

BRADFORD RECLAMATION DISTRICT 2059
For a Regular Meeting of the Board of Trustees
Tuesday, November 23, 2021 at 10:00 A.M. (P.S.T.)
VIRTUAL MEETING

Login in by computer or use the provided Call-In number

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/86099778559?pwd=cm1lZU9weIRUSENDM3dYQnhFZ0JXdz09>

Meeting ID: 860 9977 8559

Passcode: 035900

Dial by your location

+1 669 900 6833 US (San Jose)

+1 408 638 0968 US (San Jose)

Present:

Board President: Rob Davies

Trustees:

Bill Hall

Brian Elliff

Kevin Finta

Smith Cunningham

Other's Present: Attorney Raquel Hatfield, Engineer Blake Johnson, Levee Superintendent Ronald J. Mijares, District Manager/Secretary Angelia H. Tant. Landowners: Karen Cunningham/Guest Speakers: Landowner: Michael Gonce, Henrick Mann, Michael Craig, John Bliss with SCI Engineering,

10:00 A.M. A quorum was determined

PUBLIC COMMENT ON NON-AGENDA ITEMS

CONSENT ITEMS (Items listed as C.1 through C.3 on this Agenda) – M/S/P by Hall/Finta with all in favor and zero opposed

C.1 MEETING MINUTES: Review Board meeting minutes.

Attachments: RD 2059 Meeting Minutes from the October 5, 2021, Regular Board Meeting

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

D.2 PROPOSITION 218: Tabled

a. Estimate to Conduct Prop 218 from SCI Engineering

There was a late agenda item added pursuant to government code Sections 54954.2 (b) (2). The BBoard made a motion to add the late agenda item. M/S/P by Hall/Elliff to add a late agenda item for discussion. The District Engineer reported that the Contra Costa RCD was requesting a letter of support for invasive weeds for Franks Tract, Jersey Island and other neighboring islands. Blake reported that there is a letter of support template that could be used for drafting the letter and reported that the letter is due back by December 10, 2021. Trustee Elliff recommended that the agency possibly draft the letter, the BBoard could review it and approve it. The second suggestion was that Blake read the sample letter during the Zoom meeting, which he did Board and the BBoard approved the language in the letter. Trustee Elliff voiced that he would support the removing invasive weeds out of the delta. Trustee Elliff expressed that if the letter remained the same word for word, then he saw no issue with executing the letter. The other trustees agreed and a M/S/P by Elliff/Hall all in favor and zero opposed to sign the sample letter prepared by Contra Costa RCD in support of the removal of invasive weeds and have President Davies sign the letter.

D.3 DWR LONG TERM MITIGATION:

a. Blake Johnson reported on the Purchasing of a Herbicide Sprayer, Tow behind mower, Utility Vehicle and Storage container. Blake provided a brief report on this subject. Blake recommended not using anymore funds out of the mitigation site savings. Item Tabled

b. Status Report on (RFQ) to establish a list of qualified construction contractors to assist the DDistrict to eradicate blackberries along mitigation site fence line (\$25k) - tabled
Update on bids for this project – Blake reported that the DDistrict is still working under the emergency declaration and CES is currently working with the DDistrict. At a later time, Blake reported that he would like to prepare a qualified list of contractors.

D.4 FERRY MATTERS:

A report was provided by President Davies on the temporary ferry schedule and the Dry Dock Inspection. Pr. Davies reported that the BBoard would need to approve the cost of the dry dock repairs totaling \$83,000.00. Pr. Davies reported that the ferry went into dry dock and went over the repairs that would be needed. The boat was back in the water and Pr. Davies expressed his hopes for the ferry to be running the upcoming Friday. Trustee Elliff expressed that there were some logistics with the owner of the boat and the scheduling availability.

Trustee Elliff felt that there was a little bit a conflict with the temporary ferry schedule. He expressed that the landowners were not allowed to be on the ferry during the days that it's operated by Webb, PG&E and when other people were paying for it. Trustee Elliff expressed that he felt that if the landowners could still provide a ticket to the captain, then they should be allowed on the ferry. Trustee Elliff expressed that there are a lot of things like the ferry ramp and other items that they are using that the landowners are paying for. Trustee Elliff expressed that this is just being noted for the future.

