

# **NORTH YUBA WATER DISTRICT**

**Zoom**

**Board Meeting Thursday October 27, 2022**

**@ 10:30am**

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**A. Agenda/Roll Call**

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**I. Adjournment**

GARY HAWTHORNE  
President  
Division 3

DOUG NEILSON  
Vice President  
Division 1

CHRIS CROSS  
Director  
Division 2



DONALD FORGUSON  
Director  
Division 4

GINGER HUGHES  
Director  
Division 5

JEFF MAUPIN  
General Manager

## AGENDA

### REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE NORTH YUBA WATER DISTRICT

10:30AM ♦ THURSDAY ♦ OCTOBER 27, 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. THE BOARD MAY ACT ON ANY OF THE ITEMS LISTED ON THIS AGENDA REGARDLESS OF WHETHER AN ITEM IS DESCRIBED AS AN ACTION ITEM, A REPORT, OR AN INFORMATIONAL OR DISCUSSION ITEM.**

**THIS MEETING WILL NOT BE PHYSICALLY OPEN TO THE PUBLIC. ALL MEMBERS OF THE PUBLIC MAY PARTICIPATE IN THE MEETING VIA VIDEOCONFERENCE AT**

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**AND WILL BE GIVEN THE OPPORTUNITY TO PROVIDE PUBLIC COMMENT.**

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**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 CONFERENCING CLICK ON THE "RAISE HAND." TO PROVIDE PUBLIC COMMENT BY TELECONFERENCE PRESS \*9.**

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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, 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.

**COMMENCEMENT OF MEETING**

- A. CALL TO ORDER/ROLL CALL
- B. PLEDGE OF ALLEGIANCE
- 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.

**DISCUSSION/ACTION CALENDAR**

- D. CONSENT ITEMS
  1. Approval of Minutes for Special Board Meeting of August 31, 2022
  2. Approval of Minutes for Regular Board Meeting of September 22, 2022
  3. Approval of Minutes for Special Board Meeting of October 5, 2022
  4. Approval of Payroll for the Month of September 2022:       \$ 35,658.23
  5. Approval of Bills for the Month of September 2022:       \$ 215,024.68

- E. FINANCIAL MANAGER’S REPORT
  1. Review of Cash on Hand and Income Statements for the period ending September 30, 2022.

- F. RESOLUTION NO. 22-768I  
 Authorizing remote teleconference meetings in accordance with California Government Code section 54953(e), as amended by AB 361.

- G. GENERAL MANAGER’S REPORT  
 Operations Memorandum

- H. 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*.

**ADJOURNMENT**

**MINUTES**  
**SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE**  
**NORTH YUBA WATER DISTRICT**  
**Held at the District Office – Through Zoom**  
**8691 LaPorte Road, Brownsville**  
**Thursday, August 31, 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 2:31 PM at the District Office in Brownsville, CA.

<i>NAME</i>	<i>PRESENT</i>	<i>ABSENT</i>	<i>VISITORS INCLUDING:</i>
<i>PRESIDENT</i>	Gary Hawthorne		Charles, Marieke Furner, Dr. Rulik Perla, Terry
<i>VICE PRESIDENT</i>	Doug Neilson		Brown, William Sebrams, John Brueggeman Alton Wright, Heloisa Botelho, Victor Gamolsky, Marlyss, Rebeca Nolan, Josh Bailey, Robert Steelman, Donna Corson, Robert S. Greg,
<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 Forguson.

[Type here]

August 31, 2022, Special Board Meeting Minutes

**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 selling of the district water, water users have not agreed to the sell of District water, who is going to profit from selling of the water, disappointment in the Board,, selling District water is a disastrous mistake, endangering the public by selling water, betrayal by selling the water, and we have no water, yet we have a water surplus.

**ACTION ITEMS**

**D. RESOLUTION NO. 22-773:**

Adopt resolution declaring the district has a water surplus, and authorizing execution of purchase and sale agreements with Westlands Water District, Mercy Springs Water District, and Byron-Bethany Irrigation District under Water Code section 31023

**Director Forguson made a motion to accept Resolution No. 22-773. Vice President Neilson seconded the motion.**

Mr. Vergara, District Council, addressed public questions regarding Resolution No. 220-773 on how the district can provide surplus water when they are not providing water to the irrigating community. This is described in detail in Resolution No. 220-773.

