

BRANNAN-ANDRUS LEVEE MAINTENANCE DISTRICT

Minutes of Thursday, September 10, 2015

The stated meeting of the Brannan-Andrus Levee Maintenance District's Board of Directors was called to order by President, Larry Gardiner, at 9:30 a.m. on the above cited date at the District Office, 310 Second Street, Isleton, California.

1. Roll Call indicated a quorum with the following in attendance:

- Directors: Larry Gardiner, Fran Silva, Joe Deak and Denis Van De Maele
- Staff: Andy Giannini, Superintendent; Gilbert Labrie, Engineer; Victoria Hale, Treasurer; and Debbie Phulps Secretary.
- Guests: Dave Spensley, Kirk West

2. Agenda Setting. MSC (Silva / Deak) MSC adopting the meeting Agenda. [MSC = Motion-Second-Carried unanimously unless otherwise noted].

3. Invitation to Address the Board. None responded.

4. Financial. Copies of the Balance Sheet and Unpaid Bills Detail were distributed and reviewed.

4.1 Balance Sheet Summary as of meeting date:

Total Checking / Savings.....	\$	1,577,402.36
Total Accounts Receivable.....	\$	37,856.20
Total Other Current Assets.....	\$	1,773,334.10
Total Fixed Assets.....	\$	573,011.58
Total Assets.....	\$	<u>2,346,345.68</u>
Total Current Liabilities.....	\$	398,656.14
Equity.....	\$	<u>1,947,689.54</u>
Total Liabilities and Equity.....	\$	<u>2,346,345.68</u>

4.2 The following claims were submitted for payment approval. Invoices were available and those presented by DCC Engineering and Delta Bookkeeping were reviewed.

AT&T Wireless.....	340.88	LAFCO.....	106.00
California Highway Patrol.....	4,082.63	Oilwell Materials.....	108.31
California Waste Mngmt.....	130.90	Payroll - PERS.....	4,261.63
California Waste Mngmt.....	93.50	Payroll - Liabilities.....	2,298.00
CCVFC.....	4,521.00	Quickbooks Payroll.....	3.20
Deak; Joe.....	100.59	Ramos Oil.....	1,160.79
Delta Bookkeeping.....	2,133.28	RD 2067.....	360.00
Frontier Communications.....	126.00	River Rats.....	75.00
Gardiner; Larry.....	100.59	S&W Tire.....	215.71
Giannini; Andy.....	2,272.28	SCI Consulting Group.....	2,042.05
Gilbert Labrie, AIA.....	36,432.54	Silva; Frank.....	100.59
Giles; Gay.....	100.59	Stewart Industrial Supply.....	27.30
Gornto Ditching.....	63,136.00	Van De Maele; H. Denis.....	100.59
Jay's Towing.....	200.00	VISA.....	85.81
Kipfel; Russel.....	2,233.88	Total Claims.....	\$ 126,949.63

MSC (Silva / Deak) authorizing issuance of (2) \$50,000 warrants and (1) \$25,000 warrant and payment of the presented claims.

4.3 Benefit Assessment billings. SCI has filed the billing with the County for the FY2015-16 Benefit Assessment Call in the amount of \$421,751.68. It will be entered to the books in November. Mineral Rights assessments totaling \$151,485.88 for FY2015-16 will be billed in December.

4.4 Interest Overpayment. Sacramento County advised the District as to a cumulative over billing of interest from prior years in the amount of \$176.60. That amount was recaptured this month from the County accounts.

[The Treasurer left the meeting following her report.]

5. Business

5.1 Mokelumne Sta. 100+00 French Drain and Blanket. **MSC** (Deak / Van De Maele) to go to bid for the cited work. Bids will be opened at the October Stated Meeting.

5.2 October stated meeting time. Due to a scheduling conflict with the RD2067 meeting, the action from the July meeting to commence the October meeting at 9:00 was revisited. **MSC** (Van De Maele / Silva) moving the Stated Meeting time to 9:30 a.m. The Board will meet in Closed Session first with Open Session to follow (approximately 10:15 a.m.)

6. Staff Reports

6.1 Secretary - Debbie Phulps. MSC (Van De Maele / Deak) approving the minutes of the August 13, 2015 meeting as corrected (Director Silva was absent from the meeting, and Director Deak was present for the Closed Session).

[President Gardiner relinquished the gavel to Vice President Van De Maele and departed from the meeting due to a prior commitment.]

6.2 Superintendent - Andy Giannini. Working to re-establish County operating approvals at headquarters which were not renewed due to deficiencies on the Site Map transmitted as part of the renewal process. Mowing occurred on the Sacramento. District equipment completed the project when Caltrans was relieved of the task due to equipment issues. Grazing occurring. DWR Fall Inspection scheduled for September 14 with Richard Willoughby. President Gardiner requested that Andy follow-up on the squatters on the berm behind Isleton; and that he commence herbicide applications on the re-emerging arundo when practicable.

