

January 13, 2016
Tracy, CA 95304

Pursuant to adjournment, December 16, 2015, 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, Glenn Robertson, Keith Robertson, Roger Elissagaray and James M. Thoming

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

ABSENT: None

ITEM 1 - MINUTES & TREASURER'S REPORT

Director Keith Robertson made a motion to approve the minutes of the December 16, 2015 as presented. Director James M Thoming seconded the motion and it carried by the following vote; Ayes: Directors James McLeod, Roger Elissagaray, Keith Robertson, Glenn Robertson 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

At the November 11, 2015 Secretary Howe reported the District received a notice from the City of Tracy regarding refinancing of Tracy Community Development Agency tax allocation bonds. She contacted the City of Tracy and learned the Banta-Carbona Irrigation District is not a part of the Tracy Community Development Agency and so is not affected by the refinancing.

ITEM 3 - MANAGER'S REPORT & DISCUSSION ITEMS.

District staff is working on gates on 5 West and 6 West canals and trash racks for the pump stations. The #3-12 pump has been out for repairs, but should be back this week. The concrete lining in both 3 West and 4 West canals is in bad shape and staff is replacing portions of it.

ITEM 4 - DIRECTOR AND STAFF ITEMS

None

ITEM 5 – ELECTION OF DISTRICT OFFICERS. ACTION AS NECESSARY

It was moved by Director Glenn Robertson and seconded Director Keith Robertson to keep the same slate of officers. Retained was Director James McLeod, President of the Board: Director Roger Elissagaray, Vice President of the Board: David Weisenberger, General Manager: and Margaret G. Howe, Secretary-Treasurer, Assessor-Collector. The motion carried by the following vote; Ayes: Directors James McLeod, Roger Elissagaray, Keith Robertson, Glenn Robertson and James M. Thoming; Noes: None; Abstain: None; Absent: None

ITEM 6 – REVIEW CURRENT WATER SUPPLIES AND 2015 WATER SUPPLIES AVAILABLE TO THE DISTRICT, POTENTIAL RATIONING, TRANSFER AND SCHEDULING THE USE OF AVAILABLE WATER SUPPLIES. ACTION AS NECESSARY.

General Manager Weisenberger reported the District expects to have 20,153 af of water in storage by February 28.2016 and we do not anticipate using any of the stored water before February 28, 2016. He recommends the District transfer the balance of its 2013 rescheduled CVP water to Meyers Farms Family Trust.

The Board discussed the current needs of the District and Director Glenn Robertson made a motion to transfer to Meyers Family Farms, through San Luis Water District, 2,039 af of the District's rescheduled 2013 CVP water. Director James M. Thoming seconded the motion and it carried.

RESOLUTION 2016-01

RESOLUTION OF December 16, 2015 AUTHORIZING THE SALE OF 2,039 ACRE-FEET OF RESCHEDULED 2013 CVP WATER AS PROPERTY NO LONGER NECESSARY FOR DISTRICT PURPOSES

WHEREAS, the District may sell for a valuable consideration any property of the District which it finds to be no longer necessary for District purposes; and

WHEREAS, the Board of Directors of the Banta-Carbona Irrigation District finds that 2,039 acre-feet of its rescheduled 2013 CVP water allotment is no longer necessary for District purposes during the 2016 irrigation season and that it is in the best interests of the District to sell said property; and

WHEREAS, the District has signed an agreement with The Meyers Farms Family Trust for purchase of up to 10,000 acre feet annually at a premium of \$325.00 per acre-foot plus costs.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the General Manager of the District is directed to sell said water to The Meyers Farms Family Trust, at the agreed price of \$325.00 per acre-foot plus costs.

BE IT FURTHER RESOLVED AND ORDERED that the General Manager and Secretary are authorized and directed to take all necessary steps and execute all documents necessary to transfer said property.

PASSED AND ADOPTED ON THIS 13TH day of January 2016, by the following roll call vote:

AYES: Directors James M. McLeod, Roger Elissagaray, Keith Robertson, Glenn Robertson and James M. McLeod

NOES: None

ABSENT: None

ITEM 7 – UPDATE ON SUSTAINABLE GROUNDWATER MANAGEMENT ACT (SGMA) IMPLEMENTATION IN THE TRACY SUB-BASIN. ACTION AS NECESSARY.

- a. Update on Groundwater Sustainability Agencie(s) (GSA) development in the Tracy Sub-basin. Action as necessary.
- b. Update on Groundwater Sustainability Plan (GSP) development in the Tracy Sub-basin. Action as necessary.
- c. Consider proposal by West Stanislaus ID and Del Puerto WD (DPWD) to change the boundaries of the Tracy Sub-basin around BCID. Action as necessary. DPWD will be present.

General Manager Weisenberger reported both San Joaquin County and Banta-Carbona Irrigation District have filed to be their own GSA.

Present from DPWD, Anthea Hansen, General Manager: Ernest Conant, District Attorney: Frances Mizuno, San Luis & Delta-Mendota Water Authority: Gene Bays, Bill Koster, Directors at DPWD: and Jim Jasper, a farmer in DPWD.