**The motion passed with a unanimous vote.**

**E. CLOSED SESSION**

**The Board entered closed session.**

Conference with Legal Counsel – existing litigation (6 cases) – pursuant to Government Code section 54956.9, subdivision (d) paragraph (1).

Gideon Beinstock, et al. v. North Yuba Water Agency [sic], Yuba County Superior Court Case No. CVPT21- 00515; Fellowship of Friends v. North Yuba Water District, et al., Yuba County Superior Court Case No. CVPT22- 00246; Marieka Furnee, et al. v. North Yuba Water District, Yuba County Superior Court Case No. CVPT21-00436; Charles Sharp, et al. v. North Yuba Water District, et al., Yuba County Superior Court Case No. CVPT20- 00386; North Yuba Water District v. South Feather Water and Power Agency, Sutter County Superior Court Case No. CVCS21-0001857; and South Feather Water and Power Agency v. North Yuba Water Agency, Sutter County Superior Court Case No. CVCS21-0002073.

**F. CLOSED SESSION REPORT (IF ANY REPORTABLE ACTION TAKEN)**

**President Hawthorn reported that there was no action taken during the closed session.**

[Type here]

August 31, 2022, Special Board Meeting Minutes

**G. 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 10:47. A.M.

Respectfully Submitted,

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Catherine L. Fonseca, Recording Secretary

[Type here]

August 31, 2022, Special Board Meeting Minutes

**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

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**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:**

[Type here]

September 22, 2022, Regular Board Meeting Minutes

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.

[Type here]

September 22, 2022, Regular Board Meeting Minutes



**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,

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Catherine L. Fonseca, Recording Secretary

**MINUTES**  
**SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE**  
**NORTH YUBA WATER DISTRICT**  
**Held at the District Office – Through Zoom**  
**8691 LaPorte Road, Brownsville**  
**Wednesday, October 05, 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 OPPORTUNITY TO PROVIDE PUBLIC COMMENT

**COMMENCEMENT OF MEETING**

**A. CALL TO ORDER/ROLL CALL**

President Gary Hawthorne called the meeting to order at 2:31 PM at the District Office in Brownsville, CA.

<i>NAME</i>	<i>PRESENT</i>	<i>ABSENT</i>	<i>VISITORS INCLUDING:</i>
<i>PRESIDENT</i>	Gary Hawthorne		Marieke Furnee, Karen Legit, Donna Corson
<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 Forguson.

**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 exposing untruths and congratulations to the board, holding all board meetings in closed session and board members meeting together during remote meetings,

**ACTION ITEMS**

**D. RESOLUTION NO. 22-768H:**

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

**Director Forguson made a motion to accept Resolution No. 22-.768H. Director Hughes seconded the motion.**

**The motion passed with a unanimous vote.**

**E. CLOSED SESSION**

**The Board entered closed session at 10:44 AM.**

Conference with Legal Counsel – existing litigation (6 cases) – pursuant to Government Code section 54956.9, subdivision (d) paragraph (1).

Gideon Beinstock, et al. v. North Yuba Water Agency [sic], Yuba County Superior Court Case No. CVPT21- 00515; Fellowship of Friends v. North Yuba Water District, et al., Yuba County Superior Court Case No. CVPT22- 00246; Marieka Furnee, et al. v. North Yuba Water District, Yuba County Superior Court Case No. CVPT21-00436; Charles Sharp, et al. v. North Yuba Water District, et al., Yuba County Superior Court Case No. CVPT20- 00386; North Yuba Water District v. South Feather Water and Power Agency, Sutter County Superior Court Case No. CVCS21-0001857; and South Feather Water and Power Agency v. North Yuba Water Agency, Sutter County Superior Court Case No. CVCS21-0002073.

**The Board came back in session at 11:43 AM. Director Cross and Director Forguson were not in attendance.**

**F. CLOSED SESSION REPORT (IF ANY REPORTABLE ACTION TAKEN)**

**There was no action taken during the closed session.**

**G. REPORTS:**

**1. General Manager**

General Manager Maupin commented on the proposed water sale that the district is working on. One of the questions we asked South Feather was where our water was. South Feather responded. that they needed \$37, 500.00 to answer the question. We wrote them a check for

