

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

**DATE: NOVEMBER 14, 2024**

The Bethel Island Municipal Improvement District met in 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: Tom Knorr, Jr., Anthony Berzinas and Lisa Kirk. District Manager Regina Espinoza and Attorney Dave Larsen were also in attendance. Directors Smith and Rama were absent.

**2. BOARD DISCLOSURE OF POTENTIAL APPEARANCES OF CONFLICTS OF INTEREST**

Director Berzinas stated he would recuse himself if there was a vote on the Bethel Island Flooding and Remediation Mitigation Project under Item 8A(i)(a) because of the project being within 500 feet of his house. Directors Knorr Jr. and Kirk had no conflicts. Directors Smith and Rama were absent.

**3. CONSENT CALENDAR**

**A. A motion was made by Director Kirk and seconded by Director Berzinas to approve the minutes of the Regular Meeting of October 10, 2024. The vote showed three directors in favor (Directors Smith and Rama were absent). Motion carried.**

**B. A motion was made by Director Berzinas and seconded by Director Kirk to adopt Resolution No. 24-11-14A "Adopting the Local Hazard Mitigation Plan Update Prepared by Contra Costa County". The vote showed three directors in favor (Directors Smith and Rama were absent). Motion carried.**

**4. SEPARATE CONSIDERATION OF ANY MATTER(S) REMOVED FROM THE CONSENT CALENDAR**

Nothing was discussed.

**5. ANNOUNCEMENT**

None.

## 6. PUBLIC COMMENT

Mr. Mark Whitlock stated there had been a shooting on Taylor Road on November 7, 2024. Then shots were fired at Rusty Porthole but no gun was found. A suspect was arrested on multiple charges.

## 7. NEW BUSINESS (CONSULTANT PRESENTATIONS)

None.

## 8. UNFINISHED BUSINESS

### A. UPDATE ON BETHEL ISLAND

#### CULVERT/DRAINAGE/SEEPAGE/STANDING WATER ISSUES

District Manager Espinoza stated the Taylor Road Project has had some news. There was a meeting between CalOES and FEMA to discuss what is happening next with the project. BIMID will need to go through the environmental compliance process with the Indian tribes and that could take up to a year.

President Knorr, Jr. asked about the drainage ditches being completed for the season.

District Manager Espinoza stated the ditches are still being cleared in necessary areas.

Director Kirk stated she has spoken with Mr. Tim Jensen from Public Works who reported that he has spoken to the property owner at 2425 Taylor Road several times. Mr. Jensen is now sending the issue to Code Enforcement. BIMID was not notified for approval of the barn that is now causing flooding in the area. She would like to have review of the plans on the agenda for the next meeting so the Board can decide where to go from here.

District Manager Espinoza stated the County and BIMID have been updating the drainage maps for who is responsible for maintaining the ditches; whether it is the County, BIMID or property owners. The District is hoping the new mapping will help with the situation.

The Board agreed to place the item on the December agenda.

Mr. Mark Whitlock stated there were a couple of comments made at the County's Meeting on October 30th. There was a comment made that Delta Coves would be paying for the culverts to be put in on Stone Road.

Director Kirk stated when she went to the Drainage Meeting with the County, it was stated that Delta Coves would pay for the culverts to be

installed and BIMID would do the engineering and the County would install.

There was a discussion on how much BIMID could be involved in the project of the culvert installation on Stone Road and how BIMID can't spearhead a project if it is out of the District's jurisdiction.

The Board added an item to discuss the slurry wall and maintenance.

**B. FIVE-YEAR PLAN**

There were no updates.

**C. COLLABORATIVE FLOOD CONTROL EFFORTS**

There were no updates.

**D. CONTINUED DISCUSSION OF HOWARD HOLMES HABITAT MITIGATION SITE AS A SITE FOR A COMMUNITY GARDEN**

There were no updates.

