

**SPECIAL MEETING OF THE  
STATE AND FEDERAL CONTRACTORS WATER AGENCY  
BOARD OF DIRECTORS**

**Kern County Water Agency  
1121 L Street, Suite 810  
Sacramento, CA 95814**

**Metropolitan Water District of Southern California  
700 N. Alameda Street, Rm. 9-359  
Los Angeles CA 90012-2944**

**Del Puerto Water District  
17840 Ward Avenue  
Patterson, CA 95363**

**Westlands Water District  
3130 N. Fresno St  
Fresno, CA. 93703**

**Santa Clara Valley Water District  
5700 Almaden Expressway  
San Jose, CA 95118-3686**

**Solano County Water Agency  
810 Vaca Valley Parkway, Suite 203  
Vacaville, CA 95688**

**Byron Bethany Irrigation District  
7995 Bruns Road  
Byron, CA 94514-1625**

Dial in number: **800-356-0123**  
Participant PIN is: **808493**

**SPECIAL MEETING AGENDA**

***June 14, 2019  
1:30 pm***

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**1.0 CALL TO ORDER**

- 1-1 The Board will Consider Corrections or Additions to the Agenda of Items Requiring Immediate Action that have come to the Attention of the Board after Posting the Agenda
- 1-2 Public Comment – Opportunity for members of the public to address the Agency on matters within the Agency’s jurisdiction (as required by Gov. Code Section 54954.3(a))

## 2.0 ACTION ITEMS (30 MIN)

- 2-1 Consider approval of Board Meeting Minutes of March 22, 2019 – (Wallace)  
**Recommendation: That the Board approve of the above-mentioned minutes by minute order** – Attachment
- 2-2 Consider approval of a resolution of intent to award and contract with The Dutra Group for Phase 2 construction of the Tule Red Habitat Restoration Project (DiGennaro)  
**Recommendation: That the board approve the above-mentioned resolution** – Attachment
- 2-3 Consider approval of a resolution regarding future SFCWA expenditures for in-lieu public access improvements associated with the Tule Red Habitat Restoration Project (DiGennaro)  
**Recommendation: That the Board approve the above-mentioned resolution** - Attachment
- 2-4 Consider cancelling all future regularly scheduled Board meetings, setting a September Board meeting and meeting on an as needed basis for the remainder of 2019.  
**Recommendation: That the Board approve the above-mentioned action and set a September Board meeting** (DiGennaro)

## 3.0 ADJOURNMENT

### NOTE:

Requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Agency Administrator in advance of the meeting to ensure availability of the requested service or accommodation. At the discretion of the Board, all items appearing on this agenda and all committee agendas, whether or not expressly listed for action, may be deliberated and may be subject to action by the Board.

**BOARD OF DIRECTORS  
STATE AND FEDERAL CONTRACTORS WATER AGENCY  
DRAFT MEETING MINUTES  
March 22, 2019**

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**Directors Present:** Rick Gilmore, San Luis & Delta Mendota Water Authority  
Jose Gutierrez, Westlands Water District  
Anthea Hansen, Del Puerto Water District  
Cindy Kao, Valley Water District  
Randall Neudeck, Metropolitan Water District of Southern California  
Thomas Pate, SCWA- DSPC  
Craig Wallace, Kern County Water Agency

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**Staff Present:** Bruce DiGennaro, SFCWA Staff  
Nancy Miller, Renne Sloan Holtzman Sakai LLP

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**CALL TO ORDER**

Call to order: President Wallace called the meeting to order at 11:38 a.m.

*1-1 The Board will Consider Corrections or Additions to the Agenda of Items Requiring Immediate Action that have come to the Attention of the Board after Posting the Agenda*

**There were none.**

*1-2 Public Comment – Opportunity for members of the public to address the Agency on matters within the Agency’s jurisdiction (as required by Gov. Code Section 54954.3(a))*

**There were none.**

**ACTION ITEMS**

*2-1 Consider Approval of Board Meeting Minutes of December 20, 2018.*

**The board approved the above-mentioned minutes by unanimous vote**

*2-2 Consider Approval of Contract Amendment with Westervelt for the FY19.*

**The board approved the above-mentioned request by unanimous vote**

*2-3 Consider Authorizing the Executive Director to enter into a Contract with MacLeod Watts to Assist with CalPERS Termination.*

**The board approved the above-mentioned request by unanimous vote**

*2-4 Consider Authorizing the Executive Director to Solicit Competitive Bids for Phase 2 Construction of the Tule Red Habitat Restoration Project.*

**The board approved the above-mentioned request by unanimous vote**

**INFORMATION REPORTS**

3-1 Board Chair’s Report

Director Wallace reminded Board members that Form 700 filings were due no later than April 1, 2019.

