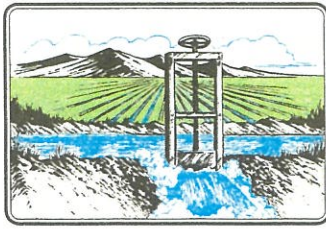


Reclamation District No. 1004



**RECLAMATION DISTRICT NO. 1004
BOARD OF TRUSTEES
September 11, 2024
Regular Board Meeting Minutes**

Board of Trustees (BOT) present: Chairman Hulbert, Trustee Herkert, Trustee Mord and Trustee Bailey. Vice-Chairman Borrelli was absent from this meeting. RD1004 staff present: District Manager Terry Bressler and Office Manager Barbie Buchanan. Public attendees present: Derek Sohnrey, Nicole Garafalo, Steve and Taren Forde, Mohammad Namit, and John Martin. Public attendee present by phone: Dave Barale.

1. Call the Meeting to Order

Meeting called to order at 10:02 a.m.

2. Approval of Agenda

Motion to approve agenda: Trustee Herkert
Second: Trustee Mord
Vote: Unanimous

3. Approval of Minutes

A. August 21, 2024 Regular Board Meeting Minutes

Motion to approve minutes from August 21, 2024, with correction on page three: Trustee Mord
Second: Trustee Herkert
Vote: Unanimous

4. Public to address the Board

None at this time.

5. Financial Report-Discussion and Possible Action

A. Cash Report/Account Balances

Office Manager Barbie Buchanan reported that the District withdrew \$176,000.00 from Edward Jones for working capital. In addition, she spoke with the auditor and the District will be requesting a refund from the USBR of approximately \$123,000.00 for the FY 23 surplus payment.

B. Interim Disbursements

Office Manager Barbie Buchanan presented the interim disbursements of \$67,593.56, which includes a \$62,727.00 check to North State Electric & Pump for the Brooks Walker project.

Motion to approve interim disbursements as presented: Trustee Herkert

Second: Trustee Mord

Vote: Unanimous

C. Accounts Payable

Motion to approve the accounts payable list as presented totaling \$69,302.91: Trustee Mord

Second: Trustee Bailey

Vote: Unanimous

D. Accounts Receivable

Discussion only, no action taken.

E. Profit/Loss Statement

Discussion only, no action taken.

F. Approval of Transfers

Office Manager Barbie Buchanan requested the following transfer:

- Transfer \$12,500.00 from the general fund to County Fund 1 (498)
 - \$2,500.00 to Water Rights
 - \$10,000.00 to Princeton Pumping Plant

Motion to approve transfers as requested: Trustee Herkert

Second: Trustee Bailey

Vote: Unanimous

Chairman Hulbert shared that the District has received the Robert W. Johnson (auditor) pricing extension proposal for the next three years. Contract terms are FY 2024 - \$9800.00, FY 2025 - \$10,100.00, and FY 2026 - \$10,400.00, and the State Controller's Report prep as FY 2024 - \$525.00, FY 2025 - \$550.00, FY 2026 - \$575.00. Chairman Hulbert is in favor of extending this contract and continuing to work with this auditor. The auditor regularly provides information to the chairman to keep him well-informed about District financials and has a good working relationship with office staff. The auditor provides good continuity and the quoted prices are fair for the quarterly visits, annual audit and the additional work they do. The other trustees present at this meeting agreed with Chairman Hulbert's comments and feel this is a fair price and are happy with the work provided by Robert W. Johnson.

Motion for Chairman Hulbert to execute the continued contract with auditor Robert W. Johnson:

Trustee Herkert

Second: Trustee Bailey

Vote: Unanimous

6. New Business

A. Discussion and Possible Action regarding 2025 District Land Lease Bids Received

Chairman Hulbert stated that historically the BOT has awarded the lease to the highest bid, however, an award may not be determined at this meeting if further vetting of potential lessees is necessary. Chairman Hulbert explained that the lease bids are public knowledge and the names and amounts will be posted on the whiteboard for review as they are opened.

