



September 28, 2012

Paul Morrison, P.E.
Division of Flood Management
Department of Water Resources
3464 El Camino Avenue, Suite 201
Sacramento, CA 95821-6340

**EARLY IMPLEMENTATION PROGRAM (EIP) AGREEMENT NO. 4600009799
SAN JOAQUIN AREA FLOOD CONTROL AGENCY (SJAFCA)
CREDIT REQUEST/PROGRESS REPORT FROM 2/1/2008 TO 9/14/2012**

Enclosed for your review are the quarterly progress report, quarterly work plan and statement of costs for the design of the Smith Canal Closure Structure in accordance with the above funding agreement provisions.

SJAFCA submits a credit request in the amount of \$499,352.87 for design work completed to date. The Statement of Costs with copies of invoices and project phase deliverables, are enclosed to support the request.

If you have any questions or need more information, please contact me at (209) 937-8866 or e-mail me at Roger.Churchwell@stocktongov.com


ROGER CHURCHWELL, P.E., C.F.M.
DEPUTY EXECUTIVE DIRECTOR

RC:GMB

Enclosures

EARLY IMPLEMENTATION PROGRAM
Agreement No. 4600009799
QUARTERLY PROGRESS REPORT
(February 1, 2008 through September 14, 2012)
FOR THE
DESIGN OF THE SMITH CANAL CLOSURE GATE STRUCTURE

PROJECT STATUS/MAJOR ACCOMPLISHMENTS:

EIP funding is for the design of a closure gate structure at the mouth of Smith Canal on the San Joaquin River/Stockton Deep Water Channel. The future closure gate structure will provide flood protection for the Smith Canal area. Existing levees along Smith Canal do not meet FEMA or State standards for levees, placing approximately 7,800 homes at risk from flooding.

SJAFCA in partnership with Reclamation District 828 and 1614 initiated the design phase of the project in 2008 and has advanced the project to 30% design. SJAFCA seeks credit for the work completed to date. A Statement of Costs (Attachment 1) is submitted.

SJAFCA has worked and partnered with the two reclamation districts RD 828 and 1614 developing a team and partnership to address funding, design and also the future construction of the project. An agreement between the three partners was initiated in January 2008 by letter from the two Reclamation Districts to contract with Peterson, Brustad, Inc. (PBI) to conduct the Smith Canal Closure Structure Conceptualization document including a Geotechnical Summary Report (Attachment 2).

On April 10, 2009 SJAFCA and the two reclamation districts signed an agreement to cost share in the preparation of a FEMA Conditional Letter of Map Revision (CLOMR) to assure FEMA would accredit the proposed project. This effort also provided 30% design plans to place the structure at the mouth of Smith Canal. A conditional CLOMR was received from FEMA on January 13, 2011.

An amendment to the agreement with the two reclamation districts and SJAFCA was signed on June 15, 2011 to respond to comments from FEMA and for the preparation of the EIP application by PBI.

PROJECT SUMMARY:

Partnership and Agreement with Reclamation Districts 828 and 1614 on January 2008.

Geotechnical Services Report, April 9, 2008

Smith Canal Closure Structure Conceptualization report June 27, 2008.

Partnership and Agreement with Reclamation Districts 828 and 1614 on April 10, 2009

Geotechnical Report Dad's Point Levee Evaluation, Smith Canal March 11, 2010

Partnership and Agreement with Reclamation District 828 and 1614 on June 15 2010

Economic Feasibility Analysis, November 29, 2010

30% design and CLOMR letter from FEMA January 13, 2011

Prepare and submit EIP Grant application February 10, 2011

EARLY IMPLEMENTATION PROGRAM
Agreement No. 4600009799
QUARTERLY WORK PLAN
(October 1, 2012 through July 2013)
FOR THE
DESIGN OF THE SMITH CANAL CLOSURE STRUCTURE

PROJECT INFORMATION/STATUS:

SJAFCA received the signed EIP Agreement the second to last week in September 2012. The below schedule has been adjusted to the new dates.

SJAFCA and Reclamation Districts 828 and 1614 are presently undertaking a 218 election to form an assessment district to cover costs for design, construction and future maintenance. Ballots from the election are to be tabulated in July of 2013.

