

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

DATE: AUGUST 12, 2021

The Bethel Island Municipal Improvement District met in a regular session located at 3085 Stone Road (via Zoom), 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, District Manager Regina Espinoza, Mark Fortner and Jeff Twitchell from GEI were also in attendance. Director 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. Directors 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 Special Meeting of June 17, 2021. The vote showed four directors in favor (Director Lucas was absent). Motion carried.

ANNOUNCEMENTS

Lt. Mark Johnson reviewed what had happened with a District employee and Brandon Moreland in the park. With the surge on COVID, it has been more complicated to arrest for minor crimes. Lt. Johnson also stated about people sleeping in the park and in vehicles at night and the Sheriff's Office will try to find them another place to go. Lt. Johnson also reported on crime in the area.

Director Berzinas asked what can the District do to protect its employees and visitors at the park.

Lt. Johnson stated one of the businesses has already got a restraining order.

Attorney Dave Larsen stated he would do some research and bring back a set of options at the next meeting or two.

Director Kirk asked for information from Lt. Johnson as to contacting Supervisor Burgis's office and/or the District Attorney's Office to file charges on instances like the previous one in the park.

Director Berzinas stated the District needs to file the paperwork for the park to protect the District's employees. Lt. Johnson will give the District any information pertaining to Mr. Moreland for filing a restraining order. After that has been completed, then the District could go to Supervisor Burgis Office and the District Attorney to file formal charges.

Attorney Dave Larsen stated he will do the research of the law as it pertains to government entities.

PUBLIC COMMENT

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

UNFINISHED BUSINESS

UPDATE ON BETHEL ISLAND CULVERT/DRAINAGE/STANDING WATER ISSUES

There was a discussion on who can participate and who should recuse themselves. If there isn't a quorum, then the item should be tabled until the next meeting.

District Manager Espinoza stated she would like direction because there are other options.

Director Berzinas recused himself so that the Board could have a quorum to give direction to the District Manager and/or District Engineer.

President Smith stated he would recuse himself.

Attorney Dave Larsen suggested holding a special meeting to discuss and make it an action item for the meeting.

Mr. Mark Fortner stated the bids are good for thirty days, but he could let the contractors know of the time for the award of the bids.

District Manager Espinoza suggested to let the Engineer give his presentation and then go forward from there because there are other options that can be taken for the project.

Mr. Mark Fortner stated he and Mr. Mike Mirmazaheri spoke to DWR about the project. DWR stated the proposed project is too far from the levee and they cannot support a cost share for the project. The four bids that were submitted ranged from \$165,00 to \$190,000. The lowest bid was for

a company called ETIC. There will be two grants that will be coming up soon that could be utilized for this project from IRWM and FEMA. One is a FEMA project for a budget of \$600,000, but the project would have to be submitted by October and the construction would happen next year.

UPDATE ON ASSET MANAGEMENT SYSTEM

No update.

SHEETPILE PROJECT – FIVE YEAR PLAN

No update.

EMERGENCY PLANNING REVIEW

No update.

NEW BUSINESS

FIRST READING ESTABLISHING AN ORDINANCE FOR REAR-YARD SETBACK FEES

Mr. Jeff Twitchell presented the fee structure for the Delta Coves rear-yard setback review. Director Berzinas had stated there would need to be additional inspections to make sure everything was done according to the specifications that were submitted.

Director Berzinas asked about the documentation for the piling depth of the piers and is the District going to be getting the as-builts when they are completed.

Mr. Jeff Twitchell asked if the Ordinance will become effective after sixty days.

Attorney Dave Larsen stated he thought it would be sixty days but as everything has been spelled out in the Ordinance with the calculations, this can be effective as a normal Ordinance because the development fees initiative does not apply.

A motion was made by Director Berzinas and seconded by Director Kirk that the Board enters into the First Reading of Ordinance 23 Establishing an Ordinance for Rear-Yard Setback Fees for the rear-decks in Delta Coves and waiving the First Reading. The vote showed four directors in favor (Director Lucas was absent). Motion carried.

DISCUSSION OF DELTA COVES DRIVE STORM DRAIN DEFICIENCIES AND POTENTIAL REMEDY MEASURES

Mr. Jeff Twitchell stated this is an information item to make the Board aware what has been uncovered in the last couple of years. When Delta

Coves was installing the landscaping on the north side of the project, on Gateway Road, they were essentially over watering the landscaping to get it established. It was noticed that there was an abnormal amount of moisture coming out on the land side of the levee particularly on Gateway Road down further than the top of the levee. There was further investigation into the problem. The BIMID Engineer requested for Delta Coves to conduct inspection of the 18-inch pipe via televideo in October of 2020 to review the interior condition of the double-wall 18-inch HDPE plastic pipe and pipe connections/joints. There will be recommendations of an assessment that will be completed by Bellecci & Associates which the Board will be updated once the results are reviewed by the BIMID Engineer.

After discussion, the Board directed GEI to identify the cause of the seepage.

CONSENT ITEMS – STAFF REPORTS

Reports were available to the public.

District Manager Espinoza stated the Bethel Island Clean-up Day will be held on October 2 and the Safety Fair will be held on October 16 at Scout Hall.

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 7/31/21:

Checking Account: \$662,563.47

Park Account: \$2,539.25

House Number Account: \$336.02

Delta Coves First Deposit: \$290,136.85

Delta Coves Contingency Funds: \$1,799,368.51

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

LFCF Repairs and Improvements: \$25,570.16

LFCF Maintenance: \$52,996.96

Advance Funding from DWR

Money Market is \$1,899,233.89

(NWS Project)

Money Market is \$22,404.57

(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

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 8:25pm.

Submitted by Denece Bixby, District Clerk

8/12/21 Regular Meeting

18:46:52 From Jody : Employees and the citizens that are in the park.

18:57:32 From Jody : Denise, I can only speak at this point. Just making my public comment.

19:05:33 From chris : I agree with Lisa.

19:05:55 From Jody : I agree with Lisa, table it.

19:06:43 From Jody : Conflict is a conflict.

19:30:44 From chris : Is this just for blue mountain?

19:31:16 From chris : Thanks

19:48:09 From Jody : I agree with Tommy on that wet spot has been there from the get go. A bandage is not a good fix. Find the why and fix that.