



22 E. Weber Avenue, Room 301 | Stockton, CA 95202 | (209) 937-7900 | www.sjafca.com

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**BOARD OF DIRECTORS**

Ken Vogel, Vice-Chair  
Larry Ruhstaller, Director  
Steve Bestolarides, Alternate

**EXECUTIVE DIRECTOR**

James B. Giottonini

**BOARD OF DIRECTORS**

Dale Fritchen, Chair  
Diana Lowery, Director  
Katherine M. Miller, Alternate

# **BOARD MEETING**

## **SAN JOAQUIN AREA FLOOD CONTROL AGENCY AGENDA**

**WEDNESDAY, SEPTEMBER 26, 2012**

**10:00 A.M.**

**425 N. El Dorado Street, City Hall, Second Floor, Council Chambers**

- 1. CALL TO ORDER / ROLL CALL**
- 2. CLOSED SESSION**
- 3. CONSENT AGENDA**
  - 3.1) Approve minutes of the Board meeting of July 25, 2012
  - 3.2) Resolution to approve an extension of the Professional Service Master Contract with Peterson Brustad, Inc.
  - 3.3) Reimbursement to the City of Stockton for fiscal year 2011-2012 fourth quarter operating expenses
- 4. STAFF PRESENTATION**
  - 4.1) Status update on Regional Flood Management Planning – Information Only (Roger Churchwell)
  - 4.2) Status update on Reclamation District 404 and Reclamation District 17 – Information Only (Chris Neudeck)

4.3) Status update on SB5 – Information Only (John Maguire)

**5. ORAL REPORT FROM EXECUTIVE DIRECTOR**

**6. PUBLIC COMMENTS**

**7. BOARD QUESTIONS, COMMENTS, ACTIONS**

**8. ADJOURNMENT**

**ATTACHMENTS – WRITTEN COMMUNICATIONS (Information Only)**

- Thank you letter dated July 19, 2012, from Board of Supervisor Chairman Steve J. Bestolarides to United States Senator Dianne Feinstein regarding support of the Biggert-Waters Flood Insurance Reform and Modernization Act of 2012
- Thank you letter dated July 19, 2012, from Board of Supervisor Chairman Steve J. Bestolarides to United States Senator Barbara Boxer regarding support of the Biggert-Waters Flood Insurance Reform and Modernization Act of 2012

**THE NEXT BOARD MEETING WILL BE HELD ON NOVEMBER 7, 2012,  
AT 10:00 A.M.**

**FUTURE BOARD MEETING DATES AT 10:00 A.M.:**

**JANUARY 30, 2013**

# **Agenda Item 3.1**

**MINUTES  
SAN JOAQUIN AREA FLOOD  
CONTROL AGENCY  
JULY 25, 2012**

**CITY HALL  
CITY COUNCIL CHAMBERS  
STOCKTON, CALIFORNIA**

**1. CALL TO ORDER / ROLL CALL**

Roll Call

Present:

Director Fritchen

Director Vogel

Director Ruhstaller

Alternate Director Miller

Absent:

Director Lowery.

**2. NO CLOSED SESSION**

**3. CONSENT AGENDA**

**3.1) Approve minutes of the Board meeting of May 2, 2012**

**3.2) Resolution authorizing the Executive Director to execute a consultant contract in the amount of \$30,000 with Kleinfelder West, Inc. to provide miscellaneous geotechnical services for a period of one year.**

**Motion:** Approve Consent Agenda

**Moved by:** Director Vogel, seconded by Alternate Director Miller

**Vote:** Motion carried 4-0

**4. STAFF PRESENTATION**

**4.1) Status update on Lower San Joaquin River Feasibility Study Screening - - Information Only (Dave Peterson)**

**4.2) Status update on Reclamation District 404 and Reclamation District 17 - Information Only (Chris Neudeck)**

**4.3) Status on Periodic Inspections on levees - Information Only (John Maguire)**

**4.4) Status update on Smith Canal and Regional Flood Management Planning - Information Only (Roger Churchwell)**

**5. ORAL REPORT FROM EXECUTIVE DIRECTOR**

Executive Director Giottoninni gave an oral report on the following topics:

- Corps levee certification
- Flood Insurance Authorization
- DC Trip (tentatively scheduled week of September 10)
- FMA Conference in Sacramento scheduled for September 4-7

**6. PUBLIC COMMENTS**

None

**7. BOARD QUESTIONS, COMMENTS, ACTIONS**

None

**8. ADJOURNMENT**

The meeting adjourned at 10:21 a.m. The next meeting is scheduled for Wednesday, September 26, 2012, at 10:00 a.m.

