July 16, 2025
Tracy, California

Pursuant to adjournment of June 11, 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 arrived at 9:05 AM

ABSENT: None.

OTHERS PRESENT: General Manager David Weisenberger, Secretary-Treasurer/Assessor-Collector Danisha McDonald, Assistant Manager Kelly Wright-La Force, District legal counsel Jeanne Zolezzi arrived at 9:07 AM

ITEM 1 - OPPORTUNITY FOR PUBLIC COMMENT

Ed Caminata, Senior Engineer from Provost & Pritchard, was present and introduced himself to the Board of Directors.

ITEM 2 - CONSIDER FOR APPROVAL MAY 7, 2025, MINUTES

Director Glenn Robertson made a motion to approve the minutes of the June 11, 2025, regular board meeting. Director Annette Elissagaray seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Mark Cardoza, Glenn Robertson, and James M. Thoming; Noes: None; Abstain: None; Absent: Director: Kyle Robertson.

ITEM 3 - MISCELLANEOUS CORRESPONDENCE

Secretary Danisha McDonald presented a letter regarding a proposed dues increase from the California Farm Water Coalition. The Board of California Farm Water Coalition is proposing a tiered dues increase from the current rate of $0.15/ acre to $0.18/ acre starting in 2026 and then to $0.20/ acre in 2027. After some board discussion, Director Mark Cardoza made a motion to vote “Yes” on the dues increase ballot sent by the California Farm Water Coalition. Director Glenn Robertson seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Mark Cardoza, Glenn Robertson, Kyle Robertson, and James M. Thoming; Noes: None; Abstain: None; Absent: None.

Secretary McDonald presented a letter from Greater Stockton Chamber of Commerce inviting the Board to attend the annual Agricultural Hall of Fame Banquet and encouraging nominations of outstanding individuals to be recognized in October 2025.

ITEM 4 - TREASURER’S REPORT

The Treasurer’s report was presented by Danisha McDonald. Director Annette Elissagaray made a motion to file the Treasurer’s report as presented. Director Mark Cardoza seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Mark Cardoza, Glenn Robertson, Kyle Robertson, and James M. Thoming; Noes: None; Abstain: None; Absent: None.

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

Director Kyle Robertson made a motion to transfer $768,268.77 from the Liquidity Bank Account to the District checking account at Oak Valley Community Bank. Director Mark Cardoza seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Mark Cardoza, Glenn Robertson, Kyle Robertson, and James M. Thoming; Noes: None; Abstain: None; Absent: None.

After some discussion regarding the need to transfer funds for Item 14, a quote from Virginia-Georgia Transformer for two substation transformers, Director Kyle Robertson motioned to amend the transfer amount of $768,268.77 to $1,097,368.70. Director Annette Elissagaray seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Mark Cardoza, Glenn Robertson, 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 Representative, Gregory Hoekman, presented the current rates of Cetera and LAIF. He reported LAIF continues to show a delay in the downward trend interest rates are experiencing.

The Board of Directors reviewed the cash on hand and discussed the options of re-investing for the current cash needs. Director Annette Elissagaray made a motion to invest the principals and interest from the Cetera funds due to mature in July of 2025 into the LAIF account with two separate transactions of $1,606,366.51 after the board meeting, and $1,567,406.71 after the end of the month. Director Mark Cardoza seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Mark Cardoza, Glenn Robertson, Kyle Robertson, and James M. Thoming; Noes: None; Abstain: None; Absent: None.

ITEM 7 - REVIEW AND ESTABLISH COST OF SERVICE RATE FOR 2025

Staff reported the District's Cost of Services as reported in the District's Annual Audited Financial Report for the year 2024 was $7,075,579 and for the year 2023 it was $4,471,058. The total acre feet of water delivered in the year 2024 was 41,160 and for the year 2023 it was 36,506. The average Cost of Service for the years 2024 and 2023 is $5,773,319 and the average acre feet of water delivered is 38,833. The average Cost of Service ($5,773,319) divided by the average acre feet of water delivered (38,833) equals a Cost-of-Service rate of $148.67. Director Glenn Robertson made a motion to establish the District's 2025 Cost of Service Rate at $148.67. Director Mark Cardoza seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Mark Cardoza, Glenn Robertson, Kyle Robertson, and James M. Thoming; Noes: None; Abstain: None; Absent: None.

