November 13, 2024
Tracy, California

Pursuant to adjournment, October 16, 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.

ABSENT: None

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

ABSENT: None

ITEM 1 - OPPORTUNITY FOR PUBLIC COMMENT

No public comment.

ITEM 2 - CONSIDER FOR APPROVAL OCTOBER 16, 2024 MINUTES.

Draft minutes for the October 16, 2024 meeting were not available for review.

ITEM 3 - MISCELLANEOUS CORRESPONDENCE.

No miscellaneous correspondence.

ITEM 4 - TREASURER'S REPORT.

The Treasurer's report was presented by Danisha McDonald.

ITEM 5 - AUTHORIZE TRANSFER AMOUNT FROM LIQUIDITY ACCOUNT TO CHECKING ACCOUNT.

Director Kyle Robertson made a motion to transfer $550,048.91 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 – CONSIDER FOR APPROVAL DESIGNATION OF DISTRICT REPRESENTATIVE TO VOTE IN ACWA MEMBERSHIP MEETING ON DECEMBER 4, 2024.

Upon review of schedules, President James M. Thoming was nominated to represent the district and vote in the ACWA Membership Meeting during the ACWA Fall Conference in Palm Desert on December 4, 2024. Director Kyle Robertson moved to appoint President James M Thoming as the District Voting Representative. 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 7 – CONSIDER FOR APPROVAL RESOLUTION 2024-11-01 AUTHORIZING APPLICATION IN RESPONSE TO NOTICE OF FUNDING OPPORTUNITY NO. R24AS00052 ("**NOFO**") FOR WATERSMART GRANTS: WATER AND ENERGY EFFICIENCY GRANTS FOR FISCAL YEAR 2024, FOR PP#3 AND SUBSTATION UPGRADE DESIGN AND CONSTRUCTION.

Staff reported on an application being prepared for $5 million in Federal Funding from the Bureau of Reclamation WaterSMART Grant opportunity. The application is for the design and construction of pumping plant #3 with higher efficiency pumps and motors, as well as the upgrade of the District's distribution voltage at Substation #2 and PP#4 to accommodate use of solar power generated by the WhitePine Renewable project. Staff were directed to proceed with the application.

ITEM 8 – CONSIDER ORDERING NEW PICKUPS FOR DELIVERY IN SPRING OF 2025.

One of the F-150 pickups ordered by the District in 2024 will not be delivered due to damages in transit from manufacturing. Due to long manufacturing times, Haidlen Ford recommends placing the order for 2025 pickups at this time, with expected delivery in Spring of 2025. Director Annette Elissagaray made a motion to order three F-150 pickup trucks to be delivered in 2025. Director Glenn Roberston 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 9 – CONSIDER ADDING AN ADDITIONAL EMPLOYEE FOR POSITION OF DITCHTENDER/MAINTENANCE.

Staff were directed to begin search, interviews and hiring of an additional Ditchtender/Maintenance worker for back-filling a potential vacancy from an anticipated retirement in 2025.

ITEM 10 – REVIEW AND OCNSIDER APPROVAL OF TRAVEL, LODGING AND SEMINAR EXPENSES FOR DISTRICT PERSONNEL

A) ITRC FLOW MEASUREMENT TRAINING CLASSES JANUARY 8-10, 2025 IN SAN LUIS OBISPO, CA. ACTION AS NECESSARY.
    a. Employee list: Francisco Nunez, Abelardo Botello, Christian Rodriguez, Saul Ruiz, Kelly Wright-La Force
B) ITRC PUMP TRAINING CLASSES FEBRUARY 5-7, 2025 IN SAN LUIS OBISPO, CA. ACTION AS NECESSARY.
    a. Employee list: Kelly Wright-La Force
C) ITRC SCADA TRAINING CLASSES MARCH 24-28, 2025 IN SAN LUIS OBISPO, CA. ACTION AS NECESSARY.
    a. Employee list: Alejandro Ruiz, Kelly Wright-La Force

Director Glenn Robertson made a motion to approve sending the listed employees to the respective courses, with travel, lodging and seminar expenses to be paid by the District. 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 11 – DIRECTOR AND STAFF ITEMS.

Mid-Pacific Water Users Conference is upcoming, 1/29/25-1/31/25.