Future Board Meeting Dates at 10:00 a.m.:  
November 7, 2012  
January 30, 2013



JAMES B. GIOTTONINI  
EXECUTIVE DIRECTOR  
SAN JOAQUIN AREA FLOOD  
CONTROL AGENCY

# **Agenda Item 3.2**

September 26, 2012

TO: San Joaquin Area Flood Control Agency

FROM: James B. Giottonini, Executive Director

SUBJECT: **PROFESSIONAL SERVICE MASTER CONTRACT EXTENSION WITH PETERSON BRUSTAD, INC.**

### RECOMMENDATION

It is recommended that the Board of Directors of the San Joaquin Area Flood Control Agency approve and adopt a resolution extending the term in the Professional Service Master Contract dated December 10, 2008, with Peterson Brustad, Inc., for an additional two years to continue work as described in the contract.

### DISCUSSION

#### Background

On December 10, 2008, the Board approved a resolution authorizing the Executive Director to execute a 3-year Professional Service Master Contract in the amount of \$1.5 million with Peterson Brustad, Inc. (PBI) for technical support related to levee and other flood control activities.

On November 9, 2011, the Board approved a resolution extending PBI's contract to December 10, 2012.

#### Present Situation

SJAFCA's Master Contract with PBI will expire December 10, 2012. There are currently five task orders open providing miscellaneous technical support for issues related to the Lower San Joaquin River Feasibility Study, and engineering support for issues related to levee and floodplain activities.

As of September 1, 2012, the total task orders appropriation on this contract is \$1,456,782.04. Deducting the remaining balances for these five open task orders (\$137,631.87), the funds available in the Master Contract with PBI total \$43,217.96.

With the adoption of the 2012 Central Valley Flood Protection Plan, the California Department of Water Resources (DWR) launched the Regional Flood Management Planning (RFMP) as a first step in refining and implementing the plan. DWR will soon be releasing the RFMP guidelines and procedures. SJAFCA will be submitting a grant proposal to undertake the Regional Plan. While the Regional Plan will be funded by DWR, SJAFCA will need technical support.

September 26, 2012

**PROFESSIONAL SERVICE MASTER CONTRACT EXTENSION WITH PETERSON  
BRUSTAD, INC.** (Page 2)

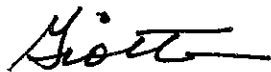
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Staff is recommending the Board adopt a resolution extending the Professional Service Master Contract with PBI for an additional two years. This extension will allow the consultant to complete the previously authorized work and undertake new tasks. Any task order for technical assistance to develop the Regional Plan will be brought back to the Board for consideration and approval.

Financial Summary

This action has no financial impact on SJAFCA's budget. The funds available in the Master Contract with PBI total \$43,217.96.

PREPARED BY: Gemma M. Biscocho



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APPROVED:  
JAMES B. GIOTTONINI  
EXECUTIVE DIRECTOR

JBG:GMB

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# **Agenda Item 3.3**

September 26, 2012

TO: San Joaquin Area Flood Control Agency

FROM: James B. Giottonini, Executive Director

SUBJECT: **REIMBURSEMENT TO THE CITY OF STOCKTON FOR FISCAL YEAR 2011-2012 FOURTH QUARTER OPERATING EXPENSES**

### RECOMMENDATION

It is recommended the Board of Directors of the San Joaquin Area Flood Control Agency adopt a resolution to approve payment of the City of Stockton's invoice to reimburse the City for the Agency's operating expenses for the fourth quarter of fiscal year 2011-2012.

### DISCUSSION

#### Background

The Agency reimburses the City of Stockton for expenses incurred in accordance with the Pre-Construction Cost Sharing Agreement executed on March 21, 1995, between the City of Stockton, San Joaquin County, and San Joaquin County Flood Control and Water Conservation District. It should be noted that the City of Stockton does not charge the Agency interest for carrying the Agency's operating expenses.

Last year, the Board adopted Resolutions No. 11-03, 11-08 and 11-16 authorizing payments to the City of Stockton for operating expenses incurred during fiscal year 2010-2011 totaling \$865,702.10 (\$833,693.10 direct costs + \$32,009.00 indirect costs).

