

**SPECIAL MEETING OF THE BOARD OF
THE BETHEL ISLAND MUNICIPAL IMPROVEMENT DISTRICT
BETHEL ISLAND, CALIFORNIA
3085 STONE ROAD
BETHEL ISLAND, CALIFORNIA**

DATE: JUNE 17, 2021

The Bethel Island Municipal Improvement District met in a special session located at 3085 Stone Road (via Zoom), Bethel Island, CA at 6:00 p.m. Upon roll call, the following were found to be present: Directors: Bruce Smith, Anthony Berzinas and Tom Knorr, Jr.. Attorney Dave Larsen, District Manager Regina Espinoza, Jeff Twitchell from GEI and Kyle Tankard from SCI were also in attendance. Directors Kirk and Lucas were absent. There was a quorum of Directors for the meeting.

BOARD DISCLOSURE OF POTENTIAL APPEARANCES OF CONFLICTS OF INTEREST

Directors Smith and Berzinas stated they would recuse themselves if there was a vote on the Taylor Road Drainage Project. Director Knorr, Jr had no conflicts.

CLOSED SESSION

Public Employee Performance Evaluation Per Government Code 54957(b)
Title: District Manager

The Board went into Closed Session.

The meeting went into Open Session at 6:45pm.

REPORT OUT OF CLOSED SESSION

Direction was given to staff.

CONSENT CALENDAR

A motion was made by Director Berzinas and seconded by Director Knorr, Jr. to approve the minutes of the Regular Meeting of May 13, 2021. The vote showed three directors in favor (Directors Kirk and Lucas were absent). Motion carried.

ANNOUNCEMENTS

None.

PUBLIC COMMENT

Public comment chats will be attached to the minutes, if any.

UNFINISHED BUSINESS

UPDATE ON BETHEL ISLAND CULVERT/DRAINAGE/STANDING WATER ISSUES

District Manager Espinoza stated the culvert replacement on Taylor Road has been completed and will connect to the Taylor Road Drainage Project. The Taylor Road Drainage Project will go out to bid on June 21, 2021, and the bidding will close on July 13, 2021.

Director Knorr, Jr. stated the culvert was replaced on Gateway Road.

District Manager Espinoza stated it was one of the culverts on the County's list to be repaired or replaced.

UPDATE ON ASSET MANAGEMENT SYSTEM

No update.

SHEETPILE PROJECT – FIVE YEAR PLAN

No update.

EMERGENCY PLANNING REVIEW

No update.

NEW BUSINESS

PUBLIC HEARING AND ADOPT RESOLUTION NO. 21-06-17A, "ACCEPTING THE FINAL ENGINEER'S REPORT AND ASSESSMENT DIAGRAM, AND ORDERING THE LEVY OF ASSESSMENTS FOR FISCAL YEAR 2021-22 FOR THE BETHEL ISLAND MUNICIPAL IMPROVEMENT DISTRICT LEVEE AND FLOOD CONTROL FACILITIES MAINTENANCE AND REPAIR ASSESSMENT DISTRICT"

The Public Hearing was opened to the public.

Mr. Kyle Tankard from SCI Consultants presented the 2021-22 Final Engineer's Report for the BIMID Levee and Flood Control Facilities Maintenance and Repair Assessment District. The Resolution is to approve the Engineers Report, Confirming the Assessment Diagram and Assessment and ordering the levy of assessments for Fiscal Year 2021-22 for the Levee and Flood Control Facilities Maintenance and Repair Assessment. The CPI rate for 2021-22 Fiscal Year Assessment is 3%, which will be an increase of \$3.82 per Single Family Equivalent (SFE), for a total of \$131.34. The total Assessments collected, at the proposed rate of \$131.34, will be approximately \$256,773.

Director Berzinas asked in what paper was the Public Hearing posted.

Mr. Kyle Tankard stated it was published in the East Bay Times on June 7, 2021, ten days prior to the Public Hearing.

Director Knorr, Jr. asked about a typo on page 31, Table 7. The paragraph below Table 7 refers to below when it should be above.

Mr. Kyle Tankard stated he would fix that and resubmit to District Clerk Bixby by email and hard copy.

The Public Hearing was closed and there wasn't any public comment.

A motion was made by Director Berzinas and seconded by Director Knorr, Jr. to adopt Resolution No. 21-06-17A "Accepting the Final Engineer's Report and Assessment Diagram, and Ordering the Levy of Assessments for Fiscal Year 2021-22 for the Bethel Island Municipal Improvement District Levee and Flood Control Facilities Maintenance and Repair Assessment District" (with the correction of page 31, Table 7, below it should state Table 7, above). The vote showed three directors in favor (Directors Kirk and Lucas were absent). Motion carried.

DISCUSSION AND APPROVAL OF DELTA COVES FEE SCHEDULE FOR REVIEW OF THE REAR-YARD SETBACK DESIGNS OF THE PERIMETER LEVEE

Mr. Jeff Twitchell stated no permit fees have been established for reviewing, approving, inspection and documentation of the rear-yard installations. GEI has been conducting the reviews and approval on behalf of BIMID with minimal inspections and as-built documentation with Delta Coves, and not the property owners, with Delta Coves reimbursing the District for review costs. The Delta Coves development did not include permitting, inspection and documentation of the individual rear-yard decks within the setback areas along the shoreline of the lagoon. Mr. Jeff Twitchell recommended a nominal permit fee to cover the engineers and staff time with each independent rear-yard deck approval. In developing these fees, the permit fees that should be considered are scope of work in hours, total cost of BIMID administrative and engineering hours, and other fees.