Starting in November 2012 SJAFCA will start a process to select a consultant to undertake the design of the project. It is anticipated that the consultant selection will occur prior to the completion of the formation of the assessment district.

SCHEDULE INFORMATION

Following is an update to the overall project schedule:

Activity	Start	Finish
EIP Funding Agreement	January 2012	September 2012
Assessment District Formation	June 2012	July 2013
Consultant Team Selection	November 2012	July 2013
60% Engineering Design	August 2013	January 2014
90% Engineering Design	February 2014	August 2014
100% Engineering Design	September 2014	December 2014
CEQA/NEPA Preparation	August 2013	January 2015
Right-of-Way Acquisition	September 2014	April 2015
Permitting Acquisition	September 2014	April 2015
Construction	May 2015	October 2016

September 28, 2012

STATEMENT OF COSTS
EIP Agreement No. 4600009799
For the
Design of the Smith Canal Closure Structure

Following are the Project Costs incurred from February 1, 2008 to date:

Task 1 - Project Management (Design Phase) - See Exhibit A	\$105,694.62
Task 2 - Engineering Design (30%) - See Exhibit B and C	\$393,658.25
Task 3 - Independent Review	
Task 4 - Environmental Review and Permitting	
Task 5 - Real State Planning and Acquisition (30% of Total)	
Task 6- Public Outreach (50% of Total)	
Total	\$499,352.87

Certification

I Roger Churchwell, Deputy Executive Director of the San Joaquin Area Flood Control Agency, affirm that the above Statement of Costs is correct to the best of my knowledge and belief. A compilation of documents to support the above identified costs is attached.


Roger Churchwell

COPY

**SAN JOAQUIN AREA
FLOOD CONTROL AGENCY**

=====

**RESOLUTION TO RESUME WORK ON THE FORMATION OF THE ASSESSMENT
DISTRICTS AND PROPOSITION 218 BALLOT PROCEEDINGS FOR THE
SMITH CANAL GATE AND WISCONSIN PUMP STATION RECONSTRUCTION
AND TO AMEND THE COOPERATIVE COST-SHARE AGREEMENT BETWEEN
SJAFCA AND RECLAMATION DISTRICTS 1614 AND 828**

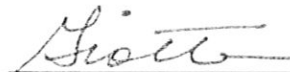
BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SAN JOAQUIN
AREA FLOOD CONTROL AGENCY, AS FOLLOWS:

1. Resume work on the formation of the assessment districts and Proposition 218 ballot proceedings for the Smith Canal Gate and the Wisconsin Pump Station Reconstruction.
2. Execute an amendment to the Cooperative Cost-Share Agreement between the Agency, Reclamation District 1614, and Reclamation District 828 to share the costs involved in resuming the assessment district formations.
3. Process a Change Order to the Professional Services Agreement with Seth Wurzel, Inc., for the additional costs (\$15,885) to restart the assessment district formations.
4. Sign an Early Implementation Program (EIP) Funding Agreement with the California Department of Water Resources and authorize the Executive Director to sign requests for State reimbursement.

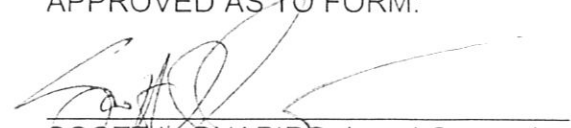
PASSED, APPROVED AND ADOPTED this 2nd day of May, 2012.


for DALE FRITCHEN, Chairperson
of the San Joaquin Area
Flood Control Agency

ATTEST:


JAMES B. GIOTTONINI, Secretary
of the San Joaquin Area
Flood Control Agency

APPROVED AS TO FORM:


SCOTT L. SHAPIRO, Legal Counsel
for the San Joaquin Area
Flood Control Agency

RESOLUTION ACCEPTING FUNDS

Resolution No. 12-09

Resolved by the Board of Directors

(Governing body, city council, or other)

of the San Joaquin Area Flood Control Agency

(Funding Recipient-agency, city, county, or other)

that pursuant and subject to all of the terms and provisions of the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, and the Disaster Preparedness and Flood Prevention Bond Act of 2006, that the funds awarded to

San Joaquin Area Flood Control Agency by the California Department of
(Agency, city, county, or other)

Water Resources for a State-Federal Flood Control System Modification Program project titled:
Smith Canal Gate are hereby accepted.

