

April 15, 2020  
Tracy, California

Pursuant to adjournment, March 11, 2020 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: Keith Robertson, Glenn Robertson, and Annette Elissagaray

OTHERS PRESENT: General Manager David Weisenberger, Secretary Margaret Howe

CONFERENCE LINE: Director James M Thoming and District Counsel Jeanne Zolezzi

ABSENT: James McLeod

In the absence of President James McLeod, Vice President Keith Robertson called the meeting to order.

#### ITEM 1 - MINUTES & TREASURER'S REPORT

Director Annette Elissagaray made a motion to approve the minutes of the March 11, 2020 Board Meeting as presented. Director Glenn Robertson seconded the motion and it carried by the following vote; Ayes: Directors Keith Robertson, Glenn Robertson, James M Thoming and Annette Elissagaray; Noes: None; Abstain: None; Absent: James McLeod

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

#### ITEM 2 - MISCELLANEOUS CORRESPONDENCE

Secretary Howe reported there was no miscellaneous correspondence received.

#### ITEM 3 - MANAGER'S REPORT & DISCUSSION ITEMS.

District staff is currently working on terrestrial and aquatic weed control and doing maintenance on the pickups.

The District's website is up and running as of April 8, 2020. Diversion reports as well as other required reports are being posted.

The traveling trash screen at the end of 3 West canal is ready to be installed.

The District has executed a wheeling agreement with Friant, but will not be wheeling water in April 2020.

Pumping Plant #4 is in service as of April 7, 2020 in manual mode. The logic programming for auto operation of the plant is still being worked on. There are still several other tasks being worked before the project is complete.

#### ITEM 4 – DIRECTOR AND STAFF ITEMS

President James McLeod was absent for today's board meeting due to the death of his son, Roger. The Board of Directors and staff of Banta-Carbona Irrigation District wish to express their deepest condolences to President McLeod and his family.

Secretary Howe reported due to COVID-19 pandemic the Spring ACWA Conference has been rescheduled to the last week of July 2020.

#### ITEM 5 - REVIEW CURRENT WATER SUPPLIES AVAILABLE TO THE DISTRICT, REVIEW SCHEDULING OF AVAILABLE WATER SUPPLIES AND CONSIDER PUMPING WARREN ACT WATER. ACTION AS NECESSARY

In March 2020 the U.S. Bureau of Reclamation announced an allocation for the 2020/2021 water year of 15%. This provides the District with 3,000 acre feet of supplemental water. The District also rescheduled 1,988 acre feet of its 2019/2020 federal water of which it has used 1,143 acre feet.

General Manager Weisenberger inquired if the Board wanted to pump any water under the District's Warren Act Contract. After some discussion the Board determined they didn't feel it was necessary this early in the season.

**ITEM 6 – 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.**

General Manager Weisenberger reported has been approved for a \$750,931.00 grant for the planning and development of the Phase 1 San Joaquin River Floodplain Restoration and Floodway Enhancement at the Banta-Carbona Project by the Delta Conservancy. The Conservancy will be developing executing a grant agreement in the next three months.

**ITEM 7 – CONSIDER PURCHASING NEW SERVICE TRUCK. ACTION AS NECESSARY.**

General Manager Weisenberger reported he received a quote from Corning Ford for a new 2019 Ford F-150 with a service body for \$46,081.89 including delivery.

Director Glenn Robertson made a motion to authorize the purchase of the 2019 Ford F-150 service truck from Corning Ford. Director Annette Elissagaray seconded the motion and it carried by the following vote; Ayes: Directors Keith Robertson, Glenn Robertson, James M Thoming and Annette Elissagaray; Noes: None; Abstain: None; Absent: James McLeod

**ITEM 8 – CONSIDER HOURLY PAY RATES FOR PART-TIME EXPERIENCED HELP. ACTION AS NECESSARY.**

After some discussion Director Glenn Robertson made a motion to approve the following policy. Director Annette Elissagaray seconded the motion and it carried by the following vote; Ayes: Directors Keith Robertson, Glenn Robertson, James M Thoming and Annette Elissagaray; Noes: None; Abstain: None; Absent: James McLeod

**POLICY:** The Board of Directors of Banta-Carbona Irrigation District hereby establishes the pay rate for retired employees doing temporary work for the District at the employee’s last hourly Base Pay rate before retirement. No benefits will be paid for employees doing temporary work, as they will not be working full-time hours.

**ITEM 9 – CONSIDER PURSUING FEDERAL APPROPRIATIONS THROUGH AN INFRASTRUCTURE BILL FOR BUILDING A 400 CFS LIFT CANAL SYSTEM TO THE DMC. ACTION AS NECESSARY.**

General Manager Weisenberger inquired if the Board would be interested in pursuing federal appropriations for construction of a 400 cfs Lift Canal system to the DMC. The Board discussed the project and estimated costs, but took no action at this time.

**ITEM 10 – UPDATE CVP CONTRACT CONVERSION 9(E) TO 9(D) NEGOTIATIONS WITH THE U.S. BUREAU OF RECLAMATION. ACTION AS NECESSARY.**

The final draft of the WIIN Act Contract will be released for public review.

**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: Wheel Water through lift canal and Pump Station Facilities for Third Parties  
Agency negotiator: David Weisenberger and District Counsel Jeanne Zolezzi  
Negotiating parties:

The Board returned to open session with no announcement.

ITEM 12 – CONSIDER OPTIONS FOR PIPELINE CONSTRUCTION FOR YAMASAKI FARMS AND TO PROVIDE FINANCIAL ASSISTANCE FOR PIPELINE AND PUMP STATION TO SERVE IN-DISTRICT PARCELS #255-120-10 AND 255-270-16 AS WELL AS OTHER PARCELS OUTSIDE OF THE DISTRICT’S BOUNDARIES. ACTION AS NECESSARY.

Staff continues to work on the necessary size, location and cost of the pipeline and pump station to serve in District parcels 255-120-10 and 255-270-16 as well as other parcels located outside the District who have expressed an interest in receiving water. No action was taken.

ITEM 13 – REVIEW FOR DRAFT INSIDE AND OUTSIDE DISTRICT WATER SERVICE AGREEMENT FOR EAST SIDE GROUND. ACTION AS NECESSARY.

Staff reported Myron Yamasaki of Yamasaki farms received a copy of the draft inside district water service agreement.

Staff inquired if the Board would be interested in serving west side ground outside the district under a similar water service agreement. The Board determined this could be a possible discussion at a future board meeting.

ITEM 14 - UPDATE ON THE PREPARATION OF THE TRACY SUB-BASIN GROUNDWATER SUSTAINABILITY PLAN (GSP). ACTION AS NECESSARY

The Groundwater Sustainability Plan (GSP) for the District’s GSA as well as the Tracy Sub-basin is due by January 31, 2022. The next regularly scheduled staff meeting is on April 16, 2020. The consulting firm has started collecting historical information from the GSA’s. The first three chapters of the GSP in draft form are being internally reviewed.

ITEM 15 - Approval of Warrants

Director Annette Elissagaray moved that the April 2020 Warrants in the amount of \$724,885.23 be approved for payment. Director James M. Thoming seconded the motion and it carried by the following vote; Ayes: Directors Keith Robertson, Glenn Robertson, James M Thoming and Annette Elissagaray; Noes: None; Abstain: None; Absent: James McLeod

The meeting was then adjourned to Wednesday, May 13, 2020 at 9:00 a.m.

Respectfully,

Margaret G. Howe