

January 13, 2021
Tracy, California

Pursuant to adjournment, December 16, 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, Annette Elissagaray and James M Thoming

OTHERS PRESENT: General Manager David Weisenberger, Secretary Margaret Howe

CONFERENCE LINE: District Counsel Jeanne Zolezzi

ABSENT: James McLeod

Due to the passing of President James McLeod on January 1, 2021, Vice President Keith Robertson called the meeting to order.

ITEM 1 - MINUTES & TREASURER'S REPORT

Director Glenn Robertson made a motion to approve the minutes of the December 16, 2020 Board Meeting as presented. 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: None

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

ITEM 2 - MISCELLANEOUS CORRESPONDENCE

There was no miscellaneous correspondence presented.

ITEM 3 - RECOGNIZE THE PASSING OF PRESIDENT, JAMES M. MCLEOD. ACTION AS NECESSARY

Long-time Board member and President of the Board James M. McLeod passed away on January 1, 2021. He will be remembered for his many contributions to not only Banta-Carbona Irrigation District, but the agricultural water industry as a whole. His tremendous knowledge and willingness to share that knowledge will be missed. In recognizing his passing the Board authorized a contribution to the Pacific Legal Foundation of \$500 in memory of James M. McLeod. They also requested staff put a notice in the ACWA News regarding the passing.

ITEM 4 - ELECTION OF OFFICERS AND HIRING OF LEGAL COUNSEL. ACTION AS NECESSARY.

Director Glenn Robertson made a motion to retain Herum/Crabtree/Suntag as legal counsel, David Weisenberger as General Manager, Margaret G. Howe as Secretary-Treasurer & Assessor-Collector and to appoint Director James M. Thoming as President of the Board and Director Keith Robertson as Vice President. 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: None

ITEM 5 – CONSIDER DIRECTOR APPOINTMENTS TO VARIOUS BOARDS:

- A. San Luis and Delta Mendota Water Authority, Director and Alternate Director
- B. Power and Water Resources Pooling Authority, Director and Alternate Director
- C. ACWA/JPIA, Director and Alternate Director

With the passing of President McLeod the district needs to appoint new representation on the various he served. Director Annette Elissagaray made a motion to appoint General Manager Weisenberger to serve as Director and Vice President Keith Robertson to serve and Alternate Director on the above referenced boards. Director Keith 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: None

ITEM 6 – REVIEW DISTRICT DIRECTOR DIVISION BOUNDARIES. ACTION AS NECESSARY

The Board of Director will need to appoint a new director for Division III. They requested staff order a list of registered voters by division from the San Joaquin County Registrar of Voters. Then they can determine if the District Division boundaries need to be adjusted.

ITEM 7 - MANAGER'S REPORT & DISCUSSION ITEMS.

One more BCID employee tested positive for COVID 19 since the last board meeting. And one more was exposed to Covid by his wife and he is showing some covid symptoms at home. This brings the number of employees that have tested positive this year to four. All four appear to have been exposed outside of the workplace either at home or elsewhere. Hence the balance of employees has not been exposed here in the workplace. Best practices for our employees are to wear masks in the presence of others and maintain a distance of a minimum of 6 feet from each other. In addition, all employees are assigned their own pickup and are not to be riding to job sites together. Masks are provided to the employees as well as hand sanitizer and disinfectant wipes in each pickup. All field employees are required to wear masks when in the office.

Currently on-going emphasis is on terrestrial weed control applying pre-emergent herbicide. Application is over 95% complete. Not much rain in December, 1.01 inch over a three day period, December 11 – 13. After rain, focus is on cleaning up District facilities and equipment. Some shop welding projects, building replacement trash racks. Completely inspected Pumping Plant #1 and removed all debris from inside the intake structure. Preventative maintenance has been started on electrical equipment at pumping plants by Bockmon and Woody Electric, Inc.

Three of the four outside pumps for Kasson lands are getting new pump bowls. Large #1 pumps on both South and North laterals, and the #2 small pump on the 1 South Lateral. The large 1 South pump is repaired and back in service.

The Long Crested weirs were completed the first week of November 2020 and have been in operation. They are working as designed. Both Pumping Plants 2 and 3 are working in automation mode maintaining the forebay levels at the desired set points and the long crested weirs on downstream side of pumping plants maintain water levels at their set points. WAVE Engineers are fixing a couple of bugs in the programming regarding pump shutoffs in PP 2. But PP 2 is operating in auto and maintaining forebay level set point. The cost of the weirs ran over the estimate of \$50,000 and ended up costing \$85,000 each, a \$70,000 cost overrun in total.

ITEM 8 – DIRECTOR AND STAFF ITEMS

There were no director or staff items discussed.

