

# Bradford Reclamation district 2059

## Meeting Minutes

For a Regular Meeting of the Board of Trustees

**Tuesday, August 2, 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](mailto:angelia_bradford@sbcglobal.net) or (925)209-5480 with questions or if accommodations are necessary.

## Antioch Fair Grounds

1201 West 10<sup>th</sup> Street  
Antioch, CA 94509

Zoom Also Available

Join Zoom Meeting

<https://us02web.zoom.us/j/81047027431?pwd=Sko4N3VHbDJtem9VdDNobkxNdlhxUT09>

Meeting ID: 810 4702 7431

Passcode: 649948

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

Smith Cunningham

Charles Louie

Other's present is: John Bliss and Ryan Ashton from SCI Consulting, Landowner Brian Eliff, Ned Tosyali, 925-354-2599, and 530-574-0002 Attorney Raquel Hatfield, Levee Superintendent Ronald Mijares and the District Manager Angelia Tant taking the meeting minutes.

The meeting is called to order at 10:00 A.M. Convened, Called to Order, and a Quorum was determined.

### 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/Smith with all in favor and zero opposed.**

**C.1 MEETING MINUTES: Review Board meeting minutes.**

Attachments: RD 2059 Meeting Minutes from Special Board Meeting for June 14, 2022.

**C.2 PAYROLL: Review Appropriation warrant for \$8,000.00 deposit to Replenish Payroll Account.**

Attachments: Payroll documents for three (3) Employees

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

## DISCUSSION ITEMS

### D.1 **CONSENT AGENDA:** There were no items removed from Consent Agenda for Discussion.

### D.2 **PROPOSITION 218:** The BBoard President opens up the public hearing for the Prop. 218 and inquires with the public if they have any other public comments.

Public Comments: Ned Tosayli inquired on if people could vote if they have not paid their taxes. The District Manager responded to the question and explained that they do get to cast a vote due to the fact that the District is currently participating in the Teeter plan with the Contra Costa County and they pay the District for property taxes even if they are not paid and they collect their monies at a later time through property sales, liens etc... It was expressed that a historical Attorney for the District had researched the same question when the same question had been asked historically.

The public hearing was closed, Board President announces a final call for the last ballots and the President directed the consultant John Bliss to tabulate the ballots.

a. Announcement from SCI Engineering on the Election Outcome for the Prop 218.

b. Discussion regarding Proposition 218 not passing; Landowner Brian Elliff inquired on if there is some way to contest the Prop. 218 and outlined some of his personal issues and concerns. Brian Elliff expressed that he really wished that landowners would have done their research prior to purchasing property on Bradford Island and what it takes to conduct the maintenance and feels that the landowner that voted NO, let the other landowners down.

c. Discussion regarding Proposition 218 not passing.

Outcome of Election: 24 Ballots turned in out of the 47 ballots that were sent out. There were 17 yes votes and 6 no votes that = 52.52% of the vote. 1 ballot was marked invalid. The assessment did not pass and the election was announced as being closed.

### D.3 **2022/2023 ANNUAL BUDGET COMMITTEE:**

a. Report from Budget Committee Members for 2022/2023 budget.

b. Board Motion to Adopt the 2022/2023 Annual Budget – TABLED until after the Board knows what the budget will be after the prop. 218 outcome is announced.

### D.4 **DWR LONG TERM MITIGATION:**

a. Project Update – Rhonda with DWR had a Biologist come out to the mitigation site and will report back at a later time.

### D.5 **FERRY MATTERS:**

a. Report from President Davies that the DFA passed the Coast Guards approval. Robert Davies expressed that some of the boards on the ramp had broken and were replaced by CES. It was reported that the DFA will be paying this bill. President Davies recommended that people with lower cars that come over to the island need to be cautious due to the fact that there is a lip at the ramp. President Davies reported that the nails have been coming loose and have had to be hammered down. Smith Cunningham inquired on if they would be closing the ferry and the response was only a couple of hours. Smith expressed that they had just spent a lot of money on ferry repairs and wants to know what they are using now. President Davies responded that the contractor could not get the wood. There was a brief discussion regarding red wood being used and the fact that it gets soft, President Davies expressed that the contractor was currently looking for pressure treated wood. Landowner Michael Craig inquired on how it is determined on who will pay for what and the President responded with the info structure would be paid by landowners and the top part and decking would

be covered by the DFA. Blake goes over the history of the lease for the ferry land and the issue of the land being owned by a property owner that we have not been able to get into contact with (Sosnowski). There was some discussion on purchasing this piece of property, it is expressed that an estimated \$2,000 is owed on this parcel. Attorney Hatfield references the prescriptive easement memorandum drafted and is present in the meeting packets today.

