

MINUTES

REGULAR BOARD MEETING OF THE BOARD OF DIRECTORS OF THE

NORTH YUBA WATER DISTRICT

Held at the District Office – Through Zoom

8691 LaPorte Road, Brownsville

Friday, May 28, 2021

NOTICE: THIS MEETING WILL BE HELD IN ACCORDANCE WITH EXECUTIVE ORDER N-29-20, ISSUED BY CALIFORNIA GOVERNOR GAVIN NEWSOM ON MARCH 17, 2020, THE RALPH M. BROWN ACT (CALIFORNIA GOVERNMENT CODE SECTION 54950, ET SEQ.), AND THE FEDERAL AMERICANS WITH DISABILITIES ACT. THIS MEETING WILL NOT BE PHYSICALLY OPEN TO THE PUBLIC. ALL MEMBERS OF THE PUBLIC MAY PARTICIPATE IN THE MEETING VIA VIDEO CONFERENCE AT: Join Zoom Meeting
<https://us02web.zoom.us/j/86122220681?pwd=cFE1UFZxMEpDTVdjbj0JNOEg4bzZRZz09> Meeting ID: 861 2222 0681 Passcode: 944806 One tap mobile +16692192599,,86122220681#,,,,*944806# US (San Jose) +12133388477,,86122220681#,,,,*944806# US (Los Angeles) Dial by your location +1 669 219 2599 US (San Jose) +1 213 338 8477 US (Los Angeles) Meeting ID: 861 2222 0681 Passcode: 944806 AND WILL BE GIVEN THE OPPORTUNITY TO PROVIDE PUBLIC COMMENT.

A. ROLL CALL

President Gary Hawthorne called the meeting to order at 3:30 PM at the District Office in Brownsville, CA.

<i>NAME</i>	<i>PRESENT</i>	<i>ABSENT</i>	<i>VISITORS INCLUDING:</i>
<i>PRESIDENT</i>	Gary Hawthorne		Charles Sharp, Lou Neil, Marieke, Rulik Perla,
<i>VICE PRESIDENT</i>	Doug Neilson		Donna Corson, Crystal, Penny
<i>DIRECTORS</i>	Gretchen Flohr Ginger Hughes Fred Mitchell		
<i>GENERAL MANAGER</i>	Jeff Maupin		
<i>ATTORNEY</i>	Michael Vergara		

B. PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Director Mitchell.

ACTION ITEMS

Michael Vergara, attorney for the District, asked that the minutes reflect that Director Flohr joined the meeting. Director Flohr requested that the recording of the meeting be allowed.

C. PUBLIC INPUT: President Hawthorne read the rules of public comment.

OPPORTUNITY FOR PUBLIC COMMENT: As provided under Government Code section 54954.3, subdivision (a), during a Regular Meeting any member of the public may address the Board concerning any item on the agenda or any other issue within the jurisdiction of the district. Any member of the public wishing to make comment on an agenda item shall identify the agenda item they intend to address. Public comment is limited to no more than two (2) minutes per person. 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 VIA VIDEO CONFERENCE CLICK ON THE "RAISE HAND." TO PROVIDE PUBLIC COMMENT BY TELECONFERENCE PRESS *9.

PUBLIC COMMENT: A member of the public requested the revised rules of Public Comment be read again, members of the public asked the General Manger to read the Operations Memorandum aloud, maintenance of the May 28, 2021, Regular Board Meeting Minutes

ditch and the water from SF14, new lawsuit filed against the District, South Feather and the status of the irrigation season, signed petition regarding irrigation water, a request to have letter from South Feather on the agenda, and muting of public and the Mutual Aid Agreement.

D. CONSENT ITEMS:

1. Approval of Minutes for Special Board Meeting of April 8, 2021
2. Approval of Minutes for Regular Board Meeting of April 23, 2021
3. Approval of Minutes for Special Board Meeting of April 27, 2021
4. Approval of Payroll for the Month of April 2021 - \$32,222.34
5. Approval of Bills for the Month of April 2021 - \$98,302.60

Director Hughes made a motion to accept Consent Items 1-5. Vice President Neilson seconded the motion. The motion passed with a majority vote with Director Flohr voting no.

E. FINANCIAL MANAGER'S REPORT:

1. Review of Cash on Hand and Income Statements for the period ending April 30, 2021.

Financial Manager Heidi Naether reviewed Cash on Hand and Income Statements for the period ending April 30, 2021. Total cash in all accounts including reserves was \$4,522,216.94. Total Income for the fiscal year to date (July 01– April 30, 2021) was \$1,458,971.83. Total expenses were \$1,354,841.14, leaving a net profit of \$104,130.69. Expenses out of Reserves not included in the Forbestown Ditch billing was \$728,457,48.

Director Mitchell made a motion for the Board to accept the Financial Manager's report as presented. Director Hughes seconded the motion. The motion passed with a majority vote with Director Flohr voting no.

DISCUSSION/REPORTS

F. GENERAL MANAGERS REPORT

1. Operations Memorandum

General Manager Maupin read the Operations Memorandum report to the Board.

G. DIRECTORS INPUT:

Directors may make brief announcements or reports for the purpose of providing information to the public or staff, or to schedule a matter for a future meeting. The Board cannot take action on any matter not on the agenda and will refrain from entering into discussion that would constitute action, direction, or policy, until the matter is placed on the agenda of a properly publicized and convened Board meeting.

1. Consideration of agenda items for the next meeting. Items must be requested in accordance with the District's POLICY FOR AGENDIZING ITEMS FOR BOARD MEETINGS.

Director Flohr made a motion to add a special meeting to the agenda to discuss South Feather's offer. There was not a second. The motion did not pass. Director Flohr inquired why the offer was not put on the current agenda. General Manager Maupin replied that there was no interest presented to him by the Board. Director Flohr asked why the item was not brought to the Board. Michael Vergara, attorney for the district informed Director Flohr that he advised against any discussion due to the letter being a "work product." Director Flohr stated that there is public comment after Director's Input, and it is a violation of the Brown Act not to allow public comment after every item discussed. Michael Vergara, Attorney for the District explained that Public Comment was at the beginning of the meeting, and it is at the President's discretion.

H. ADJOURNMENT:

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 this meeting, then 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 business day before the start of the meeting.

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There being no further business to discuss, the meeting was adjourned at 3:56 PM.

Respectfully Submitted,



Catherine L. Fonseca, Recording Secretary