

BRADFORD RECLAMATION DISTRICT 2059

Meeting Minutes

For a Regular Meeting of the Board of Trustees

Tuesday, April 5, 2022 at 10:00 A.M. (P.S.T.)

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.

Antioch Fair Grounds

1201 West 10th Street

Antioch, CA 94509

Zoom Also Available

Join Zoom Meeting

<https://us02web.zoom.us/j/89895836367?pwd=enhKL1YxNFZPNENkzi9tWTlIVHIYQT09>

Meeting ID: 898 9583 6367

Passcode: 335613

Dial by your location

+1 669 900 6833 US (San Jose)

+1 408 638 0968 US (San Jose)

Board President: Rob Davies
Trustees: Bill Hall
Kevin Finta – by phone
Smith Cunningham
Charles Louie – by phone

10:03 A.M. Convene, the meeting was Called to Order, and a Quorum was Determined

Other's present: Attorney, Raquel Hatfield, District Engineer, Blake Johnson, Levee Superintendent Ronald Mijares, Ryan and John Bliss from SCI Consulting, and The District Manager/Secretary is taking meeting minutes.

Landowner(s) attending by Zoom: Alex Webster, Ned T. and Michael Gonce, Michael Craig (In Person)

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 Hall/Cunningham/Davies/Finta/Louie all in favor and zero opposed

- C.1 MEETING MINUTES: Review Board meeting minutes.**
Attachments: RD 2059 Meeting Minutes from Regular January 4, 2022 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 – Trustee Cunningham requested to review the warrants and inquired on the warrants for the fire and questioned what the specific warrants issued to CES were for. Smith Cunningham also inquired on the warrant issued to the electrical contractor and equipment rental companies.

DISCUSSION ITEMS

D.1 CONSENT AGENDA: No Consent Items removed

D.2 PROPOSITION 218:

a. Cost Proposal from SCI Engineering to Conduct Prop 218 - D2 – John Bliss attended by Zoom as did Ryan his colleague with SCI Engineering. Blake provided the background information on the historical prop 218 and noted that the 2-year sunset was due to expire. John Bliss went over the history of the prop 218 and how the District came about a two-year sunset. John went over how there can be a CPI factor implemented into the Prop 218 vote and explained that the CPI would give the District the right to decrease the assessment roll. John expressed that his fees were set. John had expressed that historically he set a fee and realized that there was a lot of animosity in the District and realized that there would be more work for community outreach, so the fee went up.

It was noted by the District Manager that District listened to the newer landowners and their request to reduce the tax roll and with the agreement that they would vote for the last Prop. 218 and they didn't vote for it. The District did this to entrust the landowners and their votes for the Prop. 218 and by the landowner's request added the 2-year sunset. John Bliss with SCI provided his introduction and agreed with the history provided by the District Manager.

John expressed that the District was running out of time and had until August 2022 to collect the funds. John further expressed that a decision had to be made by early May to decide on whether or not The District would be going along with the firm. The District Manager expressed that the District was in a time crunch for meeting the counties tax roll deadline for submitting an annual tax roll. Landowner Brian Elliff provided his input and expressed that the District should move forward with this and expressed something to the effect of not wasting the District's money. It was announced that there was a motion on the floor for a vote.

Trustee Cunningham expressed that he wasn't buying into it and that he's not going to rush to vote. It was expressed to Trustee Cunningham that this was not rushed to vote that this has been discussed historically to the landowners and with the Board. The proposal for, SCI had been previously provided in March and all Trustees had copies of the proposal prior to the meeting. Trustee Cunningham requested information that it had been previously discussed. It was noted that the District was paying an estimated \$30,000-\$40,000 + due to reduced tax rolls for 2 years, an additional fee to re do the Prop 218 at the 2-year sunset + an increased fee by SCI due to animosity caused by falsified rumors and the fact that such rumors had actually caused the district to spend money instead of saving the landowners money.

It was expressed that the District did not have time to meet the Contra Costa Counties deadline to submit the tax roll. The District would have to go out for an RFP, allow time for all of the firms to review the District's budget and other factors required to conduct a Prop. 218. The possibility that another engineering firm may not want to use another engineering firms work and accept the liability factors for it and the possibility that it may end up costing the District more money to re do the entire Prop. 218 with a new firm. It was noted that the proposition 218 was a lengthy process and a lot of work getting voter ballots out and returned.

