

**SPECIAL MINUTES**  
**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, March 04, 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.

**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		Dr. Flohr, Charles Sharp,
<i>VICE PRESIDENT</i>	Doug Neilson		Terry Brown, Greg Hlo- man, Donna Corson, Marieke Furnee, Dr. Ru- brik Perla, Jeannette Caviler, Kara M., Aron M., Addrian, Steven, Don Moody, John Kinsey
<i>DIRECTORS</i>	Ginger Hughes Donald Forguson John Brueggeman		
<i>GENERAL MANAGER</i>	Jeff Maupin		
<i>ATTORNEY</i>	Michael Vergara. Penny		

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

**ACTION ITEMS**

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

Opportunity for public comment on any item on the agenda or any other items within the jurisdiction of the district Board. However, no action may be taken by the Board on topics or matters presented during this **PUBLIC INPUT** agenda.

**PUBLIC COMMENT:**

Members of the public commented on special meetings being held to cover urgent, time sensitive matters and robbing the public of being informed, no objective stated on the Irrigation Policy and the availability criteria, how  
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the directors had input, and participated, code 31020. A large vineyard who took the project based on the supply of irrigation water and have suffered damages in the thousands, ponds being used for fire, last year's non water delivery, measurements used in the policy will decrease water served, read a statement regarding ponds and requested it be read into the minutes, the policy will deter future farmers and economic development, bosses and accountability, question on the Resolution and who it was provided to. Question on receipt of letter sent to Directors email and counsel regarding lack of notice of such a complex issue, CEQA, Feasibility Study, how the district manages water, appropriate notice, suggested it be taken up at a regular meeting, public hearing, public workshops with receipt of public feedback. The district's practice of soliciting public comment as a separate agenda.

- D. **RESOLUTION 22-767** Authorizing and adopting Irrigation Water Policy in accordance with Water Code section 31024.

**Director Hughes made a motion to accept Resolution 22-767. Vice President Neilson seconded the motion.**

Vice President Neilson discussed the target miner inches of 150, servicing the little guy first, ponds listed as not being beneficial use has been in the policies for over a decade. Vice President Neilson also discussed that a CEQA document is not necessary because the ditch is not being modified and there are no environmental changes. The district is not restricting building storage systems and every policy signed by irrigation customers states that the district cannot guarantee the water will be there for fire and ornamental ponds are not allowed.

**The motion passed with a majority vote. Director Forgyson was not reachable.**

**E. CLOSED SESSION**

Conference with General Counsel – Anticipated Litigation pursuant to Paragraph (2) or (3) of Subdivision (d) of Government Code Section 54956.9 – 1 potential case.

The Board entered into closed session at 4:03 P.M.

The Board returned from closed session at 4:42

**Michael Vergara, District Legal Counsel reported that the Board directed the theft matter to be forwarded to the District Attorney's office.**

**F. 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.

**The meeting was adjourned at 4:43 P.M.**

Respectfully Submitted,

  
Catherine L. Fonseca, Recording Secretary