SPECIAL MEETING OF THE BOARD OF

THE BETHEL ISLAND MUNICIPAL IMPROVEMENT DISTRICT

BETHEL ISLAND, CALIFORNIA

3085 STONE ROAD

BETHEL ISLAND, CALIFORNIA

DATE: APRIL 15, 2021

The Bethel Island Municipal Improvement District met in a special session located at 3085 Stone Road (via Zoom), Bethel Island, CA at 5:30 p.m. Upon roll call, the following were found to be present: Directors: Bruce Smith, Anthony Berzinas, Tom Knorr, Jr. Attorney Dave Larsen, and District Manager Regina Espinoza were also in attendance. Directors Lucas and Kirk were absent.

BOARD DISCLOSURE OF POTENTIAL APPEARANCES OF CONFLICTS OF INTEREST

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

CLOSED SESSION

Potential Litigation – Per Government Code 54956.9(d)(4)

The Board went into Closed Session. Director Kirk joined the meeting.

At approximately 5:40pm Director Lucas joined the meeting.

At approximately 5:45pm Director Kirk joined the meeting. All boardmembers present.

A motion was made by Director Berzinas and seconded by Director Knorr, Jr. to adjourn the Closed Session. The vote showed five directors in favor. Motion carried.

The Closed Session adjourned at 6:02pm.

REPORT OUT OF CLOSED SESSION

The Board opened the Board Meeting to the public at 6:30pm. Direction was given to staff. Director Knorr, Jr. was absent. Mr. Mark Fortner from GEI was present.

BOARD DISCLOSURE OF POTENTIAL APPEARANCES OF CONFLICTS OF INTEREST

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

CONSENT CALENDAR

A motion was made by Director Berzinas and seconded by Director Kirk to approve the minutes of the Regular Meeting of March 11, 2021; approve the minutes of the Special Meeting of March 23, 2021. The vote showed four directors in favor (Director Knorr, Jr. was absent). Motion carried.

ANNOUNCEMENTS

None.

PUBLIC COMMENT

Public comment chats will be attached to the minutes. There were no public comments at this time.

UNFINISHED BUSINESS

UPDATE ON BETHEL ISLAND CULVERT/DRAINAGE/STANDING WATER ISSUES

District Manager Espinoza stated at the previous meeting the Board requested to see the letter that is being sent to the County, regarding the County’s comments. The letter and specifications of the project were included in the Board’s packet.

Mr. Mark Fortner presented the letter and plans that will be submitted to the County. He gave highlights of what the County is requesting before the project can continue. There may need to be modifications to the Interagency Agreement that BIMID has with the County for the annual ditch cleaning.

Director Berzinas asked that not a lot of modifications be made to the agreement.

Mr. Mark Fortner stated BIMID will still maintain if it is a ditch or a pipe and that will be conveyed to the County.

President Smith asked if the project was ready to go out for bids.

Mr. Mark Fortner stated he has a package ready to go to bid. A conversation needs to start with DWR to help with the funding of the project, as toe ditches are involved.

There was a discussion on the details of the project.

A member of the public asked about the elevation at the upstream inlet.

Mr. Mark Fortner read off the elevations at different driveway points on Sheet No. 4 and 5 of the plans for the project.

Director Kirk asked if the other properties further up will be impacted negatively with the changes to the drainage.

Mr. Mark Fortner stated GEI is looking at all the drainage on the island and is looking at the properties further up on Taylor Road.

A member of the audience asked why Director Berzinas was commenting on this when there is a conflict of interest and wants to know why Director Berzinas and President Smith are commenting on the item. They asked for the definition of conflict of interest.

Attorney Dave Larsen stated when the item comes up for a vote, the boardmembers who have a conflict will not be allowed during the deliberation and the vote.

President Smith stated the Board is conducting a question and answer session and not deliberating before a vote.

Attorney Dave Larsen stated he would create a memo to send to the Board.

UPDATE ON ASSET MANAGEMENT SYSTEM

No update.

SHEETPILE PROJECT – FIVE YEAR PLAN

No update.

EMERGENCY PLANNING REVIEW

No update.

NEW BUSINESS

ADOPT RESOLUTION NO. 21-04-15A “MODIFYING EMPLOYEE HANDBOOK POLICY #3010 INJURY AND ILLNESS PREVENTION PLAN” TO INCLUDE COVID-19 PREVENTION PROGRAM IN COMPLIANCE WITH CAL-OSHA AND PUBLIC HEALTH REQUIREMENTS

District Manager Espinoza stated this is an update to the Board Policy #3010 that needs to include the new COVID-19 Prevention Plan. This Plan will be following the CalOSHA and State and County requirements.

Director Berzinas recommended adding a section named “Pandemic Prevention Programs’ with a subsection for COVID-19, so that in case there is another pandemic it can just be added to the section.

A motion was made by Director Berzinas and seconded by Director Kirk to adopt Resolution 21-04-15A “Modifying Employee Handbook Policy #3010 “Injury and Illness Prevention Program” and to include a section titled “Pandemic Prevention Programs” with a subsection titled “COVID-19 Prevention Program”. The vote showed four directors in favor (Director Knorr, Jr. was absent). Motion carried.

CONSENT ITEMS – STAFF REPORTS

Reports were available to the public.

Director Berzinas asked about the inlets at Delta Coves (one across from Windsweep Road and 2 across from Island Camp) that don’t have riprap aprons that drain into the pumps.

District Manager Espinoza stated she would check into it.

Director Kirk asked about the slurry wall around the perimeter of the Delta Coves levee and if the District is responsible for it.

District Manager Espinoza stated she would contact Mr. Jeff Twitchell with GEI for clarification.

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 Knorr, Jr. was absent). Motion carried.

TREASURER REPORT

**Balances as of 3/31/21:**

Checking Account: $269,221.72

Park Account: $3,676.14

House Number Account: $336.02

Delta Coves First Deposit: $155,784.79

Delta Coves Contingency Funds: $1,798,471.58

Delta Coves O & M Funds: $789,268.93

LFCF Repairs and Improvements: $7,270.33

LFCF Maintenance: $5,028.95

**Advance Funding from DWR**

Money Market is $127,287.79 (NWS Project)

Money Market is $50,000.00 (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

Director Lucas stated BIMAC agreed with ECCFPD to be consolidated with Confire.

SUGGESTION FOR FUTURE AGENDA

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 Knorr, Jr. was absent). Motion carried.

The meeting adjourned at 7:31pm.

Submitted by Denece Bixby, District Clerk