M/S/P by – Hall/Finta/Davies with Smith Cunningham voting No and Trustee Charles Louie voting NO, the motion is carried to contact SCI Engineering to conduct the services for preparing the Proposition 218

There was a request to move around some of the agenda items due to a Trustee having another obligation. The Board agreed to moving the agenda items around.

D.3 DWR LONG TERM MITIGATION:

a. Project Update provided by Blake Johnson:

Blake reported that he had not spoken to DWR or the DFW regarding the mitigation and expressed that this project fell on the state to come back out and get back to the district on what they would like to do with the site. Blake reported that Ron had been keeping the District in compliance with keeping the trees off of the fences and keeping the cattle out of the mitigation site. Ronald Mijares expressed that there was a lot of cattle that have been out. Trustee Cunningham inquired on if this was part of the districts job or if it's a requirement of the DWR. Smith inquired on whose cattle were out, the response was Shons/Ed Machados.

D.4 FERRY MATTERS:

a. Report from President Davies

b. Proposed Cost to Increase Ferry Ticket Rates - President Davies reported that in 2021 there was an estimated 4,658 riders to go to Bradford Island on a one-way ticket – in 2022 it was reported that to date, 1200+ riders had already used the ferry. There was no clarification on if it is ticket or ferry pass riders. President Davies expressed that Web Tract is having issues with their ferry ramp. This brought up the discussion of the infrastructure repairs. Metropolitan Water District should pay for the infrastructure and not the District. The fee on the diesel has increased and the budget was increased due to the plates having to be replaced on the boat. The Board did not know that the transmissions would have to be paid. President Davies expressed that they are still working on the Cal Trans grant. Trustee Louie expressed that he would like for the ferry ticket prices to go up.

President Davies expressed that this is not the time to visit this item. President Davies expressed that this will have to be revisited with the Prop 218 and expressed that the ad volorum tax roll is just enough to almost cover the District operations and no ferry. It is noted that the District is not a transportation agency and if the Proposition 218 did not pass, there was a potential for the landowners to be assessed to use the ferry. The District's primary obligation was to conduct levee repairs, maintenance, and address drainage. A report on the yearly costs for the annual ferry to operate was provided for the Board and public's review.

Ferry Financial

07/01/2021 - 04/05/2022

Revenue

Ad Volorum Tax Roll

\$
158,257.80

Expenses

Accounting for Ferry

\$
4,500.00

Ferry Dock Repairs

\$
-

Ferry Assessments Monthly*

\$
108,000.00

Ferry Ticket Printing

\$
672.00

Total Expenses

\$
113,172.00

Net Operating Income

\$
45,085.80

*\$9,000 per month xs 12 =
\$108,000

D.5 ENCROACHMENT REGULATIONS:

- a. Encroachment Committee meetings postponed until the COVID-19 meeting restrictions are lifted.
- b. Committee will be reformed and they will start meeting soon.

D.6 DELTA LEVEE MAINTENANCE SUBVENTIONS PROGRAM FOR 2022/2023:

- a. Annual Participation Application to be Submitted to Delta Levee Subventions Program
- b. M/S/P by Hall/Cunningham/Louie/Davies with all in favor and zero opposed to adopt Resolution 2022-01 to participate in the 2022/2023 Delta Levee Subventions Program with DWR- Adopt Resolution and Authorize Board President to Execute the Resolution.

It was reported that the participation packet and the resolution is to memorialize the participation in the Annual Delta Levee Subventions Program would be submitted to DWR. Trustee Cunningham was having an issue with the document outlining President Davies signature on the resolution to memorialize it. Trustee Cunningham expressed as a whole board that he feels other signatures should be on the resolution. It was explained that this is an annual resolution passed by the board to participate and expressed that the district just has the board president execute his signature as a formal formality.

Ronald Mijares expressed that there had been some visitors from other counties out to the island. Ron expressed that there was a landowner that would like to rent the district property for cattle. Trustee Smith Cunningham expressed that the district would have to go out for bid and include in the contract who maintains the fencing, the property and other attributes to the property. Blake expressed that he spoke with Verizon with regards to putting a cell phone tower out there and get paid a lease amount. Planted trees to satisfy DWR request due to removing trees.

