April 11, 2024
Tracy, California

Pursuant to adjournment, March 13, 2024, 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 Mark Cardoza made a motion to approve the minutes of the March 13, 2024 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

Treasurer McDonald presented a letter from the Tracy FFA Foundation asking the District to consider a donation. After some board discussion on the value of encouraging young people to become involved in agriculture Director Kyle Robertson made a motion to donate $500. 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 4 – TREASURER'S REPORT

The Treasurer's report was presented by Danisha McDonald. Director Kyle Robertson made a motion to file the Treasurers report as presented. 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.

ITEM 5 – ADOPT APPROPRIATION LIMIT FOR FISCAL YEAR 2024.

Manager Weisenberger reported that the required posting on the front door for fifteen days prior to adopting an appropriation limit was made. Director Mark Cardoza moved that Resolution No. 2024-04-01 be adopted. 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.

Resolution No. 2024-04-01

RESOLUTION BY THE BOARD OF DIRECTORS OF THE
BANTA-CARBONA IRRIGATION DISTRICT
ESTABLISHING THE APPROPRIATIONS LIMIT OF THE DISTRICT AT
$1,151,743 FOR FISCAL YEAR 2024 PURSUANT TO ARTICLE XIIIB OF THE
CALIFORNIA CONSTITUTION

WHEREAS, the California Constitution and Government Code section 7900 et seq. requires the Board of Directors to annually allocate and establish, by resolution, the District's Appropriations Limit for each fiscal year; and

WHEREAS, the calculations made to determine the appropriations limit have been made available to the public for at least 15 days prior to the date of this Resolution, in accordance with Government Code section 7910.

NOW, THEREFORE, THE BOARD OF DIRECTORS HEREBY RESOLVES:

1. That the appropriations limit of Banta-Carbona Irrigation District for fiscal year 2024 is $1,151,743; and,

2. That the fiscal year 2024 budgeted revenue from property taxes is $224,420, which does not exceed the calculated appropriations limit.

PASSED, APPROVED, AND ADOPTED by the Board of Directors of the Banta-Carbona Irrigation District at the special meeting of said Board on the 11th day of April, 2024, by the following vote:

AYES: Directors: Glenn Robertson, Annette Elissagaray, Mark Cardoza, Kyle Robertson, and James M. Thoming;
NOES: None
ABSTAIN: None
ABSENT: None

BANTA-CARBONA IRRIGATION DISTRICT

_____
James M. Thoming, President

ATTEST:

_____
David Weisenberger, Secretary

ITEM 6 – AUTHORIZE TRANSFER AMOUNT FROM LIQUIDITY BANK ACCOUNT TO CHECKING ACCOUNT.

Director Glenn Robertson made a motion to transfer $1,312,620.49 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 7 – UPDATE ON INVESTMENT ACCOUNTS WITH OAK VALLEY BANK THROUGH CETERA INVESTMENT SERVICES LLC

The amounts on deposit in investments were reported by Treasurer McDonald. Treasurer McDonald provided copies of the monthly investment account summaries. Greg Hoekman was present to discuss with the board options to re-invest the T-Bill that was maturing on April 11, 2024. Director Annette Elissagaray made a motion to re-invest the entire principal and earnings into another T-Bill to mature in early June 2024. 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.

ITEM 8 - CONSIDER SWITCHING PENSION PAYMENTS FROM WRITTEN CHECKS TO ACH TRANSFERS.

Treasurer McDonald reported that employee contributions to pension accounts occur every pay period and written checks have been prepared necessitating that a director come in and sign checks. Staff was curious if the Board would be interested in having these deposits made electronically instead of writing checks. After some discussion the board directed staff to look in to having the deposits made electronically and to implement if feasible.

ITEM 9 - DIRECTOR AND STAFF ITEMS

Director Kyle Robertson asked staff about the status of a pile of spoils on the 4 West Canal road at Turnout 4W-01. Manager Weisenberger responded that the pile would be cleaned up once the John Deere tractor is back in service.

