

**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, February 22, 2024**

NYWD Board Room is inviting you to a scheduled Zoom meeting.
 Topic: NYWD Board Room's Zoom Meeting
 Time: Feb 22, 2024, 05:30 PM Pacific Time (US and Canada)
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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 5:31 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		Erin, Kawanza Vinje,
<i>VICE PRESIDENT</i>	Ann Plumb		Charles Sharp
<i>DIRECTORS:</i>		Gloria Bozza	
	Steven Ronneberg		
	Mike Mayo		
<i>GENERAL MANGER</i>	Leona Harris		
<i>ATTORNEY</i>	Paul Boylan		

B. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Vice President Plumb.

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 the watershed, looking forward to more water.

DISCUSSION/OPEN SESSION ACTION CALENDAR

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: Irrigation policy and fact sheet was well written, more time needed for review of irrigation policy.

E. CONSENT ITEMS

1. Approval of Minutes for Regular Board Meeting of December 21, 2023
2. Approval of Minutes for Regular Board Meeting of January 18, 2024
3. Approval of Minutes for Informational Workshop of February 2, 2024
4. Approval of Payroll for the Month of January 2024: \$ 41,911.69
5. Approval of Bills for the Month of January 2024: \$ 1,400,355.04

Director Mayo made a made a motion to approve consent times 1,2,3,4 and 5. President Furnee seconded the motion. The motion was approved with a unanimous vote..

F. ANNUAL AUDIT REPORT for 2022/2023 Syed Bukhari of Blomberg & Griffin will present the Financial Statements and Independent Auditor’s Report for 2022/2023.

Syed Bukhari of Blomberg & Griffin presented the Financial Statements and Independent Auditor’s Report for 2022/2023.

This will be brought back to the next meeting for a motion to accept.

G. STAFF REPORTS AND RECOMMENDATION The Board will hear reports by District staff and receive their recommendations for future Board action, including but not necessarily limited to:

Financial Manager’s Report.

Review of Cash on Hand and Income Statements for the period ending January 22, 2024

Heidi Naether read the financial report. Cash on Hand and Income Statements for the period ending January 31, 2024. Total cash on hand in all accounts including reserves was \$5,951,437.77. Total income for the fiscal year to date (July 01, 2023 – January 31, 2024) was \$2,751,007.05. Total expenses were \$1,233,472.78, leaving a net revenue over expenses of \$1,517,534.27. Expenses out of Reserves/Savings year to date totaled \$240,393.28.

General Managers’ Report/Requests:

1. Update the Board on the Operations Memorandum: **Attached.**
2. Update the Board on projects currently in progress and Requests.

General Manager Leona Harris updated the Board on the Challenge and Rackerby, tanks. Both Tanks are scheduled to be put back on line next week. Leona discussed a request for equipment which will be discussed in item H.

Legal Counsels’ Report:

Mr. Boylan, Legal Counsel for the District, gave an update on the final two lawsuits. These lawsuits are between South Feather Water and Power and North Yuba Water District. South Feather filed a lawsuit against North Yuba regarding CEQA violations for the Oroleva Creek. After 14 months of litigation pause, North Yuba filed an interrogatory against South Feather for verification of the answers and information received regarding the accounting of the joint project. This does not reflect on anyone’s character or insult anyone. It is what we need to verify the information that was given. He is confident that we will get there and still be able to work together collectively as partners.

- H. **PURCHASE AUTHORIZATION:** The Board will discuss, and possibly act upon General Manager Harris' recommendation to purchase a VacTrailer as requested by field staff in the amount of \$112,846.90. This purchase will allow field staff to repair leaks more effectively, and other problems that arise within the Domestic system.

President Furnee read information regarding the VacTrailer and its benefits. General Manager Harris explained how the VacTrailer works like a large vacuum and some of the benefits of using a vac trailer is the ability to remove dirt rocks and soil without damaging nearby infrastructure, like water service lines, main water lines, phone lines, fiber optic internet lines, and in some cases underground power lines, greatly improve staffs time management, saves money, and reduces injury to staff. District Manager Harris reported that after research, this was the best price and warranty for the district.

After discussion Director Ronneberg made a motion to approve the purchase of the VacTrailer for \$112,846.90. Vice President Plum seconded the motion. The motion passed with a unanimous vote.

- I. **IRRIGATION POLICY:** The Board will discuss, and possibly act to adopt changes to the District's irrigation policy recommended by District administrative staff and District legal counsel.

President Furnee answered a question from earlier regarding the irrigation policy. Yes it is a redo from the document of the eighties. President Furnee explained that the water attorney, Gwen Mor-Tully advocated for some changes so the policy will not move forward tonight. The biggest changes are miners' inch has been changed to unit. Miners inch box will be changed to unit box. A unit will be 10 gallons per minute, description of new customers, priority of new customers and expansion was also updated. 'The moratorium was taken out as promised last year. Vice President Plumb expressed concerns about the language. Director Mayor discussed the limited factor on how much can be delivered and those in his district paying taxes waiting for water. Vice President Plumb will meet with the General Manager for input regarding the language of the policy. This will be brought back next meeting.

- J. **RATIFICATION OF GENERAL MANAGER'S CONTRACT:** On October 26,2023, the Board voted to hire Leona Harris as District General Manager, and Leona Harris has been acting as District General Manager since that vote. The Board will discuss, and possibly act to formally ratify the General Manager's employment contract.

President Furnee made a motion to ratify the contract of the General Manager, Leona Harris. Director Ronneberg seconded the motion. The motion was approved with a unanimous vote.

- I. **DIRECTORS REPORTS**

Director Mayo had nothing to report. He has seen the crew around and the general mood of the staff and workers are positive. Director Ronneberg reported that there is water in the ditch and it's not yet irrigation season. President Furnee reported that she and Leona attended a Butte LAFCO meeting February 02. The executive stated there is no jurisdiction in Yuba County. Mr. Boylan explained that there has been a group of people trying to force the dissolution of the District and petitioned Butte County LAFCO to dissolve North Yuba Water District. They have no jurisdiction in Yuba County. President Furnee addended a film festive in Nevada City of the Yuba Forest Partnership. The panel discussion was very productive.

CLOSED SESSION

Entered into closed session at 6:45 p.m.

J. CONFERENCE WITH LEGAL COUNSEL:

Anticipated litigation (3 cases) – pursuant to Government Code section 54956.9, subdivision (d), paragraph (3).

The Board will meet in closed session with legal counsel to discuss if facts and circumstances rise to the level of anticipated litigation. (3 potential cases) if yes, the Board will discuss these cases with legal counsel.

RETURN TO OPEN SESSION

Returned to Open Session at 8:00 p.m.

k. REPORT OF CLOSED SESSION ACTIONS

Regarding litigation, the Board met with legal counsel and gave instruction.

ADJOURNMENT

The meeting was adjourned at 8:01 p.m.



Catherine L. Fonseca, Recording Secretary