November 15, 2023
Tracy, California

Pursuant to adjournment, October 11, 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, Mark Cardoza, and Kyle Robertson.

OTHERS PRESENT: General Manager/Secretary David Weisenberger, Treasurer/Assessor-Collector Danisha McDonald, Administrative Assistant Kelly Wright-Laforce, District Counsel Jeanne Zolezzi.

ABSENT: None

ITEM 1 – OPPORTUNITY FOR PUBLIC COMMENT

No public comment

ITEM 2 – MINUTES

Director Glenn Robertson made a motion to approve the minutes of the October 11, 2023 Regular Board Meeting. Director Kyle Robertson seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Glenn Robertson, Kyle Robertson, Mark Cardoza, and James M. Thoming; Noes: None; Abstain: None; Absent: None.

ITEM 3 - MISCELLANEOUS CORRESPONDENCE

There weren't any correspondence items.

ITEM 4 – TREASURER'S REPORT

The Treasurer's report was presented by Danisha McDonald. The Treasurer's report was filed as presented. Treasurer McDonald provided an overview of changes to the report due to the investments made with reserve funds the broker Cetera.

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

Director Kyle Roberston made a motion to transfer $526,074.97 from the Liquidity Bank Account to the District checking account at Oak Valley Community Bank. Director Annette Elissagaray seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Glenn Robertson, Kyle Robertson, Mark Cardoza, and James M. Thoming; Noes: None; Abstain: None; Absent: None.

ITEM 6 – UPDATE ON INVESTMENT ACCOUNTS WITH OAK VALLEY BANK THROUGH CELERA INVESTMENT SERVICES LLC

The amounts on deposit in investments were reported by Ms. Danisha McDonald. There was a discussion on how to record the investments in the financials. Board directed staff to find an accountant as a resource to ask about appropriate accounting practices such as the investment portfolio.

ITEM 7 - DIRECTOR AND STAFF ITEMS

Director Kyle Robertson asked about the video called "The Missing Piece" and how and when it will be presented at the ACWA Fall Conference in Indian Wells in 2023. Manager Weisenberger reported that it will be shown on the first day of conference in its own room at 1:30 pm, November 29th. Manager Weisenberger will provide an introduction to the project and the video before showing the video and will field questions after the video. The video runs about about thirteen minutes. The time allotted by ACWA for the presentation is thirty minutes.

ITEM 8 - REVIEW 2022 AUDITOR'S REPORT FOR ACCEPTANCE.

The final audit report for FY 2022 was available for review, discussion, and acceptance. Director Mark Cardoza made a motion to accept the FY 2022 Audit Report and Financials for filing. Director Glenn Robertson seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Glenn Robertson, Kyle Robertson, Mark Cardoza, and James M. Thoming; Noes: None; Abstain: None; Absent: None.

Board directed staff to put on the December board meeting agenda an item to update the cost of service water delivery rate for the Kasson contracts.

ITEM 9 – REVIEW QUOTES FOR PURCHASING A NEW COMBO COPIER, SCANNER, FAX MACHINE.

Administrative Assistant Kelly Wright-LaForce presented proposals from four companies that sell and lease copier/scanners. She reported that staff's recommendation was to choose the Caltronics company proposal for a Konica C550i for $12,539.00. The proposal included a per page charge of $0.0075 for black and white copies and a per page charge of $0.05 for color copies that, over the lifetime of the machine, provided a better value to the District than the competing proposals. Director Kyle Robertson made a motion to purchase the Konca C550i from the Caltronics company for $12,539.00. Director Annette Elissagaray seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Glenn Robertson, Kyle Robertson, Mark Cardoza, and James M. Thoming; Noes: None; Abstain: None; Absent: None.

ITEM 10 – CONSIDER INQUIRIES BY RECLAMATION DISTRICTS 2085 AND 2095 FOR THE BCID TO PROVIDE ADMINISTRATIVE SERVICES TO THE RD'S.

General Manager reported that he had been approached by Mr. Bob Pombo, a director on the boards of Reclamation Districts 2085 and 2095, inquiring about the possibility of the BCID providing administrative services for the RD's. After much discussion by the BCID board of directors and staff it was determined that the current staff did not have time available to serve the RD's. The board directed General Manager Weisenberger to contact Mr. Pombo.

ITEM 11 - REVIEW DISTRICT POLICIES, PROCEDURES, AND EMPLOYEE HANDBOOK UPDATES.

Treasurer McDonald presented draft policies and procedures for payroll tax deposit processes, master calendar, McCrometer meter repair process, printing daily reports for ditchtenders, how to enter a water order, and processing quarterly workers comp payments.

ITEM 12 - UPDATE ON PROGRESS OF UPGRADING OF BCID ELECTRIC SUBSTATION #2 TO 12KV/60KV TRANSFORMERS.

WAVE engineer's Dick Hearth has been diligently exploring and researching equipment availability and upgrades that will be required to convert the 2.4kv distribution lines to 12kv lines from Sub-station #2 at Durham Ferry Road to Pumping Plant #5. Mr. Hearth and General Manger Weisenberger have been conferring on appropriate sizing of the new substation transformers. WAVE has issued Request for Proposals for two transformers at each location: PP #5 (12.47kv/480v, 7500KVA), Substation #2 (60kv/12.47kv, 7500KVA), PP #4 (12.47kv/480v, 1500 KVA), and PP #3 (12.47kv/480v, 1500 KVA). A pole inspection is being arranged to inspect poles from PP #5 north to Interstate 5 before upgrading the existing 5kv class insulators to 15kv class insulators. Before the 2024 irrigation season it is the goal to get the insulators changed from PP#5 to the freeway and to replace any poles and crossarms that do not have a serviceable life remaining.