b. Easement for Ferry Landing

- i. Prescriptive Easement explanation was drafted by Attorney Raquel Hatfield and is included in the meeting packets today.
- ii. There was brief discussion on eminent domain for this property.
- iii. There was a brief discussion on acquiring the parcel through tax sale, Blake expressed that an estimated \$2,000 is owed in back taxes on this parcel.
- iv. There was a brief discussion on Acquiring Parcel through paying back taxes
- v. Other options

There is a motion on the floor to add an agenda item. The Board would like to discuss the paying of back taxes on parcel # 026-050-030 for the ferry landing parcel in the amount of \$1,987.05. The District needs this parcel to obtain an easement on this piece of the land to get the funding from the State. Blake also expressed that the legal fees would cost more than the purchase of the property. The motion would allow for Raquel Hatfield to conduct the legal research. Blake expressed that the rule is that you have to make five years of payments on a parcel to assume the property. Blake has contacted the supervising tax director to obtain the property. M/S/P by Hall/Louie/Davies/Smith/Finta with all in favor and zero opposed.

Sosnowski/Stevenson's parcel that is going to hit in December. M/S/P by Hall/Cunningham/Louie with all and favor and zero opposed to allow for legal to do the research on the parcel and allow time for Blake to contact the County Tax Collector's office and inquire on the delinquent taxes on the parcel to consider a reduction. The Board called for a meeting on August 15, 2022 at 10 AM. It was announced that this meeting would be a zoom meeting.

Adding Agenda Item to the Agenda:

Three separate motions were casted to add the three (3) agenda items:

M/S/P by Hall/Louie/Davies with all in favor and zero opposed to add the agenda item of extending Ferry Hanger Passes, Ferry for thirty days, adopting the Ferry Budget and authorizing the DFA to pay the CES bill for the ferry deck repairs.

M/S/P by Hall/Cunningham/Davies with all in favor and zero opposed to authorize the DFA to pay CES for the ferry ramp repairs conducted.

M/S/P by Hall/Louie/Davies with all in favor and zero opposed to Adopt the fiscal year budget for 2022-2023

**D.6 ENCROACHMENT REGULATIONS:**

- a. Establish an Encroachment Committee – TABLED

**D.7 Five Year Plan:**

- a. Project Update – Submitted to DWR, Blake reported that the State goes through a five-year planned and outlined that the historical plan had been extended out and is due at the end of this year. The DWR requested that the District's provided a DRAFT by June 30, 2022 and therefore, the District complied and submitted this plan. Blake outlined that he requested a large sum to cover the costs of all of the work that needed to be done. Blake expressed that the DWR would possibly pay for the surveying out on the island.

**D.8 EMERGENCY DROUGHT BARRIER -**

- a. Project Update – President Davies inquired on if the DWR was addressing the gouge that was left from the project. Blake replied and expressed that he has contacted the State and has requested them to take historical

data and compare it with the newer data to determine if the scower has gotten worse. There is some discussion of this scower location being near the ferry landing and Smith Cunningham's property. Blake expressed that their repaired some parts of this scower however, outlined that they had not repaired all of it and to date has not received any information from the State. President Davies expressed that the barrier project has been closed and inquired with Smith Cunningham if the flow is any different now since they have closed the project. Smith expressed that the first barrier had caused a separation at his property and there is a noticeable crack. Smith Cunningham inquired on if the District would be dealing with this crack from the project or if he needed to contact DWR directly. The District Manager expressed that historically Mr. McQuirk had attended a meeting and expressed that if any of the landowners had issues, that their was a claim for that they could complete and submit. Blake expressed that he would also assist.

**D.9 LEVEE SUPERINTENDENT:**

- a. Report on Ongoing District Maintenance
- b. There is a brief discussion on the purchasing of a Sickle Bar
- c. Ron made a report on the cattle out on levees. There is a statement that they are possibly Ed Machado's cattle that keep getting out. Ned T. expressed that every two (2) days the long horn cattle are out.
- d. There is a brief discussion on the repairs to the existing slope indicator box.

**D.10 DWR EMERGENCY RESPONSE GRANT PROGRAM APPLICATION:**

- a. Report from District Engineer that a Grant application was submitted to the State. Blake reported that the State plans to have the grants out by August. Blake feels that the District may get a connex box full of supplies despite that they requested other items.