Manager Weisenberger reported that Association of California Water Agencies (ACWA) has hired a consultant to guide ACWA staff and directors through a Strategic Plan Update. The effort is to be completed by the end of September. Region 4 is looking for a representative to participate on the eleven member task force that will be working with the consultant and ACWA staff in preparing the update. General Manager Weisenberger suggested that the BCID Board support putting President Thoming's name in the hat if he was willing to participate. Mr. Thoming agreed to have his name put in the pool of candidates if the BCID Board wished to put forth his name. The board concurred and directed Manager Weisenberger to notify the Region 4 board.

ITEM 10 - CONSIDER FOR APPROVAL SENDING DISTRICT STAFF MEMBER, KELLY WRIGHT LA-FORCE, TO SPECIAL DISTRICT LEADERSHIP ACADEMY CONFERENCE (SDLA) IN ANAHEIM, CA., A PROGRAM PUT ON BY CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA).

Manager Weisenberger provided general information and class information about an upcoming conference being put on by CSDA for general managers and potential future general managers. General Manager Weisenberger recommended sending Administrative Assistant Kelly Wright-LaForce to the conference in Anaheim, Ca. After some discussion about succession planning and expanding the knowledge of all staff Director Annette Elissagaray moved to send Kelly Wright-LaForce to the CSDA/SDLA Conference June 23, 2024 through June 25, 2024 with all travel, lodging, and meal expenses paid by the District. 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.

The board directed staff to look for other opportunities to provide leadership training for staff and to bring those opportunities to the Board's attention.

ITEM 11 - CONSIDER APPROVAL OF NEW TIME SHEET RECOGNIZING BREAK AND LUNCH TIMES.

Staff presented a new time sheet format for the board's review. The purpose of the new format is to have employees document that they are taking the breaks required by law. These include rest periods every two hours and required lunch breaks as they work 11 hour days. After review and comments the board directed staff to begin using the new time sheets.

ITEM 12 – REVIEW DISTRICT POLICIES, PROCEDURES, AND EMPLOYEE HANDBOOK UPDATES.

Director Thoming asked staff if the district has a formal written heat prevention policy. Administrative Assistant Kelly Wright-LaForce stated that a draft policy has been written but not adopted as of yet. It was anticipated that the policy would be adopted along with the new employee manual that has not been completed.

ITEM 13 - REVIEW CURRENT WATER SUPPLIES AVAILABLE TO THE DISTRICT, REVIEW SCHEDULING OF AVAILABLE WATER SUPPLIES AND POTENTIAL TRANSFERS.

U.S. Bureau of Reclamation has updated south of delta 2024 contract allocation of water to 35%. The District's CVP contract is 20,000 acre feet, resulting in an allocation of 7,000 acre feet. In addition to the 2024 CVP allocation the district has put 1,689 acre feet into the 2024 SLDMWA Drought Water Pool Program. San Joaquin River is running at around 4,600 cubic feet per second (cfs) at the Vernalis Gauging Station.

ITEM 14 – MANAGER'S REPORT & DISCUSSION ITEMS.

ITEM 14A - DISTRICT ACTIVITIES AND OPERATIONS REPORT

MANAGER'S REPORT
April 11, 2024
Water Season Opened March 6,2024
SJR Vernalis flow +/- 4,600 cfs

Employee Education – In March Juan Cortes and Diego Velasquez attended the water flow workshops at the CAL POLY ITRC in San Luis Obispo, Ca. Also in March Mike McDonald, Saul Ruiz, and Christian Rodriguez attended the Supervisory Control and Data Acquisition (SCADA) workshops at the ITRC.

Christian Rodriguez and Saul Ruiz took the pesticide Qualified Applicator Certificate tests at the end of January. They are scheduled to retake the laws and regs

tests at the end of April. Christian passed the aquatics and right-of-way tests and Saul has passed the aquatics test.

Employee Retirement – Javier Nunez retired on Friday, March 22, 2024 with a luncheon with current employees, past employees, and board of directors. Javier expressed his appreciation and gratitude to the district for his many years with the district.