ITEM 9 - REVIEW CURRENT WATER SUPPLIES AVAILABLE TO THE DISTRICT, REVIEW SCHEDULING OF AVAILABLE WATER SUPPLIES, CONSIDER IF ANY SUPPLIES WILL BE SURPLUS TO DISTRICT DEMANDS IN THIS WATER SEASON. ACTION AS NECESSARY

The CVP allocation for the 2021/2022 year has not been announced yet but a possible announcement is expected in March 2021 of maybe 5%. The District is planning on rescheduling the balance of its 2020/2021 allocation of 2,000 af. Since it is looking like a dry year, the District will be storing water under its Warren Act Contract for possible use in July & August.

ITEM 10 – REVIEW DRAFT AND CONSIDER FOR APPROVAL 2021 BUDGET. ACTION AS NECESSARY

Staff presented a draft 2021 budget for review by the Board of Directors. After discussing the budget Director Keith Robertson made a motion to approve the budget 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: None

ITEM 11 – REVIEW DISTRICT'S RESERVE POLICY, RESERVE LEVELS, AND CAPITAL IMPROVEMENTS PROJECT LIST. ACTION AS NECESSARY.

Per the Districts' Reserve Policy, staff reviewed the District's Designated Reserves and suggested the following 2021 Reserve Account Balances: Operating Reserves \$500,000, Rate Stabilization Reserves \$2,000,000, Emergency Reserves \$3,000,000 and Capital Reserves \$8,780,000. Director Annette Elissagaray made a motion to adopt the following reserve account balances for 2021 – Operating Reserves \$500,000, Rate

Stabilization Reserves \$2,000,000, Emergency Reserves \$3,000,000 and Capital Reserves \$8,780,000. Director Keith Robertson seconded the motion and it carried by the following vote; Ayes: Keith Robertson, Glenn Robertson, Annette Elissagaray and James M. Thoming; Noes: None; Abstain: None; Absent: None

ITEM 12– REVIEW EMPLOYEE COMPENSATION AND BENEFITS PACKAGE FOR 2021. ACTION AS NECESSARY

At the December 2020 board meeting the Board of Directors authorized a wage increase of 1.5%, but agreed to review it at the January 2021 Board Meeting. During the 2020 year the field staff operated being short staffed for most of the irrigation season due to retirements and illnesses. After discussing the efforts made by the field staff to serve the District's farms, the Board determined a total raise of 3% would be appropriate. Director Keith Robertson made a motion to approve a total raise of 3% to be effective for wages paid after January 1, 2021. Director Annette Elissagaray seconded the motion and it carried by the following vote; Ayes: Keith Robertson, Glenn Robertson, Annette Elissagaray and James M. Thoming; Noes: None; Abstain: None; Absent: None

ITEM 13 – 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 Prop 1 Grant Contract has been signed and FishBio and Sebec are working on the project.

ITEM 14 – Report on San Joaquin River fish population study. Action as necessary.

General Manager Weisenberger reported FishBio expects to start work on the study in February 2021.

ITEM 15 - 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 16 – UPDATE ON 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

General Manager Weisenberger reported construction costs for the pipeline are estimated to be \$800,000 and he expected construction to take place in March and April 2021.

ITEM 17 - UPDATE ON THE PREPARATION OF THE TRACY SUB-BASIN GROUNDWATER SUSTAINABILITY PLAN (GSP). ACTION AS NECESSARY

The Groundwater Sustainability Plan for the District's GSA as well as the Tracy Sub-basin is due by January 31, 2022. They continue to have monthly staff meetings on the third Thursday of every month by teleconference at 1 pm. A public workshop is scheduled for January 21, 2021 from 5:30 – 6:30 on ZOOM.

ITEM 18 - REVIEW COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION REFERRAL NUMBER PA – 1600049 (UP) FOR A TRUCK STOP ON AHERN ROAD. ACTION AS NECESSARY.

This application includes a proposed underground storm drainage collection system. Since the project is very close to the District's lift canal, the District is concerned about possible contaminated drainage into its canal system. Staff has sent a request to the projects engineers regarding how the underground system is constructed, but has not received a reply yet.

ITEM 19 – APPROVAL OF WARRANTS

Director Keith Robertson moved that the January 2021 Warrants in the amount of \$207,355.71 be approved for payment. Director Glenn Robertson seconded the motion and it carried by the following vote; Ayes: Directors: Keith Robertson, Annette Elissagaray, Glenn Robertson and James M. Thoming; Noes: None; Abstain: None; Absent: None

The meeting was then adjourned to Wednesday, February 17, 2021 at 9:00 a.m.

Respectfully,

Margaret G. Howe