3-2 Executive Director Report

Bruce DiGennaro reported on the status of the Tule Red Habitat Restoration Project, CalPERS termination, and efforts to lease the SFCWA office space.

**ADJOURNMENT**

Director Wallace adjourned the meeting at 12:18 pm.

June 13, 2019

TO: Board of Directors

FROM: Bruce DiGennaro, Executive Director

RE: Tule Red Habitat Restoration Project – Phase 2 Bid

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SFCWA received two competitive bid proposals for Phase 2 construction of the Tule Red Habitat Restoration Project, one from The Dutra Group and one from FourM Construction. The bid amounts are summarized below. Detailed bidding sheets are attached.

The Dutra Group	
Base Bid	\$1,439,487.00
Additive Bid	<u>\$ 408,750.00</u>
Total	\$1,848,237.00

FourM Construction	
Base Bid	\$2,004,609.00
Additive Bid	<u>\$ 430,770.00</u>
Total	\$2,475,379.00

KSN (our construction manager) has reviewed the bids and found both to be responsive to the solicitation requirements.

Based on the two bids received, I am recommending that the Board authorize me to contract with The Dutra Group, as the lowest bidder for work items contained in the Base Bid totaling \$1,439,487.00.

Additive Bid items will be handled on a change order basis if needed.

June 13, 2019

TO: Board of Directors

FROM: Bruce DiGennaro, Executive Director

RE: BCDC Permit Requirements for the Tule Red Habitat Restoration Project

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The existing Bay Conservation and Development Commission (BCDC) permit for the Tule Red Habitat Restoration Project requires repairs to two existing California Department of Fish and Wildlife (CDFW) fishing piers located in Suisun Marsh, Montezuma Slough Fishing Pier and Island Slough Fishing Pier.

Engineering designs for repairs to the Montezuma Slough Fishing Pier as well as construction of an ADA parking pad and pad for a portable ADA restroom have been approved by BCDC and were included as an additive bid item in the Phase 2 solicitation. The bids received for repairs to the Montezuma Slough Fishing Pier were substantially higher than the engineer's opinion of probable cost (see attached).

Investigations of the Island Slough Fishing Pier indicate that the pier is in poor condition and that "repairs" would require new pilings and full replacement of the pier superstructure (see attached site photos).

To date, SFCWA has expended \$270,000 related to compliance with the BCDC permit (\$120,000 in predevelopment, design and permitting costs and another \$150,000 in a payment to the Coastal Conservancy for future public access improvements within Suisun Marsh). DWR has expended an additional \$200,000 on a Public Access Study that was required as a condition of the BCDC permit.

Based on the recent bids for Montezuma Slough, and preliminary engineer's estimates for Island Slough (which are likely low), the additional cost to SFCWA to comply with the current permit requirements could be in excess of \$600,000, which would bring total compliance cost to over \$870,000 (over \$1million including DWR expenditures).

On May 22, 2019 SFCWA sent a letter to BCDC expressing concerns regarding the Island Slough Fishing Pier and the costs associated with complying with the BCDC permit requirements (see attached). On May 30, 2019 staff from DWR, CDFW and I met with BCDC staff to discuss alternatives. BCDC staff expressed a willingness to consider alternative proposals for improving public access, including applying the \$150,000 payment to the Coastal Conservancy to improvements at the Island Slough site, but we did not agree on a specific proposal.

A follow-up meeting is scheduled with BCDC staff for June 27, 2019.

# Opinion of Probable Cost



northwest hydraulic consultants

Project: Tule Red Phase 2

Date: 1-Mar-19

By: BGW

Checked:

Item	BidQty	Description	Unit	Unit Cost	Item Cost	Dutra		4M	
						Unit Cost	Item Cost	Unit Cost	Item Cost
20	75	Montezuma Slough Riprap	tons	\$55	\$4,125	110	8250	98	7350
21	1	Existing Pier Removal/fixes/replacemen	LS	\$6,000	\$6,000	30000	30000	34400	34400
22	1	Structural timber improvements	LS	\$4,400	\$4,400	45000	45000	11300	11300
23	1	demolition at montezuma slough	LS	\$5,000	\$5,000	7000	7000	13300	13300
24	1	Concrete sidewalk, ADA, parking	LS	\$5,760	\$5,760	10000	70000	7657	53600
25	1	Reinforced Concrete Mat	LS	\$23,000	\$23,000	2609	60000	1326	30500
26	1	Other Site Improvements	LS	\$2,400	\$2,400	38000	38000	15700	15700
27	1	Traffic control	LS	\$6,800	\$6,800	5000	5000	7200	7200
28	1	Control of Water at Montezuma	LS		\$0	500	500	10960	10960
<b>Subtotal of Additive Bid Items</b>					<b>\$57,485</b>	<b>263750</b>		<b>184310</b>	



