

Bradford Reclamation District 2059

Meeting Minutes

For a Special Meeting of the Board of Trustees

Tuesday, February 28, 2023 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 or by coming to the address below

6329 Bethel Island Rd. Suite A
Bethel Island, CA 94511

Zoom Meeting

Join Zoom Meeting

<https://us06web.zoom.us/j/83893327327?pwd=c0gyVVdsOWZhUXNHRIzBzMjVxenYydz09>

Meeting ID: 838 9332 7327 Passcode: 238223 Dial by your location +1 669 900 6833 US or +1 669 444 9171 US

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

Others Present: Engineer Blake Johnson, Attorney Raquel Hatfield, Levee Superintendent Ronald Mijares, District Manager/Secretary Angelia Tant taking meeting minutes, other landowners present: Brian Elliff, Scott Diamond, other landowners on the line were not disclosed.

The Meeting Began at 10:00 A.M. and 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/Cunningham/Davies with all in favor and zero opposed.**

C.1 MEETING MINUTES: Review Board meeting minutes.

Attachments: RD 2059 Meeting Minutes from the January 10, 2023 Regular Board Meeting and the January 20, 2023 Emergency Board Meeting minutes from February 20, 2023 Special Board Meeting

C.2 PAYROLL: Review Appropriation warrant for \$10,000.00 deposit to Replenish Payroll Account.

Attachments: Payroll documents for three (3) Employees

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

Attachments: List of Warrants

DISCUSSION ITEMS

- D.1 CONSENT AGENDA: on any Consent Items removed from Consent Agenda for Discussion.** There were no consent items removed.
- D.2 FERRY MATTERS/TICKET SALES: There was a brief discussion on the following items:**
- a. Ferry Repairs - President Davies provided a report on all of the repairs required and conducted by the DFA. There was an announcement that walk on ticket sales prices have been posted on the District's website.
 - b. Update on the Claim to the Insurance Company – We have a claim number, and the claim is currently open and pending.
 - c. Ferry Landing Lease Agreement with the California Lands Commission – There is a brief discussion on the ferry landing lease agreement. It was reported that the District had an emergency meeting on February 20, 2023 to adopt this lease.
- D.4 DWR LONG TERM MITIGATION: Blake provided a report on the following items:**
- a. Project Update provided by Blake Johnson
 - b. Adopt Resolution # 2023-01 Funding the Mitigation Site Tract #19 of DWR of Delta Levees Programs Habitat Sites – M/S/P by Hall/Finta/Cunningham/Davies with all in favor and zero opposed.
- D.5 FIVE YEAR PLAN: Blake provided a brief report on the following items:**
- a. Project Update provided by Blake Johnson
- D.6 EMERGENCY DROUGHT BARRIER – Blake provided a brief report on the following items:**
- a. Report on Results from Geotechnical & Surveyor from District Engineer Blake Johnson
 - b. Update on Emergency Cracks Identified on the False River Side
- D.7 LEVEE SUPERINTENDENT: Report on Ongoing District Maintenance – Ron provided a re cap of all of the maintenance that he conducted over this past month. Ron provided a brief report on the ongoing trespassing and cattle matters. Ron reported that he did purchase the spray rig. Ron went over the construction repairs for the months of December and January; during the storms. Ron went over the areas on the island that sustained damage as a result from the recent storms. Ron reported that the smaller generator had failed and called Delta Pump to come out to provide us with a report on what further damage on the pump station were. Ron reported that there was smoke coming out of the pump station and repairs on the Siphon were reported as well.**
- D.9 EMERGENCY PREPAREDNESS FOR WINTER:**
- a. Muscle wall installed on north side of island – Blake reported that the muscle wall had been installed and that there were sandbags on hand. Blake reported that he had been provided with permission from the Port of Stockton to use their sand to fill the sandbags. It was also reported that the muscle wall would remain on the island for some time. Blake thanked everyone who assisted in installing the wal. Blake expressed that landowners were reporting emergencies and other areas in need of repairs and thanked those individuals as well. Blake reported that the sink hole reported by Trustee Cunningham had been repaired. Blake reported that there were some high water surfacing and high winds, causing for loss in rap rap and reported that this would have to be replaced in the near future. It was reported that Ron will be conducting those repairs.
- D.10 FEMA/CAL-OES; DECEMBER 2022 AND JANUARY 2023 STORMS:**
- a. Blake reported on the March 7 Meeting with FEMA and reported that there was a 60 day filing timeframe. Blake reported that the District was working with Contra Costa County and the Office of Emergency Service in the recent month. Also reported that FEMA is involved now that the Government has declared our county as an Emergency Disaster County. It was reported that the District could not asses the drainage ditches since, they were still underwater. The paperwork has been submitted to appropriate agency in it goes to CAL OES and FEMA. There were enough damages throughout the county to meet the required funding limit for damages. As a result of the we were declared as meeting the financial threshold and eligible for disaster

funding. Blake reported that he has an upcoming meeting in Davis and a meeting on March 7, 2023 in CCC that he would be attending.

