BANTA-CARBONA IRRIGATION DISTRICT
NOTICE OF REGULAR BOARD MEETING AND AGENDA
January 17, 2024 – 9:00 am

Notice is hereby given that a regular meeting of the Board of Directors of the Banta-Carbona Irrigation District (BCID) will be held on the above named date and time, at the Banta-Carbona Irrigation District, 3514 West Lehman Road, Tracy, California 95304.

If you need disability-related modification or accommodation in order to participate in this meeting, please contact the Secretary of the Board of Directors at (209) 835-4670 at least 48 hours prior to the start of the meeting. Government Code Section 54954.2(a). **Any member of the public may address the Board concerning <u>any item on the agenda before or during its consideration</u> of that item, as appropriate.** Public comment is limited to no more than three minutes per person. For good cause, the President of the Board may waive this limitation.

ITEM 1 - Opportunity for Public Comment – Any member of the public may address the Board concerning any matter **<u>not on the agenda</u>**, but within the Board's jurisdiction. Public comment is limited to no more than three minutes per person. For good cause, the President of the Board may waive this limitation.

ITEM 2 - Minutes

ITEM 3 - Miscellaneous Correspondence. Action as necessary.

ITEM 4 - Treasurer's Report

ITEM 5 - Authorize transfer amount from Liquidity account to Checking account.

ITEM 6 - Update on transfer of funds to investment accounts with Celera Investment Services LLC. Action as necessary.

ITEM 7 - Director and Staff Items

ITEM 8 - Election of officers and hiring of legal counsel. Action as necessary

ITEM 9 - Consider selling a portion of fee strip on 6 West Canal Lateral at Tracy Blvd. Action as necessary.

ITEM 10 - Review for approval amending District employee Tax Deferred Compensation contribution limits to align with IRS tax exempt limits. Action as necessary.

ITEM 11 - Review district policies and procedures. Action as necessary

ITEM 12 - Update on progress of upgrading of BCID electric Substation #2 to 12kV/60kV Transformers. Action as necessary.

ITEM 13 - Review current water supplies available to the District, review scheduling of available water supplies and potential transfers. Action as necessary

ITEM 14 - Manager's Report & Discussion Items.

a) District activities and operations report.
b) Report on San Joaquin River fish population study. Action as necessary.
c) Update on the Groundwater Sustainability Plan (GSP) for the Tracy Subbasin. Action as necessary.
d) 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.
e) Update on WhitePine Renewables, Inc. solar project on District Homestead Ranch property on Kasson Road. Action as necessary.

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. 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: Wheel Water through lift canal and Pump Station Facilities for Third Parties
Agency negotiator: James Thoming, David Weisenberger and District Counsel Jeanne Zolezzi
Negotiating parties: Friant Water Authority

B. Property: Up to 10,000 acre feet of San Joaquin River Water under the District's Pre-1914 Water rights
Agency Negotiator: James Thoming, David Weisenberger and Jeanne Zolezzi
Negotiating Party: Meyers Farm Family Trust
Under Negotiation: Price, Quantity and Terms of Payment

3) EMPLOYEE PERFORMANCE EVALUATION

A. Employee name: Danisha McDonald, Treasurer

ITEM 16 - Approval of Warrants

Any materials related to items on this agenda distributed to the Board of Directors of Banta-Carbona Irrigation District less than 72 hours before the public meeting are available for public inspection at the District's offices located at the following address: 3514 W. Lehman Rd., Tracy, CA 95304. Upon request, these materials may be made available in an alternative format to persons with disabilities.