

# SPECIAL BOARD MEETING

December 18, 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, December 18, 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 Karna Harrigfeld

## ITEM 1 - MINUTES & TREASURER'S REPORT

Director Glenn Robertson made a motion to approve the minutes of the November 13, 2019 as presented. 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

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 miscellaneous correspondence.

## ITEM 3 - MANAGER'S REPORT & DISCUSSION ITEMS.

**Maintenance** - Currently on-going emphasis is on pre-emergent weed control. Maintenance crews prepared right of ways for pre-emergent herbicide applications. Low hanging branches or volunteer trees and shrubs were removed. All west side canal right of ways have been sprayed with pre-emergent herbicide. The applicator started doing east side canals on Tuesday November 12.

**FRIANT SJRRP Restoration Flows and Wheeling** – Wheeled zero water for USBR/Friant in May through October 2019. 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. There was a negotiation session on September 25<sup>th</sup> for district level negotiations in the Delta Division.

**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 October 17, 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.

**Pumping Plant #4 Replacement Project** – The longest lead item remains to be the pumps and motors with a delivery date of January 1, 2020, though it sounds like that date may be slipping now to the end of January. Motor control centers have arrived and the pipe has been delivered. BCID is responsible for supplying the Remote Terminal Unit (RTU) that houses the Supervisory Control and Data Acquisition (SCADA) equipment. The RTU is 95% complete. Arnaudo Construction has poured the slab floor for the new

pump station is now working on forming up the pump bay walls. They are scheduled to pour walls and will begin pouring some concrete by the end of next week.

**San Joaquin County Community Development Application # PA 160049 (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. The new website is under development with J Comm, Inc. out of Rocklin, California.

**New Pumping Plant #5 Noise** – The original sound blankets arrived and we installed them on Unit 6 at PP #5. They do make a noticeable difference but do not completely kill all of the noise. We have ordered custom made blankets for all of the units at PP #5. Cost for this latest order is \$4317.03. We did order blankets for the two low head pumps too and those blankets have arrived.

**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 a PG&E meter and can now install the traveling screen in the canal. International Water Screens, inc. has not been responsive to our inquiries about the motors that came with the unit. IT has three phase motors on it and we ordered single phase motors. The control panel did come single phase as ordered.

**PROP 1 Grant Application** – The Delta Conservancy Board 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, which 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 AIMIT and they said no. Hence BCID is the only applicant that has been asked to make a presentation. The next Delta Conservancy meeting is in December. Our project will not be considered at the December meeting as their staff needed more time to evaluate our additional information submittals at the 1<sup>st</sup> of November.

#### ITEM 4 - DIRECTOR AND STAFF ITEMS

There were no director or staff items discussed.

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

General Manager Weisenberger reported there was nothing new to report regarding water supplies. The 2019/2020 CVP allocation for South of Delta Users is 75%; this will provide the District with 15,000 acre feet of CVP Water available for the 2019/2020 water year. The District has transferred 2,300 af of its 2019/2020 CVP supply. General Manager Weisenberger reported he has an offer to sell another 4,000 af. The Board discussed the District's needs and Director James Thoming made a motion to authorize District staff to sell up to 5,000 af of its 2019/2020 CVP water at the best price available. Director Keith 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

**ITEM 6 – REVIEW FIRST DRAFT OF THE BCID BUDGET FOR 2020. ACTION AS NECESSARY**

The Board reviewed the first draft of the BCID budget for 2020 and made suggestions for items to added or adjusted to a final version for review at the January 2020 board meeting.

**ITEM 7 – REVIEW DISTRICT’S RESERVE POLICY, RESERVE LEVELS, AND CAPITAL IMPROVEMENTS PROJECT LIST ACTION AS NECESSARY.**

The Board tabled this item until the January 2020 board meeting and took no action at this time.

**ITEM 8 – REVIEW AND CONSIDER FOR APPROVAL PROPOSALS FOR UPGRADES OR REPLACEMENT OF DISTRICT’S ACCOUNTING, WATER MANAGEMENT PROGRAMS, SERVERS AND WORKSTATIONS. ACTION AS NECESSARY**

- A. Consider for approval TruePoint Solutions Proposal – an Integrated Agricultural Water Management and Billing System
- B. Consider for approval Walpole & Co. LLP Proposal for upgrading District’s current accounting software Sage 50 to Sage 100.
- C. Consider for approval QPCS Proposal to upgrade District’s server hardware, office software, and to upgrade workstations.

District staff has reviewed several new water tracking software programs; Storm, H2O Pro, and TruePoint. Staff recommends upgrading the water tracking software to TruePoint and the District’s accounting software to Sage 100. This will require updating the District’s current hardware and a meeting has been scheduling with QPCS and Alex Pineda to discuss options and costs. The cost to update the District’s hardware is approximately \$19,000. The initial cost of TruePoint is approximately \$42,600. The cost to upgrade the District’s current accounting software from Sage 50 to Sage 100 would be approximately \$36,500. After some discussion Director Annette Elissagaray made a motion to approve upgrading the District’s hardware and the District’s water tracking software to TruePoint. Director Keith 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 The Directors felt there was no need to upgrade the District’s accounting software at this time.

