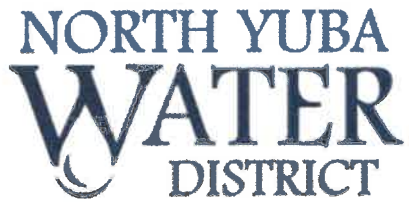


Alton Wright
Director
Division 1

Steve Ronneburg
Director
Division 2

Gary Hawthorne
Director
Division 3



Marieke Furnee
President
Division 4

Ann Plumb
Vice President
Division 5

Leona Harris
General Manager
(Interim)

AGENDA

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

5:30 PM ♦ THURSDAY ♦ JANUARY 26, 2023

NOTICE: THIS MEETING WILL BE PHYSICALLY OPEN TO THE PUBLIC AT THE DISTRICT OFFICE LOCATED AT 8691 LA PORTE RD, BROWNSVILLE, CA 95919. HOWEVER, THE MEETING WILL ALSO TAKE PLACE VIA ZOOM. MEMBERS OF THE PUBLIC MAY ATTEND AND PARTICIPATE IN THE MEETING VIA VIDEOCONFERENCE AT:

Join Zoom Meeting

Time: Jan 26, 2023 05:30 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83914715328?pwd=ck9PeiVLS2xWWEZwMEZ5V2hqR0UwZz09>

Meeting ID: 839 1471 5328

Passcode: 481636

One tap mobile

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Meeting ID: 839 1471 5328

Passcode: 481636

Find your local number: <https://us02web.zoom.us/j/83914715328?pwd=ck9PeiVLS2xWWEZwMEZ5V2hqR0UwZz09>

COMMENCEMENT OF MEETING

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.

A. CALL TO ORDER/ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. OPPORTUNITY FOR PUBLIC COMMENT – Topics Not on the Agenda:

At the beginning of a regular meetings, the public has the opportunities to address the District Board of Directors about matters not on the agenda that are within the jurisdiction of the Board of Directors. Public comment is limited to no more than four (4) minutes per person, twenty (20) minutes total for all speakers.

DISCUSSION/OPEN SESSION ACTION CALENDAR
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D. OPPORTUNITY FOR PUBLIC COMMENT – Topics on the Agenda:

The public has the opportunities to address the District Board of Directors about matters on the agenda. Public comment is limited to no more than four (4) minutes per person, twenty (20) minutes total for all speakers for each agendized item.

The Board of Directors shall provide at least twice the allotted time to a member of the public who utilizes a translator to ensure that non-English speakers receive the same opportunity to directly address the Board. legislative body.

E. CONSENT ITEMS

1. Approval of Minutes for Regular Board Meeting of October 27, 2022
2. Approval of Minutes for Special Board Meeting of November 18, 2022
3. Approval of Minutes for Special Board Meeting of November 29, 2022
4. Approval of Minutes for Special Board Meeting of December 6, 2022
5. Approval of Minutes for Special Board Meeting of December 8, 2022
6. Approval of Minutes for Special Board Meeting of December 20, 2022
7. Approval of Payroll for the Month of October 2022: \$ 39,678.60
8. Approval of Payroll for the Month of November 2022: \$ 361,974.47
9. Approval of Payroll for the Month of December 2022: \$ 56,487.95
10. Approval of Bills for the Month of October 2022: \$ 343,199.75
11. Approval of Bills for the Month of November 2022: \$ 843,801.54
12. Approval of Bills for the Month of December 2022: \$ 302,705.01

F. FINANCIAL MANAGER’S REPORT

G. STAFF REPORTS AND RECOMMENDATION

The Board will possibly hear reports by District staff and receive their recommendations for future Board action.

The Board will discuss and may take action on staff recommendations on an information technology upgrade and recommendations for improvements to the District website, and the actions the Board takes may include authority to spend the funds necessary to upgrade the District’s information technology and improve the District’s webpage.

H. DIRECTORS REPORTS

CLOSED SESSION

- I. **The Board will be meeting in closed session to consider and possibly act upon the appointment/employment of a public official/employee for the position of a temporary administrative assistant.**

- J. **Conference with Legal Counsel — existing litigation (4 Cases) – pursuant to Government Code section 54956.9, subdivision (d), paragraph (1):**
 - 1. *Fellowship of Friends, Inc. v. North Yuba Water District, et al.*, Yuba County Superior Court Case No. CVPT22-00246;
 - 2. *Charles Sharp v. North Yuba Water District, et al.*, Yuba County Superior Court Case No. CVPT20-00386.
 - 3. *South Feather Water & Power Agency v. North Yuba Water District*, Sutter County Superior Court Case No. CVCS21-0002073
 - 4. *North Yuba Water District v. South Feather Water and Power District*, Yuba County Superior Court Case No. Case No. CVCS21-0001857

- K. **Conference with Legal Counsel — pending litigation (2 cases) – pursuant to Government Code section 54956.9, subdivision (e), paragraph (3):**
 - 1. Letter from Dustin Cooper, representing South Feather Water and Power District, demanding the Board cure and correct alleged Brown Act violations.
 - 2. Letter from John Kinsey, representing Charles Sharp, demanding the Board cure and correct alleged Brown Act violations.

- L. **Conference with Legal Counsel — Anticipated litigation – pursuant to Government Code section 54956.9, subdivision (d), paragraph (3) the Board has determined that there is significant exposure to litigation (6 potential cases).**

- M. **PUBLIC REPORT OF ACTIONS TAKEN IN CLOSED SESSION.**

**PUBLIC COMMENT ON
MATTERS DISCUSSED IN
CLOSED SESSION**

Any member of the public wishing to make comments on matters discussed during the meeting will be provided an opportunity to make comments, limited to no more than two (2) minutes total per person, ten (10) minutes total for all speakers.