ITEM 8 - DIRECTOR AND STAFF ITEMS

Secretary McDonald showed photos of damage to trucks #99, #100, and #101. Truck #99 hit a BCID power pole. Truck #100 and #101 had broken windshields from rocks hitting the glass. Claims were filed with ACWA JPIA. The District received reimbursement checks for the repair amounts less the deductible amount of $500/ truck. All three trucks are back in service.

ITEM 9 - CONSIDER VARIOUS BOARD MEMBERS OR STAFF TO ACWA COMMITTEE MEMBERSHIPS

Manager Weisenberger recommended placing various staff and board members on ACWA Committees as an avenue to stay informed and become familiar with state and ACWA involvement on important topics. An email was presented to the Board regarding the committee appointment process. After some discussion, Director Kyle Robertson made a motion to file a committee consideration form for the following committee appointments:

<u>On Ag Committee:</u>
James Thoming, President of BCID Board
Glenn Robertson, Vice-President of BCID Board
Mark Cardoza, Board of Director
Kyle Robertson, Board of Director
David Weisenberger, General Manager
Kelly Wright La-Force, Assistant Manager

<u>Energy Committee:</u>
Kelly Wright La-Force, Assistant Manager
Danisha McDonald, Secretary of Board

<u>Groundwater committee:</u>
Kelly Wright La-Force, Assistant Manager
Danisha McDonald, Secretary of the Board

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

ITEM 10 - CONSIDER EMPLOYEE REQUEST FOR FMLA LEAVE

This was an informational item. Secretary McDonald reported that an employee had requested FMLA leave to begin this September of 2025 and to return in November of 2025.

ITEM 11 – CONSIDER APPLYING FOR CSDA MEMBERSHIP

Secretary McDonald presented a comparison between the ACWA JPIA and the CSDA SDRMA health benefits. Secretary McDonald reported that the pricing and benefits of ACWA JPIA's plans were more beneficial to the District than those offered by CSDA SDRMA.

ITEM 12 - REVIEW CURRENT WATER SUPPLIES AVAILABLE TO THE DISTRICT, REVIEW SCHEDULING OF AVAILABLE WATER SUPPLIES AND POTENTIAL TRANSFERS

Manager Weisenberger presented the water delivery report. CVP, South of the Delta, agriculture water allocation increased to fifty-five percent. BCID's allocation is currently 11,000-acre feet (AF) for 2025. BCID has used 566 AF for internal demand due to a low flow in the river being less than 500 CFS at Vernalis measurement point. When the flow at Vernalis measures below 800 CFS, the District is unable to divert its full water right of 200 CFS due to low river elevations. On Saturday July 5, we hit a low point in diversion of 35 CFS until the tide came back.

Friant wheeling for June 2025 was 1,860 AF. Friant reported that water is being conserved during the summer for a cold-water pool, and wheeling opportunities will return in Fall of 2025.

ITEM 13 - UPDATE ON PROGRESS OF "SGMA PHASE 2 CONJUNCTIVE USE PROJECT" CONSTRUCTION, EASEMENT ACQUISITION, AND PROJECT MANAGEMENT

Assistant Manager Kelly Wright-La Force reported on construction progress of the Phase 2 Conjunctive Use Project. All 36" pipeline has been laid except the couplers located at the junction box and the phase 1 tie in. The 30" Pipe has started to be placed, moving towards east along Durham Ferry Rd. The foundation for the control room and the transformer pad were excavated and staked. Bockmon & Woody have begun laying the conduits from the power poles to the transformer pad, then to the control room, and across the canal to the pump structure. The forms and rebar have been placed at the junction box and await concrete to be poured.

The Department of Water Resources sent BCID's grant manager, Angela Cruz, to view the progress of the project on June 16, 2025. Angela was happy to see there were no major conflicts with the project.

The project is for the expansion of district water distribution facilities to provide surplus surface water 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 also helps keep the Tracy Sub-basin sustainable.

ITEM 14 - UPDATE ON UPGRADE OF SUBSTATION #1 TO 60KV/12KV TRANSFORMERS AND DISTRIBUTION UPGRADE TO PUMPING PLANTS #1 AND #2 TO 12.47KV

Manager Weisenberger presented a revised quote from Virginia- Georgia Transformer for two substation transformers, 7500/8400 kVA I 60 – 12.47 kV. If the PO is issued by July 21 the transformer would be shipped by approximately July 1, 2026.