Ron reported that there was an upcoming inspection for the 13th of May for the DWR to come out and inspect for the annual delta levee subventions program.

D.7 Five Year Plan:

- a. Project Update

D.8 EMERGENCY DROUGHT BARRIER -

- a. Project Update

D.9 LEVEE SUPERINTENDENT:

- a. Report on Ongoing District Maintenance
- b. Squirrel Abatement- There was a report from landowner Henrick Mann with regards to seeing a squirrel near his property.

D.10 DWR EMERGENCY RESPONSE GRANT PROGRAM APPLICATION:

- a. Report from District Engineer on Discussion to Apply for 1) Grant for Planning, Coordination, and Communication; 2) Training and Exercises; and 3) Facilities, Equipment, and Supplies

Blake went over what was eligible under the Grant and what would be covered by this Grant. there was a historical Board approval to participate and the Board voted to adopt the resolution memorializing their vote to participate in the grant application process.

M/S/P Hall Cunningham/Louie/Davies to adopt resolution # 2022-02 to participate in the Grant Response Program.

D.11 PERMITS:

a. Report on New & Pending Permits – no new permits were reported

D.12 EMERGENCY – FIRE STATUS: Report Provided by Blake Johnson

a. Status Report on Temporary Pumps

President Davies inquired on the pumping on Mr. Mann's place. Levee Superintendent Ronald Mijares expressed that the pumps are off. Landowner Elliff expressed that people were still trying to dry out their properties such as landowner Jaimie Eddy. The PG&E representative expressed that if District got the pump electrical set up that they would be out within a couple of days. Trustee Cunningham inquired on what the status of the easement with the property was. President Davies expressed that they can't obtain an easement due to the Stevenson property. Blake went over how PG&E delayed the projects due to easement issue on the Sosnowski property. Blake expressed that he had reached out to Sosnowski's daughter to see if she had the legal rights to issue an easement for the property. There was a brief discussion on using the material on the District site to produce money and to sell the material on the island. Michael Craig expressed the county has regulations with regards to Bradford Island taking property off the island. Landowner Brian Elliff expressed that it would be just offered to landowners.

c. Status Report on Insurance Claim Limits and Payouts

Blake reported that he spoke with Glatfelter insurance and will be working with them to obtain more money to cover the additional costs.

c. Status Report on Pump Station Rebuild, electrical quotes:

Three (3) bids came in:

1. Independent power was the lowest bid of the three \$57,486
2. Delta Pump \$59,515
3. Delta Electrical \$163,035

President Davies expressed that the PG&E is requiring a permit. President Davies recommended that the district obtain the permit and complete the project so that the district could stop purchasing red fuel. President Davies went over the history of the repairs and expressed that the district would have disclosed all of this historically. Blakes recommendation was that the district hire independent power as the lowest bidder. Trustee Cunningham inquires on if it includes all of the boxes? The response from Blake was yes. Trustee Cunningham inquired on if there needs to be a permit. PG&E is requiring that people go to the county.

M/S/P by Hall/Cunningham/Louie/Fina and Davies with all in favor and zero opposed to contract Independent Power to conduct the electrical repairs.

d. Status Report on PG&E Permit to Restore Power – District Engineer working with PG&E to install the power poles

e. Status Report on Pipe Install –
f. Levee and Seepage repair quotes

Blake reported that the District needed to repair the levee on the north side where homes burnt down. The scope out work would be to repair the landslide slope and to reestablish the berms. Blake reported that he obtained three (3) bids:

1. A1 Construction - \$560,413
2. Dino and Sons - \$528,880

3. CES – \$379,564

Blake reported to the Board that the levee fill had to be imported and the three contractors went out and found the correct material. Blake expressed the need to launch them to get the material moving or the district could lose it. Blake expressed that 75% of this work would be covered by the State through the annual subventions program. The district could potentially have to go out to get a loan and pay the loan when the money was received a year after the application had been submitted. Blake expressed that the District could do truck counts as the comes across the ferry. Trustee Louie expressed that he liked that idea. Blake expressed ways to save costs. Landowner Brian Eliff expressed that the prices for materials had been going up and expressed that the board should lock the prices in.