**CONTINUED
DISCUSSION/OPEN SESSION
ACTION CALENDAR**

- N. **Waiver of Conflict of Interest – Josh Bailey:**

Josh Bailey is an attorney who previously worked for the law firm representing Charles Sharp in his litigation against the District. Mr. Bailey and his wife have moved to Sacramento, and have applied for employment with Boutin and Jones – a law firm representing NYWD. The District’s Interim General Counsel believes Mr. Bailey’s employment with Boutin Jones will not disadvantage the District, and recommends the District execute the conflict of interest waiver required for Boutin Jones to employ Mr. Bailey as an attorney.

The Board will discuss and possibly act upon Interim General Counsel’s recommendation.

O. *Fellowship of Friends, Inc. v. North Yuba Water District, et al.*, Yuba County Superior Court Case No. CVPT22-00246.

On March 4, 2022, the District Board of Directors approved Resolution No. 22-767 enacting the revised Irrigation Water Policy, Rules and Regulations Governing the Distribution of Water. The Fellowship of Friends filed a lawsuit to invalidate Resolution No. 22-767 for a number of reasons, including the argument that the Resolution violates the 4th Amendment to Constitution of the United States because the resolution authorizes the District to conduct warrantless searches of private property within the District, forcing landowners and lessees to submit to inspections/searchers of their private property without any basis or probable cause to suspect any wrongdoing.

The District Board of Directors will discuss and possibly act upon the District’s Interim General Counsel’s recommendation to settle the lawsuit by rescinding Resolution No. 22-767 and agreeing to reimburse The Fellowship for a negotiated amount of the attorney fees and costs the Fellowship incurred prosecuting the lawsuit thus far – fees and costs the District would be required to pay if the Fellowship wins the lawsuit in court.

P. *Brown Act Cure and Correct:*

Charles Sharp and the South Feather Water & Power Agency v. North Yuba Water District have formally complained about actions taken pertaining to former General Manager Jeff Maupin during two special meetings held on November 18, 2022, November 29, 2022, after the last election but before the four newly elected directors were sworn in to their new public positions. Mr. Sharp and South feather argue that, because the two meetings violated the Brown Act, the District Board of Directors must rescind all action taken during those two unlawful board meetings. If not, Mr. Sharp and South Feather could bring a lawsuit to invalidate the actions they argue were unlawful, and, if they win those lawsuits, the District would be obligated to reimburse both Mr. Sharp and South Feather for their attorney fees and court costs.

The Board will discuss and possibly act to cure and correct alleged Brown Act violations by voting to rescind all actions the former Board of Directors took - both in open and closed sessions - on November 18, 2022, November 29, 2022.

Q. *Termination of Former General Manager:*

If the District Board of Directors rescind the actions the former Board took on November 29, 2022 – which would include the former Board’s termination of Jeff Maupin’s employment with the District - then the Board will discuss and possibly act to ratify the termination of Mr. Maupin’s termination on November 29, 2022.

R. *Brown Act Cease and Desist:*

In addition to South Feather’s cure and correct demand, South Feather also demanded the District provide a promise to cease and desist holding unlawful special meetings to discuss and act upon the employment/compensation of the District’s executive officer. The process to issue a cease and desist promise is different from the steps needed to cure and correct a Brown Act violation, requiring an open session discussion and motion to provide a letter described in Government Code § 54960.2.

The District Board of Directors will discuss and possibly act to provide South Feather with the unconditional cease and desist assurance described in Government Code § 54960.2.

ADJOURNMENT

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, 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. 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

<https://us02web.zoom.us/j/8612220681?pwd=cFE1UFZxMEpDTVdjbj0JNOEg4bzZRZz09>

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Passcode: 944806
One tap mobile
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+12133388477,,8612220681#,,,,*944806# US (Los Angeles)

Dial by your location
+1 669 219 2599 US (San Jose)
+1 218 338 8477 US (Los Angeles)
888 475 4499 US Toll-free
Meeting ID: 826 6363 4363
Passcode: 944806

Find your local number: <https://us02web.zoom.us/j/8612220681?pwd=cFE1UFZxMEpDTVdjbj0JNOEg4bzZRZz09>

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 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 Terry
<i>VICE PRESIDENT</i>	Doug Neilson		Brown, Dr. Perla, Cara Mockrish, Karen Leggit
<i>DIRECTORS:</i>	Ginger Hughes Chris Cross Donald Ferguson		
<i>GENERAL MANAGER</i>	Jeff Maupin		
<i>ATTORNEY</i>	Michael Vergara, Pennie		

B. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Director Cross.

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 service of the board and the wasted money used by opposing members of the public and the unusual campaign materials and anonymous mailers being sent out with misinformation.

ACTION ITEMS

D. CONSENT ITEMS:

1. Approval of **Minutes for Special Board Meeting of August 31, 2022**
2. Approval of **Regular board Meeting of September 22, 2022**
3. Approval of **Special Board Meeting of October 05, 2022**
4. Approval of **Payroll for the Month of September 2022**
5. Approval of **Bills for the Month of September 2022**

Director Forgyson made a motion to accept consent items 1-5. Director Hughes seconded the motion.

There was no further discussion.

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 September 30, 2022. Total cash on hand in all accounts including reserves was \$6,667,273.24, total income for the fiscal year to date (July 31, 2022, to September 30, 2022) was \$3,682,663.83. Total expenses were \$426,624.55, leaving a net revenue over expenses of 3,256,039.28, Expenses out of Reserves year to date totaled \$438,678.77.