that. They, in turn, wanted to send the check back because we had said that it needed to go against our joint undertaking. of the 2005 agreement. They wanted it to go to their general fund as exclusive to their business. We told them fine, here is the money and they didn't want to move forward. Why I am perplexed is the only reason I am bringing it up, it is not a difficult question. I believe that 11516's 3700-acre feet is stored in Little Grass and the balance of 20,000-acre feet is stored in Sly Creek Reservoir. Those are the only two places the water can be if they are in storage as they are supposed to be. Our consumptive use is about this year is going to be about 3,000-acre feet. Historically it has always been around 3700 mark. No matter how you slice this pickle there should be 27,000-acre feet in either Little Grass or Sly Creek Reservoir. This is not a difficult question, and they don't seem to be able to, or want to answer it which gives me pause. Someone who operates a dam daily and quantifies the water that they move through it daily can't tell you where the water is, especially since ours is not supposed to be moved, it is supposed to remain in storage. It shouldn't be a difficult question, I just want to point out that we paid them, we agreed, and they can't seem to or want to give us the answer. They either ignore the question or return the check, it is gamesmanship. Answer the simple question, is our water in storage.

2. General Counsel

District Counsel, Michael Vergara reported on the case of Marieka Furnee, Gideon Beinstock, Jeanie Cavalier, Donna Corson, Israel Perla, and Charles Sharp verses North Yuba Water District. On September 14, 2020, Yuba County Superior Court Judge Steven Barrier dismissed plaintiff's entire remaining action. Just to remind the board the initial original complaint alleged 11 causes of action. The plaintiffs subsequently dismissed 8 but proceeded with 3 and again on September 14, 2020, Judge Barrier dismissed the remaining three.

District Counsel, Michael Vergara also commented on Merika Furnee's comment regarding the board acting improperly continuing to hold meetings on Zoom. Mr. Vergara reported that this is incorrect and the statement on the agenda explains exactly what authority we are working under. The Governors executive emergency order is still in place and so long as it remains in place should this board choose to conduct the board meetings, both regular and special by Zoom, they have the authority to do so.

**No action taken in closed session.**

H. **DIRECTORS INPUT:**

No input from the General Manager or the Directors.

I. **ADJOURNMENT**

**The meeting was adjourned at 11:55 AM.**

**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.**

Respectfully Submitted,

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Catherine L. Fonseca, Recording Secretary

**North Yuba Water District  
Monthly Net Payroll Report**

**TOTAL MONTHLY NET PAYROLL FOR THE MONTH OF SEPTEMBER, 2022**

**TOTAL SEPTEMBER, 2022                    \$ 35,658.23**

# North Yuba Water District Monthly Check Listing September 2022

	Type	Date	Num	Name	Amount
<b>1000A - Cash - GC Seperate Accounts</b>					
<b>Paypal</b>					
Pay Pal Fees	Check	09/30/2022	FEES	Pay Pal	-140.52
Total Paypal					-140.52
<b>11007 - River Valley Bank Checking</b>					
Employee Paid Insurance	Liability Check	09/01/2022	25529	AFLAC	-241.60
Phone Service	Bill Pmt -Check	09/01/2022	25530	CALNET3	-274.56
Employee Retirement Fund	Bill Pmt -Check	09/01/2022	25531	LIU of NA Nat'l Pension Fund	-3,018.51
Water Meters	Bill Pmt -Check	09/01/2022	25532	Specialized Utility Services Program	-750.00
Health Insurance	Bill Pmt -Check	09/02/2022	25533	ACWA/Jt Powers Ins Authority	-14,847.86
Base Rock	Bill Pmt -Check	09/02/2022	25534	Brownsville Sand & Gravel-V	-640.00
Roundup	Bill Pmt -Check	09/02/2022	25535	Helena Specialty Products	-3,507.08
WTP Flow Control Filters	Bill Pmt -Check	09/02/2022	25536	MAGNETROL	-5,999.27
Electricity	Bill Pmt -Check	09/02/2022	25537	Pacific Gas & Electric	-7,620.90
WTP Chemicals	Bill Pmt -Check	09/02/2022	25538	SCP DISTRIBUTORS LLC	-1,175.40
Cellphone Service	Bill Pmt -Check	09/02/2022	25539	VERIZON WIRELESS	-209.79
Credit Card Fees	Check	09/02/2022	GLOBEX	Merchant Services	-209.40
Direct Deposit Fees	Liability Check	09/07/2022	DirD	QuickBooks Payroll Service	-15.75
Employee Retirement Fund	Liability Check	09/08/2022	25553	ICMA-457	-675.21
State Payroll Taxes	Liability Check	09/09/2022	E-pay	EDD	-839.80
Federal Payroll Taxes	Liability Check	09/09/2022	E-pay	United States Treasury	-5,374.74
Pest Control Service	Bill Pmt -Check	09/12/2022	25554	CAL KING PEST CONTROL	-156.00
Phone Service	Bill Pmt -Check	09/12/2022	25555	CALNET3	-512.81
Zoom Equipment Set-up	Bill Pmt -Check	09/12/2022	25556	Gilmore Computer Services LLC	-500.50
Vision Insurance	Bill Pmt -Check	09/12/2022	25557	MesVision	-153.00
Braided Line, PVC Cap, Adapter, Fabric Staples, Pressure Gauge, Hose	Bill Pmt -Check	09/12/2022	25558	Ray's General Hardware	-61.93
Trash Pick-up	Bill Pmt -Check	09/12/2022	25559	Recology - Yuba Sutter	-63.98
Public Outreach	Bill Pmt -Check	09/12/2022	25560	Smart Marketing & Printing	-10,000.00
PH Probe, Deionized Water, Reagents, CL2 Fluid, PH Meter	Bill Pmt -Check	09/12/2022	25561	USA Bluebook	-785.69
Cellphone Service	Bill Pmt -Check	09/12/2022	25562	VERIZON WIRELESS	-70.82
Copier Lease	Bill Pmt -Check	09/15/2022	25563	Wells Fargo Vendor Financial Services, LL	-129.90

