

**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, March 23, 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/837831159041?pwd=bjZMTkJKZG9XcFh6SWpLNVIITmk5Zz09>

Meeting ID: 837 8315 9041

Passcode: 354921

One tap mobile

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+16694449171,,83783159041#,,,, US*

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Passcode: 354921

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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.

A. CALL TO ORDER/ROLL CALL

The meeting was called to order at 5:34 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		
<i>VICE PRESIDENT</i>	Ann Plumb		
<i>DIRECTORS:</i>	Steve Ronneberg		
	Gary Hawthorne		
	Alton Wright		
<i>INTERIM GENERAL MGR</i>	Leona Harris		
<i>ATTORNEY</i>	Paul Boylan		

B. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Director Wright.

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: No public comment.

DISCUSSION/OPEN SESSION ACTION CALENDAR

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: No public comment.

E. CONSENT ITEMS

1. Approval of Minutes for Regular Board Meeting of February 23, 2023
2. Approval of Payroll for the Month of February 2023: \$39,976.89
3. Approval of Bills for the Month of February 2023: \$149,537.47

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

The motion was approved with a unanimous vote.

F. FINANCIAL MANAGERS REPORT

1. Review of Cash on Hand and Income Statements for the period ending

Financial Manager Heidi Naether reviewed Cash on Hand and Income Statements for the period ending February 28,2023. Total cash on hand in all accounts including reserves was \$5,094,050.51. Total income for the fiscal year to date (July 01, 2022 – February 28,2023) was \$4,486,013.89. Total expenses were \$1,794,974.26, leaving a net revenue over expenses of \$2,691,049.63. Expenses out of Reserves/Savings year to date totaled \$1,313,617.41.

President Furnee addressed Mr. Boylan, District General Counsel and asked if item K on the agenda could be moved up to item G. Mr. Boylan said yes, it is not an item that can result in a suit or invalidate any action right now.

President Furnee made a motion to move item K to item G to be the next item discussed on the agenda. Director Ronneberg seconded the motion.

The Motion was approved with a unanimous vote.

G. THE BOARD WILL DISCUSS AND POSSIBLY ACT TO PROVIDE THE INTERIM GENERAL MANAGER WITH THE AUTHORITY TO ACT ON BEHALF OF THE DISTRICT TO APPLY FOR AND OBTAIN GRANTS, INCLUDING BUT NOT OMITED TO SUBCONTRACT WITH THE AUTHORITY WITH PROFESSIONAL GRANT WRITERS ALL SUBJECT TO BOARD RADIFICATION:

Interim General Manager Leona Harris spoke to the board about the Supplemental Engineering report next on the agenda along with new projects such as a new water meter project. Leona needs approval from the board to apply for and obtain grants for the district.

Vice President Plumb made a motion to give the Interim General Manager authority to act on the behalf of the district to apply for and obtain grants, including but not limited to the authority to subcontract with professional grant writers, all subject to Board ratification. President Furnee seconded the motion.

Director Wright asked how much is new and different from what Leona did in the past. Leona replied that she worked mostly behind the scenes. Some of it was new.

The motion was approved with a unanimous vote.

H. SUPPLEMENTAL ENGINEERING – Nathan Thomas will give a report and recommendation on the bids received for the Challenger Tank Replacement Project.

Mr. Thomas presented the water storage improvement project bid recommendations to the board. This project is funded by an existing grant that the district has already received. There is a cost difference from the bid and grant amount. The hope is to follow through on this project as soon as possible and stabilize the storage tanks. Mr. Thomas discussed options 1-4 from the report and explained that options 2, 3, and 4 all required an amendment of some type from the DWR which could take up to six months or longer. Director Hawthorne stated that from his own personal experience it is best to do a deal that is available. Mr. Boylan reminded the board that the purpose of this discussion is for the Interim General Manager to report to the board information on what she is doing and what is happening, you can discuss but cannot act. Director Wright commented that he ran on a platform to fix the tanks, they have been a mess for years. Domestic has been suffering for a long time from this. We have a consultant in the meeting tonight that has given a pretty clear direction and he would advocate and take heed to what he has to say. Speed is of the utmost to get these things done.

Interim General Manager, Leona Harris discussed the options and her intentions to go with option 1. Any decision made will be ratified at the next meeting.