6.3 Engineer - Gil Labrie. Gil distributed copies of correspondence transmitted from DCCE to CVFPB related to its requirement for channel blocking calculations as part of that agency's permit review process, and the request for such documentation related to the USACE project occurring on the Sacramento River near the confluence with Georgiana Slough. He then distributed and reviewed his monthly report to the BALMD Board as follows (*discussion or questions occurring during the course of the Report are noted in inset paragraphs*):

A. Levee Subventions Program Issues Overview

1. Levee Investment Strategy. In the November 2014 report this office made to the Board, a new Levee Program management tool that was in the beginning stages of development by DWR, was introduced because of its potential long term impact on Program funding decisions and ultimately the level of State assistance for certain LMA's. At that time a team of outside consultants was retained to develop a *Delta Levees Investment Strategy* (DLIS) methodology, by the Delta Stewardship Council (DSC). So the final document will be a DSC product, after which time it will likely be utilized by DWR and the State Legislature to prioritize and validate the decision making process for the Governor's Budget. Since that earlier beginning there has been more than one iteration of the draft DLIS document and some workshops have been held, in an effort to provide some opportunities for local input, and be able to label the entire process as transparent to those most likely to be affected. The pace of the DLIS development effort has picked up in the last few months and is moving forward on several fronts. That includes progress report briefings at the regularly scheduled meetings of the Stewardship Council and the Delta Protection Commission (DPC), in late August, a Central Valley Flood Protection Board hosted July workshops in Clarksburg as well as in Oakley to discuss the DLIS principles. At the Delta Levees and Habitat Advisory meeting in early July, the status of the DLIS process was discussed, with particular attention being given to the timing of the EIR process. The DSC has been seeking comments on the DLIS Programmatic EIR that is currently being circulated along with the "*Delta Flood Management Investment Strategy Principles*" document that was crafted independently by three senior members of the DSC to guide the Council deliberations that will lead up to the adoption of the DLIS. Some well thought out critiques of both of these documents have been submitted to the DSC by the CVFPB, the DPC, LAND, the Central Delta Water Agency, and several Delta Stakeholder representatives. There have been some follow up comments, as recently as a DPAC workshop held earlier this week, that many of the issues raised in the critiques cited above are being given some serious consideration by members of the DSC. However, time is of the essence if the draft Principles document is to be revised to eliminate the anti-levee program message that is currently being conveyed. The DSC is currently scheduled to consider fine tuning the Principles in November, in preparation for the eventual adoption of a final version in December.

Meanwhile, the DLIS is still undergoing development pains, such that a September meeting with stakeholders has been postponed until October. Of course a Programmatic EIR process is also underway to consider the impacts of an investment strategy approach to assisting decision makers in

evaluating the consequences of prioritization choices generated a more objective methodology. This definitely seems like the cart before the horse. Of course, the focus of this new State levee flood control budgeting guide will be on the **where** the investment priorities should be and **what** types of levee improvements best reflect those priorities. A crucial part of this decision making process will be the Investment Strategy Principles being crafted by the DSC and discussed above, which basically establishes the priorities.

This is a far cry from the current (successful) Subventions Program process where the local LMA's (Levee Maintaining Agencies) set their priorities guided by CVFPB criteria (essentially priorities) and first hand knowledge of local conditions and resources. Suffice it to say the entire DLIS process, as currently drafted, is flawed and does represent a significant threat to the future success of the Levee Subventions Program.

2. Title 23 Revisions. Another Resources Agency effort affecting jurisdictional levee work, that was previously reported on is an update of the Guidelines and Procedures adopted by the Central Valley Flood Protection Board pursuant to Section 12984 of the Water Code which includes DWR administration of the Delta Levees Subventions Program. One workshop was held in late April to go over the first draft of the Guidelines update. Nothing further has been scheduled.
3. Subventions Special Projects. When the Special Projects concept was sold to the districts it was presented as an opportunity to take on larger projects by any LMA participating in the Delta Levee Subventions Program. However, the early introduction of a bonus point system coupled with a focused project solicitation process has allowed DWR to skew the program towards certain type of projects. In the first two project solicitation (PSP) rounds, the CalFed planning effort helped some projects get on the short list and receive funding support. But, with the development and adoption of the Delta Plan with its emphasis on water supply and ecosystem restoration, the bonus point system is now placing a higher priority on "multi-benefit" levee improvement project proposals that protect water quality and provided habitat enhancement.