# North Yuba Water District Monthly Check Listing September 2022

	Type	Date	Num	Name	Amount
Domestic Customer Deposit Refund	Check	09/19/2022	25564	Goodwin, James	-78.17
Direct Deposit Fees	Liability Check	09/21/2022	DirD	QuickBooks Payroll Service	-21.00
Employee Retirement Fund	Liability Check	09/22/2022	25574	ICMA-457	-758.73
Employee Paid Union Dues	Liability Check	09/22/2022	25575	UPEC	-315.25
Wash Rack Building	Bill Pmt -Check	09/22/2022	25576	All American Welding	-3,000.00
Postage Meter Lease	Bill Pmt -Check	09/22/2022	25577	Pitney Bowes	-428.78
Dental Insurance	Bill Pmt -Check	09/22/2022	25578	Premier Access Insurance Co.	-1,045.46
State Payroll Taxes	Liability Check	09/23/2022	E-pay	EDD	-923.15
Federal Payroll Taxes	Liability Check	09/23/2022	E-pay	United States Treasury	-5,744.80
Legal	Bill Pmt -Check	09/23/2022	25579	BoutinJones Inc	-19,129.15
WTP Booster Pump Repair	Bill Pmt -Check	09/23/2022	25580	CPM	-4,360.28
Water Testing	Bill Pmt -Check	09/23/2022	25581	Cranmer Engineering Inc	-1,013.00
Oregon Peak Rent	Bill Pmt -Check	09/23/2022	25582	EIP Holdings II, LLC	-477.00
Minutes	Bill Pmt -Check	09/23/2022	25583	Fonseca, Catherine L.	-400.00
Oil, Fluid and Filter Service, Rear Brake, Tire Rotation for Pick-up	Bill Pmt -Check	09/23/2022	25584	Lithia Motors, Inc	-1,348.71
Postage	Bill Pmt -Check	09/23/2022	25585	Reserve Account	-500.00
Reimburse Exam Fee	Bill Pmt -Check	09/23/2022	25586	Moulder, Kyle	-65.00
D2 Certification	Bill Pmt -Check	09/23/2022	25587	SWRCB-DWOCP	-60.00
Domestic Customer Deposit Refund	Check	09/29/2022	25588	Owens, Anthony	-58.92
Water Right Support	Bill Pmt -Check	09/29/2022	25589	MBK Engineers	-367.50
FT Ditch	Bill Pmt -Check	09/29/2022	25590	NORTHSTAR	-4,789.25
Legal	Bill Pmt -Check	09/29/2022	25591	Somach Simmons & Dunn	-107,254.66
Water Meters	Bill Pmt -Check	09/29/2022	25592	Specialized Utility Services Program	-1,490.00
Digital Path, Adobe, Siriusxm, Meals, Receipticle, Certification Distribution Seminar, Postage, Carwash, Annual Zoom, AT&T Service, Labels, Bottlet Water, Clamps, Fittings	Bill Pmt -Check	09/30/2022	25593	Mechanics Bank	-3,420.85
Total 11007 - River Valley Bank Checking					-214,884.16
Total 1000A - Cash - GC Seperate Accounts					-215,024.68
<b>TOTAL</b>					<b>-215,024.68</b>

