

BRANNAN-ANDRUS LEVEE MAINTENANCE DISTRICT

Minutes of Thursday, March 9, 2017

The stated meeting of the Brannan-Andrus Levee Maintenance District’s Board of Directors was called to order at 10:04 by President, Larry Gardiner, on the above cited date at the District Office, 310 Second Street, Isleton, California.

1. Roll Call. The following were in attendance:

- Directors: Harvey Correia, Joe Deak, Gay Giles, Larry Gardiner and H. Denis Van De Maele
- Staff: Debbie Phulps, Secretary; Bruce Pisoni, Bookkeeper/Asst. Secretary; Andy Giannini, Superintendent and Gilbert Labrie, Engineer
- Guest: Kirk West, and Park Delta Bay interests: Eric Chiu (Owner), Kim Gilligan (Manager), Jackie Crabaugh, Jerri Dias, Danny Johnson, Ann King, Brittany King, Carol McClary and Jeanne Oxley.

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

3. Invitation to Guests. Kim Gilligan addressed the Board with an inquiry as to the District’s plans for levee work adjacent to Park Delta Bay. Management and residents are concerned about the levee section and indicated a frustration with, what they perceive as, inattentiveness by the District to this area of levee. Such stance was further emphasized by Owner, Chiu. President Gardiner and the Board assured them that such was not the case. President Gardiner and District Engineer Labrie responded as to the monitoring, geotechnical consulting and civil design effort being put forth towards a stabilizing effort. Due to the nature of the site, developing an appropriate approach has taken time so as to not negatively affect the section; and recent high water events have pushed back the construction time line due to site conditions. Discussions ensued regarding the construction approach, resources of the District, and timing for project commencement. The group departed from the meeting following this order of business.

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.	\$	563,491.11
Total Accounts Receivable.	\$	459,585.06
Total Other Current Assets.	\$	159.79
Total Fixed Assets.	\$	557,598.95
Total Other Assets.	\$	5,369.31
Total Assets.	\$	<u>1,586,204.22</u>

Total Liabilities (all Current).	\$	294,602.63
Equity.	\$	<u>1,291,601.59</u>
Total Liabilities and Equity.	\$	<u>1,586,204.22</u>

- B. The following claims were submitted for payment approval.

Asta Construction	5,946.57	Deak; Joe.	100.59
AT&T Wireless.	338.21	EDD.	590.14
CA PERS.	4,467.05	EFTPS (payroll).	2,401.82
California Waste Recovery...	130.90	FastTrak (trip fee).	30.00
Correia; Harvey.	100.59	Frontier Communications.	197.07

Gardiner; Larry.	100.60	Ramos Oil.	874.48
Gardiner; Larry (patrol gas).	250.00	Reclamation Dist. 2067.	360.00
Giannini; Andy.	800.00	River Rats.	75.00
Giannini; Andy.	2,324.42	Steward Industrial	64.17
Gilbert Labrie, AIA.	41,407.10	Van De Maele; Austin.	561.75
Giles; Gay.	100.59	Van De Maele; Austin	1,271.78
Gornto Ditching.	6,049.29	Van De Maele; H. Denis.	100.59
John Deere.	627.89	Van De Maele; H. Denis	
Kipfel; Russel.	2,289.39	(patrol gas).	250.00
Leal; J.	1,519.93	VISA (Supt.Supply).	<u>617.27</u>
Oilwell Materials.	393.28	Total.	<u>\$ 76,061.03</u>
Pisoni & Associates.	1,720.56		

MSC (Giles / Van De Maele) authorizing payment of the claims by the issuance of two (2) \$30,000 warrant.

4.2 Secretarial - Phulps. **MSC** (Giles / Van De Maele) approving the minutes of the February 9, 2017 meeting as distributed.

