

BRANNAN-ANDRUS LEVEE MAINTENANCE DISTRICT

Minutes of Thursday, April 13, 2017

The stated meeting of the Brannan-Andrus Levee Maintenance District's Board of Directors was called to order at 10:00 by President, Larry Gardiner, on the above cited date at the District Office, 310 Second Street, Isleton, California. The bid period for Project 7702.49.2 was declared closed.

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: Kim Gilligan (Manager) and Jackie Crabaugh from Park Delta Bay, Lisa Ramsey from Asta Construction, William Kern, and Kirk West

2. Agenda Setting. MSC (Giles / Van De Maele) adopting the Agenda as presented including suspending the rules to allow consideration of items out of sequence. [MSC = Motion-Second-Carried unanimously unless otherwise noted].

3. Invitation to Guests. None responded.

4. Business

4.1 Bid Opening and Contracting for Job 7702.49.2 Construction Road and Access Ramp. A single bid was received from Asta Construction Co., Inc. in the amount of One Hundred Ten Thousand Three Hundred Thirteen Dollars (\$110,313). District Engineer Labrie reviewed the changes incorporated into the project since last discussed, and the impacts to prior engineer estimates for the work. **MSC** (Correia / Van De Maele) awarding contract to apparent Low Bidder, pending District Engineer's review of proposals as to content and form; and authorizing President or Vice President to execute the contract documents.

4.2 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.....	\$	544,015.70
Total Accounts Receivable.....	\$	237,998.22
Total Other Current Assets.....	\$	880,725.50
Total Fixed Assets.....	\$	514,182.77
Total Other Assets.....	\$	7,702.00
Total Assets.....	\$	<u>2,184,624.19</u>
Total Liabilities (all Current).....	\$	101,809.00
Equity.....	\$	<u>2,082,815.19</u>
Total Liabilities and Equity.....	\$	<u>2,184,624.19</u>

B. The following claims were submitted for payment approval.

Asta Construction	11,670.44	Frontier Communications.....	267.68
AT&T Mobility.....	355.85	Gardiner; Larry.....	201.19
Bank of Rio Vista.....	123.54	Giannini; Andy.....	6,998.45
California Dept. of F&W.....	87.75	Gilbert Labrie, AIA.....	47,873.34
California Dept. of F&W.....	4,198.00	Giles; Gay.....	201.19
California EDD.....	647.75	Kelley; J.....	709.71
California PERS.....	4,467.05	Kipfel; Russel.....	4,869.37
California Waste Recovery.....	130.90	Leal; J.....	983.66
Contour Sierra Aebi.....	1,653.41	NBCS.....	240.00
CSV, CPA.....	6,375.00	Oilwell Materials.....	9.72
Correia; Harvey.....	201.19	Pisoni & Associates.....	1,614.21
Deak; Joe.....	201.19	Ramos Oil.....	130.57
Dockery; D.....	475.83	Reclamation Dist. 2067.....	360.00
Downey Brand.....	222.00	Rio Vista Ford.....	2.76
EFTPS (payroll).....	2,782.04	River Delta Diner.....	116.23

River Rats.....	75.00	Van De Maele; H. Denis.....	201.19
Steward Industrial.....	19.53	Total Claims.....	99,908.28
US Postmaster.....	88.00	Transfer to SupAcct.....	1,000.00
Van De Maele; Austin (reimb).....	449.40	Total.....	<u>\$100,908.28</u>
Van De Maele; Austin.....	905.14		

MSC (Giles / Van De Maele) authorizing payment of the claims by the issuance of three (3) \$25,000 warrants.

C. Bruce noted that, following Counsel’s direction, he had advised the District’s insurance carrier as to the Miller’s claim; and the District’s action from the March 9 meeting relative thereto.

4.3 Secretarial - Phulps. **MSC** (Giles / Correia) approving the minutes of the March 9, 23 and 30, 2017 meetings as distributed.

4.4 Encroachments. Request involves the construction of eleven (11) pier footings to support the structural support for the construction of decks on the upstream and downstream ends, and in front, of the existing upgraded residential structure. The closest pier footing is aligned with the existing foundation that parallels the levee. According to plans submitted, the levee toe is approximately 10 feet away from the foundation line and the closest proposed footings. Consequently, this proposal does not involve any ground surface disturbance any closer to the levee than the existing structure. The District Engineer recommends approval of the encroachment request. Location: 17075 Terminous Road, APN 156-0080-066. Owner/Applicant: William Kearns. The Applicant was present and responded to inquires by the Board including questions about the wrought iron fence remnant within the 10-foot band subject to State guidelines; and whether he could remove that section for compliance. Mr. Kearns was amiable. **MSC** (Correia / Van De Maele) approving issuance of permit pending correction of the fence encroachment.

5. Reports

5.1 Superintendent - Giannini. Will be following up to take the SEMS (Standard Emergency Management System) training. Mowing with the Aebi continues, following the progress of the sheep who are currently out at Andrus Acres. The boom mower is in for repairs to correct the shims on the boom as well as taking care of a hydraulic leak. When complete, it will be deployed to the Sacramento. Plans to commence fumigating ground squirrels. Discussion ensued regarding whether there was a need to remove the shrub/scrub downed during the emergency rock placement. It was decided to leave in place.

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.

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 current iteration of that effort is a draft document entitled “Feasible Delta Levee Financing Options Using a *Beneficiary-Pays* Approach, Phase 1”. That draft document was just released and is scheduled to be the subject of a DPC subcommittee meeting next week.

