

**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
Wednesday October 30, 2024

NYWD Boardroom is inviting you to a scheduled Zoom Meeting.

Topic: NYWD Boardroom's Zoom Meeting

Join Zoom Meeting

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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. Please contact District office staff at 530-675-2567 or fax 530-675-0462 at least 24 hours prior to the board meeting so a translator can be provided. Non-English speakers are welcome to provide their own translator. By law, every member of the public has the right to address the Board two times on any matter within the jurisdiction of the Board of directors. However, this right is subject to reasonable time, place, and limits, the Board reserves the right to instruct a speaker to step away from the podium, and to mute the audio and video of any speaker appearing remotely.

A. CALL TO ORDER/ROLL CALL

President Furnee called the meeting to order at 5:32 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 |
| <i>VICE PRESIDENT</i> | Ann Plumb | | |
| <i>DIRECTORS:</i> | Gloria Bozza | Steven Ronneberg | |
| | Mike Mayo | | |
| <i>GENERAL MANGER</i> | Leona Harris | | |
| <i>ATTORNEY</i> | Paul Boylan | | |

B. PLEDGE OF ALLEGIANCE:

Director Bozza led the Pledge of Allegiance.

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: Comments from Members of the public included Special district failed in mission, another lawsuit from SFWPA.

D. OPPORTUNITY 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 a comment shall identify the agenda item they intend to address, and they will be provide an opportunity to make comments 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 the Mountain Counties Water Resource Association does not include Butte County.

OPEN SESSION ACTION CALENDAR

E. CONSENT ITEMS:

1. Approval of Minutes for Regular Board Meeting of September 26, 2024
2. Approval of Payroll for the Month of September 2024: \$46,292.97
3. Approval of Bills for the Month of September 2024: \$341,690.14

Director Mayo made a motion to approve consent items 1,2 and 3. Director Bozza seconded the motion. The motion was approved with a unanimous vote.

F. KATIE BURDICK:

1. Ms. Burdick will give an update on the Capital Improvement Plan (CIP)
2. Ms. Burdick will conduct a presentation on the district’s needs and process for the Administrative Operational Plan. (Approx. 20 minutes total)

Ms. Burdick gave an update on the Capital Improvement Plan and presented the Board the Administrative Operational Plan.

G. RESOLUTION 24-778

The Board will discuss, and may act upon, the General Manager’s recommendation to adopt the Butte County 2024 Local Hazard Mitigation Plan Update

The General Manager discussed the 2024 Local Hazard Mitigation Plan with the Board, which makes the process of applying for funds during a disaster much easier.

President Furnee made a motion to accept Resolution 24-778, to adopt the Butte County 2024 Local Hazard Mitigation Plan update. Director Bozza seconded the motion. The motion was approved with a unanimous vote.

H. MOUNTAIN COUNTIES WATER RESOURCE ASSOCIATION

The Board will discuss, and may act upon, the General Manager’s recommendation to join the Mountain Counties Water Resource Association.

Justin Caporusso, Executive Director of The Mountain Counties Water Resources Association discussed with the Board the benefits of joining the Mountain Counties Water Resources Association.

President Furnee made a motion for the NYWD to join the Mountain Counties Water Resources Association for \$1400 per year. Director Mayo seconded the motion. The motion was approved by a unanimous vote.

I. NOVEMBER- DECEMBER BOARD MEETING

The Board will discuss, and possibly act to determine the November and December Regular Board meeting dates.

President Furnee made a motion to move November and December’s meetings to Wednesday, November 20th and Thursday December 19th and to give General Manager Leona Harris authority to change the date if the need arises. Director Mayo seconded the motion. The motion was approved by a unannounced vote.

J. STAFF REPORTS AND RECOMMENDATION:

The Board will hear reports by Districts staff and receive their recommendations for future Board action on the items described below:

Financial Manager’s Reports/Requests:

Review of Cash on Hand and Income Statements for the period ending June 30, 2024

Heidi Noether read the financial report. Cash on Hand and Income Statements for the period ending September 30, .2024. Total cash on hand in all accounts including reserves was \$13,562,910.70. Total income for the fiscal year to date (July 01, 2024, – September 30, 2024) was \$2,558,586.98. Total expenses were \$450,476.89, leaving a net revenue over expenses of \$2,108,110.09. Expenses out of Reserves/Savings total \$600,626.71 for this fiscal year.

General Manager’s Report/Requests:

The General Manager will update the board on District operations, including the status of an Operations Memorandum. **General Manager Leona Harris went over the operations memorandum. There were pictures included in the report which included 740 Linal Feet of shotCrete, and 1502 feet were completed on the Lower Ditch as of last Friday.**

Legal Counsel’s Report:

Mr. Paul Boylan, District Council reported on WD6 and the correct amount of water will be distributed correctly. In regards to the lawsuit between North Yuba Water District and South Feather, both sides experts have collaborated and are now waiting to hear of their findings. Mr. Boylan was fairly confident that the lawsuit with South Feather will be settled.

H. DIRECTORS REPORTS:

Director Mayo emphasized when talking about expansion of residential service, not leaving District 1 out of the conversation. President Furnee attended the Northern California water Association meeting and spoke with an engineer while in attendance on domestic expansion. Director Bozza reported that she will be attending the Grateful Festival.at Dobbins School.

CLOSED SESSION

Left for closed session at 6:29 P.M.

I. CONFERENCE WITH LEGAL COUNSEL: - Existing Litigation (2 Cases) pursuant to Government Code section 54956.9, subdivision (d) (1):

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

K. **CONFERENCE WITH LEGAL COUNSEL - Anticipated litigation (2 cases)- pursuant to Government Code section 54956.9, subdivision (d) (2);** the Board will meet in closed session to discuss two anticipated/potential legal actions.

RETURN TO OPEN SESSION

The Board returned to open session at 7:05 P.M.

N. **REPORT OF CLOSED SESSION ACTIONS:**

Met with counsel and gave instructions.

ADJOURNMENT

The meeting was adjourned at 7:06 P.M.

