

BRANNAN-ANDRUS LEVEE MAINTENANCE DISTRICT

Minutes of Thursday, May 12, 2016

The stated meeting of the Brannan-Andrus Levee Maintenance District’s Board of Directors was called to order by President, Larry Gardiner, at 10:00 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: Harvey Correia, Joe Deak, Larry Gardiner, Gay Giles and Denis Van De Maele
- Staff: Debbie Phulps, Secretary; Bruce Pisoni, Bookkeeper/Asst.Secretary; Andy Giannini, Superintendent; Gilbert Labrie, Engineer; Andrea Clark, Counsel
- Guests: Todd Bruce, Lisa Ramsey, Kirk West

2. Agenda Setting. MSC (Giles/Van De Maele) MSC adopting the meeting Agenda as [MSC = Motion-Second-Carried unanimously unless otherwise noted].

3. Bid Opening

3.1 Job 7702.55 - Georgiana Slough Sta 300+00 to 302+00 Concrete Removal and Rip-Rap Placement. One bid was received from San Rafael Rock Quarry, Inc. in the amount of \$137,875.

3.2 Job 7702.56 - Georgiana Slough Sta 300+00 to 302+00 Vegetation Grubbing and Tree Removal. One bid was received from Asta Construction Co., Inc. in the amount of \$235,513.

Bruce Todd and Lisa Ramsey were thanked for the responses from their firms. They retired from the meeting.

4. Closed Session. The Board entered into Closed Session with District Counsel Andrea Clark and Superintendent Andy Giannini regarding potential litigation exposure resulting from the roadway failure on Sevenmile Slough. Upon return to Open Session, it was reported that no actions were taken during the session. Andrea Clark retired from the meeting.

5. Invitation to Address the Board. None responded.

6. Business

6.1 Financial - Pisoni. Bank of Rio Vista April statement was provided to Director Giles. Copies of the Balance Sheet and Unpaid Bills Detail were distributed and reviewed.

Balance Sheet Summary as of meeting date:

Total Checking / Savings.	\$	811,601.08
Total Accounts Receivable.. . . .	\$	213,929.49
Total Other Current Assets.	\$	6,820.69
Total Fixed Assets.	\$	576,538.58
Total Assets.	\$	<u>1,608,889.84</u>
Total Liabilities.	\$	177,522.02
Equity.	\$	<u>1,431,367.82</u>
Total Liabilities and Equity.	\$	<u>1,608,889.84</u>

The following claims were submitted for payment approval.

AT&T Wireless.	251.22	Giles; Gay.	100.60
California Waste Mngmt.	130.90	Gornto Ditching.	36,211.15
CalPERS.	4,503.35	Kipfel; Russel.	2,238.98
Correia; Harvey.	100.60	Oilwell Materials.	39.51
Deak; Joe.	100.60	Pacific Gas & Electric.	901.82
Dolk Tractor.	14.21	Pisoni & Associates.	1,613.61
EDD (payroll).	310.64	Ramos Oil.	76.38
IRS (payroll).	1,942.92	Stewart Industrial.	3.40
Frontier Communications.	132.03	The River News Herald.	198.25
Gardiner; Larry.	100.59	US Postmaster.	84.00
Giannini; Andy.	2,255.18	Van De Maele; H. Denis.	100.60
Gilbert Labrie, AIA.	35,433.39	Total Claims.	<u>\$ 87,019.52</u>

MSC (Giles/Van De Maele) authorizing payment of the claims and issuance of warrants.

6.2 Secretarial - Phulps.

- A. **MSC** (Van De Maele/Deak) approving the minutes of the April 14, 2016 Stated Meeting as distributed.

6.3 Contracting

- A. Job 7702.55. **MSC** (Giles / Van De Maele) awarding a contract to San Rafael Rock Quarry, Inc. in the amount of \$137,875 pending review of the proposal as to content and form; and authoring President Gardiner or Vice President Van De Maele to execute the Work Agreement.
- B. Job 7702.56. **MSC** (Deak / Giles) rejecting the proposal presented by Asta Construction Company, Inc. The project will undergo a redesign and will rebid at a later date.

