

August 16, 2023
Tracy, California

Pursuant to adjournment, July 18, 2023, 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 (President), Glenn Robertson (Vice-President), Annette Elissagaray, and Mark Cardoza.

OTHERS PRESENT: General Manager/Secretary David Weisenberger, Treasurer/Assessor-Collector Danisha McDonald, and District Counsel Jeanne Zolezzi

ABSENT: Kyle Robertson

ITEM 1 – OPPORTUNITY FOR PUBLIC COMMENT

No public comment

ITEM 2 - MINUTES

Director Glenn Robertson made a motion to approve the minutes of the July 12, 2023 Regular Board Meeting. Director Annette Elissagaray seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Glenn Robertson, Mark Cardoza, and James M. Thoming; Noes: None; Abstain: None; Absent: Kyle Robertson.

Director Glenn Robertson made a motion to approve the minutes of the July 18, 2023 Special Board Meeting. Director Annette Elissagaray seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Glenn Robertson, Mark Cardoza, and James M. Thoming; Noes: None; Abstain: None; Absent: Kyle Robertson.

ITEM 3 - MISCELLANEOUS CORRESPONDENCE

An announcement for an ACWA Region 4 field trip to the CVP Jones Pumping Plant and Tracy Fish Facility on October 4, 2023 was shared.

ITEM 4 – TREASURER’S REPORT

The Treasurers report was presented by Danisha McDonald. The Treasurers report was filed as presented.

ITEM 5 – AUTHORIZE TRANSFER AMOUNT FROM LIQUIDITY BANK ACCOUNT TO CHECKING ACCOUNT.

Director Annette Elissagaray made a motion to transfer \$949,120.90 from the Liquidity Bank Account to the District checking account at Oak Valley Community Bank. Director Glenn Robertson seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Glenn Robertson, Mark Cardoza, and James M. Thoming; Noes: None; Abstain: None; Absent: Kyle Robertson.

ITEM 6 - DIRECTOR AND STAFF ITEMS

Staff was directed to bring Power and Water Resources Pooling Authority customer charge detail to the September board meeting for a review of the electricity costs.

Staff was also directed to put an item on the August Board meeting agenda in closed session for negotiating a wheeling contract with the Friant Contractors.

Staff was directed to look for and draft a continuing education policy for employees.

ITEM 7 - REVIEW DISTRICT POLICIES, PROCEDURES, AND EMPLOYEE HANDBOOK UPDATES.

No new information presented.

ITEM 8 - Update on renewing lease for Homestead Ranch property for 2024 and beyond. Action as necessary.

The current lessee Mr. Mike Mattos of the Homestead Ranch provided an offer to lease the Homestead ranch for another three years at a rate of \$400 per acre, with an option to renew for another three years at the end of the first three years. After discussion and some edits to the lease agreement, Director Mark Cardoza made a motion to accept Mr. Mattos's offer and directed staff and legal counsel to have the lease agreement executed. Director Annette Elissagaray seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Glenn Robertson, Mark Cardoza, and James M. Thoming; Noes: None; Abstain: None; Absent: Kyle Robertson.

ITEM 9 - Consider authorizing conference attendance. Action as necessary.

- a) California Special District Association (CSDA) Board Secretary/Clerk Conference, Nov 6-8, 2023

General manager recommended that the Board send Danisha McDonald to this conference to learn about Secretary of The Board duties and responsibilities. It is an introductory class to the position. Director Glenn Robertson made a motion to register Ms. McDonald for the conference and authorized all related expenses for the conference. Director Mark Cardoza seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Glenn Robertson, Mark Cardoza, and James M. Thoming; Noes: None; Abstain: None; Absent: Kyle Robertson.

ITEM 10 – REVIEW CURRENT WATER SUPPLIES

U.S. Bureau of Reclamation announced a 100% contract allocation of water for south of delta water contractors for the water year 2023 which ends February 28, 2024. The District's CVP contract is 20,000 acre feet. San Joaquin River is running at around 4,200 cubic feet per second (cfs) and the projected low flow at Vernalis later in the summer is about 4500 cfs. Current river stage at Vernalis is 12.5 NGVD.

ITEM 11 – MANAGER'S REPORT & DISCUSSION ITEMS.

MANAGER'S REPORT

August 16, 2023

Water Season (deliveries) Started April 4, 2023

Vernalis flow +/- 4,200 cfs, Stage 12.5 NGVD

AUDIT – The 2022 annual audit being conducted by the Fechter and Company, Sacramento, California, should be complete and ready for presenting to the Board of Directors at the 2023 August regular board meeting. They are waiting on a couple of informational items from district staff in order to wrap up the audit and have their upper management review the draft audit.

Employee Matters – Kelly Wright-La Force has been hired for the office assistant position. Her first day will be Monday, August 21, 2023. Ditchtender/Maintenance Worker Felipe Galvan resigned his position on July 24, 2023.