Office Manager Barbie Buchanan stated that the District received seven sealed bids for the 2025 District land lease and the bids were still sealed. Chairman Hulbert asked Office Manager Barbie Buchanan to open the bids and Trustee Mord to list the names and bid amounts on the board. The bids received are:

T and S DVBE Inc.	\$402,700.00
Aslam and Tariq Khan Farms	\$472,500.00
Penning Family Farms Inc.	\$430,000.00
Sohnrey Bros. Enterprises	\$280,000.00
Mohammad Farooq Namit	\$476,212.30
Lemuel Pearson	\$435,118.00
Ejaz Hussasin	\$441,012.00

Chairman Hulbert asked for public comment. With no public comment, the BOT called a closed session at 10:12 a.m. for further discussion and negotiation.

Closed session conference with real property negotiators (GC 54956.8)

Property: Approximately 605.0 acres of gross land/571.6 farmable acres owned by RD1004

District Negotiators: Board of Trustees – Ed Hulbert, Hans Herkert, Leanne Mord and Gary Bailey. Larry Borrelli is absent from this meeting and discussion.

Under Negotiation: Price and terms of new lease of district property

Open session was called at 10:31 a.m.

Report out from closed session: The BOT will vet the top two bidders, Mohammad Namit and Tariq Khan, before a determination is made. The BOT will call a special meeting to award the winning bid once additional information is received from the bidders.

7. Chairman’s Report

A. Update on Sacramento River Settlement Contractors

SRSC is still working on the USBR deal, no new updates at this time. Chairman Hulbert shared that included in September’s board packet is a presentation shared by SRSC which includes updates and current information provided by Thad Bettner of SRSC. This presentation provides background information, as well as current updates on the California Environmental Quality Act (CEQA) and the draft environmental impact report.

Chairman Hulbert announced that Trustee Herkert has agreed to be a Tier 2 alternate for the SRSC board representing RD1004.

8. **Manager's Report**

District Manager Terry Bressler reported that the Princeton Pumping Plant has been turned off, but will start back up next week to start ramping up for duck water. His current plan is to determine if the District can operate without the Avis pumping plant running for the duck season, and if so, that project will be able to start early. The District is still getting a lot of water from Butte Creek.

The east side duck clubs have opened part of the bifurcation plant on Monday.

District Manager Terry Bressler reported that in the past the District has always rented meters if someone is using their pump in the district. The District will now stop supplying parts needed such as pipes, clamps, and elbows, and will only rent meters. Additional items needed to operate the meters from a private pump will be the responsibility of the landowner or tenant renting the meter.

District Manager Terry Bressler suggested that the District wait to purchase the tractor approved in the 2024 budget, and instead purchase a spinning blade mower for approximately \$18,000.00. The BOT supported the suggestion to bypass the tractor and purchase the mower.

The District has delivered approximately 55,000 a/f of the 80,000 a/f budgeted for 2024. A few of the duck clubs are starting to take water now.

9. **Old Business**

A. **Discussion and Possible Action regarding Butte Creek**

Discussion only, no action taken.

B. **Discussion and Possible Action regarding Solar Program and Proposal**

Discussion only, no action taken.

C. **Discussion and Possible Action regarding White Mallard Dam Automated Dam Level Cost, Feasibility and Operations**

Discussion only, no action taken.

D. **Discussion and Possible Action to approve SRSC MOU with USBR (10-year Voluntary Agreement for BIN3 Drought Year)**

Chairman Hulbert reported that we are still waiting for the latest agreement draft to be reviewed before making any decisions. If we start to move towards a final draft, there would be a meeting with legal counsel who has also been attending all of the meetings to identify key issues before calling the special meeting with the landowners. Trustee Herkert stated that when it is time for the educational portion for the landowners, it needs to be well-advertised and allow flexibility to work with people's schedules to encourage maximum participation.

E. Discussion and Possible Action regarding Comprehensive Testing for Wells and Lift Pumps

District Manager Terry Bressler reported that district staff is using North State Electric & Pump for testing. Now that Brooks Walker is up and running, testing on that will be started soon, however, testing the Princeton Pumping Plant will be difficult. Trustee Bailey suggested checking with Eaton, and Trustee Herkert mentioned Laurel Ag.

