October 16, 2024
Tracy, California

Pursuant to adjournment, September 11, 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.

ABSENT: None

ITEM 1 - OPPORTUNITY FOR PUBLIC COMMENT

No public comment

ITEM 2 – CONSIDER AND ADOPT PROPOSED NEGATIVE DECLARATION FOR THE SGMA PHASE 2 CONJUNCTIVE USE PROJECT.

Staff presented the Initial Study and Proposed Negative Declaration for the Phase 2 Conjunctive Use Project dated August 19, 2024. After the board reviewed the documents Director Glenn Robertson moved that the Negative Declaration be adopted. 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 3 – CONSIDER AND APPROVE SGMA PHASE 2 CONJUNCTIVE USE PROJECT

Director Mark Cardoza moved that the SGMA Phase 2 Conjunctive Use Project, as described in the Negative Declaration already adopted, be authorized for construction. 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 4 - CONSIDER FOR APPROVAL SEPTEMBER 11, 2024 MINUTES.

Director Kyle Robertson made a motion to approve the minutes of the August 14, 2024 Regular Board Meeting. 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 5 - MISCELLANEOUS CORRESPONDENCE.

Treasurer McDonald reported that the San Joaquin County of supervisors have appointed the current division 1, 4, & 5 incumbents in lieu of an election as no one filed to run against them and that they will retain their seats for the next term. Appointed Directors Glenn Robertson, James M. Thoming, and Kyle Robertson were presented with Certificates of Election.

ITEM 6 - TREASURER'S REPORT.

The Treasurer's report was presented by Danisha McDonald.

Treasurer McDonald recommended that the board consider increasing the ACH daily transaction limits from $100,000 to $1,000,000. Treasurer McDonald reported that currently there are occasions that payroll and vendor transactions that fall on the same transaction day exceed the current $100,000 daily limit for ACH transfers. There are also some vendor transactions that exceed the $100,000 daily limit as well. Treasurer McDonald, at the Board's previous direction, has been moving from writing checks to vendors to using ACH transfers to pay vendors.

After some board discussion Director Kyle Robertson made a motion to approve the increase of the daily ACH transaction limits to one million dollars ($1,000,000.00). 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.

ITEM 7 - AUTHORIZE TRANSFER AMOUNT FROM LIQUIDITY ACCOUNT TO CHECKING ACCOUNT.

Director Annette Elissagaray made a motion to transfer $795,994.38 from the Liquidity Bank Account to the District checking account at Oak Valley Community Bank. 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 8 - UPDATE ON TRANSFER OF FUNDS TO INVESTMENT ACCOUNTS WITH CETERA INVESTMENT SERVICES LLC.

The Board of Directors reviewed the cash on hand and reviewed investment opportunities. Mr. Gregory Hoekman representing Cetera Investment Services LLC was present to discuss investment options. The board of directors discussed re-investing money that was maturing in other investments. Director Kyle Robertson moved that the monies currently maturing from existing investments, approximately $2,094,844.30, combined with the below approved transfer be invested in six-month T-Bills that would mature in February 2025. 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 of Directors reviewed the cash on hand available for investing. Director Kyle Robertson moved that $2,000,000 be transferred from the Liquidity Savings account into the Cetera Investment account to be invested in combination with the above maturing funds into six-month T-Bills that would mature in February 2025. 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 9 – CONSIDER AUTHORIZING THE SALE OF EQUIPMENT SURPLUS TO DISTRICT NEEDS, EQUIPMENT BEING THE SALE OF TWO PICKUPS

General Manager recommended that two F-150 pickups, year of purchases 2015 and 2016, be sold due to old age and mileages exceeding 120,000 miles.

Director Kyle Robertson moved that two vehicles with VIN numbers 1FTMF1C8XFKD180173 and VIN 1FTMF1C82GKE18839 be sold with minimum bids of $7,000 and $8,500 dollars respectively. 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 - DIRECTOR AND STAFF ITEMS

Directors Kyle Robertson, Mark Cardoza and James Thoming noted some pipeline leaks around the district that staff should address. Manager Weisenberger responded that he would make sure that these leaks are on the Assistant Manager’s maintenance and repair list for this off-season.

ITEM 11 - REVIEW CURRENT WATER SUPPLIES AVAILABLE TO THE DISTRICT, REVIEW SCHEDULING OF AVAILABLE WATER SUPPLIES AND POTENTIAL TRANSFERS.

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. San Joaquin River ran between 1,000 cfs and 1,950 cfs during the last four weeks at the Vernalis Gauging Station. This week it is running at about 1,950 cubic feet per second (cfs) at the Vernalis Gauging Station.