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 event the DSC is unresponsive.

At this juncture the DSC continues to be unresponsive and the most recent literature regarding the Central Valley Flood Protection Plan update is giving higher priority to Systemwide Actions with measurable objectives in order to continue the investment strategy approach. In terms of levee improvements, urban areas are given the highest priority.

- 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 and finally received in October 2016.

Subsequently, an application for an initial advance of \$209,950, primarily to cover the costs to prepare the SOW and project permitting effort costs moving forward, was submitted by this office in November 2016. The advance check finally arrived last week.

Because of the long administrative delay generated with DWR, this office went ahead and submitted documents to begin the permitting process and has already been interfacing with regulatory agency staff. The process includes 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%. That hydraulic analysis report has been completed and submitted.

Some existing project site-specific environmental information was gathered earlier by an outside consultant, who will be generating the required information to facilitate the regulatory environmental reviews that are part of the permitting process and, basically, the tail wagging the dog when it comes to project permitting delays.

- C. 2016 Special Projects Solicitation Results. At the March meeting this office reported that, there was an indication at the monthly Delta Levees Habitat Advisory Committee meeting that the project selection determination had made its way to the Department Director's desk and that a decision was eminent. Thereafter, on March 28 a notification was released listing the projects that had received approval and BALMD's erosion repair project for the B & W bend on Georgiana Slough is still on the list. That means that the next step of the process is the preparation of an SOW. The most recent project estimate for this project is \$2.6 million. The approved State cost share percentage is 85%, leaving an ultimate District project cost of \$324,800, based on the preliminary estimate worked up for the project. The grant total covers all the permitting and engineering costs, as well as construction and mitigation.

- D. Delta Bay Stability Project. As previously reported three new levee monitoring devices at this location have been read more than seven times since they were installed in early June 2016. During this eight-month period movement has continued to show up in the two new inclinometers installed in the crown and is starting to show up in the inclinometer installed at the levee toe opposite one of the new ones on the levee crown. In fact, the readings, taken February 7, and February 22, 2017, show a significant increases in shift from the previous seven-month period.

Based on the additional concerns generated by the February 2017 monitor readings, an on-site discussion with John Raney resulted in the selection of an engineering approach utilizing a drain rock stability berm at the levee toe, as a first effort to stabilize the site.

A construction strategy utilizing barged in drain rock and thus, shortened hauling route to reduce the impact on already deteriorating County roads, was determined to be 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 was decided to to develop a construction turn around road and levee access ramp on the adjacent District property so empty trucks can queue up and then pull off on the road 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.

At a special March meeting the District received 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. Because of the bid advertised restriction limiting material delivery to barge only, the only bidder was San Rafael Rock Quarry with a price of \$426,850. After a review of bid documents by the District Engineer a notice of award was issued to the contractor.

Also on the agenda for the special District meeting was a request for authorization to advertise for a separate bid on the construction of the turnaround road and levee access ramp that will be needed to enable the process of unloading material into trucks from a barge and hauling to the construction site for placement. It was determined to bid that portion of the project separately to enable that separate part of the operation to proceed earlier. A preliminary estimate was obtained for the construction of the road and ramp but it was determined that additional engineering considerations would need to be incorporated into a more comprehensive set of specifications and that the cost would likely come in a lot higher than the earlier proposal. In developing the bid documents, careful consideration was given to the amount of truck traffic to be using the road and ramp and the need to recognize that in the road design to avoid change orders if the fill and travel surfaces did not hold up. Consequently, it is estimated that this element of the project could cost between \$100,000 and \$130,000. Even with this added cost it is still believed that this approach will avoid the potential for much higher County road repairs generated by the volume of heavy truck traffic required to construct stability berm.

- 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 off 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 disaster assistance declarations by Governor Brown and, hopefully, legislative action. The remaining urgency project at Delta Bay, which is discussed above, has been included in the list of items submitted pursuant to the disaster declarations. If not, costs could be included in the 2016-17 Levee Subventions claim or some rolled into the 2017-18 Fiscal Year, which begins July 1, 2017.

For potential bidding and construction in 2017-18 this office can 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 be considered when funds are expected to be available.

- 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 the continuing high water threat President Gardiner contacted this office with the thought of utilizing the standby rip-rap, on the barge originally moored at the tip of Staten Island, to bolster the Mokelumne River crown cap to improve its defense against wind and wave driven overtopping, once the BALMD standby contract period was determined to be over. Consequently, the rip-rap material was utilized to raise the height the water-side edge of the Mokelumne River levee crown from the tip of Perry's Island to Rancho Resort for additional overtopping protection.

To satisfy all the requirements for disaster assistance or Levee Subventions reimbursement it is recommend that BALMD file the necessary 1600 forms with CDFW to cover the Mokelumne project and the construction road construction that is part of the Delta Bay project. The District's RMA limits the length of the rip-rap placement area that can be considered routine and is currently arguing with LMA engineers about whether blackberries should be considered habitat under the Subventions program.

6. Director Reports - None.

7. Announcements and Recess. Those present were invited to join the Board for lunch at Pineapple's Restaurant, 22 Main Street, Isleton, following a 20 minute recess. The meeting was recessed at Noon.

8. 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.

9. Adjournment. With no further business to come before the Board, the meeting was adjourned at 1:30 p.m.

Respectfully submitted,

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

Date Approved: May 11, 2017
MSC: Deak / Van De Maele