(Project title)

The Executive Director of the

(Presiding officer, president, city manager, or other official)

San Joaquin Area Flood Control Agency is hereby authorized and directed to

(Agency, city, county, or other)

sign a Funding Agreement with the California Department of Water Resources and to sign requests for disbursements to be made under this Funding Agreement.

Passed and adopted at a regular meeting of the Board of Directors

(Board of Directors, Supervisors, etc.)

of the San Joaquin Area Flood Control Agency

(Name of Funding Recipient)

on May 2, 2012.

(Date)



Authorized Signature _____

Printed Name Dale Fritchen

Title Chairperson

Clerk/Secretary _____

RESOLUTION NO. SJAFCA 09-10

SAN JOAQUIN AREA
FLOOD CONTROL AGENCY

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE SAN JOAQUIN AREA FLOOD CONTROL AGENCY APPROVING THE
APPOINTMENT OF ROGER CHURCHWELL AS DEPUTY EXECUTIVE DIRECTOR, AND
APPROVING THE ELIMINATION OF THE ACTING EXECUTIVE DIRECTOR POSITION

WHEREAS: The Acting Executive Director position has been historically assigned to the City of Stockton Deputy Public Works Director/City Engineer; and,

WHEREAS: Currently, the organizational structure of the City of Stockton Public Works Department no longer facilitates supporting the Acting Executive Director position; and,

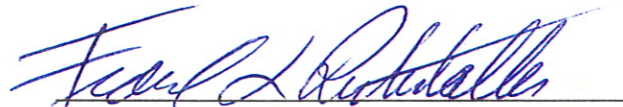
WHEREAS: The Executive Director presently relies on the Agency's Director of Engineering (Roger Churchwell) to fulfill the duties of a Deputy Executive Director.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE BOARD OF DIRECTORS OF THE SAN JOAQUIN AREA FLOOD CONTROL AGENCY, AS FOLLOWS:

Section 1. The above recitals are all true and correct.

Section 2. The Board approves the appointment of Roger Churchwell as Deputy Executive Director, and the Board approves the elimination of the Acting Executive Director position.

PASSED, APPROVED, AND ADOPTED May 20, 2009.



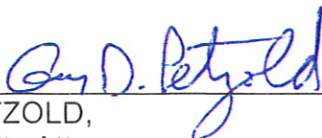
Frank L. Ruhstaller, Chairperson
of the San Joaquin Area
Flood Control Agency

ATTEST:



JAMES B. GIOTTONINI, Secretary
of the San Joaquin Area
Flood Control Agency

APPROVED AS TO FORM:



GUY PETZOLD,
Deputy City Attorney

May 20, 2009

TO: San Joaquin Area Flood Control Agency

FROM: James B. Giottonini, Executive Director

SUBJECT: **APPOINTING ROGER CHURCHWELL AS DEPUTY EXECUTIVE DIRECTOR AND ELIMINATING THE FORMER ACTING EXECUTIVE DIRECTOR POSITION**

RECOMMENDATION

It is recommended that the Board of Directors of the San Joaquin Area Flood Control Agency adopt a resolution appointing Roger Churchwell as Deputy Executive Director, and eliminating the former Acting Executive Director position.

DISCUSSION

Background

The Acting Executive Director position (performed the functions of a Deputy Executive Director) has been historically assigned exclusively to the City of Stockton (Deputy) Public Works Director/City Engineer. Currently, the organizational structure of Public Works does not facilitate supporting the Acting Executive Director position.

Present Situation

The Executive Director is presently relying on the Agency's Director of Engineering to fulfill the duties of a Deputy Executive Director. It is important to establish a Deputy Executive Director position to ensure continuity during the Executive Director's absence. Therefore, staff recommends eliminating the former Acting Executive Director position, and appointing Roger Churchwell as the Deputy Executive Director to act for the Executive Director in his absence and to assist the Executive Director as required. Mr. Churchwell will also continue to perform the duties of the Director of Engineering.

PREPARED BY: Juan J. Neira



APPROVED:
JAMES B. GIOTTONINI
EXECUTIVE DIRECTOR

JBG:JJN:cl

::ODMA\GRPWISE\COS.PW.PW_Library:136005.1