At the request of the District Engineer, **MSC** (Van De Maele / Deak) calling a Special Meeting on Thursday, March 23, 2017 convening at 9:00 a.m. at the District Office for the purposes of 1) reviewing the proposed Subventions budget and taking action to participate in the Delta Levees Subventions Program; and 2) to take action to contract for improvements to the ramp at the District's Material Reuse Site for use during the Park Delta Bay levee stabilization effort.

5. Reports

5.1 Superintendent - Giannini. *[Superintendent Giannini departed the meeting following his report.]* Andy provided an update as to current water conditions, forecasts, levee status and areas being watched. River levels have subsided. The RDs experienced a period of extreme pumping costs. Andy will be following up with the owner of Perry's about tree ownership and permit requirements as to their maintenance. Received call from Welchman with Sacramento County Dept. of Transportation regarding roadway maintenance in the vicinity of Delta Shores. Referred to District Engineer.

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 study, which was initiated in 2014, is a Delta Stewardship Council (DSC) directed effort to develop a benefit/cost budgeting methodology, relying on flood risk assessments, to enable prioritization of levee project funding proposals. That effort has led to the development of a technical appendix to provide backup to the proposed updates to the Delta Plan, which is a requirement of the Delta Reform Act, at 5-year intervals. In its most recent incarnation the applied risk analysis methodology and island prioritization grouping list is being described as a "Decision Support Tool" (DST). However, the conclusions drawn in the DST are unreliable because there have not been any substantive revisions in the information documented about individual islands nor in some basic assumptions incorporated regarding flood risks, in response to all the written criticism generated by Delta stakeholders and transmitted to the DSC and, more recently, the CVFPB. The next step is for the DSC to finalize its recommendations for Delta Plan amendments for consideration by the CVFPB to incorporate into the 5-year update. At the end of February the draft recommendations for the Delta Plan update was on the agendas of the DSC and the CVFPB on the same day, and described as public hearings. To report that the proposed amendments received a thorough review at this first public hearing would be an over-statement. Two more CVFPB public hearings are scheduled for this month, including one in Woodland and another in Stockton. Additionally, the California Water

Commission is set to get a briefing on the amendments, particularly the DLIS, on March 15. For those who do not want to attend unproductive meetings the Stewardship Council has posted a new video on its web site explaining the on-going process of amending the Delta Plan and including the draft amendment and the staff report covering the amendment. At the CVFPB hearing it became evident that the Governor's new California Water Action Plan will have a lot of influence on the final version of the updated Central Valley Flood Protection Plan. The projected date for final approval of the Plan is June 2017.

Because the DLIS recommendations regarding "measurable Delta levee program funding objectives" could impact Delta Levees Subventions Programs and funding, it is critical that the policies and implementation practices that have made the Program successful be retained and Delta stakeholder input is seriously considered before the Delta Plan update is adopted by the CVFPB. Consequently, the CVFCA and LMA engineering firms, and a well-qualified geotechnical engineer have been involved in an all out effort to formally comment on the engineering assumptions, policies and recommendations generated by the DLIS consultant, as well as a separate effort assigned to the Delta Protection Commission (DPC) to look at flood protection funding alternatives to ensure that all beneficiaries pay their fair share.

The CVFCA, with assistance from LMA representatives and stakeholders, has developed alternative Delta Plan update, amendment language for DSC consideration, that strives to address key provisions that directly affect Levee Subventions Program elements. The CVFCA alternative provisions do not suggest changes or alternatives to all the proposed flood chapter amendments, only eight provisions that would significantly alter the flood control policies guiding administration of the Levee Subventions Program. The alternative language will also be presented to the Flood Protection Board in the even the DSC is unresponsive.

Given the Governor's recent announcement about his Water Action Plan and the focus outlined in the DWR publications handed out at the recent Delta Plan hearing, new strategies may need to be considered to get more attention focused on the non-project levees in the Delta. Their performance in the recent 2-month series of storms and high water flows should help make some points for the Levee Program and the value of the investment made over the last 10+ years.