**E. RANCH LANE ITEMS**

**A. PUBLIC HEARING OF THE FIRST READING FOR ORDINANCE 22 TO INCLUDE "NO FIRES ALLOWED", "PARKING" AND "NO HORSES IN THE PARK PROPER"**

Attorney Dave Larsen stated the Board requested there be an amendment to Ordinance 22. This is to allow parking restrictions on Ranch Lane, to prohibit horses and prohibit fires in the park.

Director Berzinas stated the section that mentions animals, should refer to all livestock, not just horses.

Attorney Dave Larsen stated Section 4C Animals, states that only dogs and cats are allowed so the section would prohibit any other animals. The recommendation is to keep it as is.

Attorney Dave Larsen stated Section 3C Motor Vehicles within Parks, the fourth sentence would change in its entirety as follows, "No person shall allow a motor vehicle to remain within the boundaries of a park after hours, and no vehicle may be parked on Ranch Lane adjacent to the Bethel Island Community Park during the nighttime hours specified in California Vehicle Code §22507.5, without the prior written consent of the District Manager, who shall cause no parking signs to be posted prohibiting said parking, and who shall establish and administer a permit process allowing exceptions to this parking prohibition for specified reasons including special events as appropriate."

Attorney Dave Larsen stated Section 10D will be amended in its entirety to read, "No person shall start or maintain a fire in any park."; removing any other language in that section.

**A motion was made by Director Berzinas and seconded by Director Kirk to accept the First Reading of Ordinance 22 eliminating Section 2 of the amendment "No person shall be allowed to bring a horse or horses into a park without the prior written consent of the District Manager, which consent shall include terms and conditions under which a horse or horses are allowed in a particular instance" and reading by title only. The vote showed three directors in favor (Directors Smith and Rama were absent). Motion carried.**

B. DISCUSSION AND CONSIDERATION OF SERVICE AGREEMENT WITH  
ARROWHEAD TOWING SERVICE FOR PARK

This item was moved to the next board meeting.

F. DISCUSSION AND CONSIDERATION OF SECURITY NEEDS AT DELTA  
COVES PUMP STATIONS AND YARD

This item was included in Item 9A.

9. NEW BUSINESS

A. DISCUSSION OF LATENT POWERS

Director Berzinas stated in the BIMID Act there are latent powers for having a security patrol. There is one needed for the pump stations, levees and the park. He recommended that it be a perpetual 218 tax to be able to have a security team to patrol the area at night.

Director Kirk stated she was not sure about latent powers at this point. She would like to see a cost analysis. She wants to keep the District's focus on the levee improvements.

District Manager Espinoza gave a breakdown of the process to enact latent powers through the Local Agency Formation Commission (LAFCO). The procedure can be lengthy and expensive.

Director Berzinas would like to have District staff look into Contra Costa Water District and find out how their canals are patrolled; including how they are organizing, utilizing, functioning and how it is funded.

Director Kirk stated she would like to see how the newly installed security cameras work for the next six months.

Mr. Mark Whitlock stated that going to LAFCO for latent powers would be lengthy and expensive for BIMID. It would be questionable if LAFCO would even approve the latent power. He thinks the levees and park should be patrolled twice a night.

#### B. DISCUSSION OF ISLAND SANDBAG STATIONS

District Manager Espinoza stated the signs stating the hours of operation and instructions have been ordered. The sites have been prepped and sandbags stocked. Two of the sandbag sites are open 24 hours (Piper Road and Ranch Lane) and one site on Bethel Island Road will be open from 8:00am to 3:00pm, Monday through Friday.

#### C. DISCUSSION AND CONSIDERATION FOR PURCHASE OF BACKHOE

District Manager Espinoza stated it is now time to purchase a backhoe. The current backhoe is in poor condition. Staff has gotten quotes for three different backhoes. The Board had allocated \$300,000 in the budget to purchase the backhoe. Peterson CAT has submitted a trade in offer for our current 2007 Case 590 Backhoe in the amount of \$21,000. The cost for the CAT 440 backhoe would cost \$236,382.40 through CAT. The new backhoe is equivalent to the one the District currently has.