**ITEM 9 – REVIEW EMPLOYEE COMPENSATION AND BENEFITS PACKAGE FOR 2020. ACTION AS NECESSARY.**

Board discussed employee compensation and determined a raise of 3.5% would be appropriate for the employees. Director Annette Elissagaray made a motion to approve an across-the-board increase of 3.5% for all employees for wages paid in 2020. 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

**ITEM 10 – CONSIDER CLOSING THE DISTRICT THE WEEK BETWEEN CHRISTMAS DAY AND NEW YEARS DAY. ACTION AS NECESSARY.**

Director Keith Robertson made a motion to approve as days off with pay for all employees December 26, 2019 to December 31, 2019. Employees are to be called in if an emergency occurs. Director Glenn 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 11– REVIEW FOR APPROVAL THE ATTENDANCE OF DISTRICT OFFICIALS OR STAFF TO THE FOLLOWING 2019 CONFERENCES. ACTION AS NECESSARY**

- A. Mid-Pacific Region Water Users Conference, January 2020
- B. ACWA Spring Conference, May 2020
- C. Delta Water Users Association Annual Meeting, March 2020
- D. ACWA Fall Conference, December 2020

E. USBR Water Management Workshop, February 2020

Director Annette Elissagaray made a motion to approve sending District Officials and staff to the above listed conferences. Director Keith Robertson seconded the motion and it carried by the following vote; Ayes: Directors James McLeod, Annette Elissagaray, Keith Robertson, Glenn Robertson and James M. Thoming; Noes: None; Abstain: None; Absent: None

**ITEM 12 - CONSIDER FOR APPROVAL PROPOSAL FOR PIPELINE CONSTRUCTION FOR YAMASAKI FARMS AND TO PROVIDE FINANCIAL ASSISTANCE FOR PIPELINE AND PUMP STATION TO SERVE IN-DISTRICT PARCELS #255-120-10 AND 255-270-16. ACTION AS NECESSARY**

The Board discussed the options available to Yamasaki Farms, but took no action. They felt that additional information was needed regarding the actual size of pipeline required.

**ITEM 13 - UPDATE ON THE PREPARATION OF THE TRACY SUB-BASIN GROUNDWATER SUSTAINABILITY PLAN (GSP). ACTION AS NECESSARY**

**A. CONSIDER FOR APPROVAL AGREEMENT WITH DWR FOR PLACEMENT OF A SHALLOW MONITORING WELL AT 3514 W LEHMAN ROAD.**

General Manager Weisenberger he had nothing new to report on the Tracy Sub-basin Groundwater Sustainability Plan.

**ITEM 14 - 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.**

District representatives had a meeting with the Delta Conservancy and are preparing a proposal to present at the Conservancy's February board meeting for possible approval.

**ITEM 15 - UPDATE CVP CONTRACT CONVERSION 9(E) TO 9(D) NEGOTIATIONS WITH THE U.S. BUREAU OF RECLAMATION. ACTION AS NECESSARY**

District Counsel Karna Harrigfeld reported we are still waiting for the U.S. Bureau of Reclamation to prepare a contract for signature.

**ITEM 16 - UPDATE ON SAN JOAQUIN RIVER NON-NATIVE FISH POPULATION STUDY. ACTION AS NECESSARY**

Doug Demko and Andrea Fuller of FishBio were present and did a presentation the results of the non-native fish population done in 2019. They also discussed the plans for the study in 2020.

**ITEM 17 - UPDATE ON THE CONSTRUCTION OF THE PUMPING PLANT 4 REPLACEMENT PROJECT. ACTION AS NECESSARY.**

General Manager Weisenberger reported the contractor, Arnaudo Construction, is pouring the concrete walls. The pumps and motors ordered from Cascade Pump are ready to ship. District staff should start removing the old Pumping Plant #4 in January 2020.

**ITEM 18 - CONSIDER FOR APPROVAL PROPOSAL FOR 440 FOOT PIPELINE REPLACEMENT FOR 6 EAST CANAL. ACTION AS NECESSARY.**

General Manager Weisenberger presented a cost estimate of \$41,385.14 to replace a 440 foot pipeline on 6 East canal. This pipeline had been patched several times because of leaking. After some discussion Director Glenn Robertson made a motion to approve the 440 foot pipeline replacement for 6 East canal. Director Keith Robertson seconded the motion and it carried by the following vote; Ayes: Directors James McLeod, Annette Elissagaray, Keith Robertson, Glenn Robertson and James M. Thoming; Noes: None; Abstain: None; Absent: None

ITEM 19 - 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 20 - Approval of Warrants

Director Keith Robertson moved that the December 2019 Warrants in the amount of \$738,666.87 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, January 15, 2020 at 9:00 a.m.

Respectfully,

Margaret G. Howe