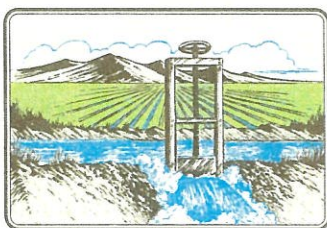


# Reclamation District No. 1004



**RECLAMATION DISTRICT NO. 1004  
BOARD OF TRUSTEES MEETING MINUTES  
April 10, 2024  
Regular Board Meeting  
10:00 a.m.**

Board of Trustees (BOT) present: Chairman Hulbert, Vice-Chairman Borrelli, Trustee Herkert, Trustee Mord and Trustee Bailey. RD1004 staff present: District Manager Terry Bressler and Secretary to the Board of Trustees Barbie Buchanan. Public attendees present: Nicole Garofalo.

**1. Call the Meeting to Order**

Meeting called to order at 10:05 a.m.

**2. Approval of Agenda**

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

**3. Approval of Minutes**

**A. March 7, 2024 Special Board Meeting**

Motion to approve minutes from March 7, 2024: Trustee Mord  
Second: Trustee Herkert  
Vote: Unanimous

**B. March 20, 2024 Annual Landowner's Meeting**

Motion to approve minutes from March 20, 2024, Annual Landowner's Meeting with suggested edits on page 2, Section 6 A and 6 C: Vice-Chairman Borrelli  
Second: Trustee Herkert  
Vote: Unanimous

**C. March 20, 2024 Regular Board Meeting**

Motion to approve minutes from March 20, 2024, Regular Board Meeting with suggested edits on page 4, Section 9 A: Trustee Herkert  
Second: Trustee Mord  
Vote: Unanimous

**4. Public to address the Board**

Trustee Herkert reported on behalf of landowner Deryl Phy: Deryl Phy is concerned with Sacramento River Settlement Contractors (SRSC) and any potential water rights they have, if any. Deryl Phy stated that growers in the Westland District have lost water rights, and he is concerned that RD1004 could potentially lose water rights as well. Trustee Borelli pointed out that growers, with the exception of riparian rights for Rancho Caleta and Butte Creek Farms, do not have water rights, the districts hold the water rights. Chairman Hulbert stated that RD 1004 holds water rights on the Sacramento River, not SRSC.

The BOT continued discussion pertaining to holding a special meeting to ensure that all landowners and growers can ask questions and address concerns prior to the BOT deciding on a vote for the USBR ROC/MOU. Vice-Chairman Borrelli has concerns relating to funding the District may receive from the USBR attached to the VA and how that funding can be distributed. Vice-Chairman Borelli wants to ensure that it is clear as to what the money can be used for and what restrictions are associated with that funding. Chairman Hulbert stated that the USBR is changing some of the mechanics at the eleventh hour, and those specific questions cannot be answered definitively at this time.

**5. Financial Report-Discussion and Possible Action**

**A. Cash Report/Account Balances**

Office Manager Barbie Buchanan shared that the Tri Counties balance is high, but the District is awaiting the USBR water purchase invoices. The BOT of asked if a high yield short term account can be used to gain interest while we are waiting for the USBR invoice. District Manager Terry Bressler stated that he spoke with the USBR, and invoices should be going out this week. Discussion continued regarding the investments at Edward Jones and the CDs that are due to mature. Office Manager Barbie Buchanan stated that as investments mature, the funds are reinvested to the highest rate accounts available and the maturity dates are laddered so that funds mature and could potentially be available each month.

**B. Interim Disbursements**

Motion to approve Interim Disbursements as presented: Vice-Chairman Borrelli  
Second: Trustee Mord  
Vote: Unanimous

**C. Accounts Payable**

Motion to approve Accounts Payable as presented: Trustee Herkert  
Second: Vice-Chairman Borrelli  
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 transfers:

- \$2,500.00 water rights fund from the general fund to County Fund 2 (499)
- \$10,000.00 Princeton Pumping Plant from the general fund to County Fund 3 (500)

Motion to approve the two transfers as requested: Trustee Herkert

Second: Trustee Mord

Vote: Unanimous

**6. New Business**

**A. Discussion and Possible Action regarding Invoicing Policy for Butte Creek Farms and Rancho Caleta**

Discussion only, no action taken. District staff is waiting for trustee availability to schedule meeting with MBK. Chairman Hulbert's opinion is if the MBK meeting will be a while, could potentially make an interim payment so that Butte Creek Farms and Rancho Caleta are paying just as everyone else has. The District is currently awaiting the 2024 USBR water purchase invoice which will break out all charges.

**B. Discussion and Possible Action regarding Annual Review of White Mallard Operating Agreement**

Discussion only, tabled until next meeting. Copy of operating agreement to Trustee Bailey for review.

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

Trustee Bailey asked District Manager Terry Bressler when the last time the wells and lift pumps were tested. Per District Manager Terry Bressler, it was prior to him coming to work for the District. Trustee Bailey would like to see the District get the wells and lift pumps tested to determine if flow and efficiency is what it should be. District staff will contact vendors to obtain more information, as well as looking for outside funding for the testing.