Blake expressed that the State does have some requirements that the District would have to meet. Most of the board is an agreement that the sand at Jerry Kinsman's property had the best sand. Trustee Cunningham suggest getting a toe berm in and leaving it lay for a while. Blake also expressed that the holes in the levee needed to be fixed. Trustee Cunningham expressed, "No to repairing the holes". Trustee Cunningham expanded on his reason for disagreeing outlining that he felt that it was a waste of money if you were not going to bring this part of the levee into compliance. There is a brief discussion of landowner Andy's trailer being in the area for the scope of work and they're possibly being a well at this location. There was a steel pipe identified at the location. President Davies expressed that Smith had to block this area years ago. Michael Craig expressed that this is a different location that Smith conducted the work at.

M/S/P by all in favor and zero opposed Hall/Louie/Kevin/Cunningham/Davies to repair the toe berm and levee holes and to import that material and stockpile the material. Per Trustee Cunningham's recommendation and the board's direction, Blake will get another bid from them to raise the levee

D.13 CARBON CAPTURE AND STORAGE

a. Report on Program – Blake reported that there is nothing to report at this time.

D.14 BRIDGE TO BRADFORD

a. Report on the Status of a Bridge to Bradford Island

The Bridge project was discussed by Blake Johnson. Blake reported that the County expressed that their needs to be a lead agency for the bridge. Blake spoke with the County, and they were not aware of anything available for a bridge grant and passed him onto a Cal Trans representative in another county. Blake went over the other requirements to obtain a bridge on Bradford Island. President Davies expressed that there are some type of other things that you would have to take into consideration. Trustee Cunningham expressed that the district should stay out of it due to the fact that the district has spent money for Blakes time and feels that if the landowner wants to pursue it he can. Landowner Trustee Elliff expressed that he felt the bridge would potentially save the District money and felt that the board should approve the District to continue working on the matter. The district will continue to monitor for grants for the bridge project.

b. Obtaining a Grant for Construction

REPORTS:

a. Trustee:

Trustee Comment during the meeting: Trustee Cunningham made a comment to the effect to the District's Attorney to Raquel Hatfield, that it was the Board President's job to give the board guidance not hers. The Board President disagreed with this comment and expressed that she was contracted to do this.

Trustee Cunningham commented during the meeting, that there needed to be changes made.

Trustee Smith Cunningham expressed he felt that the District was missing out on an opportune time to re spray or obtain equipment to keep the levees mowed and expressed that no ditches were getting cleaned. Smith's comment was being addressed by Blake, as he explained that when the fire hit, the district ditches were loaded with water, and responded that yes it would be the time to do the ditches and outlined some access issues.

President Davies expressed that we have to figure out a way to make the landowners accountable for their own black berry bushes. President Davies expressed that now is the time to spray. Made comment to the effect of not being able to ride on the road, due to you sinking in. Levee Super Ron expressed that he had been monitoring the ditches, he also agreed that spraying was needed, and the need to wait for things to dry out to get back there. There was a brief discussion on the history of how the ditches were cleaned.

Trustee reported Junk out on the island, it was expressed that it was not the district's jurisdiction to address this matter unless, it effected the levee. Landowner Michael Craig reported that there were landowners putting their property on the District's property. Blake reported that there shouldn't be anything within 110 feet of the levee with up to a consideration of 300ft and reports that their needs to be an encroachment permit.

b. District Secretary:

1. District Financials – Warrant Register from 01/05/2022 – 04/05/2022, Budget Year-to-Date, Fire Budget Year-to-Date,
2. Summary of Activity Report(s) February and March of 2022
3. Property Owner's Delinquent Assessment Report

The District Manager/Secretary per the Board's request reported that she had looked into obtaining services with the CCC Fire department. It was further reported that the District would have to submit an application to be a part of the fire Annexation. A trail of emails was read aloud to the Board of Trustees between the District Manager and a Lafco representative. Landowner Michael Craig suggested having the landowner(s) getting a petition together as stated in the email read aloud by the District Manager. Landowner Michael Craig expressed that fighting fires is not within the District's jurisdiction of duties. Angelia's noted that the district's main function was levee repairs, maintenance and drainage

c. Engineer

1. New Updates

d. Attorney

1. Update on COVID Orders - Legal – Nothing to report

ADJOURNED at 12:53 Next meeting outlined as **Tuesday, May 3, 2022**