

GARY HAWTHORNE
President
Division 3

DOUG NEILSON
Vice President
Division 1

Chris Cross
Division 2



DONALD FORGUSON
Director
Division 4

GINGER HUGHES
Director
Division 5

JEFF MAUPIN
General Manager

AGENDA

**SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE
NORTH YUBA WATER DISTRICT**

10:30 AM ♦ FRIDAY ♦ AUGUST 19, 2022

NOTICE: IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54953(e) AS AMENDED BY AB 361, THIS MEETING WILL BE CONDUCTED BY TELECONFERENCE.

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

Join Zoom Meeting

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AND WILL BE GIVEN THE OPPORTUNITY TO PROVIDE PUBLIC COMMENT.

COMMENCEMENT OF MEETING

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

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.

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

DISCUSSION/ACTION CALENDAR

D. RESOLUTION NO. 22-768E

Adopt resolution authorizing remote teleconference meetings in accordance with California Government Code section 54953(e), as amended by AB 361.

ADJOURNMENT

RESOLUTION NO. 22-768E

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) September 18, 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 Special meeting of the Board of Directors of North Yuba Water District on August 19, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gary Hawthorne
President, Board of Directors
North Yuba Water District

ATTEST:

Jeff Maupin
Secretary, Board of Directors
North Yuba Water District