**8. Chairman's Report**

**A. Update on Sacramento River Settlement Contractors**

Chairman Hulbert reported that the USBR is still working with the Solicitor General's Office in Washington, DC, and within the last few weeks there has been added stipulations as to what funding can be used for. At this point, USBR is stating that 50.1% of the IRA funding for projects within a district, not for purchase of the water. USBR is currently changing the mechanics and the allocation of the funding. RD 1004 will hold a special meeting prior to voting to inform landowners and growers to determine if this is still a workable program. At that time, the District's legal counsel would like to have the agreement at the time of the meeting to be able to walk through it with everyone to be able to discuss pros and cons, and address specific questions and concerns. Trustee Herkert brought up reach back discussions that took place in the last SRSC

meeting to be to allow funding to cover projects previously completed, which Chairman Hulbert confirmed is being discussed at the SRSC meeting happening on April 10, 2024.

Chairman Hulbert shared that the EIS/EIR for water sales list is due to renew, and is changing from a 10-year agreement to 20 years. The District would like to be a part of that list, and being on that list would not impact water sales to other entities.

There was further discussion pertaining to the District using drought funding to pay off the USBR loan of approximately \$800,000.00. If the District pays off the loan, it would reduce the annual water purchase fees which would impact everyone in the District, and should qualify for appropriate use of the USBR drought funding previously received, which District staff will confirm with legal counsel. Direction was given for District Manager Terry Bressler to contact USBR to obtain an accurate pay-off amount, and find out what documents are needed to move forward, as well as any potential negative impacts resulting from the payoff.

## **9. Manager's Report**

District Manager Terry Bressler announced that RD 1004 received a risk assessment grant award from ACWA JPIA for \$10,000.00 to offset the well fencing project the District completed last year.

There have been some conversations in the District regarding when the river pumps will be started. District Manager Terry Bressler plans on starting the pumps May 1<sup>st</sup>, however, there have been a few growers that have requested water prior to May 1<sup>st</sup>. Trustee Herkert asked what the average start date for the river pumps has been in the past, and District Manager Terry Bressler stated that there have been April start dates in the past, however, typically it is around May 10<sup>th</sup>. Chairman Hulbert directed District staff to get growers water as soon as possible.

District Manager Terry Bressler provided an update of the rebuilding of the Brooks Walker Pumping Station. His update included that the project is underway but remains delayed. He expects concrete to be poured on or near May 10, 2024. There was discussion regarding the engineered plan modifications, specifically the footings. Trustee Bailey does not feel footings are necessary because there is a good base and if the District puts in ¾" crushed rock and then goes over the top of that for a finished grade, he is confident that the structure will be fine. In addition, there is three feet on each side of the wall. The engineer feels that footings are necessary. Trustee Herkert and Vice-Chairman Borrelli feel that if the District is going to pursue and pay for engineered plans, they do not agree with modifications on those plans without the approval of an engineer. District Manager Terry Bressler stated the biggest concern is the weather-delayed completion date, which could potentially delay water delivery for those pumping from the Borrow Pit. There was further discussion regarding the wall being two feet short, and changing the clearance between the bowls and the front walls on the engineered plans, as well as when the initial board approval of the Brooks Walker Pumping Station project. Trustee Herkert suggested that if the delivery of water would need to be reduced or delayed in any part of the district, that a notice should be issued by RD1004 to those in the affected area. Chairman Hulbert acknowledged that there have been delays due to flows through the Moulton Weir and the recent storms. Chairman Hulbert is concerned about meeting projected completion dates because of the weather pattern.

Motion to approve engineered plans dated April 5, 2024, as presented with no modifications without engineer approval for the Brooks Walker Pumping Station: Vice-Chairman Borrelli  
Second: Chairman Hulbert  
Vote: 3 in favor, 2 opposed – Trustee Mord and Trustee Bailey, motion carries.

District Manager Terry Bressler’s report continued, and stated that the hydro project is being installed in the ditch today, April 10, 2024.

USFWS called District Manager Terry Bressler regarding the boards that are out at the fish ladder below the Mallard Ranch, and he informed them that the boards would be re-installed within the week.

The Carl Moyer funding application for a new pump will be turned in this week.

Finally, District Manager Terry Bressler reported that DU is putting a proposal together for the White Mallard Automation and asked the District for an in-kind share for the labor.

**10. Old Business:**

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

Discussion only, no action taken. Topic continues to be tabled until after meeting with MBK Engineers.

**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 regarding District Reserves**

Chairman Hulbert shared that the District’s reserve is approximately \$4M, and that does not include the \$1.2M of USBR drought relief money.

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

Discussion only, no action taken.

**11. CLOSED SESSION AND TOPICS TO BE DISCUSSED:**

**A. Discussion and Possible Action regarding Sacramento River Water Rights/Bureau of Reclamation & California Department of Water Resources**

Closed session called at 12:00 p.m.

Open session called 12:55 p.m.

Report out from closed session; BOT gave district staff direction to hire more help for the 2024 water season.

Meeting adjourned 1:00 p.m.

**Submitted by Barbie Buchanan.**



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Ed Hulbert  
Chairman of the Board



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Barbie Buchanan  
Secretary to the Board of Trustees