- B. Subventions Special Project (BA-15-1.0-SP). This major erosion repair project involving Sacramento River levee from Isleton to Cache Slough is covered by an officially approved Work Agreement with DWR, dated August 2015. To move forward with project development, DWR approval of a Statement of Work (SOW) was required. That time consuming process led to an approval in October 2016.

Subsequently, an application for an initial advance of \$209,950 was submitted by this office in November 2016. As part of that process the proposed project SOW has undergone further review by CDFW Subventions Program staff to insure compliance with the Districts RMA and facilitate the eventual permit processing of a CDFW 1600 agreement for the final project design. According to DWR staff the approved advance request went to accounting at the end of 2016, but that it usually takes up to three months for a LMA to receive a check.

Because of the long administrative delay generated with DWR, this office went ahead and submitted documents to begin the permitting process. That process will eventually include USACE, CVFPB, the Water Quality Control Board, CDFW, and State Lands. As part of the USACE/CVFPB process a consultant was retained by this office to provide the required hydraulic analysis to evaluate the impact of new channel incursions greater than 1%. Fortunately, the recent USACE project downstream of Isleton, with an incursion of 6%, went through a similar analysis and was cleared. The BALMD project being

proposed is less than 6%.

- C. Recent Special Projects Solicitation. There has been no reported change in the initial results of the selection process for the most recent PSP round. As previously reported, an initial ranking based on the points generated from the PSP point system circulated resulted in the BALMD project receiving the highest point score. However, there has been a long delay in the announcement of the final selection of the projects that will be funded. At the most recent Delta Levees Habitat Advisory Committee meeting it was announced that the project selection determination had made its way to the Department Director's desk and that a decision is eminent this month.
- D. Delta Bay Monitoring. As previously reported, three new inclinometers were installed at this location in early June 2016 to replace the previously installed device that can no longer be read because of the deformation resulting from the levee movement. It was felt that continued monitoring was essential and incorporating additional inclinometers seemed prudent to cover more of the levee reach involved. The new inclinometers have been read seven times since then by Raney Geotechnical. During this eight-month 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. Additionally, the last two readings, taken February 7, and February 22, 2017, show a significant increases in shift from the previous seven-month period.

Based on additional concerns generated at the February 2017 District meeting this office has taken steps to generate the detailed site topographic data to facilitate the development of an engineered approach to addressing the movement, that could be evaluated by Raney Geotechnical for stability impacts. An on-site discussion with John Raney resulted in an engineering approach utilizing a drain rock stability berm at the levee toe, as a first effort to stabilize the site. The drain rock has a heavier unit weight than dirt and could be placed sooner under current saturated soil conditions. Every effort is being made to get a project design and construction strategy ready to release for bid as soon as possible, but with a final geotechnical recommendation to provide assurance that levee stability will not be compromised.

A construction strategy utilizing barged in drain rock and thus, shortened hauling route to reduce the impact on already deteriorating County roads, is the preferred approach to bringing material to the restricted job site and facilitating placement in the confined working space and avoiding any adverse impacts to RV Park facilities. For such a strategy to work as smoothly as possible it will be necessary to develop a short construction road and levee access ramp on the adjacent District property so empty trucks can queue up and then pull off at the corner shoulder area at the junction of Sevenmile Slough with the San Joaquin River. To facilitate project construction timing it is recommended that the Board consider authorizing construction of this element in advance under a separate contract. For consideration, a figure was obtained from Asta Construction that is under \$25,000.

To keep the project moving it is recommended that the Board authorize this office to advertise for bids for a drain rock stability berm project at the toe of the Delta Bay Resort levee section that is east of the resort access ramp, with a possible bid opening date to be determined that will be near the end of this month. That should enable construction to get underway in mid-April and possibly completed before the beginning of May.