Revision of the minimum bid for pickups for sale is not necessary at this time. The 2015 pickup has sold, and a minimum bid has been received for the 2016 pickup.

ITEM 12 – REVIEW CURENT WATER SUPPLIES AVAILABLE TO THE DISTRICT, REVIEW SCHEDULING OF AVAILABLE WATER SUPPLIES AND POTENTIAL TRANSFERS. ACTION AS NECESSARY.

Manager Weisenberger reported that the U.S. Bureau of Reclamation the south of delta 2024 contract allocation of water is 50%. The District's CVP contract is 20,000 acre feet, resulting in an allocation of 10,000 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.

Manager Weisenberger reported that 2,500 acre feet of CVP water was transferred at a net rate of $185 per acre foot to Kern-Tulare Water District in October 2024. The board authorized the release of the second 2,500 af in October at the same rate and it is being transferred in November. The District may store 2,000 af of its allocation for next year. Accounting for all transfers and CVP usage to date, there is approximately 1,500 remaining that could be transferred if not needed to service the District customers.

The District is currently wheeling 25 cfs of San Joaquin River Restoration water for the Friant Water Authority. This is half of the current flow available for pumping, the balance being pumped by PID. In the next week, PID will be shutting down for infrastructure upgrades and maintenance, and BCID will increase pumping to the new maximum available, 70cfs.

ITEM 13 – UPDATE ON 12kV DISTRIBUTION UPGRADE PROJECT

Manager Weisenberger reported the following brief history on his previous reports to the board and the action that the board took at the October board meeting. At the September board meeting General Manager Weisenberger proposed that the district consider demolition of abandoned PP #5 and re-grading of the site. The purpose in doing this is to prepare the site for construction of the control building for the new pumping station #5. Since the new pumping plant

was constructed the motor controls, SCADA controls, and switchgear have been sitting out on the wetwell structure enclosed with outdoor cabinets.

Also, at the September board meeting General Manager suggested that maybe now is the time to build the control building and move the existing gear from outside into the new control building. The reasoning being that because the distribution system is being upgraded to 12.47kV and a new transformer would need to be installed outside until a control building is constructed. Maybe the time is now to construct the building so that temporary installations for the new transformers wouldn't need to put in place at additional cost. The plan was to have Bockmon and Woody Electric move the electrical gear into the new control building and get all of the equipment off of the wetwell structure. The completion date was to be January 31, 2025. The power was to be off until January 31, 2025 to upgrade the Substation #2 to 12.47kV distribution voltage for bay #2 that serves Pumping Plant #5.

At the September board meeting the board directed General Manager Weisenberger to bring construction quotes to the October board meeting for consideration.

General Manager Weisenberger presented two quotes at the October 16, 2024 board meeting, one for demolishing the old pumping plant and re-grading the site and a second quote for building the control building. Both quotes were from Arnaudo Construction Inc and were as follows:

1. Demolish the old pumping plant : $213,250.00
2. Construct Control Building : $617,000.00

Director Mark Cardoza made a motion to accept the two bids from Arnaudo Construction Inc to demolish the old Pump Station and build a new control building for a total cost of $830,250.00. 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.

Today Manager Weisenberger reported to the board that on October 18, 2025, two days after the October board meeting, BCID staff met with Bockmon and Woody staff on site at PP #5. Bockmon and Woody informed us that they couldn't complete the movement of the electrical gear from the wetwell deck to inside the control building by February 1, 2025. This was surprise news to BCID staff since BCID staff met with Bockmon and Woody Inc. (B&W) staff in Stockton in September to discuss the winter work and specifically this project and its timelines. At no time was BCID informed before the site visit on October 18, 2024 that they felt it was impossible to move the equipment by the due date. They recommended installing temporary facilities to accommodate transformer upgrades to 12.47/480v. They also suggested that BCID construct the building and that B&W would prepare and move equipment over the course of the next year, 2025. Manager Weisenberger explained to them that BCID didn't have the money to pay for a temporary installation and pay for a final move into a control room in the year 2025. The purpose in doing the control building now was to avoid any temporary installations outside of the building. Manager Weisenberger reported that he stopped work on the construction of the control building and informed Arnaudo Construction Inc (ACI) that BCID would not be proceeding with the control building work but would be having ACI do the demolishing work on old PP #5.