Director Cross made a motion for the Board to accept the Financial Manager's report as presented. Director Hughes seconded the motion.

There was no further discussion.

The motion passed with a unanimous vote.

F. RESOLUTION NO. 22-768I:

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

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

Director Forguson asked if there would be a special meeting in November to renew the resolution. Michael Vergara, District Counsel confirmed that the resolution is only good for 30 days and a meeting would have to be scheduled.

The motion passed with a unanimous vote.

G. GENERAL MANAGER'S REPORT:

1. Operations Memorandum

No Discussion on Operations Memorandum and nothing to add.

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 Hughes asked if there would be any regular meetings for November and December. Michael Vergara, District Counsel responded that only the special meeting to renew Resolution 22-768 will be scheduled for November and December.

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.

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

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
Friday, November18, 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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Passcode: 572782

Find your local number: <https://us02web.zoom.us/j/kv6dlhzNK>

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 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		Marieke Furnee, Karen Legit, Josh Bailey, John Brueggeman, Nancy, Terry Brown, Aidan Wallace, Charles Sharp,
<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:

November 18, 2022, Special 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 supporting the current board for all they have done and will be keeping an eye on the upcoming board, a reminder to the board that they are personally liable for their decisions and have sworn an allegiance to the public and recommended the board to vote against the current proposal. Attorney for Charles Sharp concerned with action taken by the board prior to the new board being sworn in, item F is an inappropriate subject for a special meeting and a violation of the Brown Act. This policy does not seem like a good idea.

ACTION ITEMS

Vice President Neilson requested that Item F and G be moved ahead of closed session. A roll call was taken, and Director Hughes voted no, Director Forguson voted yes, Director Cross voted yes, President Hawthorn voted yes. Item F and G was moved before closed session with a Majority vote.

F. RESOLUTION NO. 22-774

Authorizing Seventh Amendment to the General Manager's employment contract amending paragraphs 3 and 13 and adding paragraph 14 to the employment contract.

President Hawthorn read Resolution No. 22-774 out loud.

Michael Vergara, District Counsel responded to public comments regarding the amendment that paragraph 13 has existed in the form it is being proposed since February 2018. The proposed amendment does not substantially change paragraph 13 and was in existence since before his firm came into existence and is nothing new in the amount of severance.

Director Forguson made a motion to accept Resolution No. 22-774. President Hawthorn seconded the motion.

Director Forguson asked District Counsel if everything being done regarding Resolution No 22-774 is above board and cannot be changed by Mr. Sharps attorney. Michael Vergara responded yes, in his opinion but could not say that someone could not challenge it.

The motion passed with a unanimous vote.

G. RESOLUTION NO. 22-768J

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

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

The motion passed with a unanimous vote.

CLOSED SESSION

D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Gov. Code, Section 54957, subd. (b)(1) General Manager

The Board President or his designee will provide a report on any reportable action taken during closed session, should any such action occur.

The Board entered closed session at 10:51 AM.

The Board came back in session at 11:55 AM. Director Cross dropped off for an appointment.

E. POST-CLOSED SESSION REPORT (IF ANY REPORTABLE ACTION TAKEN)

President Hawthorn reported out of closed session on the public employee evaluation for the General Manager, Jeff Maupin. After evaluation of his performance the board approved increasing his monthly salary to \$18,339.00, retroactive to November 01, 2022. This is the median salary for other local water and irrigation districts and was based-on the Browns Valley Irrigation District Compensation Study in 2016 by Bryce Consulting

H. ADJOURNMENT:

The meeting was adjourned at 11:58 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,

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
Friday, November 29, 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

<https://us02web.zoom.us/j/83853879871?pwd=UEY4aUHOUEU1JbXZ5Y285MK9YTUZWUT09>

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Meeting ID: 813 0333 3834
Passcode: 520898

Find your local number: <https://us02web.zoom.us/j/83853879871?pwd=UEY4aUHOUEU1JbXZ5Y285MK9YTUZWUT09>

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 3:31 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, Dr. Flohr, John Brueggeman, Kim Hawthorne, Josh Bailey, Duston Cooper, A Wallace, Terry Brown, Dr. Perla, Alton Wright
<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 Kelley Taber,		

B. PLEDGE OF ALLEGIANCE:

The 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.

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 good job the board and General Manager has done.

The Board entered closed session at 3:37 PM.

CLOSED SESSION

D. CONFERENCE WITH COUNSEL – Existing litigation (4 Cases) – pursuant to Government Code section 54956.9, subdivision (d), paragraph (1).

1. Gideon Beinstock, et al. v. North Yuba Water Agency [sic], Yuba County Superior Court Case No. CVPT21- 00515.
2. Fellowship of Friends v. North Yuba Water District, et al., Yuba County Superior Court Case No. CVPT22- 00246.
3. Marieka Furnee, Gideon Bienstock, Jeanette Cavaliere, Donna Corson, Israel Perla, and Charles Sharp v. North Yuba Water District, Yuba County Superior Court Case No. CVPT21-00436.
4. Charles Sharp, v. North Yuba Water District, et al., Yuba County Superior Court Case No. CVPT20-00386.

E. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Gov. Code, Section 54957, subd. (b)(1) General Manager)

The Board came back in session at 4:25 PM.

F. POST-CLOSED SESSION REPORT OF ACTION TAKEN

The Board President or his designee will provide a report on any reportable action taken during closed session, should any such action occur.

