

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

**DATE: DECEMBER 18, 2024**

The Bethel Island Municipal Improvement District met in 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: Tom Knorr, Jr., Anthony Berzinas, Bruce Smith and Lisa Kirk. Mr. Jeff Twitchell from GEI Consultants, District Manager Regina Espinoza and Attorney Dave Larsen were also in attendance. Director Rama was absent.

**2. SWEARING IN OF NEWLY APPOINTED DIRECTORS**

District Clerk Bixby swore in the re-appointed Directors Smith, Berzinas and Kirk.

**3. 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 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. Director Rama was absent.

**4. CONSENT CALENDAR**

**A. A motion was made by Director Berzinas and seconded by Director Kirk to approve the minutes of the Regular Meeting of November 14, 2024. The vote showed four directors in favor (Director Rama was absent). Motion carried.**

**B. A motion was made by Director Berzinas and seconded by Director Smith to approve the renewal of Kaiser Health Benefits for Qualified Employees. The vote showed four directors in favor (Director Rama was absent). Motion carried.**

**C. A motion was made by Director Smith and seconded by Director Berzinas to approve and adopt Board Policy No. 4027 "Lease and SBITA Accounting Policy". The vote showed four directors in favor (Director Rama was absent). Motion carried.**

**D. A motion was made by Director Berzinas and seconded by Director Smith to approve the Professional Services Agreement Renewal for Financial Consultant from January 1, 2025 through December 31, 2027. The vote showed four directors in favor (Director Rama was absent). Motion carried.**

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

Nothing was discussed.

President Knorr, Jr. moved Agenda Item 10B to Agenda Item 8.

Director Rama joined the meeting at 6:36pm.

6. ANNOUNCEMENT

Director Kirk stated she had met Ms. Anna Swenson from Delta Protection Commission. Director Kirk explained to her that the District is looking for additional funding. Ms. Swenson recommended coming to their meetings as other entities are also present. Director Kirk asked the rest of the Board for input on what she should discuss with the Commission.

Director Berzinas stated it should be placed on the next agenda for discussion.

Director Kirk stated has received confirmation from ConFire and CWS that they can meet with the Island Safety Evacuation Safety Ad-Hoc Committee on January 13, 2025 at 3:00pm.

District Manager Espinoza stated that under Agenda Item 12D, it can be discussed at the next meeting what the Board's priorities are, and which meetings to attend with the Delta Protection Commission, Delta Stewardship, etc with the Board's priorities in mind.

7. PUBLIC COMMENT

None.

8. NEW BUSINESS (CONSULTANT PRESENTATIONS)

A. PRESENTATION BY GEI JEFF TWITCHELL FOR CONSIDERATION AND APPROVAL OF CONSTRUCTING HOMES ON DELTA COVES PARCEL E

Mr. Jeff Twitchell stated about two months ago he was approached by Delta Coves. They want to build homes near the seepage cutoff wall on Windsweep Road on Parcel E, Lots 31 through 36 and 37 through 44. Delta Coves has now changed the parcel from commercial to condominiums. There was a question about driveways and positioning the structures near the seepage cutoff wall. The wall is very important and an integral part to the outlying community. Lots 31 through 36 (six lots) are

located in excess of ten feet, which is an acceptable distance for the noted location, from the centerline of the existing seepage cutoff wall and the eight foot wide clay cap. Lots 37 through 44 are all within approximately four to seven feet from the centerline of the seepage cutoff wall and accompanying the eight foot wide clay cap. GEI is recommending shortening the eight lots (Lots 37 through 44) driveways by two feet each, from a length of twenty feet to eighteen feet. To protect the integrity of the eight foot wide clay cap where it connects on top of the seepage cutoff wall, it was recommended that no trees be placed or planted within twelve feet of the centerline of the seepage cutoff wall. The root systems of mature trees can have a significant negative impact on the integrity of the clay cap where it joins up with the top the seepage cutoff wall. It was also noted that BIMID has not formally accepted the Delta Coves seepage cutoff wall as a part of the Communities Facility District (CFD) and as such, the costs associated with any future modifications to the seepage cutoff wall, clay cap and/or encroachments will be incurred by the applicable Delta Coves HOA for Parcel E. The same will hold true for the balance of Delta Coves perimeter lots along Delta Coves Drive and Windsweep Road and Parcels C & D where the Delta Coves HOA(s) is responsible for any costs associated with the Operation, Maintenance, Repairs, Rehabilitation and Replacement (OMRR&R) for the seepage cutoff wall and accompanying clay cap.

Director Rama left the meeting at 7:47pm.

**There was a motion by Director Berzinas and seconded by Director Kirk to accept the recommendations in the GEI letter draft dated December 12, 2024 as presented. The vote showed four directors in favor (Director Rama was absent). Motion carried.**

#### 9A/10B. DISCUSSION OF DELTA COVES SLURRY WALL AND MAINTENANCE

As stated earlier in the meeting, this item has been moved from New Business.

Mr. Jeff Twitchell stated he and two other technical engineers came out five weeks ago to review the item that was previously discussed and the reading of the data on the seepage control system for the slurry wall. The primary reason for the wall going in was to collect the seepage data from within Delta Coves levee, especially Stone Road.