There was a discussion on weed abatement and mower attachment. After discussion, it will come back to the Board to discuss the purchase of a mower attachment.

**A motion was made by Director Berzinas and seconded by Director Kirk to purchase the CAT 440 Backhoe Loader. The vote showed three directors in favor (Directors Smith and Rama were absent). Motion carried.**

#### D. DISCUSSION AND CONSIDERATION OF A "ROCK AROUND THE PARK" EVENT IN THE SPRING

President Knorr Jr. described what the Park Standing Committee determined while installing the boats. The perimeter of the park needs to be dug down a few inches, take the dirt out and install weed block, an anchor system, install boat and fill in with crushed rock. It would save on park maintenance in the park. The committee discussed having a community "rock around the park" event in the spring which would have community members excavate around the perimeter of the park and put in the weed block and crushed rock around the perimeter flower beds.

Director Berzinas asked where the funding would come from for the materials.

President Knorr, Jr. stated the crushed rock has already been found and is available for free. He also suggested using District personnel and the backhoe to dig out the perimeter.

Director Berzinas stated after getting the volunteers together, that a tailgate meeting should happen before any equipment is used.

**A motion was made by Director Kirk and seconded by Director Berzinas to approve the "Rock Around the Park" Event to happen in the spring, with specific details of the event brought to the Board in the spring, prior to the event. The vote showed three directors in favor (Directors Smith and Rama were absent). Motion carried.**

#### 10. CONSENT ITEMS – STAFF REPORTS

Reports were available to the public.

##### A. District Manager Report Update on Goals, Strategies, Problem Areas, Work Completed

District Manager Espinoza stated holidays are coming up. The office will be closed the week between Christmas and New Year's Day. There will be field staff working, but the office will be closed. All staff will be observing Thanksgiving (and the day after) and the office will be closed.

##### B. Levee Superintendent Monthly Report of Work Performed

Nothing was discussed.

##### C. District Clerk Monthly Report of Work Performed

Nothing was discussed.

##### D. Report of Monthly Work to be Performed

Nothing was discussed.

**A motion was made by Director Berzinas and seconded by Director Kirk to receive and file the Staff Reports. The motion showed three directors in favor (Directors Smith and Rama were absent). Motion carried.**

#### 11. DIRECTOR REPORTS

##### A. TREASURER REPORT

###### **Balances as of 10/31/24:**

Checking Account: \$327,079.15

Park Account: \$3,009.66

House Number Account: \$336.02

Delta Coves First Deposit: \$535,975.66

Delta Coves Contingency Funds: \$2,489,724.85

Delta Coves O & M Funds: \$807,379.32  
LFCF Repairs and Improvements: \$505,088.78  
LFCF Maintenance: \$127,185.37

**Advance Funding from DWR**

Money Market is \$48,101.37

(HEHE NW Levee Project)

B. BETHEL ISLAND PARK COMMITTEE (STANDING)

i. Nothing was discussed.

C. SECURITY SYSTEM COMMITTEE (AD-HOC)

Nothing was discussed.

D. DELTA INTERGOVERNMENTAL WATCHDOG COMMITTEE (AD-HOC)

Nothing was discussed.

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

Nothing was discussed.

F. WEBSITE/PUBLIC OUTREACH/SOCIAL MEDIA PRESENCE (AD-HOC)

District Clerk Bixby stated the website has just been updated and went live today.

G. BIMAC/FIRE DISTRICT UPDATE

Nothing was discussed.

H. ISLAND EVACUATION SAFETY COMMITTEE (AD-HOC)

Director Kirk stated she is in the process of having the Fire Department to recognize and vet the District's Evacuation Plan.

I. DRAINAGE COMMITTEE (AD-HOC)

Nothing was discussed.

12. SUGGESTION FOR FUTURE AGENDA ITEMS

Discussion of the slurry wall maintenance

Discussion of security patrol

13. 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 Smith and Rama were absent). Motion carried.**

The meeting adjourned at 7:30pm.

Submitted by Denece Bixby, District Clerk

Board approved 12/18/24

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