During fiscal year 2011-2012 (FY 11/12), the Board adopted SJAFCA Resolutions No. 12-05 and 12-13 authorizing payments to the City of Stockton for operating expenses incurred during quarters 1 through 3 (July 1, 2011 through March 31, 2012) totaling \$605,276.14 for direct costs only.

#### Present Situation

The City of Stockton has submitted an invoice containing the costs incurred by SJAFCA for the fourth quarter of FY 11/12 (Exhibit A). Below is a description of these costs:

#### **Direct Costs**

- i) Employee Services for the fourth quarter period totaled \$174,742.02. Employee Services contain expenses related to salary and benefits for SJAFCA staff and City of Stockton staff who provide direct support services to SJAFCA. City staff services include accounting and administrative functions for SJAFCA's Operations and Maintenance Assessment District. Direct support services from City of Stockton staff during this period totals \$13,772.07 (approximately 7.9% of Employee Services).
- ii) Other Services in the amount of \$13,896.72 covers expenses related to office equipment, computer technical support and maintenance, liability insurance, and duplication, postage, and mailing costs.

**REIMBURSEMENT TO CITY OF STOCKTON FOR THE AGENCY'S OPERATING EXPENSES FOR THE FOURTH QUARTER OF FISCAL YEAR 2011-2012**

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(Page 2)

- iii) Materials and Supplies in the amount of \$2,095.58 covers expenses related to general office supplies and fuel for SJAFCA's vehicle.
- iv) Other Expenses in the amount of \$665.00 covers professional membership dues.

*Total Amount of Direct Costs 4<sup>th</sup> Quarter: \$191,399.32*

**Indirect Costs**

Indirect costs are developed by an independent consultant hired by the City of Stockton to identify and calculate the rates to be charged to various City departments and divisions for the internal services that are required to support direct services. Indirect costs include support services performed such as accounting, human resources, and payroll processing, etc., as well as expenses related to the use of City facilities such as rent, utilities, and maintenance. The identification of these costs is performed in accordance with the Office of Management and Budget Circular A-87, *Cost Principles for State, Local, and Indian Tribal Governments*. Indirect costs are expressed as rates that are charged to the different City departments or divisions.

The City did not charge SJAFCA for indirect costs on the previous invoices for the first through third quarter of FY 11/12. Therefore, the indirect costs indicated on this fourth quarter invoice are annualized and total \$33,330.00. The indirect costs are roughly 4.5% of Employee Services costs.


The City has indicated on its billing memorandum (Exhibit B) that there may be an amendment to the fourth quarter billing as not all accounting periods have closed. If this happens, staff will report to the Board any subsequent amendments to the final billing for FY 11/12.

*Total Amount of Indirect Costs for FY 11/12: \$33,330.00*

The total amount due for the fourth quarter of FY 11/12 is \$224,729.32 (\$191,399.32 for direct costs + \$33,330 for indirect costs). Total costs incurred from the City of Stockton for FY 11/12 are \$830,005.46 (\$796,675.46 for direct costs + \$33,330 for indirect costs).

Expenses incurred throughout FY 11/12 from the City of Stockton are about \$214,000 less than originally budgeted. Staff has reviewed the City's fourth quarter invoice and has determined these costs are consistent with the Agency's activities for operating expenditures.

PREPARED BY: Marlo Duncan

  
\_\_\_\_\_

APPROVED:  
JAMES B. GIOTTONINI  
EXECUTIVE DIRECTOR

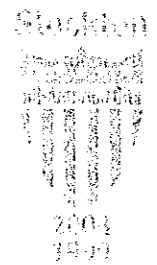
JBG:MD

Attachments

INVOICE

**EXHIBIT A**

CITY OF STOCKTON - FINAR  
REVENUE SERVICES DIVISION  
425 N EL DORADO ST  
STOCKTON, CA 95202



CITY OF STOCKTON

TO: S J AREA FLOOD CONTROL AGENCY  
C/O JUAN NEIRA, PW DEPT  
22 E WEBER, 3RD FLOOR  
STOCKTON, CA 95202

INVOICE NO: 297947  
DATE: 9/10/12

CUSTOMER NO: 19198/19198

TYPE: RW - RECOVERY COST-PUB WORKS

| QUANTITY | DESCRIPTION | UNIT PRICE | EXTENDED PRICE |
|----------|-------------|------------|----------------|
|----------|-------------|------------|----------------|

|      |  |            |            |
|------|--|------------|------------|
| 1.00 | FLOOD CNTRL PRIN REIMB Q4<br>REIMB RECOVERY FY 2011-12 | 224,729.32 | 224,729.32 |
|------|--|------------|------------|

