

**BRANNAN-ANDRUS LEVEE MAINTENANCE DISTRICT**

**Minutes of Thursday, August 11, 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. The bid period for Job 7702.51 was declared as ended.

**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
- Guests: Lisa Ramsey of Asta Construction, Danni Gilardi and Stuart Jones

Condolences were expressed to Director Deak on his mother’s passing.

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

**3. Bid Opening and Contracting**

3.1 Job 7702.51: Security Fencing at Disposal Site. One bid was received in the amount of \$87,813 from Asta Construction. MS (Van De Maele / Giles) to award contract to Bidder, pending District Engineer’s review of proposal as to content and form; and to authorize the Board President or Vice President to execute the contract documents. Discussion ensued. Motion Carried.

3.2 Landside seepage abatement project in the vicinity of B&W Resort. District Engineer Labrie brought the matter to the Board for consideration of going to bid. **MSC** (Giles / Van De Maele) to proceed towards bid.

**4. Invitation to Address the Board.** Danni Gilardi and Stuart Jones were present to introduce themselves to the Board, and discuss their proposed venture: establishment of a small organic farm near Pirates Lair. They have a 3-year lease and intend to develop a farmer’s market enterprise. They inquired as to information regarding levee district restrictions and/or permitting. The Board welcomed them and responded to questions regarding development along the levee and with the District’s area of jurisdiction. The couple were advised that Inquiries involving Use Permit issues needed to be vetted through the County of Sacramento.

**5. Business**

5.1 Financial - Pisoni.

A. Bank of Rio Vista statement was provided to Director Giles. Copies of the Balance Sheet and Unpaid Bills Detail were distributed.

Balance Sheet Summary as of meeting date:

Total Checking / Savings.....	\$	1,451,857.80
Total Accounts Receivable.....	\$	50,667.63
Total Other Current Assets.....	\$	159.79
Total Fixed Assets.....	\$	557,598.95
Total Other Assets.....	\$	5,369.31
Total Assets.....	\$	<u>2,065,653.48</u>
Total Liabilities.....	\$	467,302.69
Equity.....	\$	<u>1,598,350.79</u>
Total Liabilities and Equity.....	\$	<u>2,065,653.48</u>

B. The following claims were submitted for payment approval.

Asta Construction.....	27,822.50	EFTPS (payroll).....	1,959.74
AT&T Wireless.....	251.80	Frontier Communications.....	181.86
CalPERS.....	4,502.99	Gardiner; Larry.....	101.58
Correia; Harvey.....	101.59	Giannini; Andy.....	2,255.16
Dutra Construction.....	82,558.76	Gilbert Labrie, AIA.....	37,793.02
Deak; Joe.....	101.58	Giles; Gay.....	101.58
EDD (payroll).....	334.39	Gornto Ditching.....	22,710.00

John Deere.....	446.04	River Rats.....	75.00
Kipfel; Russel.....	2,238.98	Steward Industrial.....	10.23
Oilwell Materials.....	49.80	Van De Maele; H. Denis.....	101.58
Pisoni & Associates.....	1,613.55	Total Claims.....	<u>\$ 186,522.51</u>
Ramos Oil.....	1,210.78		

**MSC** (Deak / Van De Maele) authorizing payment of the claims by the issuance of three (3) \$50,000 warrants.

5.2 Secretarial - Phulps. **MSC** (Giles / Deak) approving the minutes of the July 14, 2016 meeting.

5.3 Encroachments

A. McDowell Pole Barn Structures. Applicant seeks authorization to construct two (2) non-enclosed barn structures (pole barns) within the District's area of jurisdiction on a 3.784-acre parcel bordering Terminous Road and adjacent to Georgiana Slough. Location: 16925 Terminous Road, APN156-0080-069, Isleton. The pole structures well away from the levee toe and outside the Flood Board's setback line. Based on the Applicants sketch, the closest pole structure is 45 feet from the toe of the levee and the other is 70 feet. There are two existing, previously permitted structures, on the parcel. One of which is a shop approximately 10 feet from the levee toe. It is the opinion of the District Engineer that the encroachments will not have any adverse impact on the levee structure or the District's ability to monitor and maintain the levee. Because the encroachments are minor in terms of District concern and located well beyond the State setback standard, it is recommended the Board authorize a Letter of Permission to be issued by the District Engineer. **MSC** (Correia / Giles) authorizing a LOP for the structures.

