
Wednesday, April 14, 2021 at 10:00 A.M. (P.S.T.)
Location: Antioch Fair Grounds
1201 West 10th St Antioch, CA

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/82828224543?pwd=eUtxWGk2OVA5U1kvQ29yUDRzb2Y4dz09>

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

Meeting ID: 828 2822 4543

Passcode: 381651

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

10:02 A.M. Convene, Call to Order, and Determine a Quorum

Other's Present: Attorney Stacy Henderson, Attorney Raquel Hatfield, Engineer Blake Johnson, Levee Superintendent Ronald Mijares, District Manager/Secretary Angelia taking the meeting minutes. Landowners: Karen Cunningham, Cate Kuhne, Sarah Davis, 925-775-5569, 415-515-0955, 208-615-6305, 925-998-2439, 530-574-0002, 510-910-5491, 925-766-5074, Ezra Lange, and Christopher Ken...

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 Finta/Ellis/Smith/Hall by with all in favor and zero opposed: No comments

- C.1 MEETING MINUTES: Review Board meeting minutes.**
Attachments: RD 2059 Meeting Minutes from January 12, 2021 and the Emergency Meeting for March 20, 2021
- 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: There were no items removed from the consent items.**

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D.2 DWR LONG TERM MITIGATION: Blake reported on the following:

a. Update for proposed cleanup of mitigation site – Blake reported that a Crew from California Conservation Corps had been out on the island cleaning up, reported trouble getting through the black berries to get to the inside of the fence. Reported that the crew had been using hand tools and Blake would report at a later time the progress of the maintenance.

b. Purchase of a Sprayer Utility Vehicle and Storage container – Blake reported that the District contained funds to maintain the Mitigation Site and to remove blackberries, vegetation and trees from the fence lines equipment would be required. Reported that the DFW had approved purchasing a vehicle and a spray rig to help maintain the mitigation site. Reported that the DFW would pay:

- DFW – Dept. of Fish and Wildlife would pay 60%
- The District would pay 40%.

Share of costs were reported to be confirmed via email. The District would be using the equipment outside of the mitigation site as well. The 40% of the cost for the equipment would cover this usage. Blake requested for Blake, Ronald Mijares and Angelia to work together in finding a side-by-side vehicle to conduct the maintenance. Blake reported it would cost an estimated \$11,000 for this vehicle. Blake reported that a spray rig with a mount for the utility vehicle would cost an estimated \$500 - \$1,000 for a 60-gallon sprayer for the utility vehicle. Blake reported that there is a variety of vehicles out there. Tr. Elliff requested for the Board to look out for a double axel and six-wheel drive due to the soil and the mud. Tr. Elliff expressed that the State may over some discounts where he purchases, and there may be a separate program for electric. Tr. Cunningham expressed that there is online for a military one online that is used for \$8,000. Blake thanked Tr. Cunningham for the information and expressed that the District would be looking for something with low mileage. Blake is requesting that the Board make a motion to purchase the two pieces of equipment. Pr. Davies expressed that he would like some additional information on the equipment and expressed that at times so of the military ones may be overused. Pr. Davies also agreed with the statement that Tr. Elliff had made as well. Blake will further research and outlines that there maybe a need for an additional meeting to be called to make the purchase. Tabled for motion until the board has a chance to review some formal bids.

c. Hire contractor to eradicate blackberries along mitigation site fence line – Blake requested for the Board to allow for him to hire a contractor to eradicate the blackberries. This contract would not supersede \$25,000.00. The fees would come out of the Mitigation fund and not the District's funding. Blake reported that there is a contractor that the Board has been working with that has available equipment to conduct the work. M/S/P by Hall/Finta/Eliff by with all in favor and zero opposed to hire a contractor for under \$25,000.00 to conduct the eradication of the blackberries. Trustee Elliff expressed that in the future he would like to see the current District's Levee Superintendent do a lot more of this type of work. Trustee Cunningham agreed with the comment. Blake reported that the District can look into renting the equipment and getting some training. Trustee Cunningham inquired on who the contractor is. The response from Blake was Erik's Excavation and Drilling. Trustee Cunningham commented, imagine that & expressed that Dino and Son had a long arm reach with a flair mower. Did same amount of work that Dutra did on Fisherman Cut and they did it in three (3) days. Trustee Cunningham expressed that this contractor took six (6) days.

Tr. Cunningham suggested that we get other bids for the price to eradicate the berries. Blake agreed to get other bids and then report back at the next meeting,

D.3 FERRY MATTERS:

- a. Report from President Davies on Ferry Damages and Repairs – Pr. Davies reported that there is a maintenance reserve of \$39,000 and expressed this will help with dry dock. Pr. Davies reported that the DFA received a check from the County for \$57,000.00
- b. Update on \$20,000 Grant to Conduct Repairs

D.4 ENCROACHMENT REGULATIONS: Tabled

- a. Encroachment Committee meetings postponed until the COVID-19 meeting restrictions are lifted. Pr. Davies expressed that due to historical Covid guidelines for meetings, the district has not had a chance to meet. Blake expressed that we can table this for further review at the next board meeting. Trustee Elliff expressed that it is almost easier to speak on the phone with out the masks. Blake expressed that he recommends for a fact to face meeting for this specific meeting. Raquel expressed that she would monitor the guidelines of the meetings.

D.5 DELTA LEVEE MAINTENANCE SUBVENTIONS PROGRAM FOR 2021/2022:

- a. Annual Participation Application Submitted to Delta Levee Subventions Program – Blake reported that the annual participation was due April 1st and the District did submit their application. The District from Operations and Maintenance standpoint is eligible for \$148,000 - \$7,000k per levee mile = \$141,000k approximately a year for
- b. M/S/P Elliff/Hall/Davies/Cunningham/Finta by with all in favor and Resolution 2021-02 to participate in the 2021/2022 Delta Levee Subventions Program with DWR- Adopt Resolution and Authorize Board President to Execute the Resolution.