Director Kyle Robertson moved to issue a purchase order for $1,097,000, plus tax, for the two substation 7500/8400 kVA transformers from Virginia- Georgia Transformer. Director Glenn Robertson seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Mark Cardoza, Glenn Robertson, Kyle Robertson, and James M. Thoming; Noes: None; Abstain: None; Absent: None

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)

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

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: San Luis Water District
Under Negotiation: Price, Quantity and Terms of Payment

3) PUBLIC EMPLOYEE PERFORMANCE EVALUATION (§ 54957)

A. Title: General Manager, Assistant Manager and Secretary

ITEM 16 - MANAGER'S REPORT & DISCUSSION ITEMS.

General Manager Weisenberger reported that an employee was terminated in June of 2025. Maintenance staff are continuing to spray terrestrial weeds. Allied Weed Control is coming in late July to treat for pond weed in the main lift canal at Kasson Road.

The #3 – 20 at Pumping Plant #1 that was reinstalled earlier this year, had a failure on July 5th. The shaft unscrewed when the pump was turned off and the normal backspin occurred. The shaft drove up through the motor, breaking the retaining bolts on the top retaining shaft clips and the bolts that fastened the top cap on motor. The motor was taken to Industrial Electric (IEC) in Modesto, CA for inspection and repairs. Electrically there was no damage. IEC removed and replaced the sheared off broken bolts. The motor is ready to be picked up.

The low head #1 pump at Pumping Plant #5 suffered a VFD failure and required a new VFD unit. The new VFD unit was ordered through Automation and Control Systems (ACS) in Stockton, CA. ACS has installed the new VFD unit.

WAVE engineering identified a circuit within the switchboard that was instigating the shutdowns at Pumping Plant #5. The "Power Fail Relay" at Pumping Plant 5 was configured to shunt trip the main circuit breaker. To prohibit remote tripping of the main circuit breaker via external electrical signals, this circuit and associated wiring was removed. The problem has not reappeared since this change.

ITEM 17 - REPORT ON SAN JOAQUIN RIVER FISH POPULATION STUDY AND OUTREACH EFFORTS

Manager Weisenberger presented the FishBio update for the month of June 2025 to the board.

A limited sampling electrofishing event took place on June 2–3 at eight sites within the San Joaquin River. Sampling was halted when water temperatures exceeded 21°C (69.8°F) due to the observation of adult Chinook salmon in the San Joaquin River. Sampling will resume in July once temperature restrictions are relaxed, and Chinook are no longer in the system.

The San Joaquin River fykes sampled nine days (Mon-Fri) during June. A total of 35 target species were captured during the month, including 27 striped bass, 6 channel catfish, and two white catfish.

Over the last few months, spring-run Chinook have been detected in record breaking numbers in the San Joaquin River Basin. The San Joaquin River Restoration Program (SJRRP) began reintroducing spring-run juveniles into the San Joaquin River in 2014. Each year, returning adults are captured at the Hills Ferry Barrier fyke traps on the San Joaquin and trucked upstream to spawning grounds below Friant Dam. Monitoring at the Hills Ferry Barrier fykes ended this year on June 5, with the SJRRP reporting a record-breaking year with 448 adults returning. The previous record was set in 2019, when 93 individuals were captured and trucked upstream. However, monitoring was curtailed that year due to flood releases, and over 200 spawning nests (redds) were counted later that fall, suggesting that some fish also returned volitionally to the SJRRP Restoration Area in 2019. Adult Chinook have been observed in large numbers in the San Joaquin River and all three of its tributaries since April. Most of the observed fish were adipose fin clipped, and at least one of them was PIT tagged (indicating their origins from the SJRRP).

ACWA has sent out proposals for the Fall 2025 Conference content. Neighboring districts have expressed interest in participating in a group presentation if led by BCID and FishBio. District staff will research the option of presenting at the upcoming ACWA Fall 2025 Conference.