DPWD and West Stanislaus ID want to file a request for a jurisdictional sub-basin boundary adjustment with the Department of Water Resources (DWR) to the Tracy Groundwater Sub-basin 5-22.15 and Sub-basin 5-22.07. This is a change where a hydrologic boundary is moved to align with governmental agency boundaries. DWR requires that agencies requesting this type of change confer with surrounding and adjacent agencies regarding any concerns they might have. DWR also requires that agencies sharing a common boundary must enter into a "Coordination Agreement". This agreement describes how the two Sub-basins will collect data, share data, and work cooperatively to prevent overdraft along their common boundary line. The Board discussed the issues and determined the District had no opposition to the boundary change proposed.

ITEM 8 – PRESENTATION BY DEL PUERTO WATER DISTRICT ON THE NORTH VALLEY REGIONAL RECYCLED WATER PROGRAM AND RELATED APPLICATION FOR APPROPRIATION FOR WATER ON THE SAN JOAQUIN RIVER. ACTION AS NECESSARY.

Present from DPWD, Anthea Hansen, General Manager: Ernest Conant, District Attorney: Frances Mizuno, San Luis & Delta-Mendota Water Authority: Gene Bays, Bill Koster, Directors at DPWD: Jim Jasper, a farmer in DPWD: and Lyndel Melton, of RMC water and environment to discuss and present information regarding the North Valley Regional Recycled Water Program. The Program will move recycled water, previously discharged into the San Joaquin River, from the City of Turlock through a pipeline to DPWD. Banta-Carbona Irrigation District's long-time policy is to protest all appropriations of water on the San Joaquin River. After discussing the issues, the Board directed staff and District Counsel to work with DPWD to see if a compromise can be worked out to the satisfaction of both districts.

ITEM 9 – CONSIDER FOR APPROVAL THE “POWER AND WATER RESOURCES POOLING AUTHORITY FIRST AMENDED JOINT POWERS AGREEMENT”. ACTION AS NECESSARY.

General Manager Weisenberger reported the adopted the “Power and Water Resources Pooling Authority First Amended Joint Powers Agreement” at their December 9th board meeting. This amendment changes both the cost allocations and voting rights of the members. The Banta-Carbona Irrigation District Board of Directors reviewed the amendment. Director Glenn Robertson made a motion to approve the amendment and authorize the president of to execute the amendment. Director James M Thoming seconded the motion and it carried by the following vote; Ayes: Directors James McLeod, Roger Elissagaray, Keith Robertson, Glenn Robertson and James M. Thoming; Noes: None; Abstain: None; Absent: None

ITEM 10 – PROGRESS UPDATE ON LIFT CANAL REHABILITATION PUMP STATION 6 REPLACEMENT PROJECT. ACTION AS NECESSARY.

General Manager Weisenberger reported the District awarded the construction contract to Syblon-Reid, the lowest bidder on the project. Materials ordered by the District for the project are being delivered now.

ITEM 11– UPDATE ON STATE WATER RESOURCES CONTROL BOARD (SWRCB) PROCEEDINGS REGARDING CURTAILMENT DIRECTIVES AND ORDERS TO WATER RIGHTS HOLDERS ON THE SAN JOAQUIN RIVER AND THE SACRAMENTO RIVER BASINS. ACTION AS NECESSARY.

The SWRCB is finalizing its emergency drought regulations. The District will need to be able to report water diversions by date and time this year and notify them of all transfer of Pre-1914 water.

ITEM 12 – CLOSED SESSION:

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

Banta-Carbona Irrigation District v. California State Water Resources Control Board, et al, Case No. 39-2015- 00326421-CU-WM-STK

- 2) CONFERENCE WITH LEGAL COUNSEL – REAL PROPERTY NEGOTIATIONS

Property:	Wheel water through lift canal and pump station facilities for third parties.
Agency Negotiator:	David Weisenberger and Jeanne Zolezzi, Esq.
Negotiating Party:	Friant Water Users
Under Negotiation:	Price, Quantity and Terms of Agreement for use of facilities

- 3) CONFERENCE LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) Section 54956.9 (1 case)

Returned to open session with no announcement.

ITEM 13 – CONSIDER TERMS AND CONDITIONS FOR A POTENTIAL CONVEYANCE AGREEMENT WITH FRIANT WATER USERS OR USBR. ACTION AS NECESSARY.

This item was discussed in closed session.

ITEM 14 - APPROVAL OF WARRANTS.

Director Keith Robertson moved that the January 2016 Warrants in the amount of \$537,317.09 be approved for payment. Director Glenn Robertson seconded the motion and it carried by the following vote; Ayes: Directors James McLeod, Roger Elissagaray, Keith Robertson, James M. Thoming and Glenn Robertson; Noes: None; Abstain: None; Absent: None

The meeting was then adjourned to Wednesday, February 17, 2016 at 9:00 a.m.

Respectfully,

Margaret G. Howe
Secretary

