BANTA-CARBONA IRRIGATION DISTRICT
NOTICE OF REGULAR BOARD MEETING AND AGENDA
March 13, 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. Action as necessary

ITEM 3 - Miscellaneous Correspondence. Action as necessary.

ITEM 4 - Treasurer's Report. Action as necessary.

ITEM 5 - Adopt appropriation limit for fiscal year 2024. Action as necessary.

ITEM 6 - Authorize transfer amount from Liquidity account to Checking account.

ITEM 7 - Update on transfer of funds to investment accounts with Cetera Investment Services LLC. Action as necessary.

ITEM 8 - Director and Staff Items

ITEM 9 - Consider for approval Resolution 2024-03-01 recognizing the service to the district by Javier Nunez upon his retirement from the district on March 22, 2024.

ITEM 10 - Review for approval agreements for out of district water supply and facility repayment, turnout 3E-04 on 3 East Pipeline, with the Regal Nut Company. Action as necessary.

ITEM 11 – Consider Task Order 24-01 for approval from JCOMM for providing video production services for agency outreach on the subject of Non-native fish population research. Action as necessary.

ITEM 12 - Review district policies, procedures, and employee handbook updates. Action as necessary

ITEM 13 - Consider for approval Resolution 2024-003-02 authorizing the sale of equipment surplus to district needs, equipment being the sale of two pickups and an old crane truck. Action as necessary.

ITEM 14 - Review current water supplies available to the District, review scheduling of available water supplies and potential transfers. Action as necessary

ITEM 15 - 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 16 - 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

ITEM 17 - 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.