D.5 ENCROACHMENT REGULATIONS:

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

D.6 DELTA LEVEE MAINTENANCE SUBVENTIONS PROGRAM FOR 2021/2022:

a. Status Report on 2021-2022 Delta Levee Maintenance Subventions Program – Blake reported that Angelia and himself were working on completing the claim and reported that it should be in by next week for the fiscal year of 07/01/2020 to 06/30/2021.

D.7 PARTICIPING IN FIRE DISTRICT:

a. Participating in Fire District – Blake reported that he needed to speak with LAFCO – Blake reported that he spoke with the Fire Chief and the Fire Chief expressed that the DDistrict would have to go to Lafco to participate in the Fire District. Blake reported that Angelia reached out to Lafco.

D.8 BRIDGE GRANT:

a. Status Update on the Application for A Grant for Bridge – Blake provided a report to the Board of Trustees reporting that earlier in the week himself and Angelia had a meeting with Michael Chung, P.E. (Bridge Engineering) with the San Joaquin County Dept. of Public Works and his colleagues. Blake provided the details of that discussion. Blake reported that the landing needed to be registered with the Nation Bridge Listing. Blake provided some additional information on how to proceed with obtaining the bridge grant and the fact that the DDistrict would have to work with Cal Trans and the County in doing so. The DDistrict needs to get their landing register and the landing will be subject to inspections. It is noted that the Woodward bridge project took an approximate twelve (12) years to complete. The DDistrict’s estimated out of pocket cost for this bridge would be an estimated 4.9 million. The Board of trustee gives direction to Blake and Angelia to continue investigating on obtaining the bridge grant.

D.9 EMERGENCY DROUGHT BARRIER – Blake reported that the DWR was working on getting permission from the Army Core to leave the barrier in place and reported that the barrier would stay until November of 2022. Trustee Hall mentioned an excavator being parked near the project. Blake reported that there was a notch in that area and that DWR was going to use this piece of equipment to repair the notch.

D.10 LEVEE SUPERINTENDENT:

a. Ron Mijares provided a report on Ongoing District Maintenance & Vegetation Control – Levee Superintendent Ronald Mijares expressed that the DDistrict was waiting on Pacific Dredge to repair the DDistrict’s roads. Ron reported and identified the location of an existing beaver den. Ron reported the beaver den as being near the ferry landing and expressed that this area would need to be cleared of vegetation. Ron reported that he was working with Mid Valley Ag and reported that he was working with landowner Henrick Mann on other maintenance required near his property. The pumps consistently need to be re fueled and Ron reported that sand bagging was conducted on some parts of the levee with the assistance of CES staff.

D.11 DWR EMERGENCY RESPONSE GRANT PROGRAM APPLICATION:

a. The District Engineer outlined in his report that the DWR Emergency response grant would cover the following three (3) items:

1. Apply the Grant for Planning, Coordination, and Communication
2. Training and Exercises
3. Facilities, Equipment, and Supplies

Blake reported that this grant would pay for emergency planning, coordination and communications and further reported that the State would pay for the attendance of flood fighting training courses and seminars. The grant may also pay for stock piling emergency materials such as rip rap, levee fill, storage connex box, shovels, and sandbags. Blake reviewed the guidelines that were written in the document. Blake made a recommendation to the Board that this DDistrict pursue this grant and reported that he left a message with the State, and to date has not received a call back. Blake reported that the grant application is due back by 12/22/2021. M/S/P by Elliff/Hall with all in favor and zero opposed to participate in the grant.

D.12 PERMITS: DISCUSS/POSSIBLE ACTION

a. Blake reported that landowner Jerry Kinnaman had applied for a Quonset hut permit the expressed that he didn’t see any issue with allowing Jerry to install it. Blake reported that the hut would be 110ft out.