D.6 STAKEHOLD OUTREACH RPP PLANNING:

- a. Possible Wildfire Assistance – Blake reported that he has not studied up on this enough and inform the Board at the next upcoming Board meeting. Trustee Elliff expressed that the District should reach out to CDF and see if we can be participated in the range unit.

D.7 DISTRICT BOARD TITLES:

- a. Board President Position – M/S/P by Elliff/Hall/Finta/Cunningham with all in favor and zero opposed to continue with the Board President and Ferry Representative.
- b. Delta Ferry Representative Position(s):
 - 1. Representative from the Board.
 - 2. Back Up Representative – M/S/P by Elliff/Finta/Hall/Davies/Cunningham with all in favor and zero opposed to appoint Hall as the backup Ferry person. There was discussion of a 12 o'clock run for emergencies once in a while.

D.8 LEVEE SUPERINTENDENT: Ronald Mijares provides the report on the following items:

- a. Received update from Levee Superintendent on District Maintenance – Ron reported that they were working with the county after years of neglect to cut the blackberry bushes on the fence line. Ron reported that the blackberries needed to be shredded out and having a shredder would make it easier. Reported that the county had given up on the berry bushes conducting the work by hand and expressed that they would like to get equipment.
- b. Purchase of Herbicides – Ron reported that they District's storage had an eye wash and hand wash station installed to be in compliance with the County. Reported that he was turning the storage container into a regular working office. Ron reported that he had been working with landowner John Petlansky. Reported

that Mr. Petlansky had district material stored on his property for 8 years and that he would be moving this material over to the district's property.

Ron reported that we are not ready to purchase herbicides currently since the district does not have a sprayer. Mid Valley will allow for a credit account. Trustee Finta inquired on if we have a permit to use restricted materials. Currently, the county is not requesting to use restricted materials currently.

- c. Purchase of Signs – Vehicle Towing on Levees – It was reported that there was ongoing issue with some landowner's family member(s) parking on the levee road and blocking access. It was reported that they had cleaned up the area however, it has been an ongoing issue. Attorney Hatfield requested to table this item to allow for more time to research into the legal jurisdiction of the District to tow vehicles.

REPORTS:

a. Trustee

- 1. There are no trustee's comments

b. District Secretary: - The District Manager/Secretary expressed that the financials had been emailed out for review and if there were any questions with regards to the financials. There were no questions.

- 1. District Financials
- 2. Summary of Activity Report
- 3. Property Owner's Delinquent Assessment Report

c. Engineer

1. Update on Permits - Sarah and Ezra Lange – Siphon Permit – Blake reported that it will possibly be a water hose going through a pipe.

2. Emergency Repairs Conducted – Blake reported that there was a quarter size hole reported adjacent to the ferry landing opened to a 2 ft hole. Blake thanked everyone that had participated. Reported Saturday morning the repairs were conducted. He reported the hole ran underground approximately 4 ft and that if a vehicle or two (2) drove over this area, that potentially they could have fallen into the hole. Blake reported the area was sand and some asphalt in which was 2-3 ft deep. Blake went over the scope of work on how the repair was conducted. Blake reported that it appeared to be beavers and further reported that the old wood may need to be replaced at a future date.

4. Hire Contractor for Ditch Cleaning (maximum \$25,000) – Blake reported that we should bring in additional help to install some road base material and cleaning out the ditch. Majority of the ditch cleaning is vegetation control. Blake reported that he will also obtain bids to conduct these two (2) projects as well. agenda

5. Hire Contractor to place road base material – Blake to obtain bids to conduct

6. Nutria – Blake reported to date, that no one has contacted himself nor Angelia to discuss Nutria at this time. The State wants to come in and conduct work for the nutria.

d. Attorney

- 1. Update on COVID Orders – Moderate state, allowing meetings again and they are allowed in person, required 6ft of space between each person and masks are still required. Once Raquel has heard anything else, she will provide a future update.

D.9 Open Session Disclosure regarding Closed Session Items pursuant to Government Code Section 54957.7 The board will be going into closed session at 11:08 AM. There is a conflict of interest for Trustee Cunningham and there is a request for him to recuse himself. Trustee

Cunningham expressed that he has no conflict of interest. Raquel expressed that she was happy to have Tr. Cunningham call her and discuss why confidentially.

D.10 CLOSED SESSION:

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

D.11 RETURN TO OPEN SESSION at 12:09: Public report of action(s) taken in Closed Session (Government Code section 54957.1) Legal counsel is waiting a few minutes to give landowners the opportunity to log back onto the board meeting. M/S/P by 4-0 vote to authorize funds to pay for staff to investigate Potential Brown Act Violations.

ADJOURNMENT at 12:14: Next meeting to be held **Tuesday, June 8, 2021**

Follow up Items:

- Obtain Bids for Equipment for Mitigation Site – To include Dino & Sons as one of the bidders
- Obtain Bids from contractors for \$25k – To include Dino & Sons as one of the bidders
- Blake to research the Possible Wildlife Assistance
- Reach out to CDF regarding obtaining some fire protection
- Agenda Item to set up a charge account at Mid Valley to purchase herbicides
- Legal Authorized to Conduct Investigation and report back to the Board
- Add Mosquito & Vector to next agenda
- Side by Side Vehicle for Purchase – double axle six wheel drive
- Spray Rig with mount