

August 14, 2019
Tracy, CA 95304

Pursuant to adjournment, July 17, 2019 the Board of Directors of the Banta-Carbona Irrigation District met at 9:00 a.m. at 3514 W. Lehman Road, Tracy California on the above named date.

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

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

ABSENT: None

ITEM 1 - MINUTES & TREASURER'S REPORT

Director Annette Elissagaray made a motion to approve the minutes of the Board Meeting July 17, 2019 as presented. Director James Thoming seconded the motion and it carried by the following vote; Ayes: Directors James McLeod, Keith Robertson, Glenn Robertson, Annette Elissagaray and James M. Thoming; 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 there was no correspondence.

ITEM 3 - MANAGER'S REPORT & DISCUSSION ITEMS.

MANAGER'S REPORT

August 14, 2019

Vernalis flow +/- 2,800 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 through July. 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. Esq. Jeanne Zolezzi has been attending the negotiation session on the District's behalf. Next scheduled negotiation session is at 9:30 am, August 19, 2019, in Fresno Ca. This session is for the Delta Division of the Central Valley Project (CVP).

Sustainable Groundwater Management Act (SGMA) –The next major milestone due is a Groundwater Sustainability Plan (GSP) for our GSA as well as for the Tracy Sub-basin which is due by January 31, 2022. The Tracy Sub-basin GSA's did not meet in July. There is a regularly scheduled meeting on the third Thursday of the month at the Banta-Carbona Irrigation District office at 1 pm. The next meeting is tomorrow, August 15, 2019. The topics to be discussed or considered for recommended action tomorrow are: consider Outreach Facilitation Services proposals to meet the public communications requirements of SGMA; review the public releases of neighboring GSP's (is., the DMC GSP); get update on Technical Support Services from DWR in regards to new monitoring wells in our sub-basin; Review current status of GSP Grant; and review current and future Inter-basin coordination activities.

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 finished 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, flap gates, 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 1, 2020. The specs and drawings for the construction of the replacement pumping plant #4 were released to Arnaudo Construction on Monday, August 5, 2019. We should be receiving Arnaudo's bid by Friday, August 23, 2019. BCID is responsible for supplying the Remote Terminal Unit (RTU) that houses the Supervisory Control and Data Acquisition (SCADA) equipment. We will start ordering those supplies this week and begin construction of the RTU later in August. RTU should be 95% complete by September 30, 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. Kent Norman, a summer college intern, is looking into potential website development.

New Pumping Plant #5 Noise – The sound blankets arrived yesterday and we will install it on one of the units. 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 has gathered materials for installing the electrical equipment. We have executed the contract for electrical service. Bockmon and Woody Inc. is meeting PG&E at the job site this morning for a pre-construction meeting. After this meeting the electrical work should begin.

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 in May. FISHBIO is currently responsible for putting together a memo that will provide additional information to the conservancy that they requested, in regards to the environmental value of the project. We did ask the conservancy if any other grant applicants were asked to be making presentations to IAMIT and they said no. Hence BCID is the only applicant that has been asked to make a presentation.

BCID District Tour – I gave two representatives of the Westlands Water District (WWD) a tour of the BCID facilities on Wednesday July 24, 2019. From WWD were Kathryn Boren, Special Advisor to the General Manager, and Diana C. Giraldo, Public Affairs Representative. I met them on the Shasta Dam tour in May and they expressed an interest in visiting BCID and learning about BCID.

Cawelo Water District (CWD) Tour – Kent Norman and I attended the PWRPA board meeting at CWD, outside of Bakersfield, last Wednesday, August 7, 2019. We traveled down to CWD on Tuesday morning and got a tour of their District office, main pump station, and groundwater spreading ponds that afternoon. Kent and my main point of interest was to learn about their water operations and the software they use.

Respectfully submitted by:
David Weisenberger
General Manager

ITEM 4 – DIRECTOR AND STAFF ITEMS

Kent Norman reported he has been working with Quartaroli & Associates on the District mapping. It should be ready for viewing online later in the week. He is also working a calibration guide for district gates and specs for new installation. He is also researching what is available for water tracking software.

Secretary Howe reported she contacted the Internal Revenue Service regarding the tax compliance check. They wanted to talk about fringe benefits for employees, housing, vehicles etc. The District has received notice from the IRS they have decided not to conduct an employment tax audit at this time.

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 75%. This will provide the District with 15,000 acre feet of CVP Water available for the 2019/2020 water year. The market for transfers' remains very slow.

ITEM 6 - REVIEW THE POWER AND WATER RESOURCES POOLING AUTHORITY (PWRPA) 2018 DRAFT FINANCIAL RECONCILIATION REPORT. ACTION AS NECESSARY.

General Manager Weisenberger presented the PWRPA 2018 Draft Financial Reconciliation report for review by the Board of Directors. Based on the draft report Banta-Carbona Irrigation District will be receiving a refund for the 2018 year of approximately \$55,000.00

ITEM 7 - CONSIDER RESOLUTION FOR APPROVAL OF LETTER OF AGREEMENTS CONTRACT NO'S 17-WC-20-5109 AND 17-WD-20-5110 WITH THE BUREAU OF RECLAMATION FOR THE REPLACEMENT OF PROJECT USE POWER AND FEES INCURRED FOR PUMPING NON-PROJECT WATER UNDER WARREN ACT CONTRACT NO'S 15-WC-20-4659 AND 13-WC-20-4380. ACTION AS NECESSARY.