# North Yuba Water District Profit & Loss Budget Performance July - September 2022

Accrual Basis

	Jul - Sep 22	YTD Budget	\$ Over Budget	% of Budget	Annual Budget
<b>Ordinary Income/Expense</b>					
<b>Income</b>					
4000A · Irrigation	0.00	0.00	0.00	0.0%	18,961.49
4050A · Domestic	81,337.65	85,243.42	-3,905.77	95.42%	282,567.68
4100.10 · Power Revenue SFPP	177,250.00	177,250.00	0.00	100.0%	709,000.00
4100.11 · SFPW Net Revenues 50% Distr.	3,269,900.00	0.00	3,269,900.00	100.0%	0.00
4150.10 · Younglife-Water Sales	0.00	0.00	0.00	0.0%	2,161.00
4200.10 · Yuba City-Water Sales	144,526.14	109,620.00	34,906.14	131.84%	398,430.00
4215.13 · Other Revenue	7,965.71	125.01	7,840.70	6,372.06%	500.00
4250.10 · Taxes - General	377.76	267.49	110.27	141.22%	265,278.40
4250D · Taxes - Domestic	548.61	401.12	147.49	136.77%	70,155.85
4250I · Taxes - Irrigation	0.00	0.00	0.00	0.0%	102,664.20
4300A · Interest	757.96	278.05	479.91	272.6%	40,000.00
<b>Total Income</b>	<b>3,682,663.83</b>	<b>373,185.09</b>	<b>3,309,478.74</b>	<b>986.82%</b>	<b>1,889,718.62</b>
<b>Gross Profit</b>	<b>3,682,663.83</b>	<b>373,185.09</b>	<b>3,309,478.74</b>	<b>986.82%</b>	<b>1,889,718.62</b>
<b>Expense</b>					
5050.69 · 2005 Agreement SFWP/INYWD	91,239.85	79,549.50	11,690.35	114.7%	351,215.00
5100.00 · WTP	93,379.67	74,511.19	18,868.48	125.32%	297,804.85
5200.00 · T&D Irrigation	1,114.90	29,797.93	-28,683.03	3.74%	129,097.53
5251 · T&D Domestic	58,830.62	51,057.89	7,772.73	115.22%	206,082.99
5400 · Board of Dir	4,062.73	5,314.31	-1,251.58	76.45%	24,639.31
5500 · Admin	114,539.77	153,293.62	-38,753.85	74.72%	573,797.06
5500U · Admin-Utilities	10,249.72	8,997.72	1,252.00	113.92%	35,000.00
5600R · Regulator Driven	8,688.34	15,763.26	-7,074.92	55.12%	148,531.49
5700 · General	35,666.90	28,675.28	6,991.62	124.38%	142,790.64
5700F · Fuel	8,180.55	11,553.51	-3,372.96	70.81%	35,000.00
5800 · OSHA/Safety	671.50	1,790.76	-1,119.26	37.5%	14,469.81
<b>Total Expense</b>	<b>426,624.55</b>	<b>460,304.97</b>	<b>-33,680.42</b>	<b>92.68%</b>	<b>1,958,428.68</b>
<b>Net Ordinary Income</b>	<b>3,256,039.28</b>	<b>-87,119.88</b>	<b>3,343,159.16</b>	<b>-3,737.42%</b>	<b>-68,710.06</b>
<b>Net Income</b>	<b>3,256,039.28</b>	<b>-87,119.88</b>	<b>3,343,159.16</b>	<b>-3,737.42%</b>	<b>-68,710.06</b>