**State & Federal Contractors  
Water Agency**

*1121 L Street, Suite 806, Sacramento, CA 95814*

Pascale Soumoy  
San Francisco Bay Conservation & Development Commission  
455 Golden Gate Avenue, Suite 10600  
San Francisco, CA 94102-6080  
Email: [pascale.soumoy@bcdca.gov](mailto:pascale.soumoy@bcdca.gov)

**RE: Permit No. 2016.002.00md issued on August 23, 2016 (the "Permit")**

Dear Pascale:

During our conversation on May 2, 2019 we had discussed amending the Permit issued to the State and Federal Contractors Water Agency and Westervelt Ecological Services, LLC (collectively the "Permittees").

Per the terms of the Permit, certain repairs and improvements to two off-site fishing piers owned by CDFW in Island Slough and Montezuma Slough were contemplated. Section II B of the Permit further provides that, "[i]n the event that the pier improvements cannot be completed as required below, the permittees shall propose and seek authorization to complete alternative comparable public access improvements."

The Permittees were initially asked to provide trail access on site for hiking, however, due to the location of the site and public safety concerns, the Permittees in consultation with CDFW suggested alternatives. This discussion regarding alternatives resulted in the award of cash grants, a public access study and certain improvements to the existing Montezuma Slough and Island Slough fishing piers.

With respect to Island Slough Pier, the Permittees had initially anticipated performing repairs, however, after investigating the structure of the pier, it was discovered that there was significant and substantial deterioration to both the pier and the levee system supporting the pier (see attached photos). Based on our engineer's assessment, an entire new pier would need to be constructed. Due to frequent overtopping of the levee and flooding of the road, the pier would need to be elevated above its current position, which would require significant additional ramping to allow for ADA access to the pier. The entrance to the pier is located in the shoulder of Grizzly Island Road creating limited space and a public safety issue. Parking for the pier is located across the road from the pier, creating a further safety concern as the public would have to cross a road to access the pier.



Estimated costs for the in-lieu public access improvements currently required under the permit are:

Public Access Study	\$200,000
Coastal Conservancy Payment	\$150,000
Montezuma Slough Fishing Pier	\$146,000
Island Slough Fishing Pier	\$384,000
Signage	<u>\$ 13,000</u>
	\$893,000

In light of the health and safety issues and the costs associated with constructing a new pier and levee system at Island Slough, the Permittees and CDFW would like to suggest an alternative. As an alternative, the Permittees would repair the Montezuma Slough Fishing Pier (as planned) and commit the \$150,000 Coastal Conservancy Payment for long-term maintenance for the Montezuma Slough Fishing Pier. The \$150,000 would provide for maintenance as well as potential repairs in the future. This type of approach would be consistent with the public access study that was commissioned by the Permittees which highlights the need for maintenance of existing facilities. The study further recommends a strategy to aid in identifying, selecting and implementing public access to comply with the McAteer-Petris Act and marsh development permit requirements that:

*Support improvements, preventative maintenance, and routine operation and maintenance at existing facilities where funding is inadequate to avoid loss of existing access, amenities, and/or programs through in-kind or in-lieu fee contributions (page 6-2).*

We look forward to discussing these options further and ultimately amending the Permit to reflect the alternative course of action.

Sincerely,



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Bruce DiGennaro

cc: Craig Wallace



**Photo 1 - Island Slough Fishing Pier**



**Photo 2 – Island Slough Fishing Pier and Supporting Levee**



**Photo 3 – Island Slough Fishing Pier In-water Support Structure**



**Photo 4 – Island Slough Fishing Pier Entrance**



**Photo 5 – Island Slough Fishing Pier Entrance and Supporting Levee**



**Photo 6 – Island Slough Fishing Pier Entrance and Grizzly Island Road**



**Photo 7 – Island Slough fishing Pier, Levee and Grizzly Island Road**



**Photo 8 – Levee Adjacent to Island Slough Fishing Pier**