

**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, December 21, 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

NYWD Boardroom is inviting you to a scheduled Zoom meeting.

Topic: NYWD Boardroom's Zoom Meeting
Time Dec 21, 2023 05:30 PM Pacific Time (US and Canada)
Join Zoom Meeting

<https://us02web.zoom.us/j/81020027142?pwd=bnBGNnRnMkgVTnM4THNrMnQ3dzZ5dz09>
Meeting ID: 810 2002 7142
Passcode: 718044

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Dial by Your location r +1 669 4449t7tUS o +1- 659 900 9128 US (San Jose)
Meeting Id.: 810 200Z 7142
Passcode: 718044

Find your local number: <https://us02web.zoom.us/j/81020027142>

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		Charlie Mattews, Jon
<i>VICE PRESIDENT</i>	Ann Plumb		Messick, Todd Hickman,
<i>DIRECTORS:</i>	Gloria Bozza		Donna Corson
	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 Director Mayo.

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 included comments regarding the consolidation of the North Yuba and Feather River Power and support for Alton Wright and Todd Hickman. There were sound difficulties in audio.

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: Sound difficulties.

E. CONSENT ITEMS

1. Approval of Minutes for Regular Board Meeting of November 22, 2023
2. Payroll for the Month of November 2023: \$71,842,50 (3 pay periods)
3. Approval of Bills for the Month of November 2023: \$1,309,9214.44
4. Warrant #52-37259, fund #637, payable to North Yuba Water District, in the amount of \$150,000.00 for Services/Supplies, Bills & Payroll
5. Warrant #52037260, fund #642, payable to North Yuba Water District, in the amount of \$150,000.00 for Services/Supplies, Bills & Payroll

Vice President Plumb made a motion to approve consent times 1, 2, 3, 4 and 5. Director Bozza second the motion. The motion was approved with a unanimous vote..

F. 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

1. Review of Cash on Hand and Income Statements for the period ending November 30, 2023

Due to sound difficulties, General Manager Leona Harris read the Financial Manager’s report. Cash on Hand and Income Statements for the period ending November 30,2023. Total cash on hand in all accounts including reserves was \$5,197,861.57. Total income for the fiscal year to date (July 01, 2023 – November 30, 2023) was \$2,501,531.67. Total expenses were \$844,605.11, leaving a net revenue over expenses of \$1,656,926.56. Expenses out of Reserves/Savings year to date totaled \$1,606,714.03.

General Managers’ report/requests:

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

General Manager Leona Harris updated the board on the Hell 4 Stout Flume, water treatment plant, Forbestown tank, Rackerby tank, the Challenge tank. and the streetlight, which has been installed. Leona also thanked Yuba Water Agency for their increased grant of \$1,015, 314 00 to Hells 4 Stout Flume for the completion of the construction and 1.6-million-dollar grant for Shot Crete, Irrigation Ditch, and the Forbestown Ditch. Leona also discussed the January board meeting which she will be unavailable. On the recommendation of the Board, the meeting was moved to January 18th at 5:30 p.m. Leona thanked the employees and the board for a great year so far.

3. Application for CEQA Exemption: The Board and General Manager will discuss, and the Board may possibly take action to approve a CEQA exemption notice and application for the repair

work being done on the district's water conveyance infrastructure for purposes of canal stabilization and water loss mitigation.

General Manger Leona Harris discussed the application for CEQA Exemption which was prepared by the CEQA attorney and included in the board packet.

Director Bozza made a motion to approve the CEQQ Exemption for filing. President Furnee seconded the motion. The motion was approved by a unanimous vote.

President's Special Recognition Award (JPIA)

President Furnee reported that North Yuba Water District received a "Presidents' Special Recognition Award" from ACWA JPLA.

Legal Counsel's Report:

Mr. Paul Boylan, Legal Counsel for the District, gave an update to the board regarding the efforts to lobby the State Agency Water Control Board to dissolve North Yuba Water and transfer the assets. That effort was met by our administration in communicating with the State Agency Water Control Board. Butte County LAFCo has also been lobbied by many of the same people. The administration responded with the same as the State, communication. The effort into involuntary dissolve us in not a viable threat as this time.