President Hawthorn reported that regarding Item 3 in the legal documents, the offer from Marieka Furnee, Gideon Bienstock, Jeanette Cavaliere, Donna Corson, Israel Perla, and Charles Sharp v. North Yuba Water District, Yuba County Superior Court Case No. CVPT21-00436, in exchange for not appealing the decision since the lawsuit cost the district some \$400,000 of public funds, we reject their offer to have us waive our costs.

In May of 2005 the North Yuba Water District (at the time was named Yuba County Water District) and South Feather Water and Power Agency entered into an agreement addressing among other things the use of the North Yuba Water Districts water rights for the generation of electric power through the South Feather Power Project owned by South Feather Water and Power and the sharing of revenue from the sale of electricity generated by the South Feather Power Project. The 2005 agreement specified that on January 01, 2011, South Feather quit claims to the district its entire interest in the upper Forbestown Ditch which is a 10-mile-long unlined earthen ditch that has long suffered significant carriage loss. Under the 2005 agreement South Feather also agrees to quote "Cooperate in the actions of the district to seek the Department of Water Resources approval of the piping of the

Forbestown Ditch.” Among other breeches of the 2005 contract South Feather did not incorporate in this effort and in fact has sued the district to prevent the piping. Piping of the Forbestown Ditch will not only address the unexpected carriage loss incurred by the existing facility but is the best solution to putting all the districts water to beneficial use, including a reliable source of irrigation water. On October 24, 2011, the District hired Jeffery Maupin to serve as the District General Manager. Since becoming the general manager Jeff has worked tirelessly to pipe the Forbestown Ditch only to be repeatedly stymied by ceaseless and perilous social media attacks from a segment of the district comprised primarily of seasonal irrigation customers who were incapable of accepting the impacts of the state’s historic drought and state ordered curtailments. For the most part these detractors engaged in anonymous, coordinated smear campaign against Jeff and this Board, hiding behind coalitions such as the Foothill Water Coalition, The Friends Water *District*, or the North Yuba Water Alliance and through complicit biased reporting in the Appeal Democrat. Despite the false and disingenuous attacks against him and the Board, Jeff obtained grants to fund the piping of the Forbestown Ditch only to have that effort foiled by the same detractors and the failure of the Yuba County Water Agency to approve a portion of the financing. Jeff also worked with District Counsel to receive from the California Natural Resources Agency, a rare suspension of CEQA requirements for piping the Forbestown Ditch. This suspension expressly recognized the enormous benefits of piping the Forbestown Ditch, stating in part that it takes into account, quote “The purpose of accelerating conservation projects that are necessary to address impacts of the drought while at the same time protecting public health and the environment.” Some of the detractors including some of the newly elected directors have advocated on social media for the use of civil lawsuits to quote, “Tie North Yuba Water District up in court” and quote “put them into bankruptcy” and prevent the piping of the ditch. These same detractors have repeatedly called for firing Jeff assuming the latest election results are certified by County Elections. It appears to this Board that Jeff will soon face a very hostile new board and a hostile work environment. The current board also believes that there will be an effort by the new board to fire Jeff and deny him his severance pay. Because the current board of directors maintain that for twelve years and in the face of viscous and relentless personal attacks by people in the district, including some of the newly elected directors Jeff served the district and the board with great skill, dignity and aplomb. The board therefore votes to terminate Jeff’s employment under paragraph 13 of the district’s employment contract with him. The termination is effective immediately and as requiring of paragraph 13 C of the employment contract the district finance manager is directed to immediately issue Jeff his severance pay.

President Hawthorn asked if there were any further comments.

There were no comments from Jeff Maupin. Director Hughes commented that it was a really good thing the board was doing and spoke about her concerns as to what had been done to Jeff and the board and the squandering of the district’s money on lawsuits by those people. Director Cross had no comments, Director Ferguson commented that Jeff has done a great job and has been better than any other manager we have ever had here. Vice President Neilson had no comments. President Hawthorn commented that he was very proud of this board and the previous boards that have done all that we could for the Forbestown Ditch piping. President Hawthorn went on to say that during the election the claims of the newly elected board were incomplete. There were no further comments.

G. ADJOURNMENT:

The meeting was adjourned at 4:34 PM.

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,

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
Tuesday, December 06, 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 5:30 PM, at the District Office in Brownsville, CA. The new board members introduced themselves.

<i>NAME</i>	<i>PRESENT</i>	<i>ABSENT</i>	<i>VISITORS INCLUDING:</i>
<i>PRESIDENT</i>	Marieke Furnee		Dr. Gretchen Flohr, John Brueggeman, Kim Hawthorne, Terry Brown, Nancy, Wendy Bowles, Dan Mooney, John Messick, Charles Sharp, Jaymie
<i>VICE PRESIDENT</i>	Ann Plumb		
<i>DIRECTORS:</i>	Gary Hawthorne Marieke Furnee Ann Plumb Alton Wright Steve Ronneberg		
<i>GENERAL MANAGER</i>			
<i>ATTORNEY</i>	Michael Vergara, Pennie Kelley Taber,		

B. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Marieke Furnee.

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:

There was no public comment.

DISCUSSION/ACTION CALENDAR

D. ELECTION - Board officers: President and Vice President.

Director Alton Wright nominated Director Marieke Furnee for President of the board. Director Steve Ronneberg seconded the motion.

The motion passed with a unanimous vote.

President Marieke Furnee nominated Director Ann Plumb for Vice President of the board. Director Steve Ronneberg seconded the motion.

The motion passed with a unanimous vote.

Director Hawthorne went over the chain of command of the North Yuba Water District with the board. Director Hawthorne asked if there were any items that the board wanted to add to the agenda for discussion for the next meeting. President Furnee read a statement thanking the community for the opportunity to make a new start with four new board seats. She asked for patience and support as the board moves forward. President Furnee said it was a great joy to sit on the board and it was an exciting period to work together for the common good of the people who live here for the water, health, and sustainability of our communities.

