

November 11, 2015
Tracy, CA 95304

Pursuant to adjournment, October 14, 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 James M. Thoming made a motion to approve the minutes of the October 14, 2015 as presented. 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

Secretary Howe presented the Treasurer's report and after review by the Board it was filed for review.

ITEM 2 - MISCELLANEOUS CORRESPONDENCE

Secretary Howe reported the District received an acknowledgement from Pacific Legal Foundation for the District's \$500 contribution approved by the Board at the September 16, 2015 Board Meeting.

ITEM 3 - MANAGER'S REPORT & DISCUSSION ITEMS.

General Manager Weisenberger attended a meeting with Bureau of Reclamation (USBR) staff regarding changing the way the rates for conveyance and storage are computed for Exhibit B on the Warren Act Contracts. These rates are changed on an annual basis, and the USBR is planning on changing to a "market rate" computation or a cost of replacement basis.

The staff is working on maintenance, repairing the 4-40 cfs pump in PP #5, pulling the 3-12 cfs pump in PP#6 and 20 cfs pump at PP#2.

Assistant Manager Jorge Flores has passed both his legal exam and aquatics exam and received his Qualified Applicators License for pest control. He is studying to take the right of ways exam after the first of the year.

The A&E well is running as of November 1st., this year we have pumped 793 af of groundwater into storage.

Valley Pattern is closing business, but we have our impeller patterns here.

The end of irrigation season is scheduled to be Friday, November 15th. Staff will be attending safety meetings that morning and lunch afterwards.

ITEM 4 - DIRECTOR AND STAFF ITEMS

Secretary Howe reported the District received a notice from the City of Tracy regarding refinancing Tracy Community Development Agency tax allocation bonds. The Board requested that staff find out additional information on the bonds.

Under the "Affordable Health Care Act" the District will be required to issue form 1094-B to the Internal Revenue Service and form 1095-B to employees, dependents and retirees. The District has received notice from ACWA/JPIA that they will be completing and providing those forms.

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.

The District received notice the curtailment notice was lifted on October 27, 2015. Since then the District has pumping water from the San Joaquin River. The District is currently pumping water from the A&E well into storage for the 2016 irrigation season and Pre-1914 water into the DMC for Meyers Family Farms. The District also has approximately 4,000 af of rescheduled CVP water that needs to be used prior to March 2016.

ITEM 6 – REVIEW DISTRICT FINANCIAL CONTROLS POLICY AND REVIEW DEPOSITS HELD IN FINANCIAL INSTITUTIONS. ACTION AS NECESSARY.

Secretary Howe reported she had to go to the Districts current bank, Central Valley Community Bank (CVCB), to open an account for funds held on deposit and was informed by bank personnel they would not recognize the need for two signatures on a check. CVCB's policy is to pay on one signature only and will disburse funds based on any one of the authorized signatures. Staff does not feel this provides the internal control necessary and would like to check with other banks to see what their policies are. The Board discussed the issue and requested staff bring them some information on other banks services and costs at a future Board Meeting.

ITEM 7 – DISCUSS GROUNDWATER SUSTAINABILITY ACT AND RELATED ACTIVITIES. ACTION AS NECESSARY.

General Manager Weisenberger reported San Luis and Delta-Mendota Water Authority (SL&DMWA) is forming a Groundwater Sustainability Agency which would include District ground. He is attending a formation meeting at Byron-Bethany Irrigation District on November 17th with SL&DMWA. District Counsel explained that if SL&DMWA forms a GSA including District ground, the District would be subject to rules and fees of that GSA. If Banta-Carbona Irrigation District wishes to have control of the groundwater within its boundaries, it needs to form its own GSA. Once the SL&DMWA files to form a GSA, the District will have 90 days to file for its own GSA to cover District ground. After some discussion, the Board authorized staff and District Counsel to start the process needed to file for a District GSA.

ITEM 8 – PROGRESS UPDATE ON REPLACING PUMPING PLANT #6. ACTION AS NECESSARY.

General Manager Weisenberger presented an updated schedule of estimated project costs and delivery dates. Plans have been released for bid and the final day to receive bids will be Friday, December 4th. The Board should be able to select a contractor at the December 16, 2015 Board Meeting. Hopefully, the project will be completed and operational by June 2016.

ITEM 9– 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 curtailment order was released on October 27, 2015 and the District is now pumping Pre-1914 water from the San Joaquin River. The District has been notified by the SWRCB that the ground owned by the District on Kasson Road is not riparian because it has no river access. District Counsel has filed a response to the notification.

ITEM 10 – 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

Returned to open session with no announcement.

ITEM 11 - REVIEW PROPOSED PRIVATE PARTY IMPROVEMENTS TO DISTRICT EASEMENT ON 4 WEST CANAL IN T3S R5E SECTION 13. ACTION AS NECESSARY

Staff has requested additional information from the property owner, but has not received it. No action taken.

ITEM 12 – Approval of Warrants.

Director Keith Robertson moved that the November 2015 Warrants in the amount of \$343,516.68 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, December 16, 2015 at 9:00 a.m.

Respectfully,

Margaret G. Howe
Secretary