

SPECIAL BOARD MEETING

July 11, 2019
Tracy, California

President McLeod called a special meeting of the Board of Directors of Banta-Carbona Irrigation District. Said meeting was held at the office of the Board on Wednesday, July 11, 2019 at 9:00 a.m.

PRESENT: Directors James McLeod, Keith Robertson, Glenn Robertson, Annette Elissagaray and James M Thoming

ABSENT: None

OTHERS PRESENT: General Manager David Weisenberger, Secretary Margaret Howe, and District Counsel Jeanne Zolezzi

ITEM 1 - MINUTES & TREASURER'S REPORT

Director Annette Elissagaray made a motion to approve the minutes of the May 15, 2019 as presented. Director Glenn Robertson seconded the motion and it carried by the following vote; Ayes: Directors James McLeod, Keith Robertson, Glenn Robertson, James M. Thoming and Annette Elissagaray; Noes: None; Abstain: None; Absent: None

Secretary Howe presented the Treasurer's report and after review by the Board it was filed.

ITEM 2 - MISCELLANEOUS CORRESPONDENCE

Secretary Howe reported she received notice from the Internal Revenue Service regarding a tax compliance check of the District to be conducted by phone on August 1, 2019. The purpose of it is to be sure the District understands and complies with federal employment tax laws, information return reporting and record keeping requirements.

The District received an invitation to an open house being held by Herum\Crabtree\Suntag, the Districts Attorneys, on Friday, July 26, 2019.

ITEM 3 - MANAGER'S REPORT & DISCUSSION ITEMS.

MANAGER'S REPORT

July 10, 2019

Vernalis flow +/- 3,000 cfs. Wheeling 0 cfs

Maintenance - Currently on-going emphasis is on weed control, terrestrial and aquatic. Also putting squirrel and rodent bait out. Also have been doing disking to knock down weeds.

FRIANT SJRRP Restoration Flows and Wheeling – Wheeled zero water for USBR/Friant in May. Do not plan to wheel water for them the rest of the water year ending on February 29, 2020.

Reclamation CVP 9(e) contract to a 9(d) contract. We received our construction repayment estimate from Reclamation. The current estimate owed as discounted for today on Unpaid Construction Cost is \$2,083,844 and for Unpaid Intertie Construction Cost, \$136,960, for a total owed of \$2,220,804 dollars. The next negotiation scheduled for June 17 and 18, 2019. Esq. Jeanne Zolezzi will be attending on the District's behalf.

Sustainable Groundwater Management Act (SGMA) –The next milestone due is a Groundwater Sustainability Plan (GSA) for our GSA as well as for the Tracy Sub-basin which is due by January 31, 2022. The Memorandum of Agreement with the group

of Groundwater Sustainability Agencies (GSA) within the Tracy Sub-basin is being circulated for signatures. BCID has signed it. This agreement is with the county for the preparation of a common Groundwater Sustainability Plan (GSP). The emphasis among the group of GSA's is currently on developing the required communications plan. Some of the group is discussing the possibility of hiring a consulting firm to handle communication among the public. Each GSA would have the option of participating in that group or do the communications themselves within their GSA boundaries. Next week there is suppose to be more discussion on the topic and possibly a proposal for the services to review.

Last month the county put out an announcement for a "request for Proposals" to consulting firms that wish to be considered for preparing the GSA in the Tracy Sub-basin. Only one firm submitted a proposal and that was GEI. GEI has been doing groundwater work in the Tracy Sub-basin for many years so they should be a good fit.

Replacement Pumping Plant 5 Low Head Lift – The low head station is running in auto mode maintaining the sump 5 pool on the mark. The SCADA program is still being de-bugged by Scott Penner of WAVE Engineers. He is scheduled to be out on site today to load the "auto" program into the High head pumps.

Pumping Plant #4 Replacement Project – Dahl Consultants and WAVE Engineering have been busy sending out requests for proposals (RFP's) for various equipment. Purchase orders have been issued for the pumps and motors, switchboard, transformers, voltage regulators, motor control centers (MCC's), pipeline penstocks, and the control console totaling just over two million dollars. The longest lead item remains to be the pumps and motors with a delivery date of January 31, 2020. We have been pressing CASCADE to expedite the submittal processes so that the order can go to manufacturing asap. So far the electrical equipment looks like it will all be received by December 1, 2019.

San Joaquin County Community Development Application # PA 1600049 (AP) – The County sent a notice of public hearing for the project in December. I replied to the notice to county staff by re-iterating our concerns with groundwater contamination with the use of un-lined ponds for storm water runoff. The public hearing was removed from the calendar in December. There has been no news on this application since.

Website – New legislation passed last year, SB 929, requiring special districts to have a website that provides district contact information by January 1, 2020. This is simple enough except that there has been legislation on the books for several years that requires other information be posted **IF** you have a website. We have been exempt from those other postings because we never have had a website. We will now be required to make those postings.

New Pumping Plant #5 Noise – We still need to order a sound blanket to try on one pump unit. We propose to try this on one motor and see how much of a difference it makes. If it makes a significant difference then we would like to put them on the other two motors. We don't anticipate the new motors on the low head side to be a big issue.

Traveling Trash Screen – The foundation for the traveling trash screen at the tail end of 3 West canal at Banta Road has been constructed. We have received the PG&E. drawings for a 100 amp, 120/240 volt single phase service. Bockmon and Woody are gathering materials for installing the electrical equipment. We have executed the contract for electrical service and will be sending that off to them this week.

