

December 13, 2017
Tracy, CA 95304

Pursuant to adjournment, November 15, 2017, 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 Keith Robertson made a motion to approve the minutes of the November 15, 2017 as presented. 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

ITEM 2 - MISCELLANEOUS CORRESPONDENCE

Staff did not present any correspondence.

ITEM 3 - MANAGER'S REPORT & DISCUSSION ITEMS.

MANAGER'S REPORT December 13, 2017

Vernalis flow +/- 2,890 cfs. Diverting +/- 90 cfs plus Wheeling 35 cfs

Maintenance – Maintenance activities this month include repairing pipeline leaks and repairing or replacing turnout gates. The #1-60 cfs pump in PP #3 has been removed and taken to Geiger Manufacturing in Stockton for re-building. The shaft and bearings were worn out as well as the impeller had extreme wear. They should be able to build back up the impeller edges. Since the last board meeting the upper oil seal on the #6-40 cfs pump in PP #1 failed. It was spraying oil all over the windings. It has been removed and has been taken to Stanley Electric in Stockton for testing and repairs. The motor rewind and testing is \$51,305.

Operations – Water service resumed December 6, 2017 due to the extremely dry weather and the forecast showing dry for several more weeks in December.

FRIANT SJRRP Restoration Flows and Wheeling – A procedure was agreed to and a document is being prepared for distribution to all parties to follow for protocol on wheeling rates and approvals. BCID is currently wheeling about 35 cfs in December. There is supposed to be water available to wheel in January and February.

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 been tracking down price estimates for using our old PP #7 pumps and motors and associated electrical gear to replace old PP #5. We received a proposal from Arnaudo Construction that is \$369,000 whereas the Syblon Reid proposal was over \$800,000 just to install the pipeline, check valves, pumps and motors, which did not include any of the electrical work. Dick Hearth is finalizing drawings and specs for the electrical and SCADA for Bockmon and Woody to bid on. Those spec. and drawings will be going out this week for bid. We are considering getting a bid from at least one other firm.

ITEM 4 - DIRECTOR AND STAFF ITEMS

General Manager Weisenberger presented information regarding proposed new USBR regulations for DMC Pump-in Program of groundwater. There will be additional discussions regarding the proposed regulations.

Staff reported the new tenant of the Homestead Ranch property has signed the lease and paid the rent for the 2018 year.

ITEM 5 - REVIEW CURRENT WATER SUPPLIES AND 2017 WATER AVAILABLE TO THE DISTRICT, TRANSFER AND SCHEDULING THE USE OF AVAILABLE WATER SUPPLIES. ACTION AS NECESSARY

The U.S. Bureau of Reclamation (USBR) announced on April 11, 2017 a CVP allocation of 100 % (20,000 acre feet) for the South-of-Delta Contractors. The District used 2 acre feet of its allocation in June. The District continues to pump Pre-1914 water to the Meyers Family Trust

under their current agreement. The District is also wheeling SJRRP Restoration Flows for the Friant Water Authority. The USBR has announced there will be a cap on the amount of 2017 water available for carryover into 2018. The District's share of the carryover will be 1,659 acre feet.

General Manager Weisenberger reported he has been approached by Erik Johnson of The Water Agency regarding possible transfer of some of the District 2016-17 CVP Water. After some discussion, Director Keith Robertson made a motion to authorize General Manager Weisenberger to transfer up to ~~198,998,000~~ acre feet of the 2016-17 CVP Water. Director Glenn Roberson seconded the motion.

RESOLUTION 2017- 08

RESOLUTION OF December 13, 2017

AUTHORIZING THE SALE OF 18,000 ACRE-FEET OF 2017/2018 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 18,000 acre-feet of its 2017-18 CVP water allotment is no longer necessary for District purposes during the 2017 irrigation season and that it is in the best interests of the District to sell said property; and

WHEREAS, the District finds that \$105.40 per acre-foot for 18,000 acre-feet is a valuable consideration for said property: and

WHEREAS, the District has received an offer from The Water Agency, Inc. for purchase of up to 18,000 acre-feet at no less than \$105.40 per acre-foot

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the General Manager of the District is directed to sell said water to The Water Agency, Inc., at an agreed price of no less than \$105.40 per acre-foot.

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 December 2017, by the following roll call vote:

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

NOES: None

ABSENT: None

ITEM 6 – REVIEW DRAFT CASH RESERVE POLICY FOR THE DISTRICT. ACTION AS NECESSARY.

General Manager Weisenberger presented a revised draft cash reserve policy for review by the Board of Directors. The Board reviewed the draft, but took no action.

ITEM 7 – REVIEW LOW HEAD PUMP INSTALLATION PROJECT AT PP #5 ON LIFT CANAL SYSTEM. ACTION AS NECESSARY.

General Manager Weisenberger reported he and Dahl Consultants would be meeting with Arnaudo Construction to review their proposal for the Low Head Pump installation project at PP#5 on the Lift Canal. Due to the large difference in the amount of the proposals submitted by Arnaudo Construction and Syblon Reid, staff wants to be sure two bids are comparable. Director Glenn Robertson made a motion to accept Arnaudo Construction's proposal subject to review and approval of General Manager Weisenberger. 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

ITEM 8 - REVIEW AND CONSIDER FOR APPROVAL THE BCID BUDGET FOR 2018. ACTION AS NECESSARY.

General Manager Weisenberger presented a draft budget for 2018. The Board of Directors reviewed the budget and requested staff present an updated budget for review at the January 2018 Board Meeting.

ITEM 9 - REVIEW EMPLOYEE COMPENSATION AND BENEFITS PACKAGE FOR 2018. ACTION AS NECESSARY.

Board discussed employee compensation and determined a raise of 3% would be appropriate for the employees. Director James M. Thoming made a motion to approve an across-the-board increase of 3% for all employees for wage paid in 2018. Director Annette Elissagaray 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 – CONSIDER CLOSING THE DISTRICT THE WEEK BETWEEN CHRISTMAS DAY AND NEW YEARS DAY. ACTION AS NECESSARY.

Director Keith Robertson made a motion to approve as days off with pay for all employees December 26, 2017 to December 29, 2017. Employees are to be called in if an emergency occurs. Director Annette Elissagaray 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 11 – REVIEW FOR APPROVAL THE ATTENDANCE OF DISTRICT OFFICIALS TO THE FOLLOWING 2018 CONFERENCES. ACTION AS NECESSARY

- A. Mid-Pacific Region Water Users Conference, January 2018
- B. ACWA Spring Conference, May 2018
- C. Delta Water Users Association Annual Meeting, March 2018
- D. ACWA Fall Conference, December 2018

Director Glenn Robertson made a motion to approve sending District Officials to the above listed conferences. 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

ITEM 12- 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: Lease of Homestead Farm Property, parcels 239-270-10, 239-270-11, 239-270-12, 239-270-14 and 239-270-14
Agency Negotiator: David Weisenberger and Jeanne Zolezzi, Esq.
Negotiating Party: Bidders for property
Under Negotiation: Price
 - C. Property: Water Transfer
Agency negotiator: David Weisenberger and District Counsel Jeanne Zolezzi
Negotiating parties: San Luis Water District
Under Negotiation: Quantity, price, period of transfer

Returned to open session with no announcement.

ITEM 13 - Approval of Warrants

Director Keith Robertson moved that the December 2017 Warrants in the amount of \$162,969.84 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 Friday, January 12, 2018 at 9:00 a.m.

Respectfully,

Margaret G. Howe