REGULAR MEETING OF THE BOARD OF

THE BETHEL ISLAND MUNICIPAL IMPROVEMENT DISTRICT

BETHEL ISLAND, CALIFORNIA

3085 STONE ROAD

BETHEL ISLAND, CALIFORNIA

DATE: NOVEMBER 10, 2022

The Bethel Island Municipal Improvement District met in a regular 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 Kirk had no conflicts.

CONSENT CALENDAR

A motion was made by Director Berzinas and seconded by Director Kirk to approve the minutes of the Regular Meeting on October 13, 2022. The vote showed four directors in favor (Director Lucas was absent). Motion carried.

A motion was made by Director Berzinas and seconded by Director Kirk to adopt Resolution No. 22-11-10B “Permitting Construction of a Bulkhead Within the Levee Zone” for 6777 Riverview Road. The vote showed four directors in favor (Director Lucas was absent). Motion carried.

A motion was made by Director Berzinas and seconded by Director Knorr, Jr. to approve of renewal of Kaiser Health Benefits for Qualified Employees. The vote showed four directors in favor (Director Lucas was absent). Motion carried.

ANNOUNCEMENTS

None.

PUBLIC COMMENT

Ms. Stephennie Leach asked if the District can help with keeping the homeless from having bonfires in the barbecue pits at the park.

President Smith asked for the community members to work with District staff to come up with various potential solutions for the barbeque pits at the park.

UNFINISHED BUSINESS

UPDATE ON BETHEL ISLAND CULVERT/DRAINAGE/STANDING WATER ISSUES

District Manager Espinoza stated there were no updates other than what was included in the staff report.

DISCUSSION OF DELTA CONVEYANCE ENVIRONMENTAL IMPACT REPORT DISCUSSION/PUBLIC COMMENTS

District Manager Espinoza stated comments from staff and the public are still being collected at this time. Department of Water Resources (DWR) has extended the comment period to December 16, 2022. District Manager Espinoza has been contacting other districts for their comments, including comments regarding water quality. She asked the Directors to submit to her any comments they would like included.

District Manager Espinoza stated the District is trying to work collaboratively with property owners on Stone Road and Taylor Road to address the drainage issues and ditch cleaning. The Board’s packet includes correspondence between Ms. Bethi Carver and the County regarding road drainage on personal property on Stone Road. The District will assist the residents when it can, and asking residents to assist with documentation and pictures of issues with drainage during this rainy season.

District Manager Espinoza stated there is a new flier called “Stormwater Drainage & Flooding in East County Communities” from the County that has been posted on the District’s website, with the information to contact the County and the link for the mobile citizen app for drainage issues.

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

BRIEFING ON NEXT LEVEE IMPROVEMENT PROJECT FOR DEPARTMENT OF WATER RESOURCES UPCOMING DRAFT PROJECT SOLICITATION PACKAGE (PSP)

Mr. Mike Mirmazaheri from GEI gave a presentation of the new draft Project Solicitation Package. There will be $37 million available for funding for the delta. Funding will be broken up into two phases with separate Project Funding Agreements (PFA’s). Phase 1 will provide for planning, design and permitting, while Phase 2 will provide for construction, construction engineering and inspections, mitigation costs associated with construction and project close out. DWR will not enter into Phase 2 funding until Phase 1 has been completed. However, successful Phase 1 completion will not guarantee Phase 2 funding. Phase 2 funding will be available on a first come first served basis, depending on available funding. After comments have been submitted, it will be reviewed and the PSP will be available after the new year.

Mr. Mark Fortner, from GEI, stated the District has been fortunate in the past with the HMP, Horseshoe Bend and Northwest Levee Projects. Attached to the packet were maps showing potential projects located in the residential areas. He is looking for potential projects that the Board thinks would be beneficial.

There was a discussion on which projects would most benefit the island for approximately for $3 million.

Director Kirk stated she is concerned with encroachments at the breach structure, which is a peninsula, on Stone Road and would it meet the criteria.

Mr. Mark Fortner stated he has not looked at the elevations of the crown lately in that area and feels that would meet the criteria.

Director Berzinas stated the levee height should be the number one criteria for a project.

Mr. Mark Fortner stated they could create a profile map for levee elevations with the HMP elevation, PL192-10 of 10.2 and maybe some areas of priority will materialize. He also has tables with the encroachments and what the levee stability issues are.

Director Berzinas asked what the timeframe will be for the Board to review before the final PSP is announced.

District Manager Espinosa stated it probably won’t be until January as the PSP will not be out until next year.

Mr. Mark Fortner stated he could have the profiles for the December 2022 regular meeting. It will also include cost estimates for the project.

AMENDMENT OF BIMID’S GENERAL COUNSEL AGREEMENT TO UPDATE TERMS OF PAYMENT

Attorney Dave Larsen stated that he has been with the District for five years and hasn’t asked for a rate increase for services. The increase would be from $150 to $200 per hour. He also requested to increase the rate for extraordinary services to $325 per hour to reflect his current rate for other clients.

A motion was made by Director Berzinas and seconded by Director Kirk to adopt Resolution No. 22-11-10A “Approving First Amendment to Legal Counsel Agreement” to update terms of payment. The vote showed four directors in favor (Director Lucas was absent). Motion carried.

CONSENT ITEMS – STAFF REPORTS

Reports were available to the public.

District Manager Espinoza stated the holiday closure for the office will be December 26 through December 30, 2022. Field staff will be working and office staff will be on call.

District Clerk Bixby stated Ordinance 24 “Updating Its Policies and Procedures Concerning Vehicular Access to Bethel Island Levees” was posted on October 26, 2022 through November 2, 2022 for one week in three places. The Ordinance will be effective on November 11, 2022.

**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 10/31/22:**

Checking Account: $199,117.44

Park Account: $2,708.41

House Number Account: $336.02

Delta Coves First Deposit: $288,701.85

Delta Coves Contingency Funds: $2,219,473.63

Delta Coves O & M Funds: $1,049,575.86

LFCF Repairs and Improvements: $10,580.52

LFCF Maintenance: $2,834.17

**Advance Funding from DWR**

Money Market is $463,410.38 (NWS Project)

Money Market is $66,005.18 (HEHE Project)

BETHEL ISLAND PARK COMMITTEE (AD-HOC)

Nothing to report.

DELTA INTERGOVERNMENTAL WATCHDOG COMMITTEE (AD-HOC)

Nothing to report.

LEVEE GATE COMMITTEE (AD-HOC)

Director Berzinas asked how it was going with the locks and cages.

District Manager Espinoza stated staff is finalizing the design for the cages and discussion on finalizing the policy for the levee keys.

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

Park Safety for open discussion.

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 7:58pm.

Submitted by Denece Bixby, District Clerk