

**REGULAR MEETING MINUTES OF THE BOARD OF DIRECTORS OF THE
NORTH YUBA WATER DISTRICT
Held at the District Office and Zoom
8691 LaPorte Road, Brownsville
Thursday, September 28, 2023**

NOTICE: This meeting will be physically open to the public at the District OFFICE located at 8691 La Porte Rd, Brownsville, Ca 95919. the meeting will also take place via zoom. Members of the public may attend and participate in the meeting via videoconference at:

Join Zoom Meeting

Time: Sept. 28, 2023 05:30 PM Pacific Time (US and Canada) Join Zoom Meeting
<https://us02web.zoom.us/j/84446086810?pwd=OWttbVdnTOEvYVBOMThzNlFub0wvdz09>

Meeting ID: 844 4608 6810

Passcode: 919160

One tap mobile

+16694449171,,84446086810#,,,,*919160# US
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Dial by your location

• +1 669 444 9171 US • +1 669 900 9128 US (San Jose)
) • +1 346 248 7799 US (Houston)
• +1 646 558 8656 US (New York)

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Find your local number: <https://us02web.zoom.us/j/kcQji0oxu>

COMMENCEMENT OF MEETING

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in the meeting, please contact North Yuba Water district office staff at 530-675-2567 or fax 530-675-0462. Requests must be made as early as possible and at least one-full day before the start of the meeting. The Board of Directors shall provide at least twice the allotted time to a member of the public who utilizes a translator to ensure that non-English speakers receive the same opportunity to directly address the Board.

A. CALL TO ORDER/ROLL CALL

The meeting was called to order at 5:33 PM, at the District Office in Brownsville, CA.

<i>NAME</i>	<i>PRESENT</i>	<i>ABSENT</i>	<i>VISITORS INCLUDING:</i>
<i>PRESIDENT</i>	Marieke Furnee		Charles Sharp, Donna
<i>VICE PRESIDENT</i>	Ann Plumb		Corson, Jon Messick,
<i>DIRECTORS:</i>	Gloria Bozza		Kawanza Vinje, Dr. Rulic
	Steven Ronneberg		Perla, Mr. Hickman
<i>INTERIM GENERAL MGR</i>	Leona Harris		
<i>ATTORNEY</i>	Paul Boylan		

B. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by President Furnee.

President Furnee made a motion to move Item 2 of the Mangers’s report to a special meeting. Director Ronnenberg seconded the motion. The motion was approved with a unanimous vote.

C. OPPORTUNITY FOR PUBLIC COMMENT ON NON AGENDIZED ITEMS:

At the beginning of a regular meeting the public has the opportunity to address the District Board of Directors about matters not on the agenda. Public comment is limited to no more than four (4) minutes per person, twenty (20) minutes total for all speakers. **NOTE: ALL PUBLIC**

PARTICIPANTS WILL BE MUTED UPON ENTRY INTO THE MEETING AND WILL ONLY BE UNMUTED TO ALLOW THEIR COMMENT. TO PROVIDE PUBLIC COMMENT BY TELECONFERENCE PRESS *9.

PUBLIC COMMENT: Comments from the public included the workshop, problem with pond filling, Brown Act violations, full irrigation season next year and the importance of training.

D. OPPRTUNITY FOR PUBLIC COMMENT – Topics on the Agenda:

Members of the public may address the Board concerning any item on the agenda. No other comments will be allowed. Any member of the public wishing to make comment shall identify the agenda item they intend to address, and they will be provided an opportunity to make comment on that item only. Public comment is limited to no more than two (4) minutes per person, twenty (20) minutes total for all speakers.

NOTE: ALL PUBLIC PARTICIPANTS WILL BE MUTED UPON ENTRY INTO THE MEETING AND WILL ONLY BE UNMUTED TO ALLOW THEIR COMMENT. TO PROVIDE PUBLIC COMMENT BY TELECONFERENCE PRESS *9.

PUBLIC COMMENT:

Members of the public commented on hiring a PR company, environmental impact report and the hiring of a permanent general manager.

CLOSED SESSION

The Board entered into closed session at

E. CONFERENCE WITH LEGAL COUNSEL — existing litigation (2 Cases) – pursuant to Government Code section 54956.9, subdivision (d), paragraph (1):

1. South Feather Water & Power Agency v. North Yuba Water District, Sutter County Superior Court Case No. CVCS2 I -0002073
2. North Yuba Water District v. South Feather Water and Power District, Yuba County Superior Court Case No. Case No. CVCS21-0001857

The Board returned from closed session at 6:25 P.M.

PUBLIC REPORT OF ACTIONS TAKEN IN CLOSED SESSION: The Board met with legal counsel and gave direction.

F. CONFERENCE WITH LEGAL COUNSEL — Anticipated litigation (2 cases) – pursuant to Government Code section 54956.9, subdivision (d), paragraph (3).

