

July 15, 2015
Tracy, CA 95304

Pursuant to adjournment, June 25, 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 June 12, 2015 special board meeting, the June 17, 2015 board meeting and the June 25, 2015 special board meeting 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 for audit.

ITEM 2 - MISCELLANEOUS CORRESPONDENCE

There was no correspondence presented.

ITEM 3 - MANAGER'S REPORT & DISCUSSION ITEMS.

General Manager Weisenberger reported that as of July 1st the District is no longer pumping any water from the San Joaquin River. All water being delivered inside the District is being pumped from the Delta-Mendota Canal. The District is wheeling water for some users from wells to either Kasson area lands or outside District lands.

San Luis & Delta-Mendota Water Authority has installed pumps on the Delta-Mendota Canal at checks 4, 7 and 10. The pumps at check #10 are running.

District staff is doing both ground and aquatic weed control.

ITEM 4 - DIRECTOR AND STAFF ITEMS

Secretary Howe reminded the Directors of Divisions I, IV and V that they need to file their "Declaration of Candidacy" forms in the office of the San Joaquin County Registrar of Voters between July 13, 2015 and August 7, 2015.

Secretary Howe reminded the Board of Directors that registration for the ACWA Fall Conference in Indian Wells, Ca is now available and reservations for rooms will be available on August 24, 2015.

Director Keith Robertson suggested staff research the possibility of using solar power for the office and shop. General Manager Weisenberger reported that in the near future PWRPA staff would be able to assist with solar power.

The Board directed staff to look into the possibility of selling the Manulife stock it holds.

ITEM 5 - 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.

Staff instituted the District's rationing policy, as approved at the April 15, 2015 Board Meeting, effective June 26, 2015. The Board discussed whether or not a water user would be able to carry over any unused portion of his 2015 available water into the 2016 irrigation season, or if all of the unused water would be put back into a pool for the 2016 irrigation season. The Board made no decision and agreed to review the matter again at the September board meeting.

The District has used 543 acre feet of its available stored water, leaving 23,797 acre feet of water available for the 2015 irrigation season.

ITEM 6 – 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.

Due to existing litigation this item was reviewed in closed session.

ITEM 7 – CONSIDER FOR APPROVAL COST SHARING AGREEMENT TITLED “LETTER AGREEMENT – 2015 DELTA-MENDOTA CANAL EMERGENCY PUMPING FACILITIES”. ACTION AS NECESSARY.

Staff presented a draft copy of the “Letter Agreement – 2015 Delta-Mendota Canal Emergency Pumping Facilities” for review by the Board. Banta-Carbona Irrigation District, the City of Tracy, Byron-Bethany Irrigation District, Del Puerto Water District, Patterson Irrigation District and West Stanislaus Irrigation District have requested the San Luis & Delta-Mendota Water Authority install three temporary pumping plants along the Delta-Mendota Canal. The pumping plants will allow delivery of water stored in the San Luis Reservoir by back-flow through the Delta-Mendota Canal at times when pumping is not available at Jones Pumping Plant this summer. This “Letter of Agreement” lays out the terms and conditions for the installation of the temporary pumping plants. The Board reviewed the agreement and Director Glenn Robertson made a motion to approve the agreement and authorize General Manager Weisenberger to execute it. Director Keith Robertson 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 8 – CONSIDER FOR APPROVAL INDEMNIFICATION AND WHEELING AGREEMENTS FOR KASSON CONTRACT HOLDERS. ACTION AS NECESSARY.

Due to the curtailment notice received from the State Water Resources Control Board, the District is no longer able to pump water from the San Joaquin River. The only water available to the District is rescheduled CVP Water or stored Warren Act Water. This water can only be served to lands within the District's boundaries. Since the Kasson Contract lands are not within the District's boundaries, the District is unable to provide them with water without subjecting the District to possible fines of \$1,000 per day of pumping and \$2,500 per acre foot of pumped water. Staff requested that District Counsel prepare an indemnification agreement and a wheeling agreement for Kasson Contract holders who still want water delivery. Currently Douma Dairy has signed a wheeling agreement for his riparian water and Mike Mattos has signed an indemnification agreement. The Board reviewed the agreements and authorized staff to use them.

ITEM 9 – CLOSED SESSION:

CONFERENCE WITH LEGAL COUNSEL - REAL PROPERTY NEGOTIATIONS

A) Property:	District's Pre-1914 Water Rights
Agency Negotiator:	David Weisenberger and Jeanne Zolezzi
Negotiating Party:	United States Bureau of Reclamation
Under negotiation:	Transfer or Exchange of Stored Water

1) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9
(1 potential cases)

2) 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

Returned to open session with no announcement.

ITEM 10 – UPDATE ON 2015 WARREN ACT CONTRACT 15-WC-20-4659 WITH THE UNITED STATES BUREAU OF RECLAMATION. ACTION AS NECESSARY

General Manager Weisenberger reported the District received the 2015 Warren Act Contract, however it was not the final version agreed to by both the District and the U.S. Bureau of Reclamation.

ITEM 11 – CONSIDER OPTIONS FOR UPGRADING DISTRICT’S SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) SYSTEMS. ACTION AS NECESSARY. ALEX PINEDA PRESENT TO MAKE A PRESENTATION ON POTENTIAL OPTIONS.

Alex Pineda presented a progress report to the Board on his Network Evaluation project highlighting the focus areas and tasks accomplished since his last report on March 11, 2015. One of his suggestions is to consider external data backups; this is available through QuickPC Support at a cost of \$65.00 per month. Mr. Pineda also presented a proposal to upgrade/migrate the District’s SCADA system. The Board reviewed Mr. Pineda’s suggestions and his proposals for the SCADA system, but took no action.

ITEM 12 - APPROVAL OF WARRANTS.

Director Keith Robertson moved that the July 2015 Warrants in the amount of \$222,928.49 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, August 12, 2015 at 9:00 a.m.

Respectfully,

Margaret G. Howe
Secretary