**D.11 PERMITS:**

- a. Report on New & Pending Permits

**D.12 EMERGENCY – FIRE STATUS:**

- a. Status Report on Insurance Claim Limits and Payouts – The District Manager provided a report on the Fire and expressed that the District Staff is still working on collect monies for the fire from the Insurance carrier, PGE, Port of Stockton and other possible resources. The District Manager outlined that the Prop. 218 assessment funds were not to cover the fire.
- b. Status Report on Pump Station Rebuild – Blake reported that he had been looking for an easement for this property and came across it in a Deed that Angelia was able to obtain from the county records department. Blake expressed that the project can now move forward now that the easement has been located. President Davies expressed that he met and spoke with PGE as well and outlined the locations of the poles and the fact that PGE would be maintaining the poles. President Davies expressed that an Arborist had come out to the island to assess the trees for the upcoming project and the anticipated start time should be in a couple of weeks. President Davies expressed that the was an easement issue that came up again with the Sosnowski Property. Landowner Michael Craig inquired about the contact efforts on the old Stevenson property now owned by Sosnowski.
- c. Status Report on PG&E Permit to Restore Power

**D.13 CARBON CAPTURE AND STORAGE: TABLED**

- a. Report on Program

**D.14 BRIDGE TO BRADFORD:**

- a. Report on the Status of a Bridge to Bradford Island – Blake announced that he conducted some research and spoke with some other people regarding Grants and Funding available for bridges and reported that there is nothing available and reported that Angelia was working with Cal Trans on adding this to the National Bridge Inventory.
- c. National Bridge Registry Application Submitted
- d. Communications with Cal Trans

**D.15 DISTRICT PROPERTY BEING LEASED – TABLED**

- a. Rental Value of Property to be Determined
- b. RFP for Rental of Property Requirements for amounts under \$25,000
- c. Landowner’s Inquiry and Offer Consideration

**D.16 LOAN FROM BANK OF STOCKTON**

a. Registered Warrants Report on Amount Borrowed to Date – The District Manager reported that to date, the District borrowed \$170k from the up to \$500k that the Board had approved borrowing. The current interest rate was reported as being 4%. There was a question from the Board President on how much was owed to date on the pump station loan. The District Manager responded to the question and the estimated amount over half a million dollars with interest accrued. The amount reported included an outstanding amount borrowed in 2014.

**D.17 REPAIR OF THROUGH SEEPAGE:**

a. Hiring a Contractor to Repair three (3) Properties with through seepage on island – District Engineer went over the scope of work for the projects and gave some history on the locations. There was a brief discussion on installing a French drain. Blake recommended that they control the seepage, get the water out and allow for the landowners to use their land. Blake reported that on the North side, there is a lot of standing water. District Engineer expressed that he included some of the scope of work for these properties in the five-year plan. There was a brief discussion between President Davies and Trustee Smith Cunningham on the history of the seepage issues. Landowner Michael Craig expressed that the settling at his property is a slipping issue from historical material that was installed at this location during a project. Michael expressed that this water was coming through to his property under the levee and expressed that this could be drained through the ditches. Blake expressed that there are some other options, sheet piling or a wall with adding bentonite, clay, water with the existing material of the levee. Blake announced that he needed to obtain three (3) bids.

**D.18 FIRE ANNEXATION AND FIRE PROTECTION:**

- a. Updates on Fire Annexation and Protection
- b. Board Decision on Participation in the fire Annexation – Blake reported that the main reason for keeping this on the agenda is due to the fact that the District does own land if the Board would like to participate in joining into the annexation. President Davies outlined that everyone is responsible for their own property and expressed that property owner’s need to maintain their berry bushes. President Davies expressed that most of the people out on the island fighting the fire were landowner who were volunteers. President Davies expressed that he received not special benefit on the district funds through the fire. President Davies expressed that the island needs to work together and not against one another. Trustee Hall inquired on how much a barrack bomber would cost to come out and feels that it would cost a huge amount of money.

**REPORTS:**

**a. Trustee**

**b. District Secretary had available for discussion at the Board meeting today**

- 1. District Financials – Profit and Loss from the fiscal year of 07/01/2021-06/30/2022, most recent payroll reports, report on checks issued from the last meeting to the current meeting. Proposed budget for the upcoming year (Budget not reviewed tabled for budget committee meeting)
- 2. Summary of Activity Report is a report of incoming/outgoing correspondence and reports the delinquent hand billed property taxes.
- 3. Property Owner’s Delinquent Assessment Report – reported on earlier in the meeting

**c. Engineer**

- 1. New Updates
- 2. Update on repairing the levee and berm
- 3. Delta Plan Ecosystem Amendment Final PEIR Certified and Amendment Adopted

**d. Attorney**

1. Updates on District Engineer Position
2. New Updates

**ADJOURNMENT at 12:20:** Next meeting to be discussed Meeting **Date will be for a special meeting on August 15, 2022 at 10 AM. And the regular Board meeting Tuesday, September 6, 2022**

August 15<sup>th</sup> Board Meeting

- APN # 1 paying back taxes
- APN # 2 reducing the amount
- Adopting the annual budget for the fiscal year of 2022/2023
- Ferry Ticket Sales
- General Liability Insurance – remove some of the parameters from the insurance policy
- Cutting Ferry usage being cut back