February 12, 2025
Tracy, California

Pursuant to adjournment of January 15, 2025 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-La Force, District legal counsel Jeanne Zolezzi.

ITEM 1 - OPPORTUNITY FOR PUBLIC COMMENT

No public was present.

ITEM 2 - CONSIDER FOR APPROVAL JANUARY 15, 2025 MINUTES.

Director Glenn Robertson made a motion to approve the minutes of the January 15, 2025 Regular Board Meeting. Director Annette Elissagaray seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Glenn Robertson, Mark Cardoza, Kyle Robertson and James M. Thoming; Noes: None; Abstain: None; Absent: None.

ITEM 3 - MISCELLANEOUS CORRESPONDENCE

Treasurer Danisha McDonald reported the District received a thank you letter from the Family Farm Alliance for BCID's 2025 contribution. The Family Farm Alliance is an advocate for family farmers, ranchers, irrigation districts and other ag-related businesses in the seventeen Western states. The focus of the Alliance is to ensure the availability of reliable, affordable irrigation water supplies to Western farmers and ranchers.

General Manager Weisenberger reported that Dan Keppen recently left The Family Farm Alliance.

Treasurer McDonald reported on the current rates for joining the California Special District Association and described the services provided by the association. Current rates are based on our financial statements with annual dues for Banta-Carbona Irrigation District being $9,338. The first year of enrollment would provide a discounted rate of $7,470 to join.

General Manager Weisenberger reported that ACWA sent out a memo regarding Dave Eggerton leaving the association as Executive Director.

ITEM 4 - TREASURER'S REPORT

The Treasurer's report was presented by Danisha McDonald and after review, it was filed for audit.

The board expressed interest in documenting the Cetera investment market value. Treasure McDonald will revise the report accordingly.

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

Director Kyle Robertson made a motion to transfer $1,346,518.25 from the Liquidity Bank Account to the District checking account at Oak Valley Community Bank. Director Glenn Robertson seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Glenn Robertson, Mark Cardoza, Kyle Robertson, and James M. Thoming; Noes: None; Abstain: None; Absent: None

ITEM 6 - UPDATE ON TRANSFER OF FUNDS TO INVESTMENT ACCOUNTS WITH CETERA INVESTMENT SERVICES LLC

Oak Valley Investments representative, Gregory Hoekman, presented current market rates to the Board of Directors regarding short-term and long-term T-Bill options. The Board of Directors reviewed the cash on hand and discussed the options of re-investing two T-Bills with a principal amount of $4,094,844.30 that matured in February 2025. Director Mark Cardoza made a motion to place 2.1 Million into the Oak Valley Savings account to be utilized for upcoming expenses, 1

Million to be invested into a 3 month T-Bill to mature in May of 2025, and 1 Million to be invested into a 6 month T-Bill to mature in August of 2025. Director Annette Elissagaray seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Glenn Robertson, Mark Cardoza, Kyle Robertson and James M. Thoming; Noes: None; Abstain: None; Absent: None.

ITEM 7 - DIRECTOR AND STAFF ITEMS

Treasurer McDonald reminded the Board that Form 700 has a filing deadline of April 1st, 2025.

Treasurer McDonald informed the Board that the registration and hotels have been booked for the upcoming ACWA spring conference May 13-15th, 2025 in Monterey, CA.

ITEM 8 - CONSIDER MOVING THE APRIL & MAY BOARD MEETINGS TO DIFFERENT DATES

Staff suggested moving the April 16, 2025 regular board meeting to the following Wednesday, April 23rd due to an ACWA Region 4 event that will be visiting the sampling sites for the Non-native fish population study on April 16th.

Staff suggested moving the May 14, 2025 regular board meeting to the following Wednesday, May 21st due to the ACWA Spring Conference in Monterey occurring May 13-15.

After considering potential dates available, Director Kyle Robertson made a motion to move the regularly scheduled meetings in April and May to the preceding Wednesdays April 9 and May 7 to accommodate the scheduling conflicts. Director Annette Elissagaray seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Glenn Robertson, Mark Cardoza, Kyle Robertson and James M. Thoming; Noes: None; Abstain: None; Absent: None.

ITEM 9 - REVIEW CURRENT WATER SUPPLIES AVAILABLE TO THE DISTRICT, REVIEW SCHEDULING OF AVAILABLE WATER SUPPLIES AND POTENTIAL TRANSFERS. ACTION AS NECESSARY

Manager Weisenberger presented the water delivery report.