F. Discussion and Possible Action regarding District Staff/Management Planning for 2025

Office Manager Barbie Buchanan shared that after meeting with Trustee Herkert and Trustee Mord as the personnel committee, District staff would like to start 2025 with the same amount of staff positions as we have now which is 2FT and 3 PT/seasonal, but feels the District could benefit from one more FT staff position understanding there would need to be further conversations with the board because of the impact that decision would have on the budget.

Trustee Bailey would like District staff to consider adding an equipment operator to the budget to prepare for any future changes.

Public Comment

Public attendee Dave Barale asked about the gate that has been installed at Morgan Levee by new landowner Steve Forde and would like to find out how to gain access to that area for duck season. Public attendee Steve Forde stated that the gate will have a keypad on the gate for access as well as a phone number posted so that landowners and duck clubs have access. The gate is intended to keep unauthorized traffic out of the area.

G. Discussion and Possible Action regarding Landowner's request to sell two acres of District Land Field 120.

This conversation is a continuance from the August 21st meeting, landowner Steve and Taren Forde have requested to purchase two acres of the District's property at field 120. Chairman Hulbert asked District Manager Terry Bressler to share information that he felt could help the District if the property was sold. District Manager Terry Bressler stated that historically the District has had a hard time obtaining access to maintain the trees at Putnam Road and Morgan Levee and better access may be helpful.

Chairman Hulbert asked if the BOT or public attendee Steve or Taren Forde had any further questions or information to share. Taren Forde shared pictures of past participants they have worked with providing charitable hunts as well as financial assistance for out of state charitable hunts. Their goal is to help and serve children, their community, and veterans.

Chairman Hulbert considers this request a lot-line adjustment and asked Steve Forde if he would be interested in less than two acres, however, Steve Forde feels that the need is for the full two acres as originally requested. Trustee Mord asked why they purchased that particular piece from Walt Sikes since they knew the house did not have a septic and had a current easement that does not allow future building since it is their goal to build a bigger hunt camp. Steve Forde explained they have a goal and a mission, and trying to find a place that has a single owner willing to sell within the Butte Sink is difficult. He also feels that a lot-line adjustment will be

difficult and purchasing two acres from RD1004 to support their goal and mission is more fitting than a lot-line adjustment.

Trustee Herkert thanked Steve and Taren Forde and applauded their goal. He shared his reservations and felt that historically the District's goal has been to keep the district property intact and remain as an income-producing asset for the district and the landowners in the district. Understanding that two acres is not a large portion and would not have a big financial impact on the district for collecting rent for two acres, however, approving a request and sale like this would make it difficult to say no to other entities that would like to purchase a parcel in the future. In addition, negotiating a new lease and selling part of that property at the same time could be challenging. If there was a vote on the table today, Trustee Herkert stated that his vote would be no, but also feels the intent of Steve and Taren Forde is admirable.

Trustee Bailey supports Trustee Herkert's position and while he supports the Forde's goal, he feels the district property should be kept intact. The land is owned by the landowners within the District and Trustee Bailey shared that the BOT has turned away previous offers to purchase the property. Trustee Bailey stated that his position is to not sell a portion of the land or do a lot-line adjustment.

Trustee Mord shared that at this time, she does not support selling any part of the district land.

Trustee Herkert reiterated that the entire BOT supports Steve and Taren Forde's goals and mission and hopes they find another way to build the accommodations they are hoping to build to support their mission.

Chairman Hulbert stated at this time there is no reason for a motion because it would not carry even if the entire board was present.

10. CLOSED SESSION AND TOPICS TO BE DISCUSSED:

- A. Discussion and Possible Action regarding Sacramento River Water Rights/Bureau of Reclamation & California Department of Water Resource**
- B. Discussion and Possible Action regarding Litigation Updates**

No additional closed session was called.

Meeting adjourned at 11:30 a.m.

Submitted by Barbie Buchanan.



Ed Hulbert
Chairman of the Board



Barbie Buchanan
Secretary to the Board of Trustees