

MINUTES
REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE
NORTH YUBA WATER DISTRICT
Held at the District Office – Through Zoom
8691 LaPorte Road, Brownsville
Thursday, September 22, 2022

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

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AND WILL BE GIVEN THE OPPORTUJITY TO PROVIDE PUBLIC COMMENT

COMMENCEMENT OF MEETING

A. CALL TO ORDER/ROLL CALL

President Gary Hawthorne called the meeting to order at 10:30 AM 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, John Brueggeman
<i>VICE PRESIDENT</i>	Doug Neilson		
<i>DIRECTORS:</i>	Ginger Hughes Chris Cross Donald Forguson		
<i>GENERAL MANAGER</i>	Jeff Maupin		
<i>ATTORNEY</i>	Michael Vergara, Pennie Ms. Aackermann,		

B. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Director Hughes.

C. OPPORTUNITY FOR PUBLIC COMMENT ON AGENDIZED ITEMS:

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, 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 social media comments regarding transparency and the Forbestown Ditch and the many documents available to the public for review. and legal counsel controlling the Board.

ACTION ITEMS

D. CONSENT ITEMS:

1. Approval of **Minutes for Special Board Meeting of August 19, 2022**
2. Approval of **Regular board Meeting of August 25, 2022**
3. Approval of **Payroll for the Month of August 2022**
4. Approval of **bills for the Month of August 2022**

Vice President Neilson made a motion to accept consent items 1-4. Director Hughes seconded the motion.

The motion passed with a unanimous vote.

E. FINANCIAL MANAGER'S REPORT:

1. Review of Cash on Hand and Income Statements for the period ending August 21, 2022

Financial Manager Heidi Naether reviewed Cash on Hand and Income Statements for the period ending August 31, 2022. Total cash on hand in all accounts including reserves was \$6,672,576.96, total income for the fiscal year to date (July 31, 2022, to August 31, 2022) was \$3,476,836.87. Total expenses were \$309,632.88, leaving a net revenue over expenses of 3,167,203.99, Expenses out of Reserves year to date totaled \$287,132.80.

Vice President Neilson 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 unanimous vote.

F. RESOLUTION NO. 22-768G:

Authorizing remote teleconference meetings in accordance with California Government Code Section 54953(e), as amended by AB 361.

Director Hughes made a motion for the Board to accept Resolution No. 22-768G. Vice President Neilson seconded the motion.

The motion passed with a unanimous vote.

G. GENERAL MANAGER'S REPORT:

1. Operations Memorandum

No Discussion on Operations Memorandum.

H. DIRECTOR'S 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 any 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 Forguson addressed the comment from the public about Covid and meeting in the office. Director Forguson also discussed the recent fire in Dobbins and the adequate water source that was used.

DISCUSSION/ACTION CALENDAR

I. AGENDA ITEMS NEXT MEETING

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

Vice President Neilson asked the General Manager to report on the recent court hearings. General Manager Maupin reported that the district was successful in defending itself against the 11 claims. 8 were dropped and 3 went forward, with the court finding in our favor. The attorneys were not able to comment further but can prepare a note on each case for the Board. Director Forguson requested that the information regarding the court cases be sent to the Appeal Democrat.

Director Forguson requested that that sale of the water be added to the agenda for further discussion. There was a unanimous vote to add the topic of the water sale to the next agenda.

There was no future discussion.

J. ADJOURNMENT:

In compliance with the Americans with Disabilities Act, if you need a disability related modification or accommodation to participate in this 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 business day before the start of the meeting.

The meeting was adjourned at 10:49. A.M.

Respectfully Submitted,



Catherine L. Fonseca, Recording Secretary