Director Wright extended a thank you to public, present and on zoom. Director Wright also thanked the staff especially during this time of transition.

Attorney Vergara asked the board about the December's meeting. President Furnee stated that the board would wait on that.

ADJOURNMENT

E. ADJOURNMENT

The meeting was adjourned at 5:42 PM.

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,

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
Thursday, December 08, 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

The meeting was called to order at 5:31 PM, at the District Office in Brownsville, CA. President Furnee welcomed the public to the open meeting. The meeting will also take place on Zoom according to the executive order N-29-20.

NAME	PRESENT	ABSENT	VISITORS INCLUDING:
PRESIDENT	Marieke Furnee		Dr. Flohr, John Brueggeman, Kim
VICE PRESIDENT	Ann Plumb		Hawthorne, Terry Brown, Nancy, Wendy Bowles, Dan Mooney, John Messick, Paul Boylan, Jeannie Cavaliere, Charles Sharp, Dr. Perla
DIRECTORS:	Steve Ronneberg	Gary Hawthorne	
GENERAL MANAGER	Alton Wright		
ATTORNEY			

B. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by all.

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:

The public spoke on past abuse and disrespect. It was asked of the board and the public to please listen to each other. Please give the new board space and time to find their feet. Withhold criticism and judgement. There was comment on Mr. Boylan and asked about the General Manager's severance package. A member of the public commented on item D and having a time limit per speaker. There were also comments on previous special meetings and the disapproval that was shown regarding them by some of the new board with no objections to current special meetings. Also discussed was item E and the non-vetting for the position, no introduction letter to show his qualifications and item F regarding the appointment of an interim general manager, Item E, about the board advertising and vetting other people for the position of general counsel.

DISCUSSION/ACTION CALENDAR

D. The Board of Directors will meet to discuss and possibly act to change the rules currently in use limiting public comment to two minutes.

Vice President Plumb spoke about increasing the time for public comment to 4 minutes. Director Wright spoke about the 2 past years being regulated and monitored and being a more welcoming board and audience. Regarding time, a lot of the preamble items do not have to be read out loud. Director Wright agreed with a 4-minute limit and would also like to see a sign in sheet, no timers and public comment at the end of the meeting. President Furnee discussed the time limit and having discretion when needed to extend the limit. Ways to track the public speakers could be by a sign in sheet or raise of hands.

Director Wright made a motion to extend public comment to 4 minutes per person with 20 minutes total with flexibility and expendability. Director Ronneberg seconded the motion. After further discussion the motion stood.

The motion passed with a unanimous vote,

President Furnee made a motion to separate public input at the beginning of the meeting to non-agenda items with 20-minute max time and bringing back public comment before each roll call vote with a 10-minute max time. Director Wright seconded the motion.

The motion passed with a unanimous vote.

Director Wright made a motion to bring back public comment at the end of the meeting regarding agenzized items with a 10-minute max time. Vice President Plumb seconded the motion.

PUBLIC COMMENT:

There were comments on extending the comment time if a public member is not finished and for the board to read Robert's Rule of Order, after 20 years there was never any feedback of the board and if the board responds, the public comment will slow down. Mr. Boylan commented that it is uncommon for a board to carry on dialog with the public during a meeting. **They are meetings in public, not public meetings.**

The motion passed with a unanimous vote.

E. The Board will meet to discuss and possibly act to accept a contract with Paul Nicholas Boylan to act as the District's Interim General Counsel.

The public commented that there will probably be a few interim positions come up. Mr. Boylan is very familiar with the district, and the hopes that the process will take time to do appropriate research on candidates. Agreement with the interim counsel comments that Mr. Boylan represented Dr. Flohr with her litigation against the district as well on the conflict-of-interest waiver of Mr. Boylan and expressed many concerns regarding a position as interim general counsel. Mr. Boylan stated that there is no conflict of interest. The client is the district. The board is the representative. The conduct of legal services is the president or who the board recommends. This clarifies billing.

Director Wright stated that he has received multiple emails, phone calls and text from multiple attorneys, past directors, and constituents. He is sensitive to the people's money and time. With no attorney at present, Mr. Boylan is the best choice. Vice President Plumb agreed. President Furnee concurred with Alton and liked the sentence "saving the district boat loads of money." He has some knowledge of the direction the district is going in and can hit the ground running. We need to have guidance on the Brown Act and labor laws and cannot afford to make mistakes.

President Furnee made a motion to accept Mr. Paul Boylan as the District's Interim General Counsel. Vice President Plum seconded the motion.

The motion passed with a unanimous vote.

CLOSED SESSION

F. The Board will meet in closed session to consider and possibly act upon the appointment/employment of a public official/employee for the position of District Interim General Manager.

G. Conference with Legal Counsel —existing litigation (4 Cases) – pursuant to Government Code section 54956.9, subdivision (d), paragraph (1):

1. *Gideon Beinstock, Marieke Furnee, Israel Perla, and Jeanette Cavaliere v. North Yuba Water Agency [sic]*, Yuba County Superior Court Case No. CVPT21-00515.
2. *Fellowship of Friends, Inc. v. North Yuba Water District, et al.*, Yuba County Superior Court Case No. CVPT22-00246.
3. *Marieka Furnee, Gideon Bienstock, Jeanette Cavaliere, Donna Corson, Israel Perla, and Charles Sharp v. North Yuba Water District*, Yuba County Superior Court Case No. CVPT21-00436; and
4. *Charles Sharp v. North Yuba Water District, et al.*, Yuba County Superior Court Case No. CVPT2000386.