# North Yuba Water District

## Cash In Accounts prior Month Comparison

### September 2022 compared to August 2022

	09/30/2022	08/31/2022	
	Amount	Amount	Increase/Decrease
River Valley Bank Checking	\$3,275,207.13	\$3,322,585.62	(\$47,378.49)
Savings Money Market Account (River Valley Bank)	\$111,542.44	\$111,527.93	\$14.51
PayPal Account	\$3,042.85	\$2,321.37	\$721.48
Petty & Register Cash	\$830.00	\$830.00	\$0.00
YC Treas Fund #637 (Gen Dist)	\$418,719.44	\$418,719.44	\$0.00
YC Treas Fund #641 (ID #1)	\$357,960.52	\$357,960.52	\$0.00
YC Treas Fund #642 (ID #2)	\$139,941.47	\$139,941.47	\$0.00
YC Treas Fund #639 (Fac Fee Domestic)	\$7,474.15	\$7,474.15	\$0.00
YC Treas Fund #640 (Savings)	\$802,621.27	\$802,621.27	\$0.00
YC Treas Fund #644 (Equip Res)	\$3,043.36	\$3,043.36	\$0.00
YC Treas Fund #646 (ID #6)	\$11,558.14	\$11,558.14	\$0.00
YC Treas Fund #647 (Annex Irr)	\$11.46	\$11.46	\$0.00
YC Treas Fund #648 (Annex Dom)	\$89.53	\$89.23	\$0.30
YC Treas Fund #649 (Off Equip Res)	\$5,559.01	\$5,559.01	\$0.00
YC Treas Fund #650 (Reserve)	\$882,742.96	\$882,742.96	\$0.00
YC Treas Fund #393 (Trmt Plnt)	\$2,778.08	\$2,778.08	\$0.00
<b>Total Cash on Hand</b>	<b>\$6,023,121.81</b>	<b>\$6,069,764.01</b>	<b>(\$46,642.20)</b>
Reserve Accounts			
Reserve Savings Money Market (River Valley Bank)	\$96,358.06	\$96,346.31	\$11.75
CIP Money Market Account (River Valley Bank)	\$184,338.97	\$184,314.98	\$23.99
<b>Total in Reserve</b>	<b>\$280,697.03</b>	<b>\$280,661.29</b>	<b>\$35.74</b>
<b>Total in All Accounts not including FT Tank and YC Water Sale Account</b>	<b>\$6,303,818.84</b>	<b>\$6,350,425.30</b>	<b>(\$46,606.46)</b>
FT Tank Money Market Account (River Valley Bank)	\$109,186.60	\$109,172.39	\$14.21
YC Water sale Account (River Valley Bank)	\$254,267.80	\$254,267.80	\$0.00
<b>Total in All Accounts</b>	<b>\$6,667,273.24</b>	<b>\$6,713,865.49</b>	<b>(\$46,592.25)</b>

## North Yuba Water District

### Cash In Accounts August 2022 last reported with June 2022 Taxes reported by Yuba County added

	08/31/2022	08/31/2022	
	Including Y.C. Tax Amount	Before Y.C. Tax Amount	Increase/Decrease
River Valley Bank Checking	\$3,322,585.62	\$3,322,585.62	\$0.00
Savings Money Market Account (River Valley Bank)	\$111,527.93	\$111,527.93	\$0.00
PayPal Account	\$2,321.37	\$2,321.37	\$0.00
Petty & Register Cash	\$830.00	\$830.00	\$0.00
YC Treas Fund #637 (Gen Dist)	\$418,719.44	\$393,837.69	\$24,881.75
YC Treas Fund #641 (ID #1)	\$357,960.52	\$347,714.46	\$10,246.06
YC Treas Fund #642 (ID #2)	\$139,941.47	\$133,780.45	\$6,161.02
YC Treas Fund #639 (Fac Fee Domestic)	\$7,474.15	\$7,474.15	\$0.00
YC Treas Fund #640 (Savings)	\$802,621.27	\$802,621.27	\$0.00
YC Treas Fund #644 (Equip Res)	\$3,043.36	\$3,043.36	\$0.00
YC Treas Fund #646 (ID #6)	\$11,558.14	\$11,558.14	\$0.00
YC Treas Fund #647 (Annex Irr)	\$11.46	\$11.46	\$0.00
YC Treas Fund #648 (Annex Dom)	\$89.23	\$89.23	\$0.00
YC Treas Fund #649 (Off Equip Res)	\$5,559.01	\$5,559.01	\$0.00
YC Treas Fund #650 (Reserve)	\$882,742.96	\$882,742.96	\$0.00
YC Treas Fund #393 (Trmt Plnt)	\$2,778.08	\$2,778.08	\$0.00
<b>Total Cash on Hand</b>	<b>\$6,069,764.01</b>	<b>\$6,028,475.18</b>	<b>\$41,288.83</b>
Reserve Accounts			
Reserve Savings Money Market (River Valley Bank)	\$96,346.31	\$96,346.31	\$0.00
CIP Money Market Account (River Valley Bank)	\$184,314.98	\$184,314.98	\$0.00
<b>Total in Reserve</b>	<b>\$280,661.29</b>	<b>\$280,661.29</b>	<b>\$0.00</b>
<b>Total in All Accounts not including FT Tank and YC Water Sale Account</b>	<b>\$6,350,425.30</b>	<b>\$6,309,136.47</b>	<b>\$41,288.83</b>
FT Tank Money Market Account (River Valley Bank)	\$109,172.39	\$109,172.39	\$0.00
YC Water sale Account (River Valley Bank)	\$254,267.80	\$254,267.80	\$0.00
<b>Total in All Accounts</b>	<b>\$6,713,865.49</b>	<b>\$6,672,576.66</b>	<b>\$41,288.83</b>