Employee New Hire – In anticipation of Javier Nunez's retirement district staff conducted interviews for a Ditchtender/Maintenance Worker during the first week of March. District staff interviewed five candidates over a one week period. Staff selected Mr. Francisco Nunez to fill the position. Mr. Nunez started work on March 18, 2024. There are currently no unfilled positions.

Substation #2 Upgrade – The work for replacing insulators between Substation #2 and PP #3 and PP #5 is about 50% complete. The balance of the change will need to be completed this fall/winter. The transformers for Substation #2 have been released to manufacturing. The transformers for PP # 3, 4, and 5 have also been released to manufacturing. Shipping dates will most likely be winter 2025.

Maintenance - The John Deere 4 wheel drive tractor that pulls the disk and spray rig has been down for repairs for the past seven weeks. The front drive line splines were worn out completely requiring a new spline for the driveline and new front end gears. The parts have come in but the clearances for the new gears require a special tool that Belcorp John Dealer does not have. They are researching on how to find that tool or take a chance by trial and error putting the new gears in the front end. Hence disking has been delayed for all right of ways the past two months. Spraying is being conducted as the spray rig can be pulled by a pickup.

The One South McCrometer meter was not reporting to the cloud even though the meter itself was measuring water. That meter is now operational.

The Main Lift Canal meter Sontek Argonaut was not working and could not be repaired. It was over ten years old. It has been replaced with a Sontek IQ which is measuring fine. There is an issue with it reporting to the cloud through the Storm 3 data logger. This local data logger receives data from the two ITRC flow measuring devices and the Sontek meter to report that data to the cloud. It was reporting the ITRC data fine but was not reporting the new Sontek IQ data to the cloud. In the process of trying to connect the Sontek IQ meter to the cloud the Storm 3 logger quit reporting all data to the cloud. The Storm 3 has been sent in for diagnostics and the report back is that the logger checks out as fully operational. It is being shipped back to the district for re-installation.

The number two low head pump at PP #5 was at Delta Pump for repairs. The top bearing was leaking water and adjusting the packing did not cure the issue. That pump has been repaired and installed and is operational.

In PP #1 the #3-20 motor screeched to a stop on shutdown during October 2023. The motor was sent to Industrial Electric in Modesto to inspect, test, and make any necessary repairs. They determined that a motor rewind would be prudent based on the age of the motor and since it was already in the shop. The motor rewind is complete and the motor is in Pumping Plant #1 awaiting to be connected to the pump.

Maintenance was focused on turnout gate inspections and repairs during March. Also pipeline leaks are being addressed as well around the district.

Manager Weisenberger reported that staff has removed the 48 inch butterfly valve at PP #6 on the 72 inch pipeline. The blind flange was removed from the 72 inch pipeline at 5 Sump and the butterfly valve was installed at 5 Sump. The blind flange was mounted on the 72 inch pipeline adjacent to PP #6. This will allow CVP water to be delivered directly into 5 Sump after piping is installed to connect the butterfly valve to 5 Sump. Previously CVP water was introduced into the lift canal at PP #6 and run back down the lift canal to 5 Sump. This change in configuration will allow the District to keep that section of lift canal dry and reduce maintenance costs. There is need to be some pipe purchased and installed at 5 Sump to complete the project. The 48 inch spur is 45 feet from the lift canal at five sump.

A special project during the past 30-45 days included building a trash rack and walk at the end of the 6 East open canal at Vernalis Road known as Bogetti's Siphon. This new trash rack expanded greatly the surface area of the rack. The "walk" built with the rack provides safer access to the rack potentially reducing the chance of back or muscle injuries while removing trash.

A third special project was the addition of a 48 inch turnout gate/flap gate inside the CVP box at the DMC onto the 48 inch pipeline that conveys water into the DMC. The gate was a surplus gate that was used at 6 Sump after the new 72 inch pipeline

was constructed to 6 Sump from PP #6. Later in time when a direct pipeline was installed across 6 Sump to connect the pipeline from 6 Sump to DMC the turnout gate/flap gate was no longer required at 6 Sump and was put in storage.

