

November 14, 2018
Tracy, CA 95304

Pursuant to adjournment, October 17, 2018 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, Keith Robertson, Glenn Robertson, James M. Thoming and Annette Elissagaray

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

ABSENT: None

ITEM 1 - MINUTES & TREASURER'S REPORT

Director Annette Elissagaray made a motion to approve the minutes of the October 17, 2018 as amended. 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

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

November 14, 2018

Vernalis flow +/- 1200 cfs. Diverting +/- 55 cfs

FRIANT SJRRP Restoration Flows and Wheeling – Wheeled 1,675 af for USBR/FRIANT in October, that was the total available to wheel for us. In November it appears that we will be able to wheel our full share of the Friant restoration water, our total being about 4,000 af.

Sustainable Groundwater Management Act (SGMA) –The next milestone due is a Groundwater Sustainability Plan (GSA) for our GSA as well as for the Tracy Sub-basin which is due by January 31, 2022.

Replacement Pumping Plant 5 Low Head Lift – We have completed building the Remote Terminal Unit (RTU) and it has been tested. It is ready for installation. Bockmon and Woody have been contacted to do the electrical work on a time and materials basis. This will be a better situation for us as we will be able to monitor the number of people working on site and track cost. They have not commenced any on-site work as of yet. They have provided some submittals. Garrett Arnaudo has not started delivering any materials to the site yet. Garrett plans to be on site beginning, Monday, November 19th. The pipe is ready and is sitting at Ameron. The pump mounting plates have been completed. The MCC's riser has been delivered to Garrett.

Pumping Plant #4 Replacement Project – Have been coordinating and planning with WAVE engineering for the replacement of PP #4. Also have been meeting with Dahl Consulting and coordinating soil boring locations. Four of the six test holes have been bored and sampled.

San Joaquin County Community Development Application # PA 1600049 (AP) – There isn't any more news at the county on this application.

Meetings attended – Met with a vendor, REXEL, and their lighting guru, Jennifer Lawrence, on October 24th to tour the district. She is knowledgeable about incentive programs and best lighting options for facilities. We have a pot of money at PWRPA that is reserved for just these sorts of energy conservation measures. We have not received her written recommendations as of yet.

I met with Chris Gargan with International Water Screens on Thursday morning, October 18th to look at canal 3 West at the tail end next to Banta Road. Between Bird Road and Banta Road this canal is a hot bed for pondweed and algae growth as it normally has shallow slow moving water all season. This has been creating big problems for growers that are served off of the pipeline that is fed at Banta Road. This pipeline serves about 660 acres all on filter systems. A price estimate is being provided today under a separate agenda item.

Culvert extensions Bird Road – Mike Quartaroli will be on site the week of November 26th to do surveying work for Dahl Consultants, Inc. (DCI). DCI will use this survey work to prepare hydraulic calculations for a solution for moving the gates away from Bird Road. One alternative may be to mount gates on the upstream siphon and plumb new pipelines to the Bird Road siphons.

L4 Pump Replacement – We are planning to remove the pump at L4, the outside pump at PP #2, in November or December.

Respectfully submitted by:

David Weisenberger
General Manager

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

The current CVP Allocation is still 50%; this will provide the District with additional 10,000 acre feet of CVP Water plus 261 acre feet of rescheduled 2017 CVP water. The District has transferred 8,175 acre feet of its 2018 CVP and used 116 acre feet of its 2017 rescheduled CVP water. The expected rescheduling maximum of 2018 CVP Water into the 2019 water year is still a total of 150,000 acre feet.

ITEM 6 – REPORT ON AND DISCUSS POSSIBLE PARTICIPATION IN THE LOS VAQUEROS RESERVOIR EXPANSION PROJECT. ACTION AS NECESSARY.