Note: North Yuba Water district received Yuba County's Tax Report for June 2022 in September. The district received \$41,288.83 in Taxes dated June 30, 2022 that were not reported to the District until September, but had to be dated June 30, 2022 in the Districts books.

**North Yuba Water District**  
**Statement of Cash Flows**  
**September 2022**

	<b>Sep 22</b>
<b>OPERATING ACTIVITIES</b>	
Net Income	89,202.79
Adjustments to reconcile Net Income	
to net cash provided by operations:	
1200A · Accounts Receivable:1200.50 · Accounts Receivable Module	-55.00
A/R:A/R Domestic Water	-2,879.74
1300.00 · Inventory-001	-314.42
1400.03 · Prepaid Worker's Comp Insurance	2,517.10
2000.00 · Accounts Payable	16,584.57
Payroll Liabilities	1.00
2150.30 · PR Tax WH-SUTA	21.00
2150.50 · PR WH-Aflac Ins	11.12
2250.10 · Deposits-Customers	-128.00
Net cash provided by Operating Activities	104,960.42
Expenses/Income from Reserves	
Public Outreach	-10,000.00
Additional Legal	-129,617.34
Wash Rack at Shop	-6,316.88
Meters	-3,345.00
WTP Filters	-2,266.75
Net cash provided by Investing Activities	-151,545.97
Net cash increase for period	-46,585.55
Cash at beginning of period	6,713,858.79
Cash at end of period	6,667,273.24

North Yuba Water District

2022-23 EXPENSES OUT OF RESERVES (July-September 2022)

MEMO	DATE	AMOUNT
Public Outreach	July-September 2022	\$25,000.00
Additional Legal	July-September 2022	\$329,175.27
Water Rights Review	July-September 2022	\$6,981.00
Wash Rack at Shop	July-September 2022	\$9,926.88
Office Maintenance	July-September 2022	\$3,873.87
Water Transfer	July-September 2022	\$10,345.00
Tanks (waiting for Grant reimbursement)	July-September 2022	\$45,525.00
Meters	July-September 2022	\$5,585.00
Water Treatment Plant Filters	July-September 2022	\$2,266.75
	<b>TOTAL</b>	<b>\$438,678.77</b>

**RESOLUTION NO. 22-7681**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF NORTH YUBA WATER DISTRICT AUTHORIZING REMOTE TELECONFERENCE MEETINGS IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54953(e)**

**WHEREAS**, North Yuba Water District (District) recognizes the importance of transparency and clear communication in government, and is committed to full compliance with the letter and spirit of the Ralph M. Brown Act (Gov. Code, §§ 54950 – 54963) (hereinafter “Brown Act”); and

**WHEREAS**, all meetings of the District’s Board of Directors are open and public, as required by the Brown Act, so that any member of the public may attend and participate; and

**WHEREAS**, the Brown Act (Gov. Code, § 54953, subd. (e)), allows members of a legislative body to participate in meetings remotely, without compliance with the requirements of Government Code section 54953, subdivision (b)(3), if a state of emergency is proclaimed pursuant to Government Code section 8625 and state or local officials have imposed or recommended measures to promote social distancing, or meeting in person presents imminent risk to the health and safety of attendees; and

**WHEREAS**, on March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency to exist in the State of California as a result of the threat of COVID-19 (Proclamation); and

**WHEREAS**, on September 16, 2021, the Governor signed AB 361 authorizing, among other things, that during a proclaimed state of emergency local agencies may continue meeting remotely under modified Brown Act requirements until January 1, 2024, or until the Governor rescinds the Proclamation, whichever comes first; and

**WHEREAS**, the District wishes to authorize remote teleconference meetings pursuant to Government Code section 54953, subdivision (e).

