

October 12, 2016
Tracy, CA 95304

Pursuant to adjournment, September 14, 2016, 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, District Counsel Jeanne Zolezzi

ABSENT: None

ITEM 1 - MINUTES & TREASURER'S REPORT

Director Keith Robertson made a motion to approve the minutes of the September 14, 2016 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

There was no correspondence presented.

ITEM 3 - MANAGER'S REPORT & DISCUSSION ITEMS.

MANAGER'S REPORT

October 12, 2016

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Important issues:

USBR "Borrowed Water" summer 2016 – USBR used all of the water in San Luis Reservoir that was recorded as being stored in the federal side of the reservoir by the end of July 2016. This included water stored by others such as BCID under Warren Act Contracts. This became an issue in the third week of July when the USBR sent out a notice that said that all deliveries to contractors would have to cease by July 23, 2016. The USBR did find other water to borrow by the 23rd of July and no one had to cease deliveries.

This episode led to questions such as how the USBR operates SLR with other people's water and secondly, does this borrowing impact negatively south of delta water allocations in future years. The GM of BCID along with legal counsel, Jeanne Zolezzi, has been pursuing these questions and continues to do so.

Last week I was assigned to what is called the "2017 Operations Optimization" team. This team consists of Friant, Exchange, SLDMWA, Bureau and other miscellaneous members. I represent the northern DMC.

Sustainable Groundwater Management Act (SGMA) – The San Luis Delta-Mendota Water Authority (SLDMWA) has produced a draft activity agreement for providing services to Tracy Sub-basin Groundwater Sustainability Agencies (GSA) for assisting in the development of Groundwater Sustainability Plans (GSP). A group of GSA's did meet to discuss the first draft of the activity agreement. An attorney for the SLDMWA is making recommended changes to the agreement before re-distributing it for our own legal review. Frances Mizuno, assistant executive director of the SLDMWA, estimates that the cost to develop a GSP will be over a million dollars. The SLDMWA believes they will need to hire two more staff members in order to support the various GSA's within the SLDMWA boundaries.

No new activities since the September board meeting.

State Water Resources Control Board (SWRCB) Phase 1 Proceedings – The SWRCB released the Supplemental Environmental Document (SED) yesterday, September 15, 2016. The Phase 1 proceedings are to develop new flow requirements on the San Joaquin River and salinity standards in the south delta. The SED is recommending a 40% of natural flow requirement for the spring months on the San Joaquin River and everyone on the San Joaquin River and its tributaries will be expected to donate water.

The public comment period has been extended from November 17, 2016 out to January 17, 2017.

Cal Poly Irrigation Training and Research Center (ITRC) testing flows from "metered gate" installations. – The ITRC brought a mobile pump and metering station to BCID and tested flow rates through BCID metered gate installations. They are currently preparing final reports of the testing This mobile station and the testing was paid for by the Bureau of Reclamation as a part of their water

conservation program to assure that measuring devices are within the acceptable limits of their water conservation program.

We are still waiting for their written report.

SWRCB - We continue to monitor State Water Resources Control Board (SWRCB) activities and meetings related to water rights and the drought.

Prepared by:

David Weisenberger

General Manager

District staff, not delivering water, is applying herbicide and doing pipeline and gate repairs. Once the irrigation season ends, priorities are to dewater and remove sediment from new PP #5 wetwell structure, dewater and inspect grease lines and pumps in all pump stations, de-water the fish screen and inspect and make repairs as required, if any.

ITEM 4 - DIRECTOR AND STAFF ITEMS

Secretary Howe reminded everyone she needs to know by November 1st if they are going to the Fall ACWA Conference in Anaheim.

ITEM 5 – REVIEW AND CONSIDER PRESENTATION FROM EMPLOYEE FOR CHANGES TO EMPLOYEE RETIREMENT BENEFITS. ACTION AS NECESSARY. MR. CHRISTOPHER HASLETT TO PRESENT PROPOSAL.

Mr. Haslett reported it has been a long time since the Board has made changes to the requirements for retirement and District contributions to the employee's retirement. Currently for full retirement benefits, employees must have worked 15 years and be 65 years of age. Mr. Haslett suggested the District add an additional level of full retirement after 30 years of service.

The District contributes a maximum of \$130 per month to the employee's retirement accounts. Mr. Haslett asked the Board consider changing it to a percentage of wages. He suggested the District do a matching percentage up to a maximum of 6% of gross wages.

The Board took no action on Mr. Haslett's suggestion, but requested he provide them something in writing to review at the November Board Meeting.

ITEM 6 – CONSIDER END OF 2016 IRRIGATION SEASON. ACTION AS NECESSARY

General Manager Weisenberger reported that in past years the end of irrigation season has been around November 10. This year the Friant Water Users may have water available for the District to wheel during November. If the District is wheeling water then there would be water available to serve District users. The Board discussed the issue and determined the end of 2016 irrigation season would be November 10, unless the District is wheeling water for Friant. If the District is wheeling water, the end of season would be no later than November 23rd.

ITEM 7 - REVIEW CURRENT WATER SUPPLIES AND 2016 WATER SUPPLIES AVAILABLE TO THE DISTRICT, TRANSFER AND SCHEDULING THE USE OF AVAILABLE WATER SUPPLIES. ACTION AS NECESSARY.

There has been no change to the District's available water supplies. As of September 30, 2016 the District has 31,167 acre feet of water available for its use. The Board discussed the possibility of transferring water, but to wait and revisit it next month.

ITEM 8 – PROGRESS UPDATE ON LIFT CANAL REHABILITATION PUMP STATION 6 REPLACEMENT PROJECT. ACTION AS NECESSARY.

The air conditioning units in the VFD cabinets have been repaired and the District is using one pump in the new pump station. The work on the outfall at pump station #5 is scheduled to begin around Thanksgiving and continue until Christmas.

Syblon Reed has submitted a change order for \$23,658 for cleaning out the mud in the wet wells at pump station #5. General Manager Weisenberger recommended the Board approve the change order. Director Glenn Robertson made a motion to approve payment of the change order. 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 9 – UPDATE ON SUSTAINABLE GROUNDWATER MANAGEMENT ACT (SGMA) IMPLEMENTATION IN THE TRACY SUB-BASIN. ACTION AS NECESSARY.

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No new activities since the September board meeting.

ITEM 10 – STATUS OF BCID WARREN ACT WATER STORED IN CENTRAL VALLEY PROJECT (CVP) FACILITIES. ACTION AS NECESSARY.

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ITEM 11 – 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. 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

- 2) CONFERENCE LEGAL COUNSEL - ANTICIPATED LITIGATION

- a) Significant exposure to litigation pursuant to subdivision (b) Section 54956.9 (1 case)
- b) Initiation of litigation pursuant to § 54956.9(c): 1 potential case

Returned to open session with no announcement.

ITEM 12 – PRESENTATION OF LONG TERM LIFT CANAL REHABILITATION AND PUMP STATION REPLACEMENT PLANNING EFFORTS. ACTION AS NECESSARY. SUSAN FOX OF DAHL CONSULTANTS PRESENT.

Susan Fox did a powerpoint presentation of potential replacement scenarios of pumping plants on the District's Lift Canal. The Board expressed their appreciation to Ms. Fox for her presentation. No action was taken.

ITEM 13 - APPROVAL OF WARRANTS.

Director Keith Robertson moved that the October 2016 Warrants in the amount of \$278,362.66 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, Glenn Robertson and James Thoming; Noes: None; Abstain: None; Absent: None

The meeting was then adjourned to Wednesday, November 16, 2016 at 9:00 a.m.

Respectfully,

Margaret G. Howe