Director Berzinas stated there weren't any standards or data collected that set the standards for the outside of the Delta Coves levee on Stone Road.

Mr. Jeff Twitchell stated there are fourteen weirs that were developed by the Delta Coves engineers. This was to minimize the impact of the seepage on Stone Road. He would like to see the weirs lowered as to maintain the seepage and perhaps add more culverts.

There was an additional discussion on the seepage, particularly on Stone Road.

Director Kirk asked if there was any further information about the two previous culverts that were installed by Delta Coves. She would like the information at the next meeting.

The discussion continued with what the funding would look like if Delta Coves didn't agree to add additional culverts on Stone Road.

#### 9. UNFINISHED BUSINESS

##### A. UPDATE ON BETHEL ISLAND

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

Items were discussed previously.

##### 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 SECOND READING FOR ORDINANCE 22

##### "ADOPTING AMENDMENT RULES AND REGULATIONS GOVERNING PARKS

Attorney Dave Larsen stated the changes have been made for Ranch Lane nighttime parking and fires in the park. If the Board chooses to adopt Ordinance 25, it will become effective in thirty days.

**A motion was made by Director Berzinas and seconded by Director Smith to adopt Ordinance 25 "Dealing with Park Rules and Regulations, to Add Provisions Concerning Parking and Fires". The vote showed four directors in favor (Director Rama was absent). Motion carried.**

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

Attorney Dave Larsen stated he will meet with Arrowhead after the first of the year to further discuss the contract. This item will be continued until the next meeting.

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

Attorney Dave Larsen stated he has been speaking with Mr. Doug Scheer and the discussion is continuing regarding the agreement for security at the BIMID yard and whether there should be two agreements for the same thing. Mr. Scheer's concern is with Section 4 of the draft agreement dated 12/17/24 "Limited Warranty on Sale". They would be installing the system but the system would be under warranty from the system's company. He then reviewed the handout of the updated agreement dated 12/17/24 with the limited warranty in Section 4.

There was a discussion on the contract. After the discussion, it was clear that another meeting with Scheer Security is needed, with changes on the warranty and what the manufacturer's warranty entails. Staff will meet with Scheer Security in January. It will be brought back to the Board at the next meeting.

**10. NEW BUSINESS**

**B. DISCUSSION OF DELTA COVES SLURRY WALL AND MAINTENANCE**

This was discussed earlier in the meeting.

**C. APPROVAL TO TERMINATE CLEAN UP DAY AGREEMENT WITH CONTRA  
COSTA COUNTY**

**A motion was made by Director Berzinas and seconded by Director Smith to terminate the agreement with Contra Costa County for Clean Up Day to protect BIMID liabilities, etc. The vote showed four directors in favor (Director Rama was absent). Motion carried.**

**A. DISCUSSION AND CONSIDERATION OF 2425 TAYLOR ROAD  
DRAINAGE ISSUE**

Director Kirk stated she has been having discussions with the County asking for BIMID's comments on plans that are near any of the drainage ditches on the island and to consider Bethel Island in a flood plain area. This property owner covered up a drainage ditch to install a horse stable/barn which is now causing flooding of other properties that was approved by the County. Director Kirk stated she is waiting for information from Mr. Rueben Hernandez to have all plan checks be sent to BIMID.

## 11. CONSENT ITEMS – STAFF REPORTS

Reports were available to the public.

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

Nothing was discussed.

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

## 12. DIRECTOR REPORTS

A. TREASURER REPORT

### **Balances as of 11/30/24:**

Checking Account: \$250,431.06

Park Account: \$2,831.63

House Number Account: \$336.02

Delta Coves First Deposit: \$536,198.86

Delta Coves Contingency Funds: \$2,491,600.67

Delta Coves O & M Funds: \$1,514,433.47

LFCF Repairs and Improvements: \$505,299.12

LFCF Maintenance: \$127,218.12

### **Advance Funding from DWR**

Money Market is \$32,302.17

(HEHE NW Levee Project)

B. BETHEL ISLAND PARK COMMITTEE (STANDING)

President Knorr, Jr. stated the committee will be meeting in February.

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)

Director Berzinas stated there are still talks about a sheetpile project as mentioned earlier in the meeting.

F. WEBSITE/PUBLIC OUTREACH/SOCIAL MEDIA PRESENCE (AD-HOC)  
Nothing was discussed.

G. BIMAC/FIRE DISTRICT UPDATE  
Nothing was discussed.

H. ISLAND EVACUATION SAFETY COMMITTEE (AD-HOC)  
Director Kirk stated there will be a meeting on January 13th and ConFire will be in attendance.

I. DRAINAGE COMMITTEE (AD-HOC)  
Nothing was discussed.

13. SUGGESTION FOR FUTURE AGENDA ITEMS  
Continuation on the BIMID Yard Security Agreement.  
Continuation on the Park Towing Agreement

14. CORRESPONDENCE  
None was discussed.

**A motion was made by Director Berzinas and seconded by Director Smith to adjourn the meeting. The vote showed four directors in favor (Director Rama was absent). Motion carried.**

The meeting adjourned at 9:05pm.

Submitted by Denece Bixby, District Clerk