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of North Yuba Water District as follows:

1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
2. The Board of Directors does hereby find that the Proclamation has not been rescinded.
3. The Board of Directors does hereby find that, given the Governor’s continuing Proclamation, conditions exist posing imminent risk to the health and safety of Board members and those who personally attend Board meetings.
4. The General Manager and staff are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution, including conducting

open and public meetings in accordance with Government Code section 54953, subdivision (e), and other applicable provisions of the Brown Act.

5. This Resolution shall take effect immediately upon its adoption, and shall be effective until the earlier of (a) November 26, 2022, or (b) such time as the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953, subdivision (e)(3), to extend the time during which the North Yuba Water District Board of Directors may continue to meet remotely without compliance with the requirements of Government Code section 54953, subdivision (b)(3).

**PASSED, APPROVED, AND ADOPTED** at a Regular meeting of the Board of Directors of North Yuba Water District on October 27, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Gary Hawthorne  
President, Board of Directors  
North Yuba Water District

ATTEST:

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Jeff Maupin  
Secretary, Board of Directors  
North Yuba Water District



# Memorandum

Date: October 21st, 2022

To: Jeff Maupin

From: Operations

Subject: Monthly work production/ Schedule of Maintenance review

The following is an overview of the work performed this month by operations staff.

***Transmission:***

1. Forbestown ditch is still now entering its winter cycle. South Feather ended their irrigation season on October 17<sup>th</sup>. The treatment plant will begin receiving water every ten days, or as needed. The ditch is being patrolled; trash racks cleaned, fallen trees removed, and the ditch cleaned and repaired as needed.

***Distribution:***

1. Domestic meter reads for Brownsville and Rackerby were completed on time.
2. There were 8 service line leaks for the last month. Job # 663 located at 17117 New York House Rd. Job # 664 located at 8411 La Porte Rd. Job # 665 located at 10157 La Porte Rd. Job # 666 located at 16600 Frenchtown Rd. Job # 668 located at 7503 La Porte Rd. Job # 670 located at 9841 Sills Lane. Job # 671 located at 9691 Ruff Hill Trail. Job # 672 located at 19146 Challenge Cut Off Rd.
3. There were 3 main line leaks for the last month. Job # 667 located at 17066 New York House Rd. Job # 669 located at 17849 Rainbow Lane. Job # 673 located at 9684 La Porte Rd.
4. All blow offs were inspected, no problems were found.
5. All air releases were inspected, no problems were found.

**Water Treatment Plant:**

1. On July 5<sup>th</sup> the finished water Turbidimeter began acting erratically. A replacement has been ordered and is scheduled to be replaced as soon as it arrives. On October 3<sup>rd</sup>, ERS Industrial Services INC began replacing filter media and internal components of filter number two. As of today's date, the filter has been sand blasted and epoxied, all drain laterals have been replaced, both backwash down spouts, up flow clarifier air inlets, and all new media. This also includes all new hardware (Nuts and Bolts) etc. When filter number two is complete the process will begin on filter number 1.

**Backflow:**

1. All backflows are current, there were 0 backflow tests required within the last 4 weeks.

**Regulators:**

1. All CDPH (Cal. Dept. of Public Health) and NPDES (Nat. Pollution Discharge Elimination System) tests and samples were taken and performed on time. These include 3 bacteriological distribution samples for the CDPH, which came back as non-detect.

**DOH Canal:**

1. As of August 15th 2022, there has been 31,010 feet of weed abatement completed on 01. There has been 13,430 feet of weed abatement completed on 02. There has been 44,566 feet of weed abatement completed on 03. Maintenance to the canals is ongoing.

**Schedule of Maintenance:**

1. The SOM (schedule of maintenance) for the treatment plant, regulators (local, state and federal) and UFC were completed for the previous month. All regulatory (local, state and federal) reports for the current month were completed or are in process.

**Safety Meetings:**

1. Safety meetings are held weekly, all field employees are required to attend. The following is a list of completed safety meetings in the last 4 weeks.
2. #1 Distracted Driving.
3. #2 Biohazard Safety.
4. #3 Gate Valve safety.
5. #4 Weather Extremes.