B. Fisher / Van De Maele Pipe Replacements.

1. Fisher Irrigation Pipe Replacement. Agent requests encroachment permit for the repair of a deteriorated 14-inch irrigation pipe crossing the Georgiana Slough levee at RN 4.6, upstream of the Tyler Island Bridge; and execution of a NOE for CEQA and endorsement on Applicant's CVFPB application. Location: APN157-0081-024.

The 14-inch irrigation pipe is connected to an in-water pump installation that will not be replaced. Thus permitting review will be limited to oversight from the District, the Flood Board and Fish and Wildlife. This office is processing the permits for the project and needs the BALMD endorsement in order to submit an application to the Flood Board. It is requested that the District act as Lead Agency under CEQA and concur with the determination of this office that the project is Categorical Exempt under 15301 (e).

2. Van De Maele Siphon Pipe Replacement. Owner requests encroachment permit for the repair of a deteriorated 12-inch siphon pipe crossing the Georgiana Slough levee at RM 5.3, upstream of the Tyler Island Bridge; and execution of a NOE for CEQA and endorsement on Applicant's CVFPB application. Location: APN156-0040-013.

Permitting for this replacement will be more involved than the Fisher installation because the entire siphon pipe needs to be replaced, which will involve in-water work and will require the Corps of Engineers to issue Section 10 (Navigation) and 404 (Fill) permits. This action will trigger a Section 7 consultation with USF&W and NMFS; and could result in a hydraulic evaluation requirement. It will be a much more involved and time consuming process. This office is also processing the permits for this pipe replacement project and needs a BALMD endorsement to begin the Flood Board encroachment permit process. It is also requested that the District act as Lead Agency under CEQA and concur with the determination of this office that the project is Categorical Exempt under 15301 (e).

**MS** (Correia / Giles) authorizing issuance of the permit, submittal of a single application fee, execution of a NOE and endorsement of the CVFPB application. **Carried** with one abstention (Director Van De Maele).

5.4 Sacramento River Bank Protection Project [USACE / DWR]. The "Local Cooperation Agreement" presented by DWR was reviewed. The item was tabled pending receipt of information from Bob Clark..

**6. Reports**

6.1 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. Levee Investment Strategy (DLIS) - This proposed new Levee Program management tool has been in the works since November 2014. It began as a Delta Stewardship Council (DSC) directed effort to develop a benefit/cost methodology, supposedly focusing on flood risks. A contract for the development of a decision making methodology was awarded to Arcadis, who has been struggling with that task since the beginning because the basic premise does not fit the Delta island system. That was, and still is, that each island can be treated independently when it comes to flood protection spending decisions.

Initially, at the start of this process there was one, broad-based stakeholder meeting. Considerably later on, a more limited group of LMA stakeholder representatives were invited to participate in a workshop to test the developed DLIS methodology with single island scenarios and levee improvement concepts developed with a few more select stakeholder groups, namely DWR and the water contractors. The methodology is now described as a "Decision Support Tool" (DST). So budgeting priorities would be weighed based on the benefits associated with buying down risk with various project scenarios on various islands, or even groups of islands. Suffice it to say there has been very little involvement and ground truthing of key island information that is going to be the basis for the methodology users determining what are "tolerable risks". Without updating information and actively seeking input proofing from the potentially affected LMA stakeholders the so called "decision making tool" is fatally flawed, in my opinion.

In early July a DWR publication announced that Copies of the "final" draft of the Risk Analysis Methodology were available on line and that a joint meeting is being held on August 12, Friday, involving the DSC and CVFPB to get brought up to date. The CVFPB is now in the mix because of the requirement to update the Delta Plan. Of course the DPC is also another player because of its task to come up with an Investment Strategy that includes all beneficiaries.

In addition to this top level jockeying, notice was recently emailed out about a work session with local LMA engineers, to be held next week to discuss flood risk reduction alternatives, from a local (experienced) perspective. That should be an interesting session but the meeting this Friday should get even more interesting if there is much time for public comment.

- B. 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 completed the first step in the process with the preparation of a Statement of Work (**SOW**) that was submitted to DWR for approval the last week of March 2016. In early June DWR requested some additional information and questioned some changes in the project details, obviously generated by the more detailed scoping of the project and tasks involved that was dictated by the **SOW** process. The bulk of the questions focused on the increased cost estimate that was generated by this office for the **SOW**. That estimate was based on a more detailed analysis of the project and did reflect the increased permitting difficulties generated by the Flood Protection Board process and its interface with the USACE. A contingency was also added to the estimate to account for the increased administrative paper shuffling imposed by DWR in order to carry out and construct a project under the Levee Subventions Special Projects oversight procedures. Obviously there will be design refinements and cost estimate fine tuning before the project goes to bid. The potential reduction in project scope that is possible because of the Sacramento River Bank Protection Project on the Boards agenda for this August meeting could help reduce the ultimate project cost estimates.