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. The board discussed authorizing the release of the second 2,500 af that was authorized at the August board meeting. Director Mark Cardoza

made a motion to release the 2,500 acre feet for transfer to the Kern-Tulare Water District (KTWD). 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 12 – UPDATE ON 12KV DISTRIBUTION UPGRADE PROJECT

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 be 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, 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.

ITEM 13 - DISCUSS WATER TRANSFER EXTENSION WITH SILVERTIP AND WESTSIDE AGRICULTURE LLC REPRESENTATIVES, BUYERS OF THE MEYERS FAMILY TRUST FARM AND WATER BANK.

No representatives from Western Agriculture LLC were present to discuss the extension.

ITEM 14 - 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 15 - UPDATE ON JCOMM VIDEO SERVICES TO PROMOTE AND EDUCATE INTERESTED PARTIES ON VARIOUS DISTRICT PROJECTS.

Manager Weisenberger reported that JCOMM has been assisting the district with preparing and submitting an ACWA fall conference 2024 program about the non-native fish population study. JCOMM has also been very engaged with many other organizations in promoting the Non-native Species Population study findings. The video JCOMM produced on the SGMA Phase 2 project was well received by DWR project staff when the link was submitted with the quarterly report.

Manager Weisenberger recommended that JCOMM be authorized to prepare a video and fact sheet about the Floodplain Restoration Project. After some discussion on the merits of producing a video and fact sheet Director Kyle Robertson made a motion to execute Task Order 24-03 with JCOMM for Video Production and Fact Sheet Creation. 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 16 - REVIEW DISTRICT POLICIES, PROCEDURES, AND EMPLOYEE HANDBOOK UPDATES.

Treasurer/Assessor Collector Danisha McDonald presented a procedure for updating the assessor rolls in Truepoint water accounting system. In addition, she provided step by step instructions on collecting assessments.

ITEM 17 - MANAGER'S REPORT & DISCUSSION ITEMS.

Maintenance - Maintenance staff continues to spray terrestrial weeds, disk weeds, and apply aquatic herbicides for pondweed weed and algae in canals.
Staff has been removing pumps and electrical gear from the old Pumping Plant #5 in preparation for demolishing the old plant.

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 shipped in September leaving Mumbai, India. The transformers for PP # 4, and #5 have also been shipped. Delivery dates for those transformers is estimated for November 4, 2024.

ITEM 18 - 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. They continue to meet weekly to hone down the route of the pipeline, layout of the pump station expansion, pressure/vacuum relief features on the pipeline and any other clarifications required.

On October 11, 2024, the 90% drawings were submitted to the DWR grant team for review.

KSN is currently using title reports to prepare easement layouts and legal descriptions.

ITEM 19 - REPORT ON SAN JOAQUIN RIVER FISH POPULATION STUDY AND OUTREACH EFFORTS.

General Manager Weisenberger reported that he showed the video "The Missing Piece" at the San Luis Delta-Mendota Water Authority Board meeting on September 12, 2024.
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.

In addition, Mr. Vince Luchessi, the General Manager of Patterson Irrigation District, presented the same video to the Board of Directors of the Westlands Water District on October 15, 2024.

ITEM 20 - UPDATE ON THE GROUNDWATER SUSTAINABILITY PLAN (GSP) FOR THE TRACY SUBBASIN AND RELATED ACTIVITIES.

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 of the website, https://tracysubbasin.org, and sign up for new meeting announcements and see information about the subbasin.

There is a public outreach meeting scheduled for October 17, 2024 at the City of Tracy City Hall at 6 pm to review the past year activities and proposed future year activities.

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

ITEM 20 - 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 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) did meet in September but provided no feedback on the project. General Manager Weisenberger will continue to pursue the RD 2075 board to get their input on the project.

ITEM 22 - 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.

Whitepine Renewables reported that the CAISO is requiring that the interconnection for the BCID solar project be included in a Cluster Study #16 to determine what impacts the solar project may have on the transmission system. This could delay the project by two more years.

ITEM 23 - APPROVAL OF WARRANTS

Director Kyle Robertson made a motion that the October 2024 warrants in the amount of $668,829.09 be approved for payment. Director Mark Cardoza seconded the motion, and it carried by the following vote: Ayes: Directors: Glenn Robertson, Kyle Robertson, and James M. Thoming; Noes: None; Abstain: None; Absent: Director Annette Elissagaray.

The meeting was then adjourned.

Signed,

David Weisenberger
Secretary