

**BRANNAN-ANDRUS LEVEE MAINTENANCE DISTRICT**

**Minutes of Thursday, October 13, 2016**

The stated meeting of the Brannan-Andrus Levee Maintenance District's Board of Directors was called to order by President, Larry Gardiner, at 10:04 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 and Gilbert Labrie, Engineer  
 Guests: Kirk West, Chris Brieno from Office of Assemblyman Jim Frazier

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

**3. Invitation to Address the Board.** Mr. Brieno introduced himself to the Board and expressed the Assemblyman's interest to reach out to the local districts. He was advised of the benefit assessment issues involving collection from the County and the State. He noted he will follow-up with the District Engineer for details.

**4. Business**

4.1 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. . . . .	\$	1,618,600.41
Total Accounts Receivable. . . . .	\$	464,319.98
Total Other Current Assets. . . . .	\$	159.79
Total Fixed Assets. . . . .	\$	557,598.95
Total Other Assets. . . . .	\$	5,369.31
Total Assets. . . . .	\$	<u>2,646,048.44</u>
Total Liabilities (all Current). . . . .	\$	658,132.54
Equity. . . . .	\$	<u>1,987,915.90</u>
Total Liabilities and Equity. . . . .	\$	<u>2,646,048.44</u>

B. The following claims were submitted for payment approval.

AT&T Wireless. . . . .	251.80	Giannini; Andy. . . . .	2,255.11
Bank of Rio Vista. . . . .	473.15	Gilbert Labrie, AIA. . . . .	43,519.00
Belkorp Ag, LLC. . . . .	11,927.25	Giles; Gay. . . . .	100.59
California Waste Mngmt. . . . .	873.06	Kipfel; Russel. . . . .	2,237.22
CalPERS. . . . .	4,530.90	LAFCO. . . . .	101.00
Contour Siera Aebi, LLC. . . . .	2,799.85	Pisoni & Associates. . . . .	1,900.00
Correia; Harvey. . . . .	100.59	RAM Welding. . . . .	480.00
Deak; Joe. . . . .	100.59	Ramos Oil. . . . .	1,891.93
Downey Brand. . . . .	292.00	Reclamation Dist. 2067. . . . .	360.00
Dutra. . . . .	7,713.05	River News Herald (The). . . . .	448.50
EDD (payroll). . . . .	310.63	River Rats. . . . .	75.00
EFTPS (payroll). . . . .	1,959.72	Van De Maele; H. Denis. . . . .	<u>100.59</u>
Frontier Communications. . . . .	399.77	Total Claims. . . . .	<u>\$ 85,301.89</u>
Gardiner; Larry. . . . .	100.59		

**MSC** (Deak / Van De Maele) authorizing payment of the claims by the issuance of a \$50,000 warrant and a \$30,000 warrant.

4.2 Secretarial - Phulps. **MSC** (Correia / Deak) approving the minutes of the September 8, 2016 meeting as distributed.

4.3 Encroachments. Project: Vine Acres Pipe Repair (former Silva property). Applicant requests District endorsement on CVFPB application for after-the-fact permitting of the emergency repairs undertaken involving sleeving an existing 12-inch diameter pipe with new, 8-inch diameter pipe; and repair of the slope erosion which resulted from the failed pipe. District's standard conditions were applied to the repair work and to be attached to endorsement. Location: 15001 St. Highway 160, Isleton. **MSC** (Giles / Van De Maele) authorizing execution of endorsement.

#### 4.4 District Work

- A. Job 7002.94\_2016 - Sacramento River Erosion Sites Revetment Restoration. **MSC** (Van De Maele / Deak) authorizing change orders to add 800 tons of material for a fourth site and vegetation trimming to contract. Net effect: Increase \$81,843.89. Net Contract: \$396,343.89.
- B. Vegetation Removal - Stump grinding / chipping / removal. Consider action to contract for services. Board agreed to table until January 2018, allowing the material to dry and then consider burning when conditions are favorable.
- C. Ditch Cleaning - Consider action to contract for services w/ Gornto Ditching to clean the toe drains within RD317 boundary. **MSC** (Van De Maele / Giles).