Pumping Plant #3 Replacement Project – Cascade has provided submittals that incorporate their completed Performance and Hydrostatic Test Reports. Cascade is a bit ahead of their estimated production schedule. Once we approve the performance and hydrostatic test reports Cascade is ready to finalize assembly of the units and arrange shipment to the jobsite. The motor vendor is maintaining their original schedule, they should be ready for shipment early next month. Meanwhile electrical equipment continues to trickle in to the District. Electrical equipment is also being delivered to the office corporation yard.

FRIANT SJRRP Restoration Flows and Wheeling – The District wheeled 3,255 acre feet of SJRRP water for Friant in March. The District continues to wheel water in April at about a 35-55 cfs rate.

Pumping Plant 5 impeller replacement project – The original Unit #6 has been replaced with the new low flow pump and motor. The old unit is in the shop at Delta pump having the new impellers installed. That unit when it returns will replace Unit #4 for intermediate flow.

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. This part of that project has been put on “hold” pending design of a new pump station under the $10 million dollar SGMA grant for facility expansion eastward.

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

Staff will be attempting to get an on river tour together later this month or in May with Cynthia Meyer, lead science manager with SLDMWA, David Mooney USBR Bay-Delta Chief, hopefully a State Water Contractor Science Manager, and possibly a WWD assistant manager all on the same trip.

JCOMM Video Task Order 24-01 – JCOMM has shot video of David Weisenberger, FISHBIO’s Andrea Fuller and Dana Lee, a salmon fishing guy in SF, and they have lined up David Guy of Northern California (NCCA) , Federico Barajas of San Luis Water Authority (SLDMWA) and Michelle Reimers GM of Turlock Irrigation District (TID) and they might reach out to another fish consultant, Scott Peterson of Cramer Fish Services.

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

The district did authorize in February 2024 a Master Services Agreement as well as a Task Order 24-01 with GEI to design and engineer the pump-pipeline project for the “SGMA Phase Two Conjunctive Use Project” that was approved for funding for $10 million dollars. 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. In February 2024 the Board of Directors approved a Master services Agreement with GEI Consulting and approved a Task Order, 24-01, to design and engineer the new facilities under the DWR Grant. GEI has been working on the project and conducts weekly project meetings with all on the team.

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 has completed work on a draft final design for the specifications and drawings as the term on our PROP 1 grant winds down. FISHBIO is taking those design and specifications to permitting agencies to obtain the necessary permits to construct and operate the project. Meanwhile the Delta Conservancy did approve amending the term of our grant to February 28, 2025. The purpose of the extension is for proceeding through the permitting processes at the various regulatory agencies. This month we have submitted another amendment request to change the verbiage in our Task 5 in the

agreement upon the suggestion of their project manager, Lauren Damon. Currently need to get a letter of support for the construction of the project from McMullin Reclamation District (RD 2075) in order to complete a permit application package with the Central Valley Flood Control Protection Board (CVFPB).

CBEC, Fishbio, and BCID staff prepared and submitted a grant application to the CVPIA Restoration Fund on March 18, 2024. The request was for just under ten million dollars for the construction of the floodplain restoration project.

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

Manager Weisenberger met with WhitePine Renewables on March 4, 2024 to discuss next steps. The CAISO has concerns about power factor being impacted by a 2.4Kv feed to Substation #1. Whitepines' recommended solution is to convert the distribution line from the Fishscreen to Sub-station #1 to 12Kv. WAVE engineering, Dick Hearth, is looking into a redesign of Substation #1 to accommodate a 12Kv/60Kv transformer. A 12Kv/2.4Kv pad mount transformer will be needed at PP #1 and a 12kv/480v pole mounted transformer will be needed at the fishscreen. All of this work would occur during the fall of 2024/winter of 2025.

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

The Board returned to open session with no announcement.

ITEM 16 - APPROVAL OF WARRANTS

Director Annette Elissagaray made a motion that April 2024 warrants in the amount of $1,050,466.39 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