FOR CITY OF STOCKTON EXPENDITURES IN SUPPORT OF THE SAN JOAQUIN AREA FLOOD CONTROL AGENCY IN ACCORDANCE WITH THE PRE-CONSTRUCTION COST SHARING AGREEMENT BETWEEN THE CITY OF STOCKTON AND THE COUNTY OF SAN JOAQUIN AND THE SAN JOAQUIN COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, DATED MARCH 21, 1995.

FOURTH QUARTER (Q4) FISCAL YEAR 2011-12 TOTAL EXPENSES ARE \$224,729.32 FOR DIRECT COSTS CHARGED TO ACCOUNTS 020-0137. OF WHICH, \$33,330.00 IS THE ANUALIZED INDIRECT COST ALLOCATION AND \$174,742.02 IS THE EMPLOYEE SERVICES COSTS.

Q4 - FY 2011-12 TOTAL DUE: \$224,729.32

TOTAL DUE: \$224,729.32

~~PLEASE DETACH AND SEND THIS COPY WITH REMITTANCE~~

DATE: 9/10/12 DUE DATE:10/10/12  
CUSTOMER NO: 19198/19198

NAME: S J AREA FLOOD CONTROL AGENCY  
TYPE: RW - RECOVERY COST-PUB WORKS

PLEASE REMIT TO:  
CITY OF STOCKTON - FINAR  
REVENUE SERVICES DIVISION  
P O BOX 2107  
STOCKTON CA 95202

INVOICE NO: 297947  
TERMS: NET 30 DAYS

AMOUNT: \$224,729.32

19198 R.W.  
PCPR3

# EXHIBIT B

## MEMORANDUM

September 10, 2012

TO: MaryAnn Callahan, Revenue Assistant II

FROM: David N. Millican, Interim Chief Financial Officer

SUBJECT: **BILLING MEMORANDUM**

Please issue an invoice in the amount of: **\$224,729.32**

Bill to: San Joaquin Area Flood Control Agency  
C/o Juan Neira, Public Works Department  
22 E Weber St, 3<sup>rd</sup> Floor  
Stockton, California 95202

Credit Account: 020-0137-341.27-00      \$224,729.32      QTR 4 FY 11-12

In Payment of:

City of Stockton expenditures in support of the San Joaquin Area Flood Control Agency, in accordance with the Pre-construction Cost Sharing Agreement between the City of Stockton and the County of San Joaquin and the San Joaquin County Flood Control and Water Conservation District, dated March 21, 1995.

Fourth quarter "Q4" of fiscal year 2011-12 total expenses are \$224,729.32 direct costs charged to accounts 020-0137. Of which, the annualized Indirect Cost allocation is \$33,330.00 and employee services costs totaled \$174,742.02. There may be an amendment to this billing for Q4 FY 11-12 as not all periods have closed, if needed it will be reflected in the subsequent amendment Invoice for Q4 FY 11-12.

For questions concerning the above calculations, contact MaryAnn Callahan, ext. 8297.

DAVID N. MILLICAN  
INTERIM CHIEF FINANCE OFFICER

VANESSA BURKE  
ASSISTANT DIRECTOR OF FINANCE

DNM:VB:mc

Attachments

emc: Ryan Pham, Program Manager III

# **Attachments**



LOIS M. SAHYOUN  
Clerk of the Board

## BOARD OF SUPERVISORS

44 N. SAN JOAQUIN STREET, SUITE 627  
STOCKTON, CALIFORNIA 95202  
TELEPHONE: 209/468-3113  
FAX: 209/468-3694

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Third District

KEN VOGEL  
Vice-Chairman  
Fourth District

CARLOS VILLAPUDUA  
First District

FRANK L. RUHSTALLER  
Second District

LEROY ORNELLAS  
Fifth District

July 19, 2012

The Honorable Dianne Feinstein  
United States Senate  
331 Hart Senate Office Building  
Washington D.C. 20036

### **Biggert-Waters Flood Insurance Reform and Modernization Act of 2012**

Dear Senator Feinstein:

On behalf of the citizens of San Joaquin County, thank you for your support in the final passage of the Biggert-Waters Flood Insurance Reform and Modernization Act of 2012. After nearly four years of extensions and lapses in the National Flood Insurance Program (NFIP), we are pleased that a deal on a full reauthorization was made, creating more stability and assurance for our citizens.

