REGULAR MEETING OF THE BOARD OF

THE BETHEL ISLAND MUNICIPAL IMPROVEMENT DISTRICT

BETHEL ISLAND, CALIFORNIA

3085 STONE ROAD

BETHEL ISLAND, CALIFORNIA

DATE: DECEMBER 9, 2021

The Bethel Island Municipal Improvement District met in a special session located at 3085 Stone Road, Bethel Island, CA at 6:30 p.m. Upon roll call, the following were found to be present: Directors: Bruce Smith, Anthony Berzinas, and Lisa Kirk. Jeff Twitchell from GEI, Attorney Dave Larsen and District Manager Regina Espinoza were also in attendance. Directors Tom Knorr, Jr. and Steve Lucas were absent.

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 Kirk had no conflict.

CONSENT CALENDAR

A motion was made by Director Berzinas and seconded by Director Kirk to: approve the minutes of the Special Meeting of November 10, 2021; approval of Professional Services Agreement Renewal for Financial Consultant for January 1, 2022 through December 31, 2024. The vote showed three directors in favor (Directors Knorr Jr. and Lucas were absent). Motion carried.

ANNOUNCEMENTS

Director Berzinas stated there had been a good turnout for the Christmas Tree Lighting at the park.

PUBLIC COMMENT

None.

UNFINISHED BUSINESS

UPDATE ON BETHEL ISLAND CULVERT/DRAINAGE/STANDING WATER ISSUES

District Manager Espinoza stated the District is still waiting to find out when the funding will be available for the Taylor Road Project. Staff has completed the ditch cleaning as was discussed in a previous meeting.

Director Berzinas stated the cleaning was shallow and didn’t create further erosion and was well done by staff.

UPDATE ON ASSET MANAGEMENT SYSTEM

No update.

SHEETPILE PROJECT – FIVE YEAR PLAN

No update.

EMERGENCY PLANNING REVIEW

No update.

CONTINUED DISCUSSION OF PARK SAFETY ISSUES

District Manager Espinoza stated that she has received several comments from several park districts. A lot of their comments included where signage should be posted stating the rules and regulations of the park; employees should avoid communication with transients, and law enforcement collaboration will be necessary in dealing with park issues. All efforts have been in place as signs have been posted, employees have been instructed not to communicate with transients and law enforcement has been consistent on BIMID’s behalf.

Director Berzinas stated he would like to see a comprehensive annual training schedule containing several types of training.

District Manager Espinoza stated the District is required to do most of those trainings, which are implemented for risk management by SDRMA. She will re-evaluate in the spring as to whether to keep having two employees working in the park.

Attorney Dave Larsen stated that Civil Code 527.8 would allow special districts to apply for a temporary restraining order regarding violence. The temporary restraining order is for twenty-one days and can be extended to three years.

After discussion, there will be a policy drafted for handling violent encounters in the park. The policy would include such details as: the employee reporting the incident, talking to the employee, decide on temporary restraining order, discussion in closed session, etc.

Director Berzinas stated that if there were a violent physical attack of one of the employees tomorrow and the Board Meeting is a month away, the Attorney and District Manager should step in and file the restraining order and to not wait for a board meeting or for the policy to be adopted.

The Attorney and Board agreed to that solution. It was advised for staff to file the twenty-one day temporary restraining order and then decide on what further action is needed, if any.

The Board asked for a Closed Session in January for further discussion.

NEW BUSINESS

DELTA COVES

ONGOING INVESTIGATION OF DELTA COVES DRIVE 18-INCH STORM DRAIN SYSTEM

Mr. Jeff Twitchell gave a background on the storm drain system. There had been oversaturation of the levee to establish the landscaping on the north side of the project. There was a video done on the storm drain system. On November 3, 2021, testing was done on four segments. Some of the pipes are deformed but there hasn’t been a lot of loss. Testing was done by an independent firm and the report should be that the storm drain is acting satisfactorily. The report should be out in January 2022.

Mr. Owen Poole stated he has given Mr. Jeff Twitchell the landscaping plans for the southern portion of the project. There are different plans for the irrigation of the landscaping.