PUBLIC COMMENT:

It was stated that it is not clear whether they are voting on an interim manager or looking for an interim manager. Mr. Boylan commented that it is stated that the board may consider and act upon item F. and if they do, they will report that out. She stated that she is totally against that happening. It needs to be out in the public, so people have a chance to apply. Another commented that he is all for it. Other members of the public commented go beyond what is called for, an interim manager will help with the day-to-day operations, this is a big business, and someone needs to manage it. Then possibly an ad-hoc committee to go through the applicants

The board entered closed session at 6:48 P.M.

The board returned from closed session at 8:27 P.M.

H. PUBLIC REPORT OF ACTIONS TAKEN IN CLOSED SESSION.

The board reported that there was no action for item F. For item G. the board met with general counsel and gave instructions.

ADJOURNMENT

The meeting was adjourned at 8:28 PM.

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,

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
Tuesday, December 20, 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

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AND WILL BE GIVEN THE OPPORTUNITY TO PROVIDE PUBLIC COMMENT

COMMENCEMENT OF MEETING

A. CALL TO ORDER/ROLL CALL

The meeting was called to order at 5:35 PM, at the District Office in Brownsville, CA. There were audio difficulties.

<i>NAME</i>	<i>PRESENT</i>	<i>ABSENT</i>	<i>VISITORS INCLUDING:</i>
<i>PRESIDENT</i>	Marieke Furnee		Dr. Flohr, John B, Kim Hawthorne, John
<i>VICE PRESIDENT</i>	Ann Plumb		Messick, Charles Sharp, Karen Legit, Ted Langdell, Albert Moulder,
<i>DIRECTORS:</i>	Gary Hawthorne Steve Ronneberg Alton Wright		
<i>GENERAL MANAGER</i>			
<i>ATTORNEY</i>	Paul Boylan		

B. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by all.

C. OPPORTUNITY FOR PUBLIC COMMENT ON AGENDIZED ITEMS:

December 20, 2022, Special Board Meeting Minutes

As provided under Government Code section 54954.3, subdivision (a), during a Special/ Meeting any member of the public may address the Board concerning any item on the agenda. No other comments will be allowed. Any member of the public wishing to make comment shall identify the agenda item they intend to address, and they will be provided an opportunity to make comment on that item only. Public comment is limited to no more than two (4) 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 Item F.1 and asked that the website be taken down and marked with under construction due to the content, voting yes on the agenda items and corruption. Charles Sharp commented on the violation of the Brown Act during the November 18, 2022, board meeting, referencing the letter he wrote to the district.

DISCUSSION/OPEN SESSION/ACTION CALENDAR
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- D. Board Meetings: An existing Board Resolution requires meetings to take place at 10:30 AM and requires a regular meeting to take place the last Thursday of December. The Board will meet and possibly act upon a resolution allowing more flexibility in meeting scheduling and postponing December's regular meeting during the pending holiday season (see attached proposed resolution). (Resolution No. 22-775)**

President Furnee read Resolution No 22-775. Vice President Plumb felt it was good for the working public. Director Wright asked about the resolution numbering system. Director Wright expressed concern about not having a December meeting. Interim District Counsel, Paul Boylan stated that he was in favor of the change. One, the old resolution (No. 22-771) was confusing. The Water Board requires a meeting be held once a month and the Board has already held three. The only substantial difference a regular meeting and a special meeting is the amount of notice. This resolution fixes the possibility of not being in compliance with the Water Act.

President Furnee made a motion to approve Resolution No. 220775. Vice President Plumb seconded the motion.

PUBLIC COMMENT: There was no public comment.

The motion passed with a unanimous vote.

Director Hawthorne spoke about the past order of the meetings and following Roberts Rule of Order. Interim District Counsel, Mr. Boylan commented that the meeting can be held in any order but would not recommend following Robert's Rule of Order. The Brown Act, Water Code and Government Code has what is needed. Director Hawthorne's point is well taken and use whatever order you wish to give the public an opportunity to be apart of the discussion and process.

- E. Special Meeting Agenda Preamble: The Board will meet to discuss, and possibly act to add a preamble to special meeting agendas explaining to the public why a special meeting is required in lieu of noticing a regular meeting.**

Director Wright discussed the reasons special meetings have been held. An actual resolution had to be forced to happen before the board could move forward and have general meetings. Director Wright expressed that it was important to be up front and let the public know the reason why. They are spending money wisely. In the process of making a new resolution regarding the agenda, they are trying to make it easierr and have more items to discuss, making it the best use of rate payer/taxpayer time.

Director Wright made a motion to accept the Special Meeting Preamble. President Furnee seconded the motion.

PUBLIC COMMENT:

It was commented that the idea was fantastic, there is a lot the board will have to work to overcome. Being transparent will alleviate the fears of the public. It was also stated that, the board has a lot to catch up on and pay attention to.

The motion passed with a unanimous vote.

STAFF REPORTS/RECOMMENDATIONS

F. STAFF REPORTS/RECOMMENDATIONS

1. **Capital Outlay:** The Board will meet to receive information, discuss, and possibly act to obtain: Information technology infrastructure; water metering equipment; and professional services needed to retrieve inaccessible information.