The most recent DWR PSP stressed multi-benefit projects involving specific river channels and habitat enhancement. Because the Sacramento River was one of the favored channels, BALMD's planned erosion repair/habitat enhancement project involving the Sacramento River levee between Cache Slough and Isleton was ultimately approved to receive State funding at a cost-share level of 94%. The Project Funding Agreement for BALMD consideration arrived on June 22, 2015, was approved by the Board at the July 9 meeting, and was subsequently signed by DWR on August 25, 2015. The project funding portion of the agreement provides for up to \$6,618,614 in State monies to construct approximately 8,000 lineal feet of revetment remediation and habitat enhancement on the Sacramento River left bank below Isleton. At the 94% level that equates to a \$7,041,078 project with a District contribution of \$422,464. The tasks funded under this agreement include; **Construction Engineering Services, Levee Construction, Habitat Enhancement Construction, Field Investigations, Permitting and Mitigation**. The first step in the process, the preparation of a Statement of Work (**SOW**), is being developed by this office and is preparatory to any Project Costs being incurred. However, preparation of the SOW is reimbursable. Once the SOW is approved, DWR will advance monies to the District based on an estimate of expected costs covering 6 months or as specified by DWR. The term of the agreement extends until December 31, 2018.

In an effort to get more Districts to submit project proposals for an upcoming PSP round, DWR has been soliciting input from local LMA representatives regarding the impediments to local agency participation and exploring criteria that might make the next solicitation more appealing. Unfortunately, DWR is still trying to focus on multi-benefit type of projects that have an important habitat enhancement component. Because of permitting difficulties most districts have been shying away from any in-water work. The water-side levee toe erosion repair project this office has been struggling to design for the Georgiana Slough bend near B & W may need to include a habitat bench component, similar to the approved Sacramento River PSP project, in order to avoid placing too much fill in the water way and thereby facing rejection by the USACE.

4. 2015-16 Levee Subventions Budget. As previously reported, the Governor's Budget includes a \$12 million allocation for the Delta Levee Subventions Program. That amount is the same funding level as FY 2014-15.

The proposed 2015-16 Subventions Budgets for all the LMA's participating in the Levee Subventions Program were due on June 30, 2015. BALMD's was submitted on time and totals \$1,849,500.

According to DWR 71 districts submitted budget applications totaling \$52.6 million. Historically, final claims have always been far less than the projected totals.

For 2015-16 BALMD's main construction project proposed was the seepage management and French drain project for Georgiana Slough, designated the Gardiner/Still project. A similar project to address the Delta Bay situation is also proposed and would include a modest stability berm to be constructed at the levee toe. Because of a new concern that was presented to the Board at the August meeting, and with Board concurrence, this office has moved a new seepage management project to the top of the list. This involves a through seepage project involving the Mokelumne River levee just upstream of Rancho Marina Resort. The Mokelumne levee reach involved has been seeping for some time and was being monitored. However, the extent of the seepage problem and level of saturation of the levee slope became more apparent during the recent emergency repair of the Spensley siphon. The management solution initially considered and ultimately adopted involves the installation of a rock blanket on the slope, similar to the 1998 fix on the Georgiana Slough levee near August Correia's house, and connect it to the existing French toe-drain at this location. Additionally, some smaller lateral French drains will be installed, prior to placement of the blanket, at 25 and 50-foot intervals to better collect and more quickly pipe the seepage water directly into the existing toe drain line. The Board is being asked to authorize this office to move forward to get the project out to bid as quickly as possible, with a bid opening date scheduled for the October 8, 2015 Board meeting. It is hoped that construction could get underway by mid-October and completed before mid-November..

- B. BALMD 2014-15 Subventions. With the conclusion of the 2014-15 Fiscal Year this office will be assembling and preparing the District's Subventions Claim document for submittal to DWR by October 31, 2015.
- C. Delta Bay Monitoring. This office continues to monitor what appears to be primarily lateral movement in an unstable section of the levee at the Delta Bay Resort. Based on readings from the inclinometer that was installed in the levee crown at this location, the movement has been occurring approximately 22 feet below the crown for several years. The most recent reading of the monitoring device placed in the levee crown at this location indicated lateral movement during the last three months of 0.40 inches.

The most recent mitigation option discussed with Raney Geotechnical and engineered by this office includes the installation of lateral French drains to lower the phreatic water level in the levee, a drainage collection system and discharge line to the District drainage ditch at the rear of the RV Park property, and a stability berm at the toe of the levee slope. This will require obtaining an easement through the RV Park in order to install a drain line to the drainage ditch and to construct the collection system and a berm along the levee toe. The design concept for the drainage system and stability berm would not necessitate the removal of any existing trees or the loss of any RV parking spaces along the levee toe. With a refined design concept to use as a reference this office was able to set up a meeting with the Park owner to discuss and review on site the impacts of the proposed project and the District's desire to formally obtain easements for the various project elements. The Park owner has indicated a willingness to grant the required easements.

6.4 Counsel - Andrea Clark. Because the majority of the Board has not had the opportunity to meet Ms. Clark, the Secretary was directed to invite Ms. Clark to join them at an upcoming Stated Meeting subject to her schedule.

7. Director Reports - None.

7.1 **Adjournment.** With no further business to come before the Board, the meeting was adjourned at 10:30 a.m.

Respectfully submitted,

Debbie Phulps, District Secretary
DCC Engineering Co., Inc.

Date Approved: 10/08/2015
MSC: Deak / Silva