At the request of the District Engineer, **MSC** (Correia / Giles) to go to bid for the Levee Stability Berm - Phase I project at Park Delta Bay, with a Special Meeting to be held on Thursday, March 30, 2017 convening at 9:00 a.m. at the District Office for the purpose of receiving bids and contracting the cited work.

- E. 2016-17 Subventions Program. Essentially the major construction project for the 2016-17

Fiscal Year 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. Project construction began before the end of October, focusing first on any deeper in-water rip-rap placement that would be affected by the end of the fish window. The remaining upper-bank protection work, above the ordinary high water line and included in the contract, was completed thereafter. There has been some emergency rip-rap placement on the Mokelumne River because of the January/February highwater events and the prospect of continued high flows, well into the spring because of the record snow pack in the Sierras and limited remaining reservoir capacity in the San Joaquin River watershed. Expenditures related to the Winter of 2017 events could get reimbursed through the recent disaster declaration by Governor Brown. A remaining urgency project at Delta Bay, which is discussed above, could be included in the 2016-17 Levee Subventions claim or rolled into the 2017-18 Fiscal Year.

For potential bidding and construction in 2017-18 this office will finish preparing bid packages for the revised B&W French drain project and Gardiner drainage blanket and toe ditch removal projects so that those projects could get under way in the late fall of 2017.

- F. Flood Watch. The January and February 2017 weather patterns and precipitation concentrations have resulted in Cosumnes River generated flooding primarily east of Interstate 5 and north of Lambert Road, but east of the former Southern Pacific railroad track support levee, in the north Delta.

In terms of Brannan-Andrus, previous high water events have involved the Mokelumne River and lower reach of Georgiana Slough. Because of past experience in this area where levee freeboard is less this office recommended to President Gardiner that the District's flood response strategy be activated, which called for partnering with RD 38 and staging a crane barge and some rock barges in the vicinity, utilizing the mooring dolphins at the bottom of Staten Island, on the South Fork of the Mokelumne River. Consequently, Dutra was contacted and a crane barge and tug were dispatched to that location, as well as two barges with 3500 tons of DWR-RSP rip-rap, all under with BALMD in order to expedite the emergency standby procedure. Subsequently, President Gardiner released the crane barge and rock to RD 563 (Tyler Island) because of the threat of eminent levee failure following a major levee back-slope collapse.

President Gardiner did order up replacement rock and, once the Tyler situation was stabilized, the crane barge returned to a standby mode at the Staten mooring location. Because of the continuing high water threat President Gardiner contacted this office with the thought of utilizing the standby rip-rap to bolster the Mokelumne River crown cap to improve its defense against wind and wave driven overtopping, once the standby period was determined to be unnecessary.

6. Director Reports - None.

7. Announcements. Those present were invited to join the Board for lunch at River Delta Diner (Viera's Resort), 15460 St. Highway 160, Isleton, following the Closed Session (approximately 12:30 p.m.).

8. Closed Session. The Board entered into Closed Session in order to review personnel performance during the high water event, and to consult with counsel, Samuel Bivins of Downey Brand, regarding a claim request dated February 23, 2017. The meeting was then recessed to reconvene at River Delta Diner.

9. Call from Recess into Open Session. The meeting reconvened with Harvey Correia, Gay Giles, Larry Gardiner, Denis Van De Maele, Kirk West, Debbie Phulps and Gilbert Labrie in attendance. President Gardiner reported back as to the following actions taken during the Closed Session:

9.1 Personnel. Andy and Russel were commended for their diligent efforts during the recent high water events. **MSC** (Correia/Giles) to award Appreciation bonuses to each (Giannini receiving \$7,000; Klipfel receiving \$3,500).

9.2 Claim. **MSC** (Correia / Deak) denying Applicant's request to file a late claim against the District. Counsel will correspond with Applicant's counsel as to the Board's action.

10. Adjournment. With no further business to come before the Board, the meeting was adjourned at 2:10 p.m.

Respectfully submitted,

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

Date Approved: April 13, 2017
MSC: Giles / Correia