REGULAR MEETING OF THE BOARD OF

THE BETHEL ISLAND MUNICIPAL IMPROVEMENT DISTRICT

BETHEL ISLAND, CALIFORNIA

3085 STONE ROAD

BETHEL ISLAND, CALIFORNIA

DATE: MAY 12, 2022

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, Lisa Kirk and Tom Knorr, Jr.. Attorney Dave Larsen and District Manager Regina Espinoza were also in attendance. Director Steve Lucas was 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 Knorr, Jr. and Lisa Kirk had no conflicts.

CONSENT CALENDAR

A motion was made by Director Berzinas and seconded by Director Knorr, Jr. to approve the minutes of the Special Meeting of April 19, 2022. The vote showed four directors in favor (Director Lucas was absent). Motion carried.

ANNOUNCEMENTS

President Smith apologized for Agenda Item 7B for not being clearly identified. People were alarmed about Oakley potentially annexing Bethel Island. The issue came up regarding rumors in a previous meeting to be a discussion item per the Brown Act.

PUBLIC COMMENT

Ms. Geri Marshall asked for a postponement of the Board’s decision to deny her annual levee key application. She would like to conduct research on her property by a professional. She asked what she needs to do to rediscuss at a future date.

Director Berzinas stated to resubmit an application. He would like pictures of the property and any additional data that was not previously submitted.

Ms. Patricia Atkins stated she lives at the end of Stone Road at the breach. She requested no wake, speed limit 5 mph signage at the breach.

Director Berzinas stated BIMID doesn’t have the authority for posting any signs in the waterways and exceeds BIMID’s Sphere of Influence. Director Berzinas directed her to contact Delta Coves or Contra Costa County Sheriff’s Office.

President Smith clarified what BIMID’s responsibility is concerning the breach. Any signage on the breach structure would have to be approved by BIMID’s Engineers and the Board.

UNFINISHED BUSINESS

UPDATE ON BETHEL ISLAND CULVERT/DRAINAGE/STANDING WATER ISSUES

District Manager Espinoza reported that staff is still waiting for final design for the Taylor culvert. The engineer has not received an approval yet nor the bid process.

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

No update.

DISCUSSION OF EMERGENCY EVACUATION AND ACCESS AT DELTA COVES

No update.

NEW BUSINESS

ADOPT RESOLUTION NO. 22-05-12A, “INTENTION TO CONTINUE ASSESSMENTS FOR FISCAL YEAR 2022-23, PRELIMINARILY APPROVING ENGINEER’S REPORT, AND PROVIDING NOTICE OF HEARING FOR THE BETHEL ISLAND MUNICIPAL IMPROVEMENT DISTRICT LEVEE AND FLOOD CONTROL FACILITIES MAINTENANCE AND REPAIR ASSESSMENT DISTRICT”

District Manager Espinoza stated this process continues so as to notify the public of the public hearing that is required in order to continue with the assessment.

Mr. Kyle Tankard presented the Board with statistics with continuing with the assessment. The proposed fiscal rate is $135.28 per single family equivalent. This is a three percent (3%) increase. This represents an increase of $3.94 per single family equivalent (SVE). The total amount of revenue that would be generated is approximately $262,060 which is $5,000 more than last fiscal year. After acceptance of the Resolution, the Hearing Date will be set for the Regular Meeting of June 9, 2022 and a Legal Notice will be published in the newspaper ten days prior to the hearing date.

President Smith stated this is what allows BIMID to do the major improvement projects that it has been doing these past years.

A motion was made by Director Berzinas and seconded by Director Kirk to adopt Resolution No. 22-05-12A, “Intention to Continue Assessments for Fiscal Year 2022-23, Preliminarily Approving the Engineer’s Report, and Providing for Notice of Hearing for the Bethel Island Municipal Improvement District Levee and Flood Control Facilities Maintenance and Repair Assessment District”, that the hearing will be held on June 9, 2022. The vote showed four directors in favor (Director Lucas was absent). Motion carried.

DISCUSSION RELATED TO POTENTIAL ANNEXATION OF BETHEL ISLAND BY OAKLEY

President Smith stated Director Kirk and himself had made inquiries to Oakley or any other entity to annex Bethel Island or if there were any plans to do so. It is an involved process that would include various entities and voter ballots. There has been a rumor that has been floating around about an annexation in which the Board brought it up at a previous meeting in which BIMID Attorney stated it would have to be an agendized item to discuss per the Brown Act. The Board directed staff to place an item on a future agenda. After making inquiries and research, Oakley has no intention at this time to annex Bethel Island.

Director Berzinas stated after he read the legislation that created the District, he would like the BIMID Attorney to talk with Discovery Bay to find out how they went about forming a township versus a city and a tax base between the two options. He would like to keep it an open topic until the questions are answered.

CONSENT ITEMS – STAFF REPORTS

Reports were available to the public.

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

TREASURER REPORT

**Balances as of 4/30/22:**

Checking Account: $241,847.18

Park Account: $2,454.41

House Number Account: $336.02

Delta Coves First Deposit: $380,445.34

Delta Coves Contingency Funds: $2,008,749.12

Delta Coves O & M Funds: $881,020.69

LFCF Repairs and Improvements: $61,647.40

LFCF Maintenance: $47,334.87

**Advance Funding from DWR**

Money Market is $881,020.69 (NWS Project)

Money Market is $1,073.56 (HEHE Project)

BETHEL ISLAND PARK COMMITTEE (AD-HOC)

Nothing to report.

DELTA INTERGOVERNMENTAL WATCHDOG COMMITTEE (AD-HOC)

No report.

LEVEE GATE COMMITTEE (AD-HOC)

Nothing to report.

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 four directors in favor (Director Lucas was absent). Motion carried.

The meeting adjourned at 7:20pm.

Submitted by Denece Bixby, District Clerk