D.11 INITIATIVE TO WIPEOUT FUNDING FOR FLOOD, DROUGHT, WILDLIFE AND OTHER ESSENTIAL SERVICES: M/S/P by Hall/Finta/Davies with all in favor one opposed voting no by Smith Cunningham to adopt resolution # 2023-02 to vote against the initiative.

a. Report from District Engineer and Blake reported that the initiative was to make it more difficult to obtain funding such as the Prop. 218. This bill will make it even more difficult to pass. Blake reported on where this initial document came from and expressed that most Reclamation Districts, City and Counties are a part of this. Blake reported that this got enough votes to be on the ballot on 2024.

b. Resolution # 2023-02 to vote against this Initiative.

D.12 BANK OF STOCKTON CREDIT CARD FOR LEVEE SUPERINTENDENT

a. Card for Levee Superintendent with a higher credit limit for larger purchases – M/S/P by Hall/Finta/Davies/Cunningham with all in favor and zero opposed to increase the limit to \$3,000.00.

D.12 SUBVENTIONS 2023/2024: M/S/P by Hall/Finta/ with all in favor and zero opposed to participate in the 2023/2024 Delta Levee Subventions Program

a. Letter of Participation in the 2023/2024 Delta Levee Subventions Program

b. Resolution # 2023-03 Participation in the 2023/2024 Delta Levee Subventions Program

D.13 TRESSPASSING ON BRADFORD ISLAND:

a. Purchase of two (2) No Trespassing Signs – Blake reported that the District should obtain signs for no trespassing signs and ensure that this sign is waterproof. The District Manager announced that a request for a bid was in the works.

b. District's Legal Jurisdiction to Request that Trespassers Leave the Island – Blake touched base on the ongoing trespassing issues. The District's legal counsel advised that landowners that the District cannot call the sheriff for other landowners and or issue notices or letters to any landowners regarding trespassing matters. Raquel reported that we cannot utilize District Funds to do this.

Landowner Scott Diamond outlined that the cattle are on the island, and they are creating a lot of damage and outlined that they were tearing up the levee. Landowner Scott Diamond commented that once people arrived on the island, that he felt that if they do not have a pass or permission to get on the ferry boat. Blake provided a report on this subject matter and expressed that we have had ongoing matters with trespassers and cattle matters. He used Mr. Jake Nelson as an example, the cattle rancher that claims to have permission to be on the Sosnowski property. Scott recommended that the Ferry staff be the gate keepers to the island. Scott felt that if there is a pass list and if you did not have a pass, then you can not get onto the island.

Blake responded to Scott's recommendations and asked if anyone had any thoughts or what the rights are. Blake discussed the matter of safety issues for the Captain and deck hand. President Davies expressed that the DFA is not the Sherriff. The staff of the DFA are not responsible, it is the landowners who are responsible for their guest. President Davies expressed that the ferry is a public ferry and once you hit Bradford Island, it is a private island. President Davies expressed that the two cattle in question are Machado's and Jake Nelsons. Landowner Scott Diamond inquired on the legal stance for the trespassing matters.

Landowner Brian Elliff provided input on this trespassing matter. Elliff expressed that the DFA is not going to sheriff the trespassers. Elliff recommended getting a bridge and installing a gate with a guard. Landowner inquired on how far down the line do we wait for resolutions.

Brian Elliff recommended hiring a Security Guard and purchasing and purchasing a gate. Trustee Finta inquired on the cattle, landowners' assets and paying for the damages being sustained. The District Manager

provided an update advising the Trustees that she had drafted correspondence to both property owners regarding the exact subject matter. The letters had been sent to the Trustee of the Cola Property and Stephanie Foster to obtain restraining orders against the individuals. There was an announcement made that when one person had to be red tagged for junk, debris or encroachments on the levee, that it would have to be done to all landowners. Attorney for the District reported that a demand letter would be issued first and the calculation for damages to be included. Then the lien process could take place.

REPORTS:

a. Trustee(s)

b. District Secretary: The District Secretary announces that the following reports had been included in the meeting minute packet and inquired with the Board of Trustees on if they had any questions on the following reports. There were no questions.

1. District Financials
2. Summary of Activity Report
3. Property Owner's Delinquent Assessment Report
4. Secretary's Report(s)
5. Status Report on the Auto Claim for Damages

c. District Engineer

1. Upcoming Grant from DWR – Multi-Benefit Project – Blake reported that there is a matching component for an out-of-pocket amount due by the District. Blake expressed that he did not feel that the District was currently in a financial position to make the match required. Blake recommended passing on this Grant at this time.
2. PG&E power to island & Re-Establishing Service to the Pump Station – Blake reported that currently the District is having to move things around to prevent the items from being taken. Landowner Brian Elliff wanted to touch base on the pump station. Elliff expressed that staff may not want to start the motor when it's hot and go through the cool down and start process. Elliff recommended reading the engineering on the pump build report. Elliff expressed that if the Generator was going on and off and the pump was going on and off, that this maybe why there was an issue.

d. Attorney

1. No updates by Raquel

ADJOURNMENT @ 11:11 AM: Next meeting to be discussed Meeting Date **Tuesday, April 04, 2023**