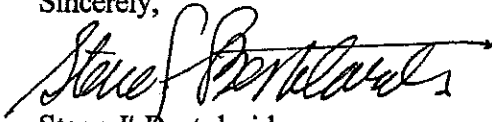
Most importantly, we want to thank you for your diligence in ensuring that the residual risk section of the Senate Banking Committee bill was ultimately removed from the final version of the legislation. Under the residual risk provision, the number of parcels within San Joaquin County that would have been subject to mandatory flood insurance purchase would increase from roughly 14,000 to over 160,000 (more than a ten-fold increase) despite the fact they are protected by levees. Not only would the requirements have been unnecessary, they would have been costly for the majority of our citizens and disastrous to our local economy.

As a member of the Agricultural Floodplain Management Alliance (AFMA), I would also like to thank you for your introduction of an amendment to the Senate NFIP reauthorization bill that would have authorized a study on the impact of the NFIP and floodplain management practices on agricultural areas and rural communities. Understanding the effects of the law and the new mapping procedures of the Federal Emergency Management Agency (FEMA) is critical to preserving the economies and cultures of the agricultural industry not only in San Joaquin County but across the country. While we understand procedural measures prevented full consideration of your amendment, we look forward to working with you in the future on this important issue.

Finally, I would also like to take this opportunity to commend Devin Rhinerson of your staff in Washington, D.C. for his tireless work on these issues. He is an outstanding asset to your team.

As always, thank you for your continued leadership on issues of importance to San Joaquin County and California. It is always a pleasure working with you and your staff.

Sincerely,



Steve J. Bestolarides  
Chairman, Board of Supervisors  
San Joaquin County

BOS07-02

c:

San Joaquin County Board of Supervisors  
Manuel Lopez, County Administrator, San Joaquin County  
Tom Gau, Public Works Director, San Joaquin County  
David Wooten, County Counsel, San Joaquin County  
Roger Gwinn, Federal Advocate, The Ferguson Group  
Mark Limbaugh, Federal Advocate, The Ferguson Group





LOIS M. SAHYOUN  
Clerk of the Board

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Vice-Chairman  
Fourth District

CARLOS VILLAPUDUA  
First District

FRANK L. RUHSTALLER  
Second District

LEROY ORNELLAS  
Fifth District

July 19, 2012

The Honorable Barbara Boxer  
United States Senate  
112 Hart Senate Office Building  
Washington D.C. 20036

### **Biggert-Waters Flood Insurance Reform and Modernization Act of 2012**

Dear Senator Boxer:

On behalf of the citizens of San Joaquin County, thank you for your support in the final passage of the Biggert-Waters Flood Insurance Reform and Modernization Act of 2012. After nearly four years of extensions and lapses in the National Flood Insurance Program, we are pleased that a deal on a full reauthorization was made, creating more stability and assurance for our citizens.

We were particularly pleased to see that the residual risk section of the Senate Banking Committee bill was ultimately removed from the final version of the legislation. Under the residual risk provision, the number of parcels within San Joaquin County that would have been subject to mandatory flood insurance purchase would increase from roughly 14,000 to over 160,000 (more than a ten-fold increase) despite the fact they are protected by levees. Not only would the requirements have been unnecessary, they would have been costly for the majority of our citizens and disastrous for our local economy.

As always, thank you for your continued leadership on issues of importance to San Joaquin County and California. It is always a pleasure working with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve J. Bestolarides".

Steve J. Bestolarides  
Chairman, Board of Supervisors  
San Joaquin County

BOS07-03

c:

San Joaquin County Board of Supervisors  
Manuel Lopez, County Administrator, San Joaquin County  
Tom Gau, Public Works Director, San Joaquin County  
David Wooten, County Counsel, San Joaquin County  
Roger Gwinn, Federal Advocate, The Ferguson Group  
Mark Limbaugh, Federal Advocate, The Ferguson Group

**End of Agenda  
Packet**