Manager Weisenberger reported that Reclamation will allow the replacement of the 1% loss on the drought pool water with current CVP allocation. The loss on the District's original 2024 drought pool amount of 1,689 acre feet (af) will amount to 177 af by the end of February 2025. Manager Weisenberger recommended that 177 af of the current CVP allocation be dedicated to replenishing the drought pool to bring the total amount to 1,689 af on March 1, 2025.

In addition, Manager Weisenberger recommended that the district request the maximum allowable amount of rescheduled CVP 2024 water allocation be applied for with Reclamation for 2025. The current maximum allowed is ten percent of the district's 20,000 af CVP contract, 2,000 af. Between the two sources the district would be carrying 3,689 af of CVP water into 2025.

The Board of Directors directed Manager Weisenberger to transfer the district's current balance of 1,341 af of the district's 2024-25 CVP water allocation.

The District is currently not wheeling any water for the San Joaquin River Restoration Program for the Friant Water Authority. The BCID's lift system is down for a transformer upgrade to substation #2.

ITEM 10 - UPDATE ON PROGRESS OF "SGMA PHASE 2 CONJUNCTIVE USE PROJECT" CONSTRUCTION, EASEMENT ACQUISITION, AND PROJECT MANAGEMENT

Manager Weisenberger and Administrative Assistant Kelly Wright-La Force reported on construction progress of the pump station for 3 East. Manager Weisenberger reported on feedback from landowners on the topic of compensation for the easements requested for the pipeline.

This project is for the expansion of district water distribution facilities to provide surplus surface water, in years like 2023, to approximately 1600 acres of agricultural lands east of Koster Road and north of Durham Ferry Road that have historically relied upon groundwater only. This project is to help keep the Tracy Sub-basin sustainable.

ITEM 11 - UPDATE ON UPGRADE OF SUBSTATION #2 TO 12KV/60KV TRANSFORMERS AND DISTRIBUTION UPGRADE TO PUMPING PLANT #5 TO 12.47KV

Manager Weisenberger reported that the new transformers at Substation #2 and at Pumping Plant #5 have been tested and energized. Substation #2 is available to resume full service. The

Main Switch for PP #5 failed to stay closed when the system was re-energized. Bockmon and Woody are troubleshooting the issue.

ITEM 12 - 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 Negotiators: David Weisenberger, Jeanne Zolezzi, and Lilliana Selke
      Negotiating Parties: Various landowners
      Under Negotiation: compensation and other terms for easements

   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 Negotiators: James Thoming, David Weisenberger and Jeanne Zolezzi
      Negotiating Party: Westside Agriculture LLC
      Under Negotiation: Price, Quantity and Terms of Payment

   D. Property: Wheel Water through lift canal and Pump Station Facilities for Third Parties
      Agency negotiators: James Thoming, David Weisenberger and Jeanne Zolezzi
      Negotiating parties: Friant Water Authority

ITEM 13 - CONSIDER FOR APPROVAL A TIME EXTENSION TO EXISTING CONTRACT WITH THE FRIANT WATER AUTHORITY (FWA) FOR WHEELING SJRRP WATER FROM THE SAN JOAQUIN RIVER TO THE DELTA-MENDOTA CANAL

Director Glenn Robertson made a motion to extend the current agreement with Friant for 1 year at a rate of $175 per acre foot sold. Director Kyle Robertson seconded the motion, and it carried by the following vote: Ayes: Directors: Glenn Robertson, Mark Cardoza, Kyle Robertson and James M. Thoming; Noes: None; Abstain: None; Absent: Annette Elissagaray.

ITEM 14 - MANAGER'S REPORT & DISCUSSION ITEMS.

Maintenance - Maintenance staff continue to spray terrestrial weeds and apply pre-emergent herbicide. Canals 5 East, 6 East, and the lift canal remain to be treated with pre-emergent herbicide. Pumping plants 1, 2, and 3 have all been inspected and mud was removed from the pump cells. Pipeline repairs have been completed on the pipeline to the DMC, 5E-18, 4W-40, 4W-39, and 3W-42. Crews continue to repair pipeline leaks. Ten sites remain on the list in need of repair. Water flow control gate inspection and repairs are complete on the lift canal and on 4 West canal. Currently there are three gate repair crews working on flow control gate inspections and repairs.

In PP #1 the #3-20 pump and motor were pulled after dewatering the pump bay and inspecting the pump impeller and column. It was shipped to Geiger Manufacturing for repairs in Stockton, Ca.