G. RATIFICATION OF CONTRACTS:

The Board will discuss and possibly act to ratify an agreement for Elevate Public Relations and Marketing, LLC. to provide public relations/information services for the district.

Vice President Plumb made a motion to ratify the agreement for Elevate Public Relations and Marking, LLC. Director Bozza seconded the motion. The motion passed with a unanimous vote.

The Board will meet and possibly act to ratify an agreement for Herr, Pedersen, & Berglund, Attorneys at Law LLP, to act as District Special Counsel for CEQA issues.

President Furnee made a motion to ratify the agreement for Herr, Pedersen & Berglund, Attorneys at Law LLP to act as District Special Counsel for CEQA issues. Director Bozza seconded the motion. The motion passed with a unanimous vote.

H. UPCOMING BOARD MEETINGS:(see General Manager's Reports)

The Board will discuss and possibly act upon the General Manager's request to reschedule January's regular meeting, and the Board President's request to schedule for a special meeting/public information meeting.

President Furnee requested a Special Meeting be scheduled for information only regarding information she received from attending the Aqua Conference from a panel presentation regarding Bay Delta Update. After discussion Friday, February 2, 2024, from 3 to 5pm was scheduled.

I. DIRECTORS REPORTS

Director Bozza reported that she attended the South Feather Board meeting with Leona to see how things operate and found it very interesting. Director Mayo reported that he is spending time educating himself on the district. President Furnee reported that good connections were made at the Aqua Conference, good feedback was received from the employees at the Christmas Party

CLOSED SESSION

Entered into closed session at 6:07 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 to discuss three anticipated/potential legal actions.

RETURN TO OPEN SESSION

Returned to Open Session at 6:20 p.m.

k. REPORT OF CLOSED SESSION ACTIONS

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

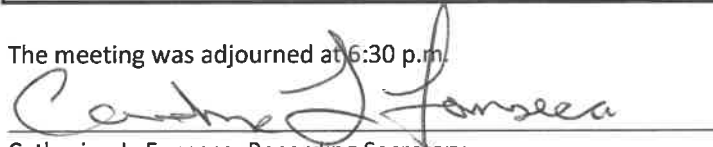
FINAL PUBLIC COMMENT

The Board provides the public an opportunity to address the District Board of Directors with a final comment about matters on the agenda. Repeating comment at the start of the meeting is not considered “additional comment”. Final 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 members of the public included treating each other with respect, complementing in public and criticizing in private, closed session subjects need to be listed.

ADJOURNMENT

The meeting was adjourned at 6:30 p.m.



Catherine L. Fonseca, Recording Secretary

**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, January 18, 2024**

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

NYWD Boardroom is inviting you to a scheduled Zoom meeting.

Topic: NYWD Boardroom's Zoom Meeting

Time Jan 18, 2024 05:30 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/81526130942?pwd=aFhsWW1Tc2pWZmxhZnVIMHdlek83Zz09>

Meeting ID: 81526130942

Passcode: 888275

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Dial by Your location

+1 669 4449171 US

+16699009128 US (San Jose)

+13462487799 US (Houston)

Meeting Id.: 810 200Z 7142

Passcode: 888275

Find your local number: <https://us02web.zoom.us02web.zoom.us/u/kH8tUBflc>

COMMENCEMENT OF MEETING

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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		Charlie Mattews, Lou
<i>VICE PRESIDENT</i>	Ann Plumb		Neal, Nancy, Carol, Erin,
<i>DIRECTORS:</i>	Gloria Bozza		Kawanza Vinje, Dr. Rulik
	Steven Ronneberg	Mike Mayo	Perla
<i>GENERAL MANGER</i>	Leona Harris		
<i>ATTORNEY</i>	Paul Boylan		

B. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Director Bozza.

President Furnee made an Agenda change: She requested the Directors Report be moved to just before Closed Session. All agreed.

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 a Special Designation AVA map and the opportunity to present more information to the board. Appreciate the work done by the Water District, if you don't use the water, you lose the water, concerns regarding growth, being cautious and be slow, the First Amendment and why do we need anonymous letters when we have free speech.

DISCUSSION/OPEN SESSION ACTION CALENDAR

D. 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: No Comments

E. ELECTION OF BOARD OF DIRECTORS OFFICERS:

Director Bozza made a motion to nominate Murkee Furnee for President of the Board. Director Ronneberg seconded the motion. The motion was approved with a unanimous vote.