Manager Weisenberger asked the board of directors if they wanted to continue with the construction of the control building in 2024 or if they wished to drop the idea of constructing the new control building. They directed Manager Weisenberger not to proceed with the construction of the new control building at PP #5 but to proceed with the demolishing of the old PP #5 and to regrade the site.

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 arrived and are being stored outside Substation #2. The transformers for PP # 4, and #5 have also arrived, with PP#4 transformers in the BCID maintenance yard, and PP#5 transformer on site at PP#5.

Anticipated start of work for Substation #2 transformer upgrade is December 16, 2024. Manager Weisenberger has requested an estimate with a not to exceed amount from Bockmon & Woody for work to be completed for the upgrade. Due to Bockmon & Woody's inability to complete movement of the electrical gear in time for 2025 irrigation season, the construction of pumping plant #5 control building has been removed from the 2024/2025 maintenance season schedule. The new 12kV/480V transformer will be placed on the existing pad, and a spare transformer from the yard will be used to provide 2400V beyond pumping plant #5.

ITEM 14 – DISCUSS WATER TRANSFER EXTENSION WITH SILVERTIP AND WESTSIDE AGRICULTURE LLC REPRESENTATIVES, IF PRESENT, BUYERS OF THE MEYERS FAMILY TRUST FARM AND WATER BANK.

No representative present from the Westside Agriculture LLC. There wasn't any business to discuss in open session.

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. State Water Resources Control Board 2021 and 2022 Curtailment Cases, Sacramento Superior Court JCCP 5229

2) CONFERENCE WITH REAL PROPERTY NEGOTIATIONS (§ 54956.8)

   A. Properties: 255-120-10, 255-120-11, 255-270-72, 255-270-73, 255-270-45, 255-270-43, 255-270-44, 255-270-29, 255-270-09, 255-270-07, 255-270-53

      Agency Negotiation: David Weisenberger
      Negotiating Parties: Various landowners
      Under Negotiation: compensation and other terms

   B. Conference with Legal Counsel – Anticipated
      Litigation - Significant exposure to litigation pursuant to
      § 54956.9(b): One case

   C. 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: Westside Agriculture LLC
      Under Negotiation: Price, Quantity and Terms of Payment

ITEM 16 - UPDATE ON JCOMM VIDEO SERVICES TO PROMOTE AND EDUCATE INTERESTED PARTIES ON VARIOUS DISTRICT PROJECTS.

The video produced by JComm focused on the District's Floodplain Restoration Project was presented. Staff were directed to post the video to the District website when final editing is complete.

ITEM 17 - REVIEW DISTRICT POLICIES, PROCEDURES, AND EMPLOYEE HANDBOOK UPDATES.

Treasurer McDonald presented a procedure for adding an assessment parcel to the billing system, as well as how to change ownership of a parcel in the system.

ITEM 18 – MANAGER'S REPORT AND DISCUSSION ITEMS

Maintenance - Maintenance staff continues to spray terrestrial weeds, disk weeds, and complete preparations for application of pre-emergent.

In PP #1 the #3-20 pump and motor were running fine, very smooth until May 14, 2024. On May 14th a loud knocking sound coming from the pump below started and a large vibration was occurring. It is likely there is something stuck in the impeller. It is now out of service. Staff will dewater the pump bay and inspect the impeller after diversions shutdown. Currently the remaining pumps are able to meet the required flow rates as on farm irrigation demands are low enough to where the remaining pumps are able to meet the demand.

Pumping Plant #3 Replacement Project – Wayne Dahl of Dahl Consulting Inc. is completing the final grading plan. When the final grading plan is complete then the Specifications and Drawings package will be complete and ready for going out to bid.

ITEM 19 - UPDATE ON PROGRESS OF "SGMA PHASE 2 CONJUNCTIVE USE PROJECT" DESIGN, ENVIRONMENTAL, EASEMENT ACQUISITION, AND ENGINEERING.

This project 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.

Manager Weisenberger reported that GEI has been working on the project design and conducts weekly project meetings with all on the team. The team consists of GEI Consultants engineering lead, WAVE Engineering electrical, KSN Engineers surveying, Wayne Dahl project consultant and district staff.

