Reclamation District No. 1004

RECLAMATION DISTRICT NO. 1004
BOARD OF TRUSTEES
MINUTES
July 8, 2026
Regular Board Meeting

Board of Trustees (BOT) present: Chairman Herkert, Vice-Chair Mord, Trustee Garofalo, Trustee Bailey, and Trustee Southam. District staff present: District Manager Terry Bressler and Office Manager Barbie Buchanan. Public attendees present: Jackson Minasian with Minasian Law, and Danny Kerns with Provost & Pritchard. No public attendees by phone.

1. Call the Meeting to Order

Meeting called to order at 10:00 a.m.

2. Approval of Agenda – Tab 1

Motion to approve agenda with an edit to table New Business A topic until August at the White Mallard's request: Vice-Chair Mord
Second: Trustee Bailey
Vote: Unanimous

3. Approval of Minutes – Tab 2

A. Regular Board Meeting Minutes – June 17, 2026

Motion to approve minutes with edit: Trustee Bailey
Second: Trustee Mord
Vote: Unanimous

4. Public to address the Board

None at this time.

5. Financial Report - Discussion and Possible Action – Tab 3

A. Cash Report/Account Balances

Discussion only, no action taken.

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B. Interim Disbursements

Motion to approve interim disbursements totaling $4,385.22 as presented: Trustee Southam
Second: Trustee Bailey
Vote: Unanimous

C. Accounts Payable

Motion to approve vendor transaction list totaling $66,512.40 as presented: Trustee Bailey
Second: Trustee Garofalo
Vote: Unanimous

D. Accounts Receivable

Discussion only, no action taken.

E. Profit/Loss Statement

Discussion only, no action taken.

F. Approval of Transfers

Transfer $12,500.00 from general fund to County Fund 1 (498)

- $2,500.00 to Water Rights
- $10,000.00 to Princeton Pumping

Motion to approve transfer from Tri Counties to County Fund 1 as requested: Vice-Chair Mord
Second: Trustee Garofalo
Vote: Unanimous

6. New Business

A. Discussion and Possible Action regarding White Mallard Dam Water Flow

Agenda item tabled until the August meeting at White Mallard's request.

B. Discussion and Possible Action regarding Cost-of-Service Study and Potential Prop 218 Process

Danny Kerns of Provost & Pritchard presented the current Cost-of-Service Study and Proposition 218 Election project proposal. The proposal would establish a new service fee to be assessed on all acreage within the District. The project is divided into three phases.

Danny Kerns explained that assessments would apply to every acre within the District, while water charges would apply only to acreage receiving water service.

During Board discussion, Chairman Herkert asked whether the Board of Trustees (BOT), if it approved the current proposal, would have the option to pause or cancel the process and either leave the current fee structure in place or pursue a different approach. Danny Kerns confirmed that the BOT could approve only Phase 1 and, after reviewing the engineer's report, decide whether to pause, cancel, or proceed with the subsequent phases, including the Proposition 218 process for the assessments and/or the pass-through account.

Motion to approve the project proposal as a whole with the understanding that the BOT can pause or cancel after Phase 1: Trustee Southam
Second: Trustee Bailey
Vote: Unanimous

7. Chairman's Report

A. Update on Sacramento River Settlement Contractors

Chairman Herkert reported that there were no Sacramento River Settlement Contractors Committee (SRSCC) updates to share during open session. He noted that Jackson Minasian would provide updates during closed session.

8. Manager's Report

District Manager Terry Bressler reported that Pump 13 is back from repairs; however, it cannot be hooked up for discharge for approximately one month because the District is moving too much water. He is also currently working with PG&E to move the power access to a nearby pole and then move underground for safety purposes.

He also shared that he will be running the Middle Well for about a week to avoid a standby fee charged by PG&E.

District Manager Terry Bressler provided the BOT with a budget for the Rubicon project, which includes five gates, as requested at June's board meeting. He shared a few pictures and reported that he plans on moving the pipes at County Line and East Glenn Road to the opposite side of the road. The plan is to move the control structure to the south side of the road.

The first gate project on the list will be the North High Line because it is the easiest to drop the gate in, then two gates at McVey Weir and two gates at County Line/East Glenn Road. DPP funds will be used for all three of the projects.

Motion to approve all three gate projects as presented: Trustee Southam
Second: Chairman Herkert
Vote: Unanimous

9. Old Business

A. Discussion and Possible Action Regarding White Mallard Dam Automated Dam Level Cost, Feasibility, and Operations

Discussion only, no action taken.

B. Discussion and Possible Action Regarding Comprehensive Testing for Wells and Lift Pumps

Discussion only, no action taken.

C. Discussion and Possible Action Regarding DPP District Projects

District Manager Terry Bressler presented the estimated budget for the Rubicon gate project that was requested at June's meeting earlier in the meeting during Manager's Report.

In addition, Trustee Garofalo reported that Butte Creek Farms (BCF) is continuing to evaluate several water conservation projects. BCF completed a feasibility study for a concrete-lined ditch; however, the projected water savings did not justify the associated costs. BCF is now considering a potential well project and is in the process of obtaining cost estimates.

Trustee Garofalo requested that the Board of Trustees (BOT) keep this project on its radar, explaining that discussions have centered on using Drought Protection Program (DPP) funding for District water conservation projects. She noted that BCF's acreage was included in the calculation of the District's overall DPP funding and suggested that the portion of funding attributable to those lands could be used for projects benefiting those acres.

Several Board members requested clarification regarding the proposal and its potential implications for other landowners within the District. Jackson Minasian asked who would own the proposed well. Trustee Garofalo responded that she believed the District would own the well. She further explained that BCF's concern is that a portion of the DPP funding generated by its acreage is being used for District projects from which BCF does not directly benefit.

Mr. Minasian noted that the lands are included under the USBR contract that established the DPP funding. He explained that one of the program's requirements is that DPP funds must be used for projects that benefit the District as a whole. He emphasized that this does not mean projects on BCF lands would be ineligible for DPP funding, nor does it require that every dollar generated by those lands be spent on those same lands. Rather, the determining factor is whether the proposed project provides a benefit to the District. In his opinion, the Board would need to evaluate whether construction of a well at that location would provide a proportional benefit to the District before making a determination. He concluded that the answer is not necessarily "no," but that several questions would need to be addressed before the BOT could make an informed decision.

Chairman Herkert shared that Ed Hulbert from Butte Creek Farms had called him and shared the same information regarding the well project.

D. Discussion and Possible Action regarding Five Points Survey and Reports

Discussion only, no action taken.

E. **Discussion and Possible Action regarding District Regulations Rule 3 – Distribution of Water**

Chairman Herkert shared the proposed edit to Rule 3 of the District's Rules and Regulations. After further discussion, the BOT decided to make no changes and leave Rule 3 as it is currently written in the District Rules & Regulations.

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 Resources**

B. **Discussion and Possible Action regarding Litigation Updates**

Closed session called at: 12:01 p.m.

Open session called at: 12:17 p.m.

Report out from closed session: Discussion only, no action taken.

Meeting adjourned: 12:17 p.m.

Submitted by Barbie Buchanan.

Hans Herkert
Chairman of the Board

Barbie Buchanan
Secretary to the Board of Trustees