Canal laterals will be ready to use by February 17th. Some pipeline sub laterals still need to be inspected but can be worked on while running water in the canal.

Pumping Plant #3 Replacement Project – The 60kV powerline re-alignment was completed around the new pumping plant #3 site. This is a permanent re-alignment. The old alignment was over the new pumping plant location. The new alignment consisted of installing two more 60kV poles on the east side of the lift canal and then crossing the lift canal to the existing west side alignment. This new pole line section will be used to under hang the 12kV service to the future control room and pumping plant #3.

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

Manager Weisenberger reported that JCOMM flew the SGMA construction route on January 17th with a drone and prepared a short video documenting the route.

ITEM 16 - REPORT ON SAN JOAQUIN RIVER FISH POPULATION STUDY AND OUTREACH EFFORTS.

Manager Weisenberger reported on the planning for the ACWA Region 4 event to be held on April 16, 2025 beginning at 8 am. He handed out a flyer about the event.

Manager Weisenberger reported on the application process for doing an hour-long presentation at the ACWA Spring Conference in Monterey, Ca.

ITEM 17 - UPDATE ON THE GROUNDWATER SUSTAINABILITY PLAN (GSP) FOR THE TRACY SUBBASIN AND RELATED ACTIVITIES. Action as necessary.

The BCID staff continue to record monthly water levels from monitoring wells MW-203 and MW-204 located within the district boundaries. Eventually these readings will be reported to a state portal that has not been set up by the state yet.

ITEM 18 - 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.

Manager Weisenberger reported that a grant close-out meeting with Ms. Lauren Damon of the Sacramento-San Joaquin Delta Conservancy was held on the afternoon of December 18, 2024. Attending the meeting were Mgr. Weisenberger, Chris Hammersmark of CBEC, Jason Guinard of FISHBIO and Ms. Lauren Damon. The meeting started at the project site on the San Joaquin River adjacent to the BCID fishscreen facility and ended at the BCID office. During the meeting discussion it was the consensus that extending the grant agreement by another year was prudent considering the hiccup in obtaining concurrence from the neighboring reclamation district RD 2075. Without their concurrence, the application with the Reclamation Board cannot be deemed complete and the application can't begin agency review. Manager Weisenberger prepared a letter requesting an extension of one year on the grant agreement. No additional funds were requested as the consultants verified there is enough funding remaining to cover the anticipated work for the next year.

Currently a letter of support is necessary for the construction of the project from McMullin Reclamation District (RD 2075) 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. Mgr. Weisenberger did meet with the Reclamation board members at the project site on Friday, January 10, 2025. The members did acknowledge on site that the habitat berm that was of great concern to them wasn't as obtrusive in the river as they perceived from the drawings. CBEC is sending them additional flow information for their review. It will still be a few weeks before we get a response.

The Delta Conservancy grant will now close in February 2026 as a result of the extension request. Staff have applied for a $10 million grant from the CVPIA restoration program to fund the construction phase of the project. Funding announcements have not been released yet for that funding round.

ITEM 19 – UPDATE ON WHITEPINE RENEWABLES, INC. SOLAR PROJECT ON DISTRICT HOMESTEAD RANCH PROPERTY ON KASSON ROAD.

Mr. Evan Riley, Managing Partner and co-Founder of Whitepine Renewables, was present to discuss the value of constructing the solar field as a non-export project. When the BCID signed the Power Purchase Agreement the project was intended to be an "Export" project that would sell excess generation from the project to the CAISO and accompanying Renewable Energy Credits (REC"s) to the market. Construction of the solar project has been held up for a variety of reasons, but a major reason is that the CAISO is requiring the project to be put in one of their "cluster studies" to determine the solar project's potential impact to the grid when considered with other projects. Until a cluster study is completed the project cannot be approved as an Export project. The next cluster study won't open for applicants until the end of 2025 and can take up to two years to complete. Mr. Riley and his company have studied the economics of building this solar project as a non-export project meaning excess energy cannot be exported to the CAISO. The revenue stream anticipated by selling excess generation and accompanying

REC's would not be available. Mr. Riley's economic study showed that the non-export project would still realize a $24 million dollar benefit in total over the next thirty-five years if it remained a non-export project. The plan is now to get the project approved as a non-export project and begin construction in the fall of 2025 to be operational by the fall of 2026. Meanwhile the project would be put into the cluster study in the hopes of being approved as an Export project in the future. The goal would be to be an Export project by the year 2028.