### 5. Reports

5.1 Superintendent - Giannini. Russel has been mowing Hwy160 with the boom mower. Encountered significant problems with leaking hydraulics on the boom. Service provider, Belcorp, has not been responsive in resolving the issues. Andy will be searching for a different provider for future service needs. The Aebi was also up in Redding for repair. It is running well; but the articulating seat has developed a severely loud and annoying squeak which the subcontractor in Switzerland has not yet resolved. Asta is installing the fence at the 100-acres. Andy also asked Dolk Tractor to be on the lookout for a used tractor and disk for the on-going vegetation management needs at the property. The County contacted Andy regarding work proposed for Jackson Slough Road. Sloughing and subsidence have increased along the roadway due to the year-round water levels being maintained. Kearns started installing his fence; but utilizing wood (solid) as opposed to the wrought iron material (see-through) authorized in his permit. The District Engineer will follow-up with enforcement letter as to the non-compliant wood fence with directive to cease construction and correct. Andy also noted that Mr. Kearns had not placed grass on the slope (erosion deterrent measure) as was also discussed with the property owner. Other activities have included cleaning the District yard which will be followed by taking hazardous materials and debris to disposal site. Ground squirrels are out in force and Andy will follow-up with fumigants once the corn is off.

5.2 Engineer - 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, focusing on flood risks in order to amend the Delta Plan and satisfy a Delta Reform Act requirement. To develop the methodology the DSC awarded a contract to an outside consultant, Arcadis. Arcadis has been struggling with that task since the beginning because the Resources agency and the affected Delta LMA's are not on the same page. This is important because the Agency is Arcadis's client and paying its bill. Additionally, for budgetary and timing reasons Arcadis has been limited to existing published reports and data, most of which is out of date. Adding to the uncertainty obstacle that presents is the fact that the water contractors have considerable influence with DWR and the subjective judgement calls that have to be made regarding the consequences of failure, which influence the risk-based priority list of islands being generated for the evaluation of flood protection expenditures in the future. Another significant factor that is influencing the priority list is the Delta Reform Act requirement that levee investments attempt to reduce the risks to people, property and State interests. That has resulted in some major urban areas being moved higher on the priority list and ultimately getting a larger share of the approximate \$155 million of Prop 1E and 84 bond funds left for Subventions.

To placate the myriad of critics of the entire process, the risk analysis methodology is now described as a "Decision Support Tool" (DST). Obviously the tool would be used for budget decisions and potentially, even after-the-fact reimbursement eligibility determinations. So Subventions funding priorities could be weighed based on the projected benefits associated with buying down risk under various project scenarios on various islands, or even groups of islands. The DSC continues to be married to this approach and out-of-date bibliography, and is planning to eventually hold "public information" meetings for the record and to defend its product.

To be more “transparent” and appear to be listening to outside input, a joint meeting was held on August 12, Friday, involving the DSC and CVFPB to get brought up to date regarding the latest draft of the methodology. That event was followed by a work session with local LMA engineers the following week, to discuss the tool and flood risk reduction alternatives from a local (experienced) perspective. That session was somewhat constructive regarding some of the deficiencies in the data and methodology contributing to questionable conclusions. However, because of the important technical flaws in the methodology and the uncertainties creating holes in the results and island rankings, and the need to totally discredit the DST and protect the Subventions Program, this office has enlisted the assistance of a well-qualified engineer to thoroughly review and comment on the materials generated by the DLIS consultant, Arcadis.

A revised draft of the proposed Delta Plan revisions regarding priorities for State Delta levees investment was on the DSC agenda of September 29-30 as an Action Item but was pulled at the last minute under a directive from the Administration. The action being sought was DSC approval so the draft documents could be used for discussion purposes in stakeholder outreach sessions.

- 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. The first step in order to move forward under the approved funding scenario was the preparation of a Statement of Work (**SOW**) for DWR approval. That was submitted to DWR the last week of March 2016. In early June DWR requested some additional information and questioned some changes in the project details. Of particular concern was the increased project cost estimate that was generated by this office for the **SOW**. Fortunately, a reduction in project scope (800 lineal feet) that was possible because of the Sacramento River Bank Protection Project has brought the updated project cost estimate in line with the original PSP submittal. Responses to the additional comments by DWR staff regarding the **SOW** were transmitted to DWR in early September, but final approval has been held up because of the relocation of the entire Subventions group from downtown out to the El Camino office last month. Additionally, there seems to be a deliberate slow down taking place involving the entire Subventions Special Projects program, including approved projects as well as those submitted pursuant to the most recent PSP.