Leona Harris was asked by employees to request a flow meter for measuring which runs approximately \$15,000. Mr. Boylan, Interim District Counsel commented on information technology infrastructure which is an email dedicated server which the district does not have. Go Daddy is currently being used and is not suitable for a public agency, especially when it comes to their duties to maintain securities of their own records and availability. Mr. Boylan explained that every public agency he is aware of has their own dedicated email server, archive and process itself. This was put on the agenda to let the public and board know that the administration is looking into acquiring such a system. A proposal will be brought to the board when the information is complete. Mr. Boylan also stated that water metering equipment which is essential for the water district to accurately measure the inflow and outflow of water is important. Staff is currently using sticks with lines on them for measuring. Mr. Boylan also commented on information technology, which includes desk computers that do not have current documentation of the measurements which were taken, they are unsure why. They could have been accidentally or intentionally deleted. He explained that they can recover the information but will have to use professional services to get it done.

The board requested further information on the above three subjects be brought to the next meeting including at least two estimates for the flow meter.

2. **Forbestown Ditch and Drinking Water Treatment Plant Repair:** The Board will discuss and possibly act to invoke the mutual aid agreement between the North Yuba Water District and the South Feather Water and Power Agency - including obtaining necessary insurance coverage - to begin repairs on the Forbestown Ditch and the District's drinking water treatment plant as soon as possible.

Leona Harris reported that the water treatment plant had several upgrades which were included in the report. There was a quote from Aqua Sierra for a PLC which is the brain of the plant for \$135,000. Leona spoke about some of the motors that have been rebuilt and going through the plant to replace needed items. In a year or so the plant will be like new. Leona reported that the filters that were replaced were original. The board asked about scheduled maintenance on the treatment plant and would like to see something in writing to be able to add to it. President Furnee stated that she had taken a tour of the plant that helped in the understanding of the operation of the plant. Mr. Boylan spoke to the board regarding the Mutual Aid Agreement with South Feather extends to the treatment plant. The district has them as a recourse if they need or want them.

Director Wright asked about the fee for obtaining necessary insurance coverage that is needed for the agreement. Mr. Boylan explained that the Mutual Aid Agreement requires both the North Yuba and South Feather to have sufficient level of insurance. To invoke the act itself or agreement you must be properly insured. This information is included so when you invoke the agreement, you also give authority or instructions to the staff to make sure we are up to snuff regarding insurance. When that happens, we have a better chance of starting repairs sooner

than later. Director Wright asked if South Feather had already started the process on their end. Mr. Boylan stated we are not sure. It doesn't matter because the moment the district invokes it they are obligated to come to our assistance. Leona added that before South Feather can come and help they also need to add the district to their insurance certificate. The office called the insurance today for a quote on increasing the amount to 2 million which what is required by larger businesses in our area and where we should be.

President Furnee made a motion to invoke the Mutual Aid Agreement and start the process of getting everything in place. Director Ronneberg seconded the motion.

PUBLIC COMMENT:

There was comment on the 2005 agreement which North Yuba would have gone under without. It was also suggested that the district take care of the cost of the flow meter themselves and start investing the money into the agency and community. The 2021 Budget was also referenced.

The motion passed with a unanimous vote.

Mr. Boylan mentioned that when the district is back from the holiday, the second week in January will be scheduling the meeting between the three districts with the purpose of looking at these repairs and putting a plan in place to get the repairs done quickly so we can be prepared for the Irrigation system but with long term planning to make sure that the ditch continues to get repaired and the water treatment plant gets the repairs that it needs.

3. **Interim General Counsel:** The District's Interim General Legal Counsel will report on legal issues involving the district.

Mr. Boylan reported to the board and answered the question that has been asked regarding what has been spent on legal fees. With Heidi's help it was determined that over the last 12 months between two difference law firms dealing with a mountain of litigation, the district has spent out of hand a little over \$1,220,00.00. That is part of the reason that we are trying to resolve the lawsuits against the district. We are negotiating all of them. One Brown Act action has been dismissed voluntarily and another lawsuit settled completely. There are four more that we are working on and is very optimistic that they can come to resolutions that are within the districts interest. Mr. Boylan spoke about the amount of work that was done by the prior law firm regarding the Brown Act that the staff can do themselves. As we go forward with the business of the district he is slowly training staff and board members approach him with these questions about the operation of the Brown Act so legal counsel is not needed to answer these questions. The same with the Public Records Act as well. There will be a schedule and protocol for being able to deal with public records put in place, so it minimizes the need for legal supervision and maximizes the opportunity for public disclosure of information that is within public interest.

Prior to entering Closed Session, Director Wright thanked Charles Sharp and others for getting the information of the meetings to the public on social media and encouraged all to post their own reports. It keeps the board honest and transparent and lets the board know what you are feeling.

CLOSED SESSION

- G. **The Board will meet in closed session to consider and possibly act upon the appointment/employment of a public official/employee for the position of District Interim General Manager.**

PUBLIC COMMENT: No public comment.

H. Conference with Legal Counsel —existing litigation (4 Cases) – pursuant to Government Code section 54956.9, subdivision (d), paragraph (1):

1. Fellowship of Friends, Inc. v. North Yuba Water District, et al., Yuba County Superior Court Case No. CVPT22-00246;
2. Marieka Furnee, Gideon Bienstock, Jeanette Cavaliere, Donna Corson, Israel Perla, and Charles Sharp v. North Yuba Water District, Yuba County Superior Court Case No. CVPT21-00436;
3. Charles Sharp v. North Yuba Water District, et al., Yuba County Superior Court Case No. CVPT20-00386.
4. North Yuba Water District v. South Feather Water and Power District, Yuba County Superior Court Case No. Case No. CVCS21-0001857

PUBLIC COMMENT: No public comment.