Once the **SOW** is finally 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. However, the cost of the preparation of the SOW, and revisions, is reimbursable separately and outside of the ongoing Levee Subventions program claim process, and presumably at the approved 94% Special Projects state share level.

- C. Recent Special Projects Solicitation. In May it was reported that 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 was earmarked utilizing Prop 1E and 84 monies to provide funding assistance for LMA projects selected. A total of 23 projects were submitted, with an estimated construction cost total of \$165 million. To create a short list for a final selection based on more detailed proposals, the submittals were evaluated by DWR and scored against criteria in the PSP that was circulated. The maximum possible points that could be achieved by a project is 80. The conceptual project submitted by this office for an erosion repair and habitat enhancement project at the B & W bend received a score of 64 and made the top of the list with a budget

estimate of \$2.9 million. A more detailed proposal, cost estimate, and project schedule was submitted to meet a July 20, 2016 deadline, to be considered for final selection and development of a Work Agreement for District consideration. However, it has turned out that all projects submitted for consideration were retained on the list and applicants were effectively given a second chance to improve their proposed project's standing. This office has recently received correspondence from DWR indicating that the detailed submittals made for BALMD and RD 38 were determined to be complete and will now be (re) evaluated and ranked for a final selection to be announced in February 2017. In effect, the original list of PSP concept projects now includes 19 submittals totaling \$182 million with only \$60 million available.

- D. 2015-16 Levee Subventions Projects. Because of the shortfall in 2015-16 expenditures, compared to the District's Work Agreement, the District Board agreed at its April meeting to move forward and address a component of a seepage management project being engineered by this office, to address a major problem involving the Georgiana Slough levee opposite the B&W Boat Storage compound. That component involved removal of the vegetation all along the levee toe near the drainage ditch along the County road to facilitate final project design. 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. Bids for both projects were received at the District's May meeting with a San Rafael Rock Quarry bid of \$137,875 for the water side work. An Asta Construction bid of \$235,513 for the vegetation removal project was rejected because it far exceeded the project estimate. Instead, the Board opted to take steps to re-bid the vegetation removal project with some modifications to lower the potential project costs. New bids were opened at the early June meeting and Gornto Ditching was the low bidder with a price of \$92,150. Both projects got underway quickly and are essentially complete. For 2015-16 the only remaining task is to prepare the Subventions Claim, which is due November 1, 2016.
- E. Delta Bay Monitoring. As previously reported, a total of three new inclinometers were installed in early June 2016, and have now been read twice. The first round of follow up measurements were obtained on July 8, 2016, 28 days after the baseline measurements were recorded. A second reading was taken on August 10. During this relatively short period movement has been recorded in the two new inclinometers installed on either side of the original crown installation. The movement is at almost the same elevation in both inclinometers.
- F. 2016-17 Subventions Program. As previously reported, the Subventions Budget adopted by the BALMD Board at its June 2016 meeting totaled \$2,120,800 and included three major projects; the B&W seepage management French drain, a major segment of the Gardiner/Still drainage blanket project, and a stability berm at Delta Bay. Of course that total only represents the eligible ongoing Levee Subvention's expenditure elements of the District's total budget and does not include any anticipated Special Project costs. This office is preparing a bid package for the revised B&W French drain project and Gardiner drainage blanket and toe ditch removal project so that construction can possibly get under way this fall. There have been discussions with the Delta Bay property owner about some Phased construction activity connected with that levee stability project taking place in October or later, but the scope of that effort has yet to be finalized with a final geotechnical analysis and recommendation. If there is a drainage component that would go first and disruption of seasonal resort operations would be avoided.

6.2 Superintendent - Andy Giannini. Andy reported on the status of repairs to the Aebi and the John Deere boom. Due to the latter, Andy was unable to coordinate mowing the Sacramento with CalTrans. There was discussion about the homeless camp and the removal thereof.

6.3 Directors. None.

**7. Announcements.** Those present were invited to join the Board for lunch at River Delta Diner, 15476 St. Hwy 160, Isleton following the meeting.

**8. Adjournment.** With no further business to come before the Board, the meeting was adjourned at 11:55 a.m. Those attending lunch were Gay Giles, Gilbert Labrie and Debbie Phulps.

Respectfully submitted,

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

Date Approved: September 8, 2016  
MSC: Correia / Deak