The complete plan and specifications package is expected to be distributed to interested bidders on Thursday, November 14, 2024. The project is split into two schedules, with the option to bid on only the pump station, only the pipeline, or both. Bid opening is scheduled for December 10, 2024. The bid period has been advertised once in the Stockton Record already and will run once more in the Stockton record and twice in the Tracy Press.

Mr. Keith Yamamoto, a landowner within the project area, was present to inquire about cost share of phase 1 of the project being allocated to phase 2 users. He was assured that cost share would be calculated and owed by each landowner based on acreage served by phase 2. Water served to phase 2 customers would be at the District's outside of district rate, and would be delivered only as available. Mr. Yamamoto presented no objections to the proposed easements.

ITEM 20 - REPORT ON SAN JOAQUIN RIVER FISH POPULATION STUDY AND OUTREACH EFFORTS.

General Manager Weisenberger reported that the annual FishBio meeting and lunch would be held December 13, 2024 at 10:00 am at the FISHBIO office in Oakdale, Ca.

General Manager Weisenberger reported that the Association of California Water Agencies (ACWA) was seeking proposals for policy programs for ACWA's 2024 Fall Conference & Expo in Palm Desert. This process was intended to give members the opportunity to propose, develop, and execute a conference program in partnership with ACWA staff. ACWA was seeking proposals for innovative programs and speakers that cover water issues relevant to a broad range of ACWA member agencies. BCID did submit a program application. Stephen Pang, ACWA staff member reported that the ACWA Fall Conference planning meeting, and the State Relations Department thought that the concept submitted "A Startling Picture: Impacts of Nonnative Fish on Salmon Recovery" would make for a great Solutions Spotlight program. The Solutions Spotlights is 30 minutes and are meant to highlight member case studies. This timeslot will be on Wednesday, December 4, between 1:30-2:00 pm. Manager Weisenberger responded to Mr. Pang that the BCID would accept the time slot.

ITEM 21 – UPDATE ON THE GROUNDWATER SUSTAINABILITY PLAN (GSP) FOR THE TRACY SUBBASIN AND RELATED ACTIVITES.

General Manager Weisenberger and Administrative Assistant Kelly Wright-La Force attended the annual groundwater workshop for the subbasin. A few members of the public were present, as well as representatives from other member agencies.

Representatives from City of Tracy and San Joaquin County discussed options with General Manager Weisenberger after the meeting about adding meters to Corral Hollow Creek and Lone Tree Creek to account for stormwater recharge during the rainy season.

It was reported to the board that the Tracy Sub-basin Groundwater Sustainability Agencies will be meeting quarterly for the remainder of 2024 with meetings being facilitated by Stantec. Interested parties can get more information off the website, https://tracysubbasin.org, and sign up for new meeting announcements and see information about the subbasin.

The BCID staff are recording monthly water levels from monitoring wells MW-203 and MW-204 located within the district boundaries.

ITEM 22 – REPORT ON PROGRESS OF PROP 1 GRANT CONTRACT 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 THE DISTRICT'S DIVERSION POINT.

FISHBIO continues to take design and specifications to permitting agencies to obtain the necessary permits to construct and operate the project.

Currently we 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). The McMullin Reclamation District (RD

2075) asked some technical questions about the hydraulic study on the east bank of river and CBEC is responding to those questions.

The Delta Conservancy grant closes in February 2025. Staff has applied for a $10 million grant to fund the construction phase of the project. Funding announcements have not been released yet.

ITEM 23 - UPDATE ON WHITEPINE RENEWABLES, INC. SOLAR PROJECT ON DISTRICT HOMESTEAD RANCH PROPERTY ON KASSON ROAD.

Manager Weisenberger reported that he did confer with Whitepine about the current layout of the solar arrays that overlaps onto two separate parcels because of an existing district canal. Whitepine said that the solar arrays could be re-aligned to keep them on the same parcel but a final layout was not decided. Manager Weisenberger recommended having the parcel lines surveyed by KSN for planning efforts. Staff was directed to request the survey.

ITEM 24 - APPROVAL OF WARRANTS

Director Mark Cardoza made a motion that the November 2024 warrants in the amount of $425,151.23 be approved for payment. 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.

The meeting was then adjourned.

Signed,

David Weisenberger
Secretary