

**MINUTES**

**SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE  
NORTH YUBA WATER DISTRICT**

**Held at the District Office**

**8691 LaPorte Road, Brownsville**

Tuesday, September 10, 2019

**A. ROLL CALL**

President Eric Hansard called the meeting to order at 8:00 AM at the District Office in Brownsville, CA. The Recording Secretary called the roll.

	<i>PRESENT</i>	<i>ABSENT</i>	<i>VISITORS</i>
<i>PRESIDENT</i>	Eric Hansard		Visitor's Including:
<i>VICE PRESIDENT</i>	Terry Brown		Donna Corson
<i>DIRECTORS</i>	Doug Neilson		Zack Cross
	Gary Hawthorne		
	Gretchen Flohr		
<i>GENERAL MANAGER</i>	Jeff Maupin		
District Lawyer	Barbara Brenner		

**B. PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by President Hansard.

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**ACTION ITEMS**

**C. FORBESTOWN PIPELINE PROJECT - Resolution #19-734**

NorthStar Engineering presented to the Board the Specifications for Forbestown Ditch, the Forebestown Ditch Project plans, the Draft Scope of Work for Forbestown Ditch to Pipeline Replacement Project and a Location Map for Forbestown Ditch Project North Yuba Water District. NorthStar was brought on board in late 2017 to complete the Design Plans Specifications estimates for the Forbestown Project. The project is funded by a grant from Prop One through the State Water Resource Control Board with a term of 2015 to 2019. NorthStar will continue the project under a grant proposal from the Yuba Water Agency. The project scope defines the process and the various alternatives for constructions, materials methodologies, alinements etc. which includes a cost benefit

analysis of each alternative. A brief but concise explanation of the process was also presented. Phase III has yet to be completed which is what is being pursued today. (Plans Attached.)

The designed based memorandum includes all the prior reports and analysis that were completed by other consultants for the District over the past 10 years. Staff was interviewed for operational needs for the ditch, which included a thorough walk of the ditch alignment looking for issues to be included in the design for resolution and an analysis of costs of maintenance that has been ongoing to maintain the ditch. Vice President Brown asked if the plans were revised by another engineering firm. Neil of NorthStar explained that Sage Engineering completed a peer review and the current plans reflect their review and comments.

Director Flohr asked about the CEQA documents. NorthStar responded that when the Land Owner Agreements were complete more will be known. The CEQA was drafted but are waiting to incorporate the changes recommended by Sage Engineering. Discussion continued regarding the CEQA timeline and review period, the initial study which would be the resulting document based on the findings. This would then result in a thirty-day public review period where comments would be addressed along with any other issues associated with those comments. The study would then be brought back to the Board. Director Flohr asked if the review would include all other interested agencies who would be potentially interested such as Core of Engineers, CFW and others. Kamie of NorthStar stated that yes, it would be included in the public review. Neil answered questions regarding the size of the pipe chosen, the amount of CFS the pipe could hold and areas of the ditch where leakage created habitat. Director Flohr asked about fire protection in terms of NEPA and CEQA. Kamie explained that wildfire is not specifically addressed in that way. The question was also asked by Director Flohr if any provision for CalFire to hook up to the pipe to access water for fire protection was included. Neil reported that for every 1000 feet there is an access port which can be opened up and used by a tank truck to drop a hose to access the water. Also discussed was staging areas and ownership of property, the modeling for the Upper Forbestown Ditch and plans for maintenance on access roads. Director Neilson commented that this plan is a footprint and will allow the other aspects to be completed such as CEQA and staging areas. It will then come back to the Board as a separate approval process. Before any construction can take place, it will have to be approved by the Board. This allows us to move forward and continue toward the construction document including permitting by other agencies.

**Vice President Brown made a motion to accept the plans submitted by NorthStar. Director Hawthorne seconded the motion.**

**Public Comment:**

- Member of the Public asked about the plastic pipes and being in a fire zone. What is the flammability? Neil responded that it is defiantly a concern. The ability to replace the damaged parts out ways the price of using different material.
- A question was asked of using the available licensed water and will it be lost if not used. General Manager Maupin stated that this is not a one pipe accounts for total water conveyance. The District should consider redundancy in transmission facilities as part of its master plan on how our water rights will be used throughout the area. However, we are in compliance to a draft order to eliminate water loss.
- A member of the public spoke on the recent investigation by the State Water Board that has been completed and all the allegations were determined to be false.

- The question was asked about the portion of the ditch that is going to be buried, what is the approximate depth. Neil stated it would be two feet.
- A member commented on the possible ways the water will be diverted. Also discussed was recent article in the Territorial Dispatch, thanking the Board and appreciating the job that they are doing.

**The motion passed with a unanimous vote. The District Lawyer clarified for the record that the motion was the acceptance of Resolution #19-734**

**D. RESERVE FUNDS: Resolution #19-735**

**Resolution #19-735 authorizing the use of reserve funds for the NorthStar Engineering work on the Forbestown Ditch Engineering Plans.**

**Director Hawthorne made a motion to accept Resolution #19-735. President Hansard seconded the motion.**

Director Flohr asked if there had to be a discussion before making a motion. The District's attorney stated that after it is moved, you can have discussion. Director Flohr asked how much was still owed to NorthStar. General Manager Maupin was not prepared at this time to answer the question and will get back to Director Flohr with the answer. Discussion continued on the amount that would be set for NorthStar to use. The amount in question is for the proposal that was just presented. Director Flohr asked about the extension of the grant which has \$165,000 waiting for CEQA documents to be able to release funds. General Manager Maupin stated that an extension of time has been applied for but has not been approved yet. This effort keeps NorthStar on point to keep moving forward. Once the extension of time is granted by the State that money will become available to the District. This money, although coming out of the reserve was offered by Yuba Water Agency in a grant form so it will be reimbursed either by the grant Yuba Water Agency or from the State. Director Flohr asked if there was a change order due to the \$60,000 difference. The District Lawyer agreed and suggested there be a new contract or an amendment to the existing contract to reflect the change of scope.

**After further discussion Director Hawthorne withdrew his motion to accept Resolution #19-735 as presented. A new motion was made by Director Hawthorne to accept the Resolution 19-735 for \$165,000 with the understanding that the change order and scope of work will be brought forward at the next Board meeting for the remainder balance. President Hansard seconded the motion.**

**Public Comment:**

None.

**The motion passed with a unanimous vote.**

**E. YUBA WATER AGENCY: Resolution #19-736 Authorizing the General Manager to Submit an Application and Accept Grant Funds from Yuba Water Agency**

Director Flohr questioned the need for the grant from Yuba Water Agency and stated that monies had been requested from them several times in the past years. Director Hawthorne stated that previous Boards did not make a payment for several years. The balance is now paid off.

**Director Hawthorne made a motion that the Board approve Resolution 19-736. Vice President Brown seconded the motion.**

**Public Input:**

- A grant is money given to our Agency from another Agency which does not have to be paid back. Why would any Board member vote against it?
- Grant money is tax payer money it is not free money. It comes from our tax dollars.

**The motion passed with a majority vote with Director Flohr voting Nay.**

**F. ADJOURNMENT:**

**There being no further business to discuss, Director Neilson made a motion that the Board adjourn. Vice President Brown seconded the motion. The motion passed with a unanimous vote.**

The meeting was adjourned at 9:33 AM

Respectfully Submitted,



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Catherine L. Fonseca, Recording Secretary