President Furnee made a motion to nominate Ann Plumb for Vice President of the Board. Director Ronneberg seconded the motion. The motion was approved with a unanimous vote.

The secretary is General Manager Leona Harris, and the Treasurer is Hedi Naether

F. CONSENT ITEMS

1. Payroll for the Month of December 2023: \$45,506.43
2. Approval of Bills for the Month of December 2023: \$743,514.52

President Furnee made a motion to approve consent times 1 and 2. Director Bozza second the motion. The motion was approved with a unanimous vote..

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

1. Review of Cash on Hand and Income Statements for the period ending November 30, 2023

Heidi Naether read the financial report. Cash on Hand and Income Statements for the period ending December 31, 2023. Total cash on hand in all accounts including reserves was \$5,679,72.89. Total income for the fiscal year to date (July 01, 2023 – December 31, 2023) was \$2,712,399.91. Total expenses were \$1,118,436.96, leaving a net revenue over expenses of \$1,593,962.95. Expenses out of Reserves/Savings year to date totaled \$2,438,504.58. Heidi reported that expenses out of savings include a lot of improvements. There will be grant money coming in.

General Managers' report/requests:

1. Update the Board on the Operations Memorandum: **Attached.**

2. Update the Board on projects currently in progress.

General Manager Leona Harris requested approval to move forward with the district's involvement with a joint project with OES, the Fire Departments and Yuba Water Supervisors to see the cost of expanding water lines, fire hydrants and fire suppression and to also apply for a grant with Yuba Water Agency for a study about the feasibility. We could also apply for state and federal grants once the study is done.

Director Boza made a motion to approve the request to move forward with the joint project. Director Ronneberg seconded the motion. The motion was approved with a unanimous vote.

3. Update the Board on the District Administration's plan to organize a joint effort with the Yuba Water Agency and the Yuba County Fire Chiefs to extend the districts water lines and install fire hydrants, resulting in extended water service and greater fire protection.

See above.

Legal Counsel's Report:

Mr. Paul Boylan, Legal Counsel for the District, discussed the addition of the extra 5 minute public comment that was added as an experiment to increase public comment. In his opinion it is time that has been abused and should be time used for doing public business. His recommendation is to resend the additional time.

President Furnee made a motion to resend the additional time to public comment. Director Ronneberg seconded the motion. The motion was approved with a unanimous vote.

I. DIRECTORS REPORTS

Director Bozza shared the upcoming Valentines Day fundraiser for Mountain Transit.

President Furnee reported that she attended many meeting this month. Many projects have been done. The first year of the new board was laying a foundation for our success as a water board. We have engaged with the State Board, infrastructures were done, the Irrigation Policy is being updated, many good relationships were made in the water world, and we have a new Facebook page. President Furnee also reported that she attended the Yuba LAFCO meeting on January 3rd who complemented the response letter Leona sent. They had concerns in the past, but our credibility is back. President Furnee also discussed the film completed by Yuba Water Agency regarding the Yuba River. A book of pictures of the history of the Yuba River will be in the office. Mr. Matthews gave a brief history of the 55 flood, the dam, the start of the water agencies and PGE. President Furnee gave an update on the Delta Plan update. On February 2nd, we will have our own informational meeting regarding this subject. We have also signed on to a collective letter. These letters will also be part of the information meeting. President Furnee stated that the Irrigation Policy meeting will be scheduled in February. (summary)

CLOSED SESSION

Entered into closed session at 6:12 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 6:50 p.m.

k. **REPORT OF CLOSED SESSION ACTIONS**

Regarding litigation, the Board met with legal counsel, voted and discussed possible litigation.

President Furnee discussed the request for a short presentation by Aaron of the Special Designation of AVA map.

Director Bozza made a motion to add a 10-minute presentation to the next agenda. President Furnee seconded the motion. The motion was approved with a unanimous vote.

FINAL PUBLIC COMMENT

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PUBLIC COMMENT: Comments from the members of the public included treating each other with respect, complementing in public and criticizing in private, closed session subjects need to be listed.

ADJOURNMENT

The meeting was adjourned at 6:53 p.m.



Catherine L. Fonseca, Recording Secretary