ITEM 18 - UPDATE ON THE GROUNDWATER SUSTAINABILITY PLAN (GSP) FOR THE TRACY SUBBASIN AND RELATED ACTIVITIES

Manager Weisenberger reported the Tracy Subbasin has received a letter from DWR in response to its 2024 annual report submission. The Sustainable Groundwater Management Act

(SGMA) requires on April 1, following the adoption of a GSP and annually thereafter, an annual report be submitted to the DWR. (Wat. Code § 10728). Once an annual report has been submitted, the Department of Water Resources, State of California (DWR), is required: to notify the submitting agency of receipt within 20 days, review the information to determine whether the basin's GSP is being implemented in a manner likely to achieve its established sustainability goal, and notify the submitting agency in writing if additional information is required (23 CCR § 355.8).

DWR has reviewed the Tracy Subbasin 2024 annual report and stated the submitted information in the Tracy Subbasin annual report appears to satisfy the requirements of the GSP Regulations (23 CCR § 356.2), so the DWR does not require additional information at this time. Previously, following a comprehensive evaluation of the GSP for the Subbasin, the DWR issued an assessment that the Tracy Subbasin GSP was likely to achieve the sustainability goal for the Subbasin. Following review of the 2024 annual report, the DWR has determined that the GSP continues to be implemented in a manner consistent with achieving the Subbasin's sustainability goal as described in the GSP. The DWR reached this conclusion based on a review of information in the annual report, any public comments submitted to the DWR regarding this annual report, and other relevant information regarding Subbasin conditions available to the Department.

The DWR noted that the annual report provided an update on all the applicable sustainable management criteria for the Subbasin, as required by GSP Regulations (23 CCR § 356.2). The DWR will require that the Tracy Subbasin continue to include this information in subsequent annual reports, including a description of progress towards implementing the Plan for each of the applicable sustainable indicators.

ITEM 19 - 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 he, Chris Hammersmark of CBEC, and Jason Guinard of FISHBIO will be meeting this month to discuss the next steps in closing out the PROP 1 grant. In addition, they will be discussing next steps to be considered in the development of a Request for Proposal to construct the floodplain.

ITEM 20 – UPDATE ON WHITEPINE RENEWABLES, INC. SOLAR PROJECT ON DISTRICT HOMESTEAD RANCH PROPERTY ON KASSON ROAD.

Manager Weisenberger reported that due to President Trump's roll back on renewable energy incentives, Whitepines Renewables will be taking steps to start construction on the BCID solar project by the end of 2025. The end of 2025 is the deadline to be grandfathered into the previous renewable energy generation construction incentives.

ITEM 21 - REVIEW DISTRICT POLICIES, PROCEDURES, EMPLOYEE HANDBOOK, JOB DESCRIPTIONS AND ORGANIZATIONAL CHART.

A. Rules and Regulations for Water Delivery
B. Records Retention Policy
C. District Administrative Policy for Board, Officers, and Management

Manager Weisenberger reported on the progress of updating and writing BCID policies and procedures. Three policies were presented for the board to review and consider action on. Manager Weisenberger also updated the Board on the status of several policies and on the Employee Handbook update. Manager Weisenberger reported that a complete draft of the Employee Handbook has been submitted to ACWA JPIA for their review. Once they have completed their review and staff updates the draft based on JPIA's recommendations then it will be presented to the Board for policy input.

After reviewing the three policies, Director Kyle Robertson motioned to approve the Records Retention Policy. Director Glenn Robertson seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Mark Cardoza, Glenn Robertson, Kyle Robertson, and James M. Thoming; Noes: None; Abstain: None; Absent: None

ITEM 22 - UPDATE ON OFFICE RENOVATION PROGRESS

Assistant Manager Kelly Wright-La Force presented additional paint options for the interior and exterior of the office building. Painting and carpet are scheduled to begin July 18th, 2025. The interior colors will be Sandcastle and Alabaster. The exterior of the building colors will be Baked Potato and Greener Pastures. All paint colors are Dunn Edwards brand.

ITEM 23 - APPROVAL OF WARRANTS

Director Annette Elissagaray moved that the July 2025 warrants in the amount of $865,446.83 be approved for payment. Director Mark Cardoza seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Mark Cardoza, Glenn Robertson, Kyle Robertson, and James M. Thoming; Noes: None; Abstain: None; Absent: None

Signed,

Danisha McDonald
Secretary