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 94% share of the eligible project costs based on the schedule proposed in the **SOW**. That will enable this office to begin the project permitting process which will be ultimately reimbursed at the higher State share percentage. However, the State advanced funds must be accounted for separately and can only be paid out after DWR approves the invoices generated by this office. This is the same procedure that BALMD went through with the beneficial reuse dredge sediment study that was funded under this same Subventions program and funding regimen.

- C. Recent Special Projects Solicitation. There has been no change in the status of the selection process for the most recent PSP round. As previously reported, this office 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. An initial ranking based on the points generated from the PSP point system circulated resulted in the BALMD and RD 38 projects receiving the highest point scores. As implied above it is believed that the same deliberate slow down delayed by at least five months the final selection of the PSP submittals that will receive funding. It is likely that directions about how and when to proceed with levee improvement projects are emanating from high up in the Resources Agency and probably are linked to the DLIS mess and controversy.
- D. Delta Bay Monitoring. As previously reported, a total of three new inclinometers was installed in early June 2016, has been read twice, will be read again soon and then monthly for a while. During this period movement has continued to show up in the two new inclinometers installed on either side of the original crown installation and is starting to show up in the inclinometer installed at the levee toe opposite one of the new ones on the levee crown. It is believed that the peat is compressing under a portion of the landside toe and extending into the RV Park. This office is installing some additional monitoring points within the park to check for vertical movement beyond the levee toe, either up or down to better try and understand what is going on. The boring for the new inclinometer at the levee toe shows a great deal of peat underlying the area.
- E. 2016-17 Subventions Program. This office is preparing bid packages for the revised B&W French

drain project and Gardiner drainage blanket and toe ditch removal projects so that construction can possibly get under way this fall. However, at the September Board meeting it was recommended that a higher priority to consider was the repair of some deep erosion scallops along the Isleton river front that were not addressed during the last Sacramento River fall rip-rapping project in 2014. But taking on this repair meant there was an urgency to address these sites before the in-water work window closes at the end of this month on October 31. The Board concurred with a recommendation to go to bid as soon as possible and scheduled a bid opening for the last week in September. The San Rafael Rock Quarry was the only bidder. In water work is scheduled to begin next week. The French drain at B & W and the Gardiner toe ditch projects are not restricted by the fish window noted above. In terms of those two projects, this office believes that the B & W French drain is the highest priority to address as soon as possible.

In September this office recommended that the Board needs to consider going to bid for tree trimming and brush removal along the Sacramento River and Georgiana Slough to address some of the issues raised in the latest DWR Levee Inspection report, which is actually based on the Spring 2016 Inspection. The transmittal letter from the Flood Project Inspection Section encourages the appropriate LMA's to correct deficiencies as soon as possible. Vegetation is again an issue as well as a few penetrations. There will be some trimming accomplished as part of the soon-to-begin rip rap project but the last contract to Arbor Well was in 2014. It is recommended that the Board authorize going to bid for trimming and vegetation removal along the Sacramento River and Georgiana Slough, with a bid opening in early November.

**MSC** (Correia / Van De Maele) authorizing the District go to bid for the recommended tree trimming work.

- F. Andrus Acres Toe Ditch. In September there was some discussion that was prompted by some email correspondence and DCCE staff site visits, regarding what appeared to be a deferred drainage ditch cleaning issues behind the lots fronting the San Joaquin River. An original concern was that the seepage management project on the Mokelumne River levee toe was not functioning as it was when the recent district project was finished. In the past, this office has responded to seepage concerns from property owners at various locations along the San Joaquin River where there are developed lots along the levee toe and the drainage ditch is set back from the levee. The ditch is fairly overgrown and cannot be functioning as it should in terms of carrying off the levee under-seepage. Additionally a recent follow-up inspection of one the lateral drain connecting the drainage ditch behind the former Delta Bay Resort is in need of cleaning.

5.3 Director Reports. None. Board members were reminded of the Delta Flood Awareness Fair taking place on October 22 at the Discover The Delta Farmers Market facility.

**6. Announcements.** Those present were invited to join the Board for lunch at River Delta Diner (Vierra's Resort), 15460 Highway 160, Isleton following the meeting. Gay Giles, Gil Labrie and Debbie Phulps accepted the invitation.

**7. Adjournment.** With no further business to come before the Board, the meeting was adjourned at 12:10 p.m.

Respectfully submitted,

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

Date Approved: November 10, 2016  
MSC: Deak / Correia