

**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, August 24, 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

<https://us02web.zoom.us/j/86702892643?pwd=V09jUjRjQVAvT080K2w5VTA2bFVCdz09>

Meeting ID: 867 0289 2643

Passcode: 791041

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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, Dr.
<i>VICE PRESIDENT</i>	Ann Plumb		Gretchen Flohr, Nancy
<i>DIRECTORS:</i>	Gloria Bozza		Casey, Paul McGovern,
	Steven Ronneberg		William Sebrans, Jon
	Alton Wright		Messick, Erin Haste
			Kawanza Vinje, Gabe,
			Dr. Rulik Perla
<i>INTERIM GENERAL MGR</i>	Leona Harris		
<i>ATTORNEY</i>	Paul Boylan		

B. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Director Ronneberg.

C. OPPORTUNITY FOR PUBLIC COMMENT ON NON AGENDIZED ITEMS:

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: Members of the public comments included: Pay attention to little details, get a podium, rumor of merging with South Feather- independent engaged local board is better, irrigation is flowing, and the team is

responsive, no need to change. Mr. Boylan reminded the public that is comments for items not on the agenda. Shout out to the Food and Water Festival, listen, and learn facts on issues and keep an open mind.

Members of the public commented on irrigation starting in April, and the resigning of a director in District 3.

OPPRUNITY 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 entering into binding arbitration, urges board to reject hiring PR person, the board is making good progress, see it through, at any given time a board can change. Due to sound difficulties, some comments were not auditable.

CLOSED SESSION

The Board entered into closed session at 6:03 P.M.

- E. CONFERENCE WITH LEGAL COUNSEL – existing litigation (4 Cases) – pursuant to Government Code section 54956.9 subdivision (d), paragraph (1):** The Board will meet in closed session to discuss the following existing legal action: Charles Sharp v. North Yuba Water District, et al., Yuba County Superior Court Case No. CVPT20-00386.

- F. CONFERENCE WITH LEGAL COUNSEL – Anticipated litigation – pursuant to Government Code section .9, subdivision (d), paragraph (3). (One potential case)** The Board will meet in closed session to discuss one anticipated legal action.

The Board returned from closed session at 6:20 P.M.

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

OPEN SESSION ACTION CALENDAR

G. CONSENT ITEMS

- 1. Approval of Minutes for Regular Board Meeting of July 27, 2023
- 2. Approval of Minutes for Special Board Meeting of August 10, 2023
- 3. Approval of Payroll for the Month of July 2023: \$ 53,416.17
- 4. Approval of Bills for the Month of July 2023: \$158,626.36

Director Wright made a motion to approve consent times 1, 2, 3 and 4. President Furnee seconded the motion.

The motion was approved with a unanimous vote.

H. KATIE BURDIC – WILL GIVE An UPDATE ON CIP PROGRESS (Capital Improvement Plan)

Katie Burdic gave an overview on the Capital Improvement Plan

I. KATIE BURDIC – WILL ASK FOR A LETTER OF SUPPORT FOR THE YUBA COUNTY WATER WORK FORCE

Katie Burdic presented information to the Board regarding the Yuba County Water Workforce Program which is included in the Board Packet and requested a letter of support from the Board.

President Furnee made a motion to approve the letter of support to Yuba County Water Workforce Program. Director Ronnenberg seconded the motion. The motion was approved with a unanimous vote.

- J. **STAFF REPORTS AND RECOMMENDATIONS:** The Board will possibly hear reports by District staff and receive their recommendations for future Board action.

Financial Managers Report:

1. Review of Cash on Hand and Income Statements for the period ending July 31, 2023

Financial Manager Heidi Naether reviewed Cash on Hand and Income Statements for the period ending July 31, 2023. Total cash on hand in all accounts including reserves was \$6,324,708.35. Total income for the fiscal year to date (July 01, 2021 – July 31, 2023) was \$1,889,760.13. Total expenses were \$130,182.46, leaving a net revenue over expenses of \$1,759,577.67. Expenses out of Reserves/Savings year to date totaled \$108,165.23 for this fiscal year.

General Managers report/requests:

1. **Operations Memorandum.** Interim General Manager Leona Harris gave her report on the Operations Memorandum which is attached.
2. Update the Board on Hell 4 Stout Flume and will ask the Board to provide her with authority to contract with vendors to make necessary repairs.

The General Manager gave an update on the Hell 4 Stout Flume which is currently in poor to very poor condition. Based on the site visit (Project Manager, Dams & Hydraulics) it was recommended that NYWD forego the formal alternatives analysis and move towards engineering design and construction of a buried inverted siphon to replace the existing timber flume. There was no action on this item.

3. Update the Board on the NYWD website redesign/improvement project.

The General Manager informed the board that a contract had been signed with Streamline for the website.

4. The Board and District General Manager will discuss, and possibly act to sponsor the Foothills Food and Water Festival.

After discussion, Director Wright made a motion to approve sponsorship of the Foothills Food and Water Festival for \$200.00. Director Bozza seconded the motion. The motion was approved with a unanimous vote.

President Furnee discussed hand out materials and the possibility of an ad hoc committee.

President Furnee made a motion to approve \$500.00 for handout materials. Director Bozza seconded the motion. The motion was approved by a unanimous vote.

5. The General Manager and the Board will discuss, and possible act to adopt, the General manager's proposal for a Board Development Workshop.

Director Wright spoke on the importance of establishing a vision or philosophy for the district and concerns regarding information discussed in a public setting during a workshop. President Furnee stated that the staff is working on documents to bring to the Board regarding an outline or where the Board is going. Dr. Erin Hastey added that the proposal focus can be changed.

President Furness made a motion to approve the General Manager's proposal for a Board Development Workshop with Erin Hastey. Vice President Plumb seconded the motion. The motion was approved with a majority vote with Director Wright voting no.

6. The General Manager and the Board will discuss, and possibly adopt, the General Manager's proposal for retaining a public relations consultant.

There was discussion but no action on retaining a public relations consultant. Director Wright stated that this would be a huge step backyard for the district.

District's Legal Counsel's Report:

Mr. Boylan gave a brief report on the current legal status of the district and the status of the report regarding the districts permits.

K. LITIGATION SETTLEMENT:

Mr. Boylan reported that the Sharp settlement is not in final form and will be added to the next agenda.

- L. NYWD CONSOLIDATION: The Board will discuss and possibly act to add an agenda item for the next Board meeting to allow the Board to discuss consolidating with the South Feather Water and Power Agency**

Director Wright made a motion to add the topic for discussion only of consolidating with South Feather Water and Power Agency. There was not a second. The motion died for lack of a second..

M. DIRECTORS REPORTS:

Director Bozza discussed the different qualities of work done on the treatment plant after a tour. Director Ronneberg discussed an irrigation pipe leak off Indiana Ranch Rd. President Furnee spoke about the internship program, the irrigation season success, the status of the Flume, repairs that were not done in previous years and the current repairs that have been completed by the current staff and board.

FINAL PUBLIC COMMENT

PUBLIC COMMENT: Members of the public commented on the lack of acknowledgment of public comments on zoom, be open to information for discussion, look at facts, not emotion, Forsythe Rd repair.

ADJOURNMENT

The meeting was adjourned at 7:24 P.M.

Respectfully Submitted,



Catherine L. Fonseca, Recording Secretary