ITEM 20 - REVIEW DRAFT 2025 BUDGET.

Manager Weisenberger presented a budget proposal for fiscal year 2025 along with a cash flow estimate for the year 2025. The budget proposed an estimated income of about $17,800,000, expenses of about $6,100,000, and estimated capital expenditures of about $13,800,000 in 2025. This would be a reduction in cash of about $500,000 at the end of the 2025 fiscal year, December 31, 2025. $9,700,000 capital expenditures are for a SGMA pump pipeline project on 3 East Lateral. This is being funded through a SGMA DWR Grant which accounts for about $9,700,000 of revenue.

After some discussion Director Kyle Robertson moved to adopt the proposed budget as presented. Director Glenn Robertson seconded the motion, and it carried by the following vote: Ayes: Directors: Glenn Robertson, Mark Cardoza, Kyle Robertson and James M. Thoming; Noes: None; Abstain: None; Absent: Annette Elissagaray.

ITEM 21 - REVIEW DISTRICT'S RESERVE POLICY AND RESERVE LEVELS.

The Board of Directors reviewed the District's current Reserve Policy and Reserve Levels as of December 31, 2024. Staff recommended resetting the reserve amounts for 2025 by reducing the Undesignated Funds balance down to $1,890.00, effective January 1, 2025.

Director Mark Cardoza made a motion to reset the reserve amounts, effective January 1, 2025, as follows:

Operating Reserve Account -	$500,000.00
Rate Stabilization Reserve -	$2,500,000.00
Emergency Reserve -	$3,000,000.00
Undesignated Funds -	$1,890.00
Capital Reserve Account -	$7,977,300.00

Director Glenn Robertson seconded the motion and it carried by the following vote: Ayes: Directors: Glenn Robertson, Mark Cardoza, Kyle Robertson and James M. Thoming; Noes: None; Abstain: None; Absent: Annette Elissagaray.

ITEM 22 - REVIEW DISTRICT'S INVESTMENT POLICY.

The Board of Directors reviewed the current investment policy adopted April 17, 1996 and found that no changes are required at this time.

ITEM 23 - REVIEW DISTRICT POLICIES, PROCEDURES, EMPLOYEE HANDBOOK, JOB DESCRIPTIONS AND ORGANIZATIONAL CHART.

Manager Weisenberger has been updating the employee handbook and will begin presenting the revisions to the board in sections for review. The Standard Practices and Policies Draft was presented to the board for review along with three job descriptions for Secretary / Treasurer – Assessor / Collector, Assistant Manager Field Operations – Watermaster, and Assistant General Manager / Administrator.

Treasurer McDonald presented standard operating procedures for the annual W-2 and 1099 generation.

Director Mark Cardoza made a motion to update the Assistant Manager/ Watermaster job description with the title of Assistant Manager Field Operations – Watermaster and approved the job description associated. Director Kyle Robertson seconded the motion, and it carried by the following vote: Ayes: Directors: Glenn Robertson, Mark Cardoza, Kyle Robertson and James M. Thoming; Noes: None; Abstain: None; Absent: Annette Elissagaray.

Director Mark Cardoza made a motion to approve the Assistant General Manager / Administrator job description and backfill the position with Kelly-Wright La Force effective February 10, 2025 with an annual salary of $75,500. Director Kyle Robertson seconded the motion, and it carried by the following vote: Ayes: Directors: Glenn Robertson, Mark Cardoza, Kyle Robertson and James M. Thoming; Noes: None; Abstain: None; Absent: Annette Elissagaray.

Director Mark Cardoza made a motion to approve the Secretary / Treasurer – Assessor / Collector job description and backfill the position with Danisha McDonald effective February 10, 2025 with an annual salary of $93,600. Director Kyle Robertson seconded the motion, and it carried by the following vote: Ayes: Directors: Glenn Robertson, Mark Cardoza, Kyle Robertson and James M. Thoming; Noes: None; Abstain: None; Absent: Annette Elissagaray.

ITEM 24 - APPROVAL OF WARRANTS

Director Kyle Robertson moved that the February 2025 warrants in the amount of $1,119,408.77 be approved for payment. Director Mark Cardoza seconded the motion, and it carried by the following vote: Ayes: Directors: Glenn Robertson, Mark Cardoza, Kyle Robertson and James M. Thoming; Noes: None; Abstain: None; Absent: Annette Elissagaray.

Signed,

Danisha McDonald
Secretary