6.4 Encroachments

- A. Schimunek Site Improvements (former Leatherman/Evermon Residence on Georgiana Slough Berm). An encroachment request involving this site was presented to the Board in April. It involved a parcel that was previously owned by Susan Shaber and containing permitted improvements on the water side of the levee at the junction of Georgiana Slough and the Mokelumne River. As previously reported, the new owner is having plans prepared to re-construct a two-story residence on top of the existing, previously permitted stem-wall foundation and was seeking Board permission to add some new hard-landscaping elements to the surrounding property, which is currently lawn area. Because the proposed improvements are additive to an existing authorized complex of structures and are primarily cosmetic, in terms of impacting the levee structure, District maintenance and oversight of the flood works, it was recommended that the Board provide its endorsement so an application packet can be prepared and submitted to the Flood Board.

Because of a follow up, on-site investigation of the existing foundation wall with the project architect, the owner has consulted with a company based in the San Francisco Bay area regarding stabilizing the foundation, which has settled. The intent is to halt further settlement that would likely occur once the weight of the contemplated two-story structure is added to the foundation. There are various engineered systems that are employed to stabilize and/or straighten existing building foundations, depending on the circumstances. The methods initially contemplated for this situation would involve push piers but screw piles may also be an option. A soils report will be necessary and will have to address any potential question from the USACE about impacting the structural integrity of the levee. Once the necessary underpinning system engineering is completed and the stabilizing methodology determined the proposal will be submitted for BALMD Board endorsement before any encroachment application can be submitted to the Flood Board. Because of the size of the levee and berm at this location it is possible that the required underpinning will not impact the critical levee section profile.

- B. Sherloong Deck. Owner: Michael Conception. Location: 11 Main Street, Isleton, APN 157-0032-006. Request authorization to replace existing deteriorated deck at the rear of an existing historic building. Construction has already started on the replacement deck but it was halted by Superintendent Giannini and the owner was advised to file an encroachment application with the District. That application was received too late to be placed on the agenda. However, as a courtesy to the owner, it is being brought to the Board to enable consideration and authorization under a Letter of Permission to allow construction to continue in advance of a formal Board encroachment permit action next month.

The deck is two feet off the existing grade and is in the same area formerly occupied by a deck. An old, short retaining wall is evidence of the extent of the original deck structure, approximately 10 feet away from the back of the building. The deck does not extend over the levee slope like the adjacent elevated deck structure, and does not extend as far as the adjacent Croissanterie building. Taking into consideration the minimum 2:1 levee slope for this adjacent project indicates that the deck involved in this request is outside the current Flood Board levee toe setback requirement. It is recommended that the Board authorize a LOP allowing the owner to continue with the project, with formal follow-up to occur at the June Stated Meeting.

Discussion ensued as to whether the proposed replacement extends over the property line, in which case the Board could not encumber the adjacent owner's property without evidence of that owner's consent. **MSC** (Van De Maele / Deak) authorizing issuance of a Letter of Permission to the extent the deck is on the Conception property. The District Engineer will

follow-up as to the deck's location from the property line. Encroachment Permit action will occur at the June meeting.

7. Reports

7.1 Superintendent - Andy Giannini. Mowing is continuing on the Sacramento with the boom mower. The Aebi will be transmitted for repair tomorrow. Grazing has not started. Andy will contact Joe. Spray has been obtained to combat the bamboo.

7.2 Engineer - Gil Labrie. Gil distributed and reviewed his monthly report to the BALMD Board (*discussion or questions occurring during the course of the Report are noted in inset paragraphs*):

- A. Delta Levee Investment Strategy (DLIS). This proposed new Levee Program management tool has been in the works since November 2014. It is a Delta Stewardship Council (DSC) directed effort to develop a benefit/cost methodology, focusing on flood risks. The process seems to have slowed down considerably after the most recent stakeholder session, which took place on January 13, 2016. The message from the stakeholder representatives to the DSC consultants at that meeting was that the first priority of the methodology has to justify the importance of the Delta islands functioning as a system.

To date there has been no follow up stakeholder meeting. The most recent information is that the next step will be to test the preferred methodology with single island scenarios and levee improvement concepts developed with stakeholder groups that seem to be missing any local input. Any emphasis on "transparency" seems to have been lost in the process. The tentative time for "public scoping" meetings to review on-island asset info and application of the methodology is June.