I. KATIE BURDICK – Katie will give an overview on the progress of the District’s Capital Improvement Plan:

Katie Burdick addressed the board with an overview of the Capital Improvement Plan explaining that since 2006 the district has been a part of the Integrated Regional Water Management (IRWM) which she has been a part of. For the for the past year has been working with Leona putting together a plan for the district. Ms. Burdick shared a copy of the CIP with the board (she will provide a copy to anyone who requests one.) After the presentation of the plan, President Furnee expressed her happiness over the information presented. Director Hawthorne talked about past tries of rate increases that were not accepted well. The board needs to be a collective team saying and doing the same things for it to work. President Furnee interjected that Ms. Burdick and General Manager Harris have a much wider and creative and more successful plan for the funding of things that need to be done. Director Wright stated that education is the key.

J. STAFF REPORTS AND RECOMMENDATIONS

The Board will possibly hear reports by District staff and receive their recommendations for future Board action.

Operations Memorandum. Interim General Manager Harris commented on Katie’s report. There are grants, power generation and lots of other ways to fund the repairs mentioned. Nothing has been fixed in a decade. Leona continued with Yuba Water being very helpful, one of the grant requests is for the analysis on replacing a huge wooden flume that is falling down. South Feather was looking at turning it into a siphon years ago. Willie is looking into seeing if one of his engineers would work on it. They are willing to provide a grant. Leona also reported that there are three temporary employees for a total of 28 hours at the district. This will help free up both her and Heidi. Leona also discussed items included in the Office Memorandum which is included in the board packet. Leona spoke about irrigation and due to the weather, it may be necessary to delay the start of the season because of saturation. Applications have been sent out and returned along with the first months payment from irrigation customers. If there is a delay to the season, a credit will be applied their account. Leona reported that she has been in touch with a company in Roseville regarding digitizing the resolutions and minutes offsite. She has calls into a few more companies to see if it can be done inhouse. Some of the original documents are done on rice paper. Leona and the temporary employees are working on an index to make it easier to locate information. Mr. Boylan discussed the importance of segregating any documents with original signatures and should not be made available to the public immediately unless there is a very good reason. Copies should be available but not the original documents.

Mr. Boylan reported to the board that there are two areas of litigation right now, Charles Sharp against the district for violation of CEQA along with a number of other causes of actions and our lawsuit against South Feather for breach of contract. Good progress is being made in settling those cases. There is nothing new to report, but the discussion has drifted from adversarial proceedings that need a judge to resolve to cooperating with each other to find the exact factual disputes. Once we understand that, it is a matter of sitting down and seeing if it is worth settling. Mr. Boylan is optimistic that both lawsuits will be able to be settled in a reasonable short time. Mr. Boylan also informed the board that special counsel has been hired to do an evaluation on the districts water permits. No information is known on how to protect them, use them or vitalized them. Mr. Boylan is working with Provost and Pritchard which is a consulting firm statewide. They were hired by our district a while back with a

generous grant from the Yuba Water District to look into what seems to be a study on how the district can sell its surplus water as well as how to determine how we can sell our water rights and permits. Mr. Boylan stated that he is working with Provost and Pritchard to repurpose their data to create a report that will be useful to the district for the plans to repair the Forbestown Ditch and water infrastructure. During the time working with Provost and Pritchard their primary engineer made it clear that they are concerned with our water permits themselves and the strength and health of them Based on that, Mr. Boylan has looked for legal counsel with no conflict's to give a definitive answer on what our permits do, whether they are safe and if anything needs to be done to protect them along with a further projection to know what to do to protect them. G.M. Tulle, a well-known water expert with expertise in just the question that the district has. Mr. Boylan is negotiating for the very best rate possible to get answers as soon as possible.

K. THE BOARD WILL DISCUSS AND POSSIBLY ACT TO INCREASE THE DISTRICT INTERIM GENERAL MANAGERS PURCHASING AUTHORITY:

Interim General Manager Leona Harris discussed with the board the need to raise the purchasing authority on the credit card due to the majority of companies going to digital payments instead of checks. Upcoming purchases needed such as the readers are \$4200.00 each. Discussion regarding check writing and using a credit card for purchases continued.

Vice President Plumb made a motion to raise the credit limit to \$20,000 with Leona notifying the board before a purchase of \$10,000 is made. President Furnee seconded the motion.

The motion was approved with a unanimous vote.

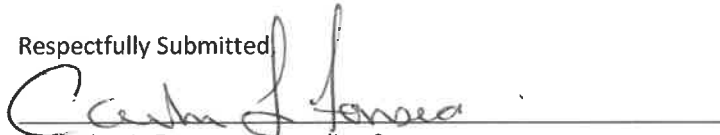
L. DIRECTORS REPORTS:

President Furnee read her good news report.

ADJOURNMENT

The meeting was adjourned at 6:11 PM.

Respectfully Submitted



Catherine L. Fonseca, Recording Secretary