ITEM 13 – 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. The district has 19,276 acre feet remaining. San Joaquin River is running at around 1,500 cubic feet per second (cfs) at the Vernalis Gauging Station.

ITEM 14 – MANAGER'S REPORT & DISCUSSION ITEMS.

MANAGER'S REPORT
November 15, 2023
Water Season (deliveries) Started April 4, 2023
Vernalis flow +/- 1,500 cfs

Employee Education – Christian Rodriguez and Saul Ruiz have taken the pesticide Qualified Applicator Certificate test. They did not pass the laws and Regs test, but Christian passed the Right of Ways test and Saul passed the Aquatics test. They

will be retaking the laws and regs tests and Christian will take the aquatics test and Saul will be taking the right of ways test.

Danisha McDonald and Kelly Wright La-Force both took the Notary exams, both passed.

Danisha McDonald attended a CSDA, California Special District's Association, conference for Board Secretary's in Monterrey the week of November 6th.

Maintenance - Terrestrial pre-emergent weed control is being applied. The new employee, Saul Ruiz, is being trained on pre-emergent application. The new SonTek-IQ Plus flow meter arrived and has been installed in the canal. The wiring has not been laid and should be connected this week. There is another measuring device at the site that we are using to measure and report our diversions.

The One South McCrometer meter was not reporting to the cloud even though the meter itself was measuring water. That meter has been shipped to McCrometer for repairs.

The number two low head pump at PP #5 is being pulled by Delta Pump for repairs. The top bearing was leaking water and adjusting the packing did not cure the issue.

In PP #1 the #3-20 motor or pump screeched to a stop on shutdown during October. Staff is arranging for an inspection by Industrial Electric out of Modesto to test the motor. If it isn't the motor then the pump will need to be pulled.

FRIANT SJRRP Restoration Flows and Wheeling – There isn't any capacity available to wheel Friant water as the district will be under going annual maintenance and upgrading insulators on the electric distribution lines to PP #5 and PP #3. 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, are being 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. These will be scheduled for installation as soon as possible.

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 14B - REPORT ON SAN JOAQUIN RIVER FISH POPULATION STUDY.

FISHBIO is currently scheduling an annual report meeting at their facility in Oakdale for some time in December. The video created by the three districts called "The Missing Piece" will be shown in a half hour segment at the semi-annual ACWA conference in Indian Wells on November 29th, 2023 at 1:30 pm.

ITEM 14C - UPDATE ON THE GROUNDWATER SUSTAINABILITY PLAN (GSP) FOR THE TRACY SUBBASIN.

The district received a letter from the State of California Department of Water Resources (DWR) informing the district that the "BCID Conjunctive Use Project" proposal was approved for funding for $10 million dollars. DWR has sent the District a draft contract for review with comments due back by November 17, 2023. This grant is for an 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.

ITEM 14D - 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.

CBEC is finalizing remaining details for the specifications and drawings as the term on our PROP 1 grant winds down. General Manager Weisenberger reported that he attended the South Delta Water Agency (SDWA) board meeting, the New Jerusalem

Drainage District(NJDD) board meeting, and the Reclamation District 2095 (RD 2095) board meeting to present the project components and to respond to any comments or questions by these agencies. All of the agencies thought the project was a good project for the river and for levee protection. The next steps are to meet with local landowners to get feedback on the proposed project. RD 2085 will be meeting during the ACWA conference which prevents General Manager from attending their board meeting. But Weisenberger has forwarded the materials to the RD 2085 Board for their review. RD 2085 and RD 2095 use the same civil Engineer, Daniel DeGraaf, so he has heard the presentation first hand. Also both RD's have a director in common, Mr. Bob Pombo, who also has heard the presentation in person. FISHBIO is currently working on completing the Environmental Impact Statement (EIS) & Biological Assessment (BA) before applying for the permits to construct the project.

ITEM 14E - UPDATE ON WHITEPINE RENEWABLES, INC. SOLAR PROJECT ON DISTRICT HOMESTEAD RANCH PROPERTY ON KASSON ROAD.

WhitePine Renewables approached PG&E about an interconnection agreement and PGE said that the lines belonged to the CAISO. WhitePine then went to the CAISO for an agreement and the CAISO said the lines are PG&E's. No new news since this occurred in October.

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: David Weisenberger and District Counsel Jeanne Zolezzi
Negotiating parties: Friant Water Authority

The Board returned to open session with no announcement.

ITEM 16 - APPROVAL OF WARRANTS

Director Annette Elissagaray made a motion that November 2023 warrants in the amount of $298,745.36 be approved for payment. Director Mark Cardoza seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Glenn Robertson, Kyle Robertson, Mark Cardoza, and James M. Thoming; Noes: None; Abstain: None; Absent: None

The meeting was then adjourned.

Signed,

David Weisenberger
Secretary