PROP 1 Grant Application – The Delta Conservancy Board is met on Wednesday, May 22, 2019, from 9 am to 1 pm to select applications for grant funding. I attended as well as Andrea Fuller of FISHBIO and a representative of CBEC. The meeting went well even though BCID wasn't recommended for funding on that day. The Board left it open for BCID to work with Conservancy staff to clear up any questions they have that prevented them from recommending funding last month. We will be meeting them on June 25, 2019.

Respectfully submitted by:
David Weisenberger
General Manager

ITEM 4 – DIRECTOR AND STAFF ITEMS

The Districts Intern Kent Norman has been working with Quartaroli & Associates on updating the Districts maps. He also presented a report on work he has done for the Districts 2019 crop report.

ITEM 5 - REVIEW CURRENT WATER SUPPLIES AVAILABLE TO THE DISTRICT, CONSIDER TRANSFERS, AND REVIEW SCHEDULING OF AVAILABLE WATER SUPPLIES. ACTION AS NECESSARY

US Bureau of Reclamation announced an increase in the 2019/2020 CVP allocation for South of Delta Users to 70%. This will provide the District with 14,000 acre feet of CVP Water available for the 2019/2020 water year. The market for transfers' remains very slow.

ITEM 6 – UPDATE ON THE PREPARATION OF THE TRACY SUB-BASIN GROUNDWATER SUSTAINABILITY PLAN (GSP). ACTION AS NECESSARY.

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ITEM 7 – REPORT ON PROGRESS OF PROP 1 GRANT APPLICATION TO STUDY, DESIGN, AND PERMIT A HABITAT RESTORATION PROJECT TO INCLUDE BIOTECHNICAL BANK STABILIZATION FOR LONG TERM SUSTAINABILITY OF THE HABITAT RESTORATION AND PROTECTION OF DISTRICT'S DIVERSION POINT. ACTION AS NECESSARY.

General Manager Weisenberger and representatives from both FISHBIO and CBEC attended a meeting with the staff of the Delta Conservancy to try and determine what would be needed for the District to qualify for a PROP 1 Grant. They were told the Conservancy needed a more detailed memo regarding the environmental benefits of the project. They would also like for the District to do a presentation to the Interagency Adaptive Management Integration Team (IAMIT). Since this was not a requirement in the original application, General Manager Weisenberger requested the Conservancy staff provide the District a letter describing what the IAMITs function is and why Banta-Carbona Irrigation District needs to present our project to them. After some discussion, the Board directed staff to wait and see how the process works before proceeding.

ITEM 8 – UPDATE CVP CONTRACT CONVERSION 9(E) TO 9(D) NEGOTIATIONS WITH THE U.S. BUREAU OF RECLAMATION. ACTION AS NECESSARY.

District Counsel Jeanne Zolezzi reported she has attended four days of negotiations with the U.S. Bureau of Reclamation and feels some progress has been made on the contract conversions. The next negotiation sessions are set for August 6th and 7th.

ITEM 9 - UPDATE ON SAN JOAQUIN RIVER NON-NATIVE FISH POPULATION STUDY. ACTION AS NECESSARY

Directors James McLeod, Keith Robertson, Glenn Robertson, James M Thoming and General Manager Weisenberger were able to participate in a tour of the project by boat

on the San Joaquin River. Staff presented a written report from FISHBIO on their activities for June.

ITEM 10 – UPDATE ON THE DESIGN, ENGINEERING, AND CONSTRUCTION OF THE PUMPING PLANT 4 REPLACEMENT PROJECT. ACTION AS NECESSARY.

General Manager Weisenberger presented a proposal from Arnaudo Construction for rough grading at the Pumping Plant #4 Replacement Project in the amount of \$63,890.00. Director Keith Robertson made a motion to accept the proposal and start the work. Director Glenn Robertson seconded the motion and it carried by the following vote; Ayes: Directors James McLeod, Keith Robertson, Glenn Robertson, James M. Thoming and Annette Elissagaray; Noes: None; Abstain: None; Absent: None

Staff discussed with the Board the possibility of abandoning the portion of the existing 36" pipeline that is being relocated by the Project. The Board had no objection to abandoning the existing pipeline since it is being relocated.

Staff hopes to be able to present a complete proposal for the project for review by the Board at the August meeting.

ITEM 11- CLOSED SESSION:

1) CONFERENCE WITH LEGAL COUNSEL on EXISTING LITIGATION PURSUANT to Subdivision (a) of Section 54956.9 of the Government Code

A. Banta-Carbona Irrigation District v. California State Water Resources Control Board, et al, Case No. 2015-1-CV-285182 in Santa Clara County Superior Court, Dept 1. This case originated in San Joaquin County as Case No. 39-2015-00326421-CU-WM-STK

B. Natural Resources Defense Council v. Sally Jewell, U.S., Department of the Interior Case No. 1:05-cv-01207 LJO-GSA

2) CONFERENCE WITH REAL PROPERTY NEGOTIATIONS

A. Property: Wheel Water through lift canal and Pump Station Facilities for Third Parties

Agency negotiator: David Weisenberger and District Counsel Jeanne Zolezzi

Negotiating parties: Friant Water Authority

The Board returned to open session with no announcement.

ITEM 12 - APPROVAL OF WARRANTS

Director Keith Robertson moved that the July 2019 warrants in the amount of \$167,772.43 be approved for payment. Director Annette Elissagaray seconded the motion and it carried by the following vote; Ayes: Directors James McLeod, Keith Robertson, Glenn Robertson, James M. Thoming and Annette Elissagaray; Noes: None; Abstain: None; Absent: None

The meeting was then adjourned to Wednesday, July 17, 2019 at 9:00 a.m.

Respectfully,

Margaret G. Howe