D.13 EMERGENCY – FIRE STATUS:

a. Blake provided a report on the two (2) temporary 6” pumps set up on the island. One of the two pumps failed, and the rental company was currently working on repairing it. Blake reported that he is inquired with

the rental company about obtaining 2 larger 12” pumps and outlined that the discharge pipe would be a solid wall pipe. Blake reported that the quote obtained was a little under \$60,000 to install the temporary pumps. Blake recommended renting the pumps and expressed that he could get it lowered by approximately \$10-\$15,000 by knocking off some things that the District doesn’t need. Blake called the insurance company to see if there were limits to the policy to see if this would be a covered item.

b. Blake provided the Board with a report on the policy claim limits, payouts of \$263,000 to date in expenses. Blake reported on additional check coming in totaling \$175,959.99.

c. Blake provided the Board with a report of Pump Station Rebuild and expressed that Aqua Marine’s bid came it at over 1 million dollars and there are other bids pending.

d. Blake provided the Board with a report on the status of the PG&E Permit to Restore Power. President Davies interjected and reported that some of the landowner’s power had been restored and listed some of the landowners’ names. It was also reported that some permits are being obtained by PG&E to install power to the pump station and other areas on the island. Some property owners were able to obtain generators from PG&E.

e. Blake provided the Board with a report on Tree Removal and expressed that some of the tree removal bids came. There was an estimated six (6) trees needing to be removed and identified some trees in areas where the levee needs to be repaired. Other trees were reported as a potential hazard due to them being burnt in the fire. Blake reported that one bid came in lower than the others and expressed that he would be verifying that the company had adequate insurance prior to using them. Trustee Hall made an inquiry on where some of the trees were located that needed to be removed and inquired on if they spoke with the landowners prior to removal?

f. Blake provided a report to the Board on the Levee and Seepage repair needed and the fact that he was working with CES a contractor to provide a bid to conduct the repairs in the areas that had burned in the August 2021 fires.

D.14 CARBON CAPTURE AND STORAGE – TABLED

a. Blake provided a report to the Board on Carbon Capture and expressed that he was contacted by a representative from the California resources (Gas Well Company) and reported that the CRC was looking for a location to inject CO₂ into the ground for carbon injection. The CRC had identified Bradford as one of their interested locations and expressed that the CRC would pull an encroachment permit with the District and pay a monthly fee.

The CRC would pay \$25 an acre to start totaling \$3,725. Once the project began then The CRC would pay \$75 an acre totaling \$11,175 per year. This would be a five-year contract for the CRC to conduct the project and it would take place at the 149-acre mitigation site. Trustee Hall inquired about the parcel and also inquired on which company they would be using to conduct the work. Blake responded that it would be the GAS Well Company (CRC) that they would be working with. Trustee Elliff inquired on if Blake knew of any other reclamation Districts that were participating in this project. Blake responded that he would be reaching out to other engineering firms to inquire on what impact this process could have on the island. President Davies recommended tabling this item until further research has been conducted.

D.15 DISTRICT ENGINEER CONTRACT – The Districts Attorney Raquel Hatfield reported to the Board that the current District Engineer Blake Johnson was being contracted by a new Engineering firm. The Board was made aware that they would need to adopt the new contract in which outlined the new increased engineering rate of \$220 per hour. Blake outlined that the old rate was \$200, and the new rate is \$220. Blake reported that the new engineering firm Black and Veatch was an international company in which had many local offices, with lots of access to more people and knowledge. Blake reported that he chose to move to this company due to one of the factors being that they have existing contracts with the Army Core of Engineers for flood control. Blake reported that flood control was his area of work. The District Attorney expressed that she reviewed the drafted contract and outlined the fact that it needed to comply with California laws. Blake reported that the majority of his time was billed to the State. The District’s Attorney expressed that this rate is significantly less than other engineering agencies. Blake reported that he was providing the District a discounted rate and expressed that he has enjoyed working with the District. A M/S/P by Hall/Elliff with

all in favor and one (1) opposed – being Trustee Cunningham to adopt the new engineering contract with Black and Veatch with the rate being increased to \$220. The District’s Attorney inquired with Trustee Cunningham if he would mind on expanding with an explanation on his decision to oppose on the vote. Trustee Cunningham responded by saying that there probably wasn’t enough time for him to do this.