Director Berzinas asked about the compliance issues regarding the rear-yard decks. There will need to be fees for compliance issues to ensure that all the criteria that is reviewed and field inspections prior to construction was actually achieved. There wasn't any fee structure for the final review included in the documentation.

Mr. Jeff Twitchell stated there isn't any pre-construction inspections included in the fee schedule.

Director Berzinas asked how it will be verified if there isn't a pre-construction inspection and a final as-built inspection.

Mr. Jeff Twitchell stated the inspections are as the conditions are now, but can be changed as things change.

Director Berzinas stated the fee schedule should last for many years, not one or two years as the development is built out. The fee schedule should last for more than ten years.

President Smith stated the fee schedule could be reviewed by the Board in one or two years for the changing fee conditions.

Director Berzinas stated the fees could be waived if they don't apply, but it will be a lot harder to add fees later. He recommended that the fee structure be put in place to account for any issue and the engineer and manager could decide to waive, or not to waive, fees.

Mr. Jeff Twitchell stated he could add a half hour for each inspection. There are steps that need to be taken before the fees can be approved.

Attorney Dave Larsen stated there are three steps that need to be taken for any development fees can be implemented. The purpose of this meeting was to get any comments from the Board before implementing the fees. It can be brought back to the Board at the next meeting to discuss the next steps. One of the steps is that it will take sixty days before it can be implemented.

Mr. Jeff Twitchell stated he would like to add an informational item on the next agenda. It would be "Discussion of Delta Coves Drive Storm Drain Deficiencies and Potential Remedy Measures".

APPROVAL OF DISTRICT BUDGET FOR FISCAL YEAR 2021-22

District Manager Espinoza stated the District is much more stable than she predicted for this year. The highlights are money for asset management temporary help, 2% COLA for employees, going into the seventh year of the Assessment District in which planning will need to start for the next assessment district and no major purchases are anticipated for the next fiscal year.

President Smith stated we need to let the public know and have a really good picture of what the funds from the assessment district has done with

helping with grants and projects. It needs to show the accomplishments and dollars that are awarded for the minimal amount that is the District's share of these projects.

Director Berzinas stated there was a flyer that had been prepared previously that showed how the assessment district funds were being used. He suggested updating the report every year so the public can be aware of how the dollars from the property owners is being used for these projects.

A motion was made by Director Berzinas and seconded by Director Knorr, Jr. to approve the District Budget for the Fiscal Year 2021-22. The vote showed three directors in favor (Directors Kirk and Lucas were absent). Motion carried.

CONSENT ITEMS – STAFF REPORTS

Reports were available to the public.

District Manager Espinoza stated there are some issues for Delta Coves such as the fee schedule and some storm drainage system concerns. He will bring up the Delta Coves storm drainage issues at the next meeting. There is a vegetation issue, on the water side, on Taylor Road at Stations 530 - 531. It was noticed that there is a lot of vegetation which makes it difficult for trucks and vehicles to get through. District Manager Espinoza is in the process of discussing with the engineers as to what can be done in that section, and she will bring back any solutions and findings.

District Clerk Bixby stated staff has posted notices to property owners between 4041 and 4499 Willow Road that rip-rapping will begin starting July 1st.

A motion was made by Director Berzinas and seconded by Director Knorr, Jr. to receive and file the Staff Reports. The vote showed three directors in favor (Directors Kirk and Lucas were absent). Motion carried.

TREASURER REPORT

Balances as of 5/31/21:

Checking Account: \$161,131.84

Park Account: \$3,122.34

House Number Account: \$336.02

Delta Coves First Deposit: \$290,097.51

Delta Coves Contingency Funds: \$1,799,043.20

Delta Coves O & M Funds: \$789,494.70

LFCF Repairs and Improvements: \$63,788.15

LFCF Maintenance: \$47,665.16

Advance Funding from DWR

Money Market is \$2,491,194.02

(NWS Project)

Money Market is \$26,619.71

(HEHE Project)

SHEETPILE PROJECTS/NON-CONFORMING STRUCTURES (AD-HOC)

Nothing to report.

BETHEL ISLAND PARK COMMITTEE (AD-HOC)

Nothing to report.

DELTA INTERGOVERNMENTAL WATCHDOG COMMITTEE (AD-HOC)

No report.

WEB SITE

Nothing to report.

BIMAC/FIRE DISTRICT UPDATE

Nothing to report.

SUGGESTION FOR FUTURE AGENDA

Delta Coves Drive Storm Drain Deficiencies and Potential Remedy
Measures

CORRESPONDENCE

None was discussed.

A motion was made by Director Berzinas and seconded by Director Knorr, Jr. to adjourn the meeting. The vote showed three directors in favor (Directors Kirk and Lucas were absent). Motion carried.

The meeting adjourned at 7:40pm.

Submitted by Denece Bixby, District Clerk