

May 13, 2020
Tracy, California

Pursuant to adjournment, April 15, 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: James McLeod, Keith Robertson, Glenn Robertson, James M Thoming and Annette Elissagaray

OTHERS PRESENT: General Manager David Weisenberger, Secretary Margaret Howe

CONFERENCE LINE: Counsel Jeanne Zolezzi

ABSENT: None

ITEM 1 - MINUTES & TREASURER'S REPORT

Director Annette Elissagaray made a motion to approve the minutes of the April 15, 2020 Board Meeting as presented. Director Keith Robertson seconded the motion and it carried by the following vote; Ayes: Directors James McLeod, Keith Robertson, Glenn Robertson, James M Thoming and Annette Elissagaray; 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

Secretary Howe reported there was no miscellaneous correspondence received.

ITEM 3 - Manager's Report & Discussion Items.

District staff is currently working on weed control and maintenance on District pick-ups.

The District wheeled 124 af of restoration flows for Friant SJRRP in April 2020. The SWRCB came through with a temporary diversion permit for the year.

We expect to start apply Dust-off to District roads around June 1st.

ITEM 4 – DIRECTOR AND STAFF ITEMS

Secretary Howe reported the ACWA Spring Conference has been changed from an In-person conference to a virtual event. She inquired if the directors were interested in attending the virtual event or if she should just cancel everyone's registration and request refunds. None of the staff or Directors was interested in the virtual event and directed Secretary Howe to cancel their registrations.

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

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 1,569 acre feet. The District currently has 3,419 acre feet of supplemental water available.

ITEM 6 – REPORT ON PROGRESS OF PROP 1 GRANT CONTRACT 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 the District 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 Delta Conservancy requested a schedule and list of deliverables be provided for attachment to the agreement. It has been provided.

**ITEM 7 – UPDATE ON SAN JOAQUIN RIVER FISH POPULATION STUDY.
ACTION AS NECESSARY.**

Staff provided a report from FishBio on the San Joaquin River fish population study. Due to the Corona virus pandemic fyke trap operations have been suspended since March 13, 2020.

**ITEM 8 – CONSIDER REQUEST BY SCOTT BEDFORD TO CONVERT A
DISTRICT FEE STRIP TO AN EASEMENT ON VERNALIS ROAD IN
T.3.S. R.6.E. SECTION 29. ACTION AS NECESSARY.**

After discussing the request from Mr. Bedford and several options available, the Board of Directors authorized General Manager Weisenberger to continue discussion with either Mr. Bedford or his engineer and update them at the June 2020 board meeting.

**ITEM 9 – UPDATE ON PP 4 CONSTRUCTION PROGRESS. ACTION AS
NECESSARY.**

Staff reported they expect the construction project at PP#4 to be complete around June 1, 2020. Bockman & Woody are working on finishing up the electrical and Arnaudo Construction is working on several miscellaneous tasks.

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

Staff reported the final draft of the District's WIIN Act Contract has not been published for public comment yet.

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: Consider financing distribution facilities and long term water service to ground inside and outside of District boundaries.
Agency negotiator: David Weisenberger and District Counsel Jeanne Zolezzi
Negotiating parties: Various landowners in T.3.S R.6.E, SECTIONS 9, 10, 14, 15, AND 16.

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**

No action taken

**ITEM 13 – UPDATE ON DISTRIBUTION OF DRAFT INSIDE AND OUTSIDE
DISTRICT WATER SERVICE AGREEMENT FOR EAST SIDE GROUND.
ACTION AS NECESSARY.**

No action taken

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

The next board meeting of the Tracy Sub-basin Groundwater Sustainability Agency will be held by teleconference call on Thursday, May 21, 2020 at 1pm.

**ITEM 15 – CONSIDER INSTALLING GPS DEVICES ON DISTRICT VEHICLES.
ACTION AS NECESSARY.**

Staff discussed with the Board of Directors and District Counsel the feasibility of installing GPS devices on all district vehicles. The Directors authorized staff to do more

research on the devices and provide the Board with a written policy regarding the use of them to review.

ITEM 16 - Approval of Warrants

Director Keith Robertson moved that the May 2020 Warrants in the amount of \$768,697.58 be approved for payment. Director James M. Thoming seconded the motion and it carried by the following vote; Ayes: Directors James McLeod, Keith Robertson, Glenn Robertson, James M Thoming and Annette Elissagaray; Noes: None; Abstain: None; Absent: None

The meeting was then adjourned to Wednesday, June 17, 2020 at 9:00 a.m.

Respectfully,

Margaret G. Howe