

May 12, 2021
Tracy, California

Pursuant to adjournment, April 14, 2021 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 Thoming, Glenn Robertson, Annette Elissagaray, and Mark Cardoza

OTHERS PRESENT: General Manager David Weisenberger, Secretary Margaret Howe

CONFERENCE LINE: Director Keith Robertson 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 April 14, 2021 Board Meeting as presented. Director Mark Cardoza seconded the motion and it carried by the following vote; Ayes: Directors Glenn Robertson, James M Thoming, Keith Robertson, Mark Cardoza 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 presented.

ITEM 2 - MISCELLANEOUS CORRESPONDENCE

The U.S. Bureau of Reclamation will be conducting a Contract Compliance Review of the District for the 2020 water year on Thursday, May 13th

ITEM 3- MANAGER'S REPORT & DISCUSSION ITEMS.

The suction bells have been installed at Pump Station #5 and the pumps are now running at full capacity. While the suction bells were being installed the District used supplemental water to provide service to the 5 East, 5 West, 6 East and 6 West canals.

KBK should start applying Dust-off to the District roads next week.

Staff is treating canals for pond weed.

One of the District employees was involved in a vehicle accident on April 17th. Our employee was not at fault but staff has turned in an insurance claim to ACWA.

ITEM 4 - DIRECTOR AND STAFF ITEMS

Secretary Howe reported ACWA/JPIA is researching changing retiree insurance coverage from the current Anthem Blue Cross coverage to United Health Care PPO which would reduce rates by approximately 24%. If the change happens it will take effect January 2022 and ACWA will begin notifying retirees in September 2021.

General Manager Weisenberger did an update on the video being produced by J. Comm. for the District's website.

ITEM 5 – REVIEW CURRENT WATER SUPPLIES AVAILABLE TO THE DISTRICT, REVIEW SCHEDULING OF AVAILABLE WATER SUPPLIES, POTENTIAL RATIONING AND CONSIDER IF ANY SUPPLIES WILL BE SURPLUS TO DISTRICT DEMANDS IN THIS WATER SEASON. ACTION AS NECESSARY

The US Bureau of Reclamation announced a 5% (2,000 acre feet) allocation for the 2020/2021 water year. The US Bureau of Reclamation announced on March 23rd the 5% allocation is not available for delivery until further notice.

The District has rescheduled the balance of its 2020/2021 allocation of 1,999 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.

The District received a notice from the State Water Resources Control Board regarding the dry conditions in the state this year. They are requesting everyone to start planning for possible water shortages later this year.

Governor Newsom has declared San Joaquin County to in a "State of drought emergency" due to the severe dry conditions as bad as or worse than in 2015.

The District will be sending out notices to the growers to notify them of the current dry conditions and District policies.

ITEM 6 – CONSIDER PROPOSAL FROM OFFICEPERFECT FOR COMPUTER IT SECURITY AND SUPPORT SOLUTIONS. ACTION AS NECESSARY.

General Manager Weisenberger presented a proposal from OfficePerfect to upgrade the District's IT security and provide technical support. After reviewing the proposal Director Mark Cardoza made a motion to approve the security upgrades and authorize General Manager Weisenberger to execute any documents necessary. Director Glenn Robertson seconded the motion and it carried by the following vote; Ayes: Directors Glenn Robertson, James M Thoming, Keith Robertson, Mark Cardoza and Annette Elissagaray; Noes: None; Abstain: None; Absent: None

The Board discussed the technical support proposal, but suggested staff negotiates the cost and took no action.

ITEM 7 – 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 provided a copy of the Quarterly Progress report filed with the Delta Conservancy as required by the grant agreement. The report was prepared and submitted by Cbec.

ITEM 8 – REPORT ON SAN JOAQUIN RIVER FISH POPULATION STUDY. ACTION AS NECESSARY.

Staff reported electro-fishing has been suspended due to water temperatures exceeded the temperature threshold in our permit from NMFS that protects salmonids. Depending on river conditions, we may be able to resume electro-fishing in June and July.

ITEM 9 - 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 10– 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

After some discussion, the Board directed staff to provide Yamasaki Farms a draft easement agreement for their review.

ITEM 11- UPDATE ON THE PREPARATION OF THE TRACY SUB-BASIN GROUNDWATER SUSTAINABILITY PLAN (GSP). ACTION AS NECESSARY

- A. DISCUSS COST SHARING CONCEPTS FOR TRACY-SUB BASIN GSP ON-GOING ACTIVITIES AND FOR PROJECTS TO KEEP TSB SUSTAINABLE.

General Manager Weisenberger presented the Tracy Sub-basin GSP Draft, Chapter 9: Projects and Management Actions, BCID GSA Potential Project for review by the Board. The Board reviewed the draft and discussed the cost sharing concepts but took no action.

ITEM 12 – APPROVAL OF WARRANTS

Director Glenn Robertson moved that the May 2021 warrants in the amount of \$455,841.87 be approved for payment. Director Annette Elissagaray seconded the motion and it carried by the following vote; Ayes: Directors: Annette Elissagaray, Glenn Robertson, Keith Robertson, Mark Cardoza and James M. Thoming; Noes: None; Abstain: None; Absent: None

The meeting was then adjourned to Wednesday, June 16, 2021 at 9:00 a.m.

Respectfully,

Margaret G. Howe