Staff presented a memorandum prepared by the San Luis Delta Mendota Water Authority on the possible participation in the Los Vaqueros Reservoir Expansion project. Participation would provide the ability to store rescheduled water when San Luis Reservoir is full, however it is anticipated that BCID's share of Los Vaqueros storage would be miniscule not really netting much of a benefit. Staff recommended that the District not participate in the project. If in the future the District desires to store water in Los Vaqueros and there is room in the reservoir the District may be able to rent some space from an existing participant. The Board reviewed the information and took no action.

ITEM 7 – CONSIDER FOR APPROVAL AN AGREEMENT WITH FC TRACY HOLDINGS, LLC TO PURSUE A LOT LINE ADJUSTMENT BETWEEN BCID AND FC TRACY HOLDINGS, LLC AT 3514 W LEHMAN ROAD TRACY, CA. ACTION AS NECESSARY.

Staff presented an agreement between FC Tracy Holdings, LLC and Banta-Carbona Irrigation District for a lot line adjustment at 3514 W. Lehman Rd., Tracy, CA. The Board reviewed the agreement and Director Keith Robertson made a motion to approve it and authorize President James McLeod to sign the agreement. Director Glenn Robertson seconded the motion and it carried by the following vote; Ayes: Directors James McLeod, Keith Robertson, Glenn Robertson, and Annette Elissagaray; Noes: None; Abstain: James M. Thoming; Absent: None

ITEM 8 – REPORT ON PROGRESS OF PROP 1 GRANT APPLICATION DEVELOPMENT 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.

Manager Weisenberger reported on his meeting with the Delta Conservancy staff on the concept proposal for a PROP 1 Grant for the District's habitat restoration project. They would like to see included with the proposal letters of support from landowners and other Districts in the area. The District has received a letter of support from New Jerusalem Drainage District and continues work on obtaining other from local districts. The cost for a submittal ready application completed by FishBio is estimated to be approximately \$20,000. It is estimated the cost of the study will be \$600,000.

ITEM 9 – CONSIDER FOR APPROVAL A BID PROPOSAL TO BUY AND CONSTRUCT A MECHANICAL TRAVELING TRASH SCREEN FOR THE TAIL-END OF 3 WEST CANAL AT BANTA ROAD. ACTION AS NECESSARY.

Staff presented a bid proposal from International Water Screens Co. for a traveling trash screen. The cost of the screen, conveyor and a deck/walkway will be \$90,250.00, not including shipping,

taxes, installation materials or installation. Director Keith Robertson made a motion to approval the purchase of a traveling trash screen, conveyor and deck/walkway. 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 10 – UPDATE CVP CONTRACT CONVERSION 9(E) TO 9(D)
NEGOTIATIONS WITH THE U.S. BUREAU OF RECLAMATION. ACTION AS
NECESSARY.**

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. Reclamation held a workshop on September 26, 2018 where they laid out their potential timetable for completing the contract conversions. Their goal is to have them completed by the end of 2019. They hope to hold their first public negotiating session later this month. We submitted our documentation identifying our representatives for negotiating purposes.

ITEM 11- 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
- 2) **CONFERENCE WITH REAL PROPERTY NEGOTIATIONS**
 - A. Property: Water Transfer
Agency negotiator: District Counsel Jeanne Zolezzi
Negotiating parties: Modesto Irrigation District
Under Negotiation: Quantity, price, period of transfer
 - B. Property: Wheel Water through lift canal and Pump Station Facilities for Third Parties
Agency negotiator: David Weisenberger and District Counsel Jeanne Zolezzi
Negotiating parties: Friant Water Authority
- 3) **CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION**

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9
(2 cases)

The Board returned to open session with no announcement.

ITEM 12 - APPROVAL OF WARRANTS

Director Keith Robertson moved that the November 2018 Warrants in the amount of \$266,758.57 be approved for payment. Director James M. Thoming 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

The meeting was then adjourned to Wednesday, December 12, 2018 at 9:00 a.m.

Respectfully,

Margaret G. Howe