The Board will meet in closed session to discuss two anticipated/potential legal actions.

PUBLIC REPORT OF ACTIONS TAKEN IN CLOSED SESSION: The Board met with legal counsel and gave direction.

G. CONSENT ITEMS

1. Approval of Minutes for Regular Board Meeting of August 24, 2023
2. Approval of Payroll for the Month of August 2023: \$44,694.41
3. Approval of Bills for the Month of August 2023: \$258,194.29

Vice President Plumb made a motion to approve consent times 1, 2, and 3. Director Bozza seconded the motion.

The motion was approved with a unanimous vote.

H. BLOMBERG & GRIFFIN: INDEPENDENT AUDIT PROPOSAL FOR 2023 THRU 2025

The Board will discuss, and possibly take action, to approve Blomberg & Griffin’s Independent Audit Proposal for 2023 thru 2025.

President Furnee made a motion to accept the audit proposal from Blomberg & Griffin for one year. Director Bozza seconded the motion. The motion was approved with a unanimous vote.

I. STAFF REPORTS AND RECOMMENDATIONS

The Board will hear reports by District staff and receive their recommendations for future board action, including but not necessarily limited to:

Financial Managers Report (due to technical difficulties the General Manager gave her report first)

1. Review of Cash on Hand and Income Statements for the period ending August 2023

Due to technical difficulties the Financial Managers report will be carried to the next meeting.

General Manager's Report/Requests

1. **Operations Memorandum.** The Operations Memorandum is included in the packet.

SPECIAL MEETING called to discuss the Notice of Exemption application, item 2 of the General Manger's report.

2. Update the Board on Hell 4 Stout Flume; Draft memorandum attached.

Members of the public commented on the Hell 4 Stout Flume draft memorandum which included completing a CEQA report, completing environmental impact reports and the funding that has already been provided by Yuba Water Agency.

Vice President Furnee made a motion to approve the Notice of Exemption application. Director Ronneberg seconded the motion. The motion was approved with a unanimous vote.

REGULAR MEETING CALLED BACK INTO SESSION.

3. The General Manager and the Board will discuss, and possibly act to adopt the revised proposal, for a Board Development Workshop; and

President Furnee made a motion to accept the revised proposal for the Board Development Workshop. Director Bozza seconded the motion. The motion was approved with a unanimous vote.

4. The General Manager and the Board will discuss, and possibly act to provide instructions to District staff, on initiating the process to fill a vacancy on the District Board of Directors.

President Furnee made a motion to allow the General Manager and Legal Counsel to post the vacancy of Division 1 Board Member, at the earliest opportunity. Director Ronneberg seconded the motion. The motion was approved with a unanimous vote.

J. PERMANENT GENERAL MANGER SELECTION PROCESS: The Board will meet to discuss and possibly act to search for candidates to serve as the district's permanent General Manager first considering candidates from among existing District staff and officers (internal candidates), before considering external candidates.

President Furnee made a motion to search for General Manager candidates internally first. Director Bozza seconded the motion. The motion pasted with a unanimous vote.

K. LITIGATION SETTLEMENT: The Board and General Counsel will discuss, and possibly act to ratify, an agreement to settle Sharp v. North Yuba Water District, et al., Yuba County Superior Court Case No. CVPT20-00386.

Director Bozza made a motion to approve the ratification of the agreement to settle Sharp V. North Yuba Water District. Director Ronneberg seconded the motion. The motion was approved with a unanimous vote.

- L. **PUBLIC RELATIONS CONSULTANT:** The Board will meet to discuss, and possibly take action, to enter into an agreement with Sapphire Marketing Group, A Yuba County business, for public information communications consulting services.

Vice President Plumb made a motion to table item L to the next meeting. Director Bozza seconded the motion. The motion was approved with a unanimous vote.

M DIRECTORS REPORT

Director Bozza reported to the board that she had met with President Furnee as an ad hoc committee to work on a presentation for the water festival. She is looking forward to attending.

President Furnee gave her report which included discussing a document prepared by Alton Wright before his resignation titled "A Case for Foothill Watershed _____", the many positive steps the current board has made, the report from the water attorney which is on the website and the upcoming water festival..l

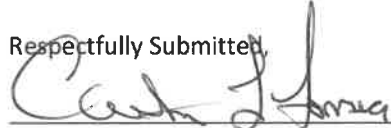
FINAL PUBLIC COMMENT

The Board provides the public an opportunity to address the District Board of Directors with additional comment about matters on the agenda. Repeating comment provided at the start of the meeting is not considered "additional" comment. Closing Public comment is limited to no more than five (5) minutes total, shared equally by all members of the public who wish to speak.

PUBLIC COMMENT: Comments from the public included water permits, general manager hiring and Alton Wright.

ADJOURNMENT

The meeting was adjourned at 7:02 PM.

Respectfully Submitted,


Catherine L. Fonseca, Recording Secretary