Trustee Hall had a question with regards to the pump station rebuild estimate. Blake went over the original build vs the new build. Blake expressed that he would need to have a discussion with the contractor Jess with Aqua Marine for a later report. Blake further expressed that he would also need to have a conversation with the insurance company with regards to the coverage amounts and limits.

D.16 TRUSTEE’S TERMS & ELECTIONS: Attorney Raquel Hatfield provided a report on the Election. And the fact that she received an email from Landowner Charles Louie contesting the election. Charles Louie was identified as a candidate for a position. Charles Louie sent in his concerns to Attorney Hatfield via email and she responded to the concerns following day. The Concerns outlined, included but were not limited to the possibility of an: Improper election, no transparency, and the fact that there was no pre-paid return envelope included with the ballots. Attorney Hatfield could find not legal backing that states that a special District was to provide a pre-paid stamped envelope and further expressed that Charles Louie was quoting the incorrect law.

Charles Louie further complained about small text and that it was not clear that the ballots did not have to be mailed in. Attorney Hatfield addressed this by outlining that the ballot stated that it would be an all-mail in election due to COVID-19. Charles Louie as stated, “That there was no way to know who received their ballot and there would be abuse of the election procedure. Attorney Hatfield announced that the District Manager had a very detailed spreadsheet with an assigned ballot number and that this was available for inspection. Attorney Hatfield expressed that the election committee consisting of (Smith Cunningham/Angelia Tant/Raquel Hatfield) used the spreadsheet to count the ballots. Attorney Hatfield felt from a legal standpoint that there was nothing illegal done. The committee met on Friday, November 19, 2021. Trustee Smith Cunningham appeared in person, The District Manager Angelia attended by Zoom, Smith Cunningham opened the ballots, ballots in which where photographed, and Attorney Hatfield inputted the votes into a spreadsheet, where Angelia confirmed by zoom on her spreadsheet from her office. Attorney Hatfield identified One (1) ballot as being opened in error by her staff. The ballot was confirmed to be that of landowner (Robert Davies). The vote had been confirmed by a phone call to the landowner during the counting of the ballots in front of the election committee and also by an email confirmation. Attorney Hatfield had everything available for the publics review and inspection. The Legal opinion of the Attorney was that the election was conducted fairly and that it would be a waste of time, resources and costly to redo the election. Mr. Charles Louie is not on the call; therefore, Raquel reported that she would be providing a memo to Mr. Louie in writing.

It was reported from Election Committee that the outcome of ballot(s) Tabulated were as follows:

1. Robert Davies
2. William Hall
3. Charles Louie

Angelia Tant outlined the process of the Oath taking to the trustees and the fact that a letter would go out to the Contra Costa County Board of Supervisors notifying them of the new trustees.

REPORTS:

a. Trustee

b. District Secretary:

1. District Financials – Profit and Loss Report Year-to-Date, Fire Financial Profit and Loss, Checks issued from the last Board meeting to this Board meeting (Check Detail Report), and DFA Financials

2. Summary of Activity Report for the Month of October 2021 and Month to date for November 1, 2021 – November 23, 2021

3. There was a brief discussion on Landowner's delinquent assessments for Denise Hoover/Arakelian – The Board motioned in 2016 on adopting an Installment Agreement voted on historically in 2016. The Board would like to continue with this contract. M/S/P by Elliff/Cunningham with all favor and zero opposed to not allow for the waiver of the final payment.

c. Engineer Blake Johnson expressed that he already covered the below items in discussions above.

1. Fire Protection MOU with Webb Tract
2. Fire Protection – Report on Discussion with Chief of Fire District
2. Potential installation of Siphons throughout the island

d. Attorney

1. Raquel provides an Update on COVID Orders for meeting in public

ADJOURNMENT 11:38: Next meeting to be discussed Meeting Date 7th of December 2021.