Over-Voltage/Over Current Event – On Saturday evening about 7:30 pm, July 22, 2023, the BCID electric transmission/distribution system experienced an over-current event that completely shutdown the system. A transformer bushing in Sub-station 2 was destroyed on the middle leg of the three phase circuit. Also a fuse on the 60kV feed into sub 2 was blown on the middle leg. And a fuse on the middle leg on the main feed to BCID from PGE at Sub 1 was blown. Because the fuse on the 60kV feed from PGE was blown that required getting a switch (switch 55) opened by PGE to de-energize our circuit. As a result we brought down CVP water on Saturday night to serve in district customers. Any inside customers though that relied on direct pumping off of the BCID lift canal were not able to be served by CVP water. That included the new 3 East pipeline customers and a few other direct pumping customers. It also completely shutoff all Kasson contract customers. Staff called Bockmon and Woody on Saturday night and setup a service call for Sunday morning to survey the damage and devise a plan for getting power back online. Staff also called PGE Tesla on Saturday night to find out if they had any events and to arrange for a switch 55 opening for Sunday. They did not have any switchmen available until Sunday afternoon as they were surveying transmission lines in the Sierras to get them back in service. A switch opening time was set for Monday morning at 8 am wherefor the PGE switchman could standby to close the switch after we replaced the blown fuse. On Monday morning we did replace the fuse on the PGE main 60kV feed at Sub 1. When we closed our 60kV switch inside our sub 1 transformer yard there was a bang and the middle leg 60kV fuse was blown inside the substation and on the main PGE 60kV lines again. We had PGE re-open Switch 55 and sent him on his way while we looked for the problem that caused the fuses to blow and the cause of the loud bang. GM Weisenberger again called Tesla to find out if they discovered any events from Saturday night that could have caused the overvoltage/overcurrent event on our lines. Staff had inspected all of the BCID lines on Sunday looking for down wires or dead animals that may have caused the outage and did not find anything. Tesla stated that they saw no unusual occurrences on their circuit feeding BCID. After the event on Monday morning in Sub 1 staff did discover that a lightning arrester on the high side of the middle transformer had blown. There were no observable causes for any of the events hence staff and WAVE engineers decided that the transformers on the middle leg in both substations be tested to make sure they did not have any short circuit damage causing the events. RESA, formerly Western Utilities, out of Visalia, Ca. was called to come out and test the three transformers on Tuesday. All three transformers passed the tests. Bockmon and Woody Electric then disconnected the damaged transformer bank in Sub 2 and disconnected the bad lightning arrester in Sub 1, and replaced all of the blown fuses on that Tuesday after testing was completed. Staff called Tesla for a Switch 55 closing for Wednesday morning at 8 am. The PGE switchman closed switch 55, and we closed our 60kV switches in both BCID substations without incident. All pump stations were restarted and the district resumed deliveries of river water by noon Wednesday and use of CVP water ceased, total CVP water used was 587 acre feet (af).

Maintenance - The aquatic weed problems in canals in July of this year were much less of a problem than last year in 2022. Typically aquatic weed species in district canals consist of Sago Pondweed, Horned Pondweed, Elodia, Filamentous algae, and Duckweed. The predominant problem weed this year has been Elodea and algae, with some Horned pondweed. Allied Weed Control, Inc. out of Livingston, Ca. was on-site on Monday, July 19 to apply Magnacide H to the Main Lift Canal at Kasson Road. The application cost was \$17,450.45 of which the product cost was the bulk of the expenses. The application portion of the invoice was about \$3,500. Mag H kills all submerged aquatic weeds. The other products available to the district are more selective in nature, whereas Mag H is non-selective. Teton is one of the products that the district uses that covers the widest spectrum of weeds, but not all submerged weeds, and to use it at the top of label rate in the main lift canal would cost over \$37,000 for one application in July. This Mag H application being applied by a contractor is a pilot project to compare the effectiveness of Mag H and to evaluate the distance covered by Mag H in a single point of application. There was a great result from the MAG H application and it did travel a long way with very satisfactory results. There is another MAG H application planned for the week of August 28, 2023.

Terrestrial weed control is on-going as well. The new employees have been applying glyphosate to all right of ways. The new SonTek-IQ Plus flow meter arrived and has been installed in the canal. The wiring has not been connected yet. There is another measuring device at the site that we are using to measure and report our diversions.

FRIANT SJRRP Restoration Flows and Wheeling – There isn't any capacity available to wheel Friant water until about the end of September and continuing on through February 2024. Friant contractors have expressed interest in completing a new contract for wheeling services as our current contract expired earlier in 2023.

Pumping Plant 5 impeller replacement project – The new impellers for one of the high head pumps, Unit 4, need to be scheduled for installation. The district is in possession of the new impellers. The new pump, a smaller capacity unit, and motor for replacing Unit 6 has been delivered.

Lift Canal Final Grading Project - Arnaudo Construction Inc. conducted work on final grading the new lining section of the Lift Canal in front of PP #4 in Spring 2023. Yet to be completed are drainage culverts.

Peterman Lateral Pump Station Pipe Crossing Project – The project is not fully complete as automation and electrical work still needs to be completed in order to operate the pump station in auto. We are currently operating the pump station in "Hand" mode.