General Manager Weisenberger reported he is still reviewing the Letter of Agreements received by the District and needs to confirm with the U.S. Bureau of Reclamation office in Fresno on the accuracy of the calculations. No action was taken.

ITEM 8 – UPDATE ON THE PREPARATION OF THE TRACY SUB-BASIN GROUNDWATER SUSTAINABILITY PLAN (GSP). ACTION AS NECESSARY.

The next major milestone due is a Groundwater Sustainability Plan (GSP) for our GSA as well as for the Tracy Sub-basin which is due by January 31, 2022? The Tracy Sub basin GSA's did not meet in July. There is a regularly scheduled meeting on the third Thursday of the month at the Banta-Carbona Irrigation District office at 1 pm. The next meeting is tomorrow, August 15, 2019. The topics to be discussed or considered for recommended action tomorrow are: consider Outreach Facilitation Services proposals to meet the public communications requirements of SGMA; review the public releases of neighboring GSP's (is., the DMC GSP); get update on Technical Support Services from DWR in regards to new monitoring wells in our sub-basin; Review current status of GSP Grant; and review current and future Inter-basin coordination activities.

ITEM - 9 – 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.

FISHBIO is continuing to work on the memo requested by the Delta Conservancy staff at the meeting in May. The Conservancy provided a summary of the Interagency Adaptive

Management Integration Team (IAMIT). It is a group of scientific and technical staff from local, state, and federal agencies to provide feedback and suggestions on Delta projects in a manner to help reduce the time spent in the planning phase. At the present time Banta-Carbona Irrigation District is the only applicant being asked to present its project to IAMIT.

ITEM 10 – REVIEW PARADISE CUT BYPASS PROJECT. ACTION AS NECESSARY.

Staff presented a copy of a brochure “Paradise Cut Bypass: Facts and Figures” for review by the Board. District Counsel Zolezzi has requested notification of any CEQA documents filed regarding this project.

ITEM 11 – UPDATE CVP CONTRACT CONVERSION 9(E) TO 9(D) NEGOTIATIONS WITH THE U.S. BUREAU OF RECLAMATION. ACTION AS NECESSARY.

Staff provided the Board of Directors with a draft copy of the conversion contract for review. District Counsel Jeanne Zolezzi has been attending the negotiations on behalf of Banta-Carbona Irrigation District. There will be a Delta Division negotiation meeting on August 19, 2019 and then another negotiation meeting specific to each district. She expects to have a final contract in September or October 2019. The Board reviewed the draft conversion contract, but took no action.

ITEM 12 - UPDATE ON SAN JOAQUIN RIVER NON-NATIVE FISH POPULATION STUDY. ACTION AS NECESSARY

Staff presented the monthly update report received from FISHBIO on the San Joaquin River Predator Study. The fyke field season ended on June 26, 2019. FISHBIO staff is planning on doing a presentation of the 2019 season at the September 11, 2019 board meeting.

ITEM 13 – UPDATE ON THE DESIGN, ENGINEERING, AND CONSTRUCTION OF THE PUMPING PLANT 4 REPLACEMENT PROJECT. ACTION AS NECESSARY.

Dahl Consultants and WAVE Engineering have finished 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, flap gates, 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 1, 2020. The specs and drawings for the construction of the replacement pumping plant #4 were released to Arnaudo Construction on Monday, August 5, 2019. We should be receiving Arnaudo's bid by Friday, August 23, 2019. BCID is responsible for supplying the Remote Terminal Unit (RTU) that houses the Supervisory Control and Data Acquisition (SCADA) equipment. We will start ordering those supplies this week and begin construction of the RTU later in August. RTU should be 95% complete by September 30, 2019.

ITEM 14- 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

The Board returned to open session with no announcement.

ITEM 15 - REVIEW FOR APPROVAL "PROPOSALS FOR AUDITING SERVICES" FOR THE 2019 ANNUAL AUDIT. ACTION AS NECESSARY.

Secretary Howe reported the District received two responses to its "Proposals for Auditing Services". One from David Farnsworth CPA in Dublin for the amount of \$15,400.00 and one from Hudson Henderson & Company Inc in Fresno for the amount of \$9,250.00. After reviewing the proposals Director James M Thoming made a motion to accept the proposal from Hudson Henderson & Company Inc. Director Keith Robertson seconded the motion and it carried by the following vote; Ayes: Directors James McLeod, Keith Robertson, Glenn Robertson, Annette Elissagaray and James M. Thoming; Noes: None; Abstain: None; Absent: None

ITEM 16 - APPROVAL OF WARRANTS

Keith Robertson moved that the August 2019 Warrants in the amount of \$390,521.94 be approved for payment. Director James M. Thoming seconded the motion and it carried by the following vote; Ayes: Directors James McLeod, Keith Robertson, Glenn Robertson, Annette Elissagaray and James M. Thoming; Noes: None; Abstain: None; Absent: None

The meeting was then adjourned to Wednesday, September 11, 2019 at 9:00 a.m.

Respectfully,

Margaret G. Howe