- B. Title 23 Revisions. This effort has been mentioned in previous engineering reports and basically involves an update of the Flood Board Standards governing the design and construction of Proposed Work within the Boards Jurisdiction. The focus of this update involves Project and jurisdictional non-Project levees and the Flood Board's Encroachment Permit authority and regulations. There was an opportunity for impacted stakeholders to make comments about the proposed changes but there has been no further communication from the Flood Board to LMA's.

There has been another DWR effort underway to revise the Delta Levees Maintenance Subventions Guidelines. That effort seems to be undergoing the same "slight-of-hand" treatment as the Flood Board Standards upgrade mentioned above. There was a deadline to submit comments and some have been published in a chart with DWR responses, but no further interaction with LMA's regarding comments that were not accepted and did not result in any recommended changes to the Guidelines. Consequently, any substantive changes in the guidelines in response to important LMA concerns will have to be argued in front of the Flood Board.

- C. Subventions Special Project (BA-15-1.0-SP). As previously reported, this major erosion repair project involving the Sacramento River levee from Isleton to Cache Slough is covered by an officially approved Work Agreement with DWR. This office has completed the first step in the process spelled out in that agreement, the preparation of a Statement of Work (SOW). It was submitted to DWR for approval the last week of March 2016. Once that document is approved, an application for an advance can be submitted and the State will then provide advance funding for 90% of its share of the eligible project costs occurring once the SOW is approved. The cost of the preparation of the SOW is reimbursed separately, presumably at the 94% state share level.
- D. Recent Special Projects Solicitation. Another Multi-Benefit Projects Solicitation Package (PSP) release was noticed on February, 22, 2016, with a submittal deadline of March 18. A total of \$60 million has been earmarked utilizing Prop 1E and 84 monies to provide funding assistance for LMA projects selected. As in the prior PSP an important project requirement is a habitat enhancement component. Since a concept design for a water-side levee toe erosion repair project for the Georgiana Slough bend near B & W fit all the criteria mentioned to be eligible for special funding consideration under this new PSP, a concerted effort was made to submit the project for consideration by the deadline. According to DWR staff the short list of the projects that can continue into the next phase of project selection for funding will get released in June.
- E. The major project that BALMD undertook for the current fiscal year was the seepage repair and management project involving the Mokelumne River levee upstream of Rancho Marina Resort. The construction projects originally budgeted for 2015-16, the seepage management and French drain project for Georgiana Slough and a stability berm project at Delta Bay were put on hold in order to address the Mokelumne River levee problem.

Because of the shortfall in 2015-16 expenditures, compared to the District's Work Agreement, this office recommended in April that the District move forward and address a component of a seepage management project to address a major problem involving the Georgiana Slough levee opposite the B&W Boat Storage compound. To facilitate the final project design and engineering effort, it was recommended that a portion of the project involving removal of the vegetation all along the levee toe near the drainage ditch be let out to bid so that work can be accomplished and the expenditure included in the District's 2015-16 claim. Additionally, it was recommended that a separate project involving removal of the broken concrete slabs and temporary armoring of the berm on Georgiana Slough, opposite the problem seepage area be advertised for bid and accomplished during this same period. The updated office estimate of the potential cost for the two projects is \$150,000. Removal of the land-side vegetation at this location and the water-side concrete slabs will allow this office to fine tune the topographic information supporting both the future erosion repair project as well as the French drain and blanket design contemplated for the land side levee toe seepage repair.

- F. Delta Bay Monitoring. For the Delta Bay levee instability situation arrangements have been made to install some new inclinometers at this location to gather additional boring log data and continuing monitoring the lower level movement. In scheduling the new installation with John Raney a decision was made to install a second inclinometer in the levee crown towards the Spindrift Marina and a third device at the levee toe in order to generate some additional information at the level that the greatest shift seems to be taking place. The original inclinometer tube has shifted such that the measuring device cannot be lowered to the area of movement and take a measurement.

7.3 Directors - None.

8. Announcements. Those present were invited to join the Board for lunch at Pineapple's in Isleton following the meeting. Those accepting the invitation were Gay Giles, Gil Labrie and Debbie Phulps.

9. Adjournment. With no further business to come before the Board, the meeting was adjourned at 11:40 a.m.

Respectfully submitted,

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

Date Approved: June 9, 2016
MSC: Giles / Deak