ITEM 11B - REPORT ON SAN JOAQUIN RIVER FISH POPULATION STUDY. ACTION AS NECESSARY.

FISHBIO continued to electro-fish in July. No fyke net traps were set in 2023 as the San Joaquin River was in various flood stages and has just now receded the past two weeks. Mr. Will Holbert, a journalist for the ACWA Newsletter, wrote an article about the study that was published in the ACWA Newsletter in July.

ITEM 11C - UPDATE ON THE GROUNDWATER SUSTAINABILITY PLAN (GSP) FOR THE TRACY SUBBASIN. ACTION AS NECESSARY

The BCID has not heard from DWR about the recommended grant funding for \$10 million dollars for expansion of district water distribution facilities to provide surplus surface water, in years like 2023, to ag lands east of Koster Road and north of Durham Ferry Road that have historically relied upon groundwater only. The Tracy Sub-basin has been granted groundwater well drilling services for four monitoring wells by DWR. DWR is ready to commence drilling the wells. Two wells MW-203 and MW-204 will be located in the BCID GSA territory. The BCID will need to execute a license agreement with the State of California for the placement of the wells and for access to the wells. In addition, an agreement for Technical Support Services will need to be entered into that obligates the BCID GSA for operating and maintaining the monitoring wells and sharing the data gathered with the State. Director Glenn Robertson made a motion to authorize district staff and officials to execute the License Agreements, Technical Support Services agreements, obtain the well drilling permits and complete any other actions required to facilitate the drilling of the two wells. Director Mark Cardoza seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Glenn Robertson, Mark Cardoza, and James M. Thoming; Noes: None; Abstain: None; Absent: Kyle Robertson.

ITEM 11D - 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.

CBEC is finalizing remaining details for the specifications and drawings as the term on our PROP 1 grant winds down. CBEC informed General Manger Weisenberger that there will be a

grant application period opening soon for construction grants for habitat restorations projects. CBEC is willing to provide the technical support and staff to complete the applications CBEC provided a "not to exceed" dollar amount of \$30,000. Director Mark Cardoza made a motion to authorize CBEC to complete the required applications for the grant for a cost not to exceed \$30,000. Director Glenn Robertson seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Glenn Robertson, Mark Cardoza, and James M. Thoming; Noes: None; Abstain: None; Absent: Kyle Robertson.

ITEM 11E - UPDATE ON WHITEPINE RENEWABLES, INC. SOLAR PROJECT ON DISTRICT HOMESTEAD RANCH PROPERTY ON KASSON ROAD. ACTION AS NECESSARY.

The district has been reviewing and commenting on two agreements with WhitePine Renewables, the Power Purchase Agreement (PPA) and the lease agreement. The PPA has been amended to meet with the approval of PWRPA's legal counsel as to the conditions of power purchase. The district is relying on PWRPA's legal counsel for the PPA as that is one of their areas expertise. The lease agreement is nearing completion once WhitePine's acknowledges the district's legal counsel edits. The Power and Water resources Pooling Authority (PWRPA) has approved the PPA pending final legal review, and PWRPA approved the rate agreement for BCID.

ITEM 11F - UPDATE ON CAPITAL IMPROVEMENT PROJECTS AND CASH FLOW REQUIREMENTS.

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. Center for Biological Diversity et al. v. United States Bureau of Reclamation, et al., Case No. 1:20-cv-00706;DAD-EPG, Eastern District of California
- B. Natural Resources Defense Council et al. v. Kempthorne, et al. U.S. District Court Eastern District, Case No. 1:05-CV-01207 OWW GSA (Consolidated).
- C. Banta-Carbona Irrigation District v. State Water Resources Control Board Santa Clara County Superior Court Judicial Council Coordination Proceeding No. 4828.
- D. STATE WATER RESOURCES CONTROL BOARD CURTAILMENT CASES JCCP 5229

2) CONFERENCE WITH REAL PROPERTY NEGOTIATIONS

- A. Property: 200 acres Homestead Ranch lease
Agency Negotiator: David Weisenberger and Jeanne Zolezzi
Negotiating Party: Mike Mattos
Under Negotiation: Lease conditions, Price, Term of lease, and Payment terms

The Board returned to open session with no announcement.

ITEM 13 - REVIEW INVESTMENT OPPORTUNITIES FOR RESERVE FUNDS. OAK VALLEY COMMUNITY BANK REPRESENTATIVES PRESENTING.

Mr. Gregory Koekman of the Oak Valley Community Bank, an investment adviser, attended and presented opportunities through his office for the BCID to invest temporarily surplus funds. After Mr. Hoekman's presentation the Board directed staff to pursue opening a broker account. Formal approvals for the account would occur at future board meetings.

ITEM 14 - APPROVAL OF WARRANTS

Director Annette Elissagaray made a motion that August 2023 warrants in the amount of \$540,650.99 be approved for payment. Director Mark Cardoza seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Glenn Robertson, Mark Cardoza, James M. Thoming, and Kyle Robertson; Noes: None; Abstain: None; Absent: None

The meeting was then adjourned.

Signed,
David Weisenberger
Secretary