CONTRA COSTA COUNTY BOARD OF SUPERVISORS HEARINGS REGARDING DEDICATIONS (AND REVOCATION) OF CERTAIN PUBLIC EASEMENTS, AND HOA OWNERSHIP OF DELTA COVES STREETS AND STORM DRAIN SYSTEMS

Mr. Jeff Twitchell stated there are several meetings scheduled between the County and Delta Coves regarding easements and finalizing conveyance of properties. There was a decision made by Delta Coves Development to essentially have the HOA retain ownership of Delta Coves Drive and some of the streets because the County will not maintain the roads. There will also be some storm drains at the peninsulas that will be maintained by the HOA. On March 9, 2020, the District received from the County requesting comments on four items.

There was a discussion regarding the gating of the community.

The next Board of Supervisors meeting will be held on January 11, 2022.

After much discussion, Director Berzinas stated there needs to be a new resolution to reflect what is currently happening. He would like the resolution to include the spirit of the bike pathway with Ranch Lane to have continuity to the Community Park.

UPDATE OF REAR-YARD DECK PERMITS AND CONSTRUCTION ACTIVITY

Mr. Jeff Twitchell stated there have been quite a few rear-deck permits, with fifty-one decks total, that have been approved but some decks have not been built yet. Thirty-five rear-yard decks are on the peninsulas and sixteen are right along Delta Coves Drive. Since the District implemented a permit process there have been approximately twelve permits.

DISCUSSION OF OGALS PARKS GRANT APPLICATION FOR BETHEL ISLAND PARK

District Manager Espinoza has asked for direction from the Board for the grant project infrastructure in the park. She included a scope of work for some of the items (and costs) that could be installed in the park. The grant would be for approximately $180,000. As Bethel Island is no longer classified as a disadvantaged community, the grant will require BIMID’s cost share of twenty percent. BIMID’s share would be approximately $44,000. The grant scope is due by December 31, 2021.

There was a discussion of the grant scope and cost estimate.

After discussion, District Manager Espinoza stated she will submit the scope and then come back to the Board for final scope approval and have public meetings with BIMAC.

Director Berzinas stated he would like the continuity from the park to the Delta Coves bike path.

District Manager Espinoza stated she will look into that.

A motion was made by Director Berzinas and seconded by Director Kirk to accept the Park Grant Proposal and authorize the District Manager to make the edits that were discussed, and the cost of share is at twenty percent. The vote showed three directors in favor (Directors Knorr, Jr and Lucas were absent). Motion carried.

CONSENT ITEMS – STAFF REPORTS

Reports were available to the public.

The District Office will be closed from December 23rd thru December 31st . There will be staff working in the field December 27th thru December 31st.

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

TREASURER REPORT

**Balances as of 11/30/21:**

Checking Account: $194,663.60

Park Account: $1,555.01

House Number Account: $336.02

Delta Coves First Deposit: $290,274.30

Delta Coves Contingency Funds: $1,800,476.98

Delta Coves O & M Funds: $786,218.41

LFCF Repairs and Improvements: $25,575.53

LFCF Maintenance: $53,005.77

**Advance Funding from DWR**

Money Market is $442,286.41 (NWS Project)

Money Market is $17,758.60 (HEHE Project)

BETHEL ISLAND PARK COMMITTEE (AD-HOC)

Nothing to report.

DELTA INTERGOVERNMENTAL WATCHDOG COMMITTEE (AD-HOC)

No report.

LEVEE GATE COMMITTEE (AD-HOC)

Director Berzinas stated the group had met on December 1st at 6:00pm. Discussed was putting up a sign on the gates of operational hours, changing the locks and solutions. Also discussed was sending letters to all the property owners that have annual keys to notify them that the locks are going to be changed and to check the status of annual keys. There was a recommendation that there could be a window placard displayed for daily use or annual use. San Joaquin Yacht Club needs to install bollards so that people won’t drive around the gates.

District Manager Espinoza stated there were two methods discussed. The Schlage lock would cost around $250 per lock compared to MasterLock at $35 per lock.

Director Berzinas asked if the keys can be stamped “Do Not Duplicate” and if there is a stamp that can do that.

District Manager Espinoza stated she will have something for the January or February meeting.

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

Nothing to report.

WEB SITE

Nothing to report.

BIMAC/FIRE DISTRICT UPDATE

Nothing to report.

SUGGESTION FOR FUTURE AGENDA ITEMS

None.

CORRESPONDENCE

None was discussed.

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

The meeting adjourned at 8:42pm.

Submitted by Denece Bixby, District Clerk