I. Conference with Legal Counsel — existing litigation (4 cases) — pursuant to Government Code section 54956.9, subdivision (d), paragraph (3):

Significant exposure to litigation pursuant to paragraph (3) of subdivision (d) of Section 54956.9: (6 potential cases)

The Board will meet in closed session to evaluate whether facts and circumstances pertaining to six potential cases that might result in litigation against the district, but which the local agency believes are not yet known to a potential plaintiff or plaintiffs, justify a closed session discussion with District Legal Counsel pertaining to one or more of these six potential cases.

J. Conference with Legal Counsel —pending litigation (2 cases) — pursuant to Government Code section 54956.9, subdivision (e), paragraph (3):

1. Letter from Dustin Cooper, representing South Feather Water and Power District, demanding the Board cure and correct alleged Brown Act violations.
2. Letter from John Kinsey, representing Charles Sharp, demanding the Board cure and correct alleged Brown Act violations, declare the director's chair for Election District 3 vacant, to fill the vacancy, and to remove defamatory content posted on the District's webpage.

PUBLIC COMMENT: No public comment.

The board entered closed session at 6:48 P.M.

The board returned from closed session at 8:58 P.M.

K. PUBLIC REPORT OF ACTIONS TAKEN IN CLOSED SESSION.

President Furnee reported that for Item G. the board gave staff instructions to write and implement the negotiated contract with Leona Harris at a Stipend of \$100 per day retroactive to November 30, 2022 when she came into the role. The board will recite the contract in open session.

Six cases were deemed suited for future closed session and may result in litigation and therefore will be discussed in closed session.

In all other closed session items, the board gave legal counsel instructions.

PUBLIC COMMENT: Leona thanked the board for the opportunity. Charles asked for clarification on the interim general manager.

ADJOURNMENT

The meeting was adjourned at 8:28 PM.

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,

Catherine L. Fonseca, Recording Secretary

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

TOTAL MONTHLY NET PAYROLL FOR THE MONTH OF OCTOBER, 2022

TOTAL OCTOBER, 2022 \$ 39,678.60

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

TOTAL MONTHLY NET PAYROLL FOR THE MONTH OF NOVEMBER, 2022

TOTAL NOVEMBER, 2022 \$ 361,974.47

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

TOTAL MONTHLY NET PAYROLL FOR THE MONTH OF DECEMBER, 2022

TOTAL DECEMBER, 2022 \$ 56,487.95

North Yuba Water District Monthly Check Listing October 2022

	Type	Date	Num	Name	Amount
1000A · Cash - GC Seperate Accounts					
Paypal					
Pay Pal Fees	Check	10/31/2022	FEES	Pay Pal	-145.05
Total Paypal					-145.05
11007 · River Valley Bank Checking					
Water Meters	Bill Pmt -Check	10/03/2022	25594	Aqua-Metric Sales, Co.	-983.94
Phone Service	Bill Pmt -Check	10/03/2022	25595	CALNET3	-266.40
Tractor Fluid	Bill Pmt -Check	10/03/2022	25596	Foothill Hardware	-33.49
Alarm Service	Bill Pmt -Check	10/03/2022	25597	Golden Bear Alarms	-87.00
Flow Control WTP	Bill Pmt -Check	10/03/2022	25598	Ken Grady Company, Inc	-2,266.75
Employee Retirement Fund	Bill Pmt -Check	10/03/2022	25599	LIU of NA Nat'l Pension Fund	-3,402.51
Electricity	Bill Pmt -Check	10/03/2022	25600	Pacific Gas & Electric	-6,852.01
Membership and billable tickets fee	Bill Pmt -Check	10/03/2022	25601	Underground Service Alert	-745.12
State Payroll Taxes	Liability Check	10/03/2022	E-pay	EDD	-40.00
Federal Payroll Taxes	Liability Check	10/03/2022	E-pay	United States Treasury	-15.00
Credit Card Fees	Check	10/03/2022	GLOBPAY	Merchant Services	-181.34
Health Insurance	Bill Pmt -Check	10/04/2022	25617	ACWA/Jt Powers Ins Authority	-14,847.86
Annual Permit Renewal	Bill Pmt -Check	10/04/2022	25618	Feather River Air Qual. Mgmt. Dist.	-672.45
Fuel, Diesel	Bill Pmt -Check	10/04/2022	25619	Ramos Oil Company Inc.	-2,577.49
Super Clean, Vinyl Tube, Nozzle, Black Top, Drill Bit, Nutsetter, Screws, Ballast, Lightbulb, Car Wash, Water Nozzle, Plastic Pail, Aersol, Cable Kits, Rigid Snap	Bill Pmt -Check	10/04/2022	25620	Ray's General Hardware	-206.94
WTP Chemicals	Bill Pmt -Check	10/04/2022	25621	SCP DISTRIBUTORS LLC	-2,859.70
Cellphone Service	Bill Pmt -Check	10/04/2022	25622	VERIZON WIRELESS	-209.55
Tanks - (District was reimbursed by Prop 1 IRWMB)	Bill Pmt -Check	10/04/2022	25624	Specialized Utility Services Program	-45,525.00
Direct Deposit Fees	Liability Check	10/05/2022	DirD	QuickBooks Payroll Service	-21.00
Federal Payroll Taxes	Liability Check	10/06/2022	E-pay	United States Treasury	-6,127.28
Employee Retirement Fund	Liability Check	10/06/2022	25616	ICMA-457	-814.37
Employee Paid Insurance	Liability Check	10/06/2022	25623	AFLAC	-263.84
State Payroll Taxes	Liability Check	10/07/2022	E-pay	EDD	-1,018.66
Parts/Service for GPS for Excavator and Backhoe	Bill Pmt -Check	10/07/2022	25625	Holt of California (CAT)	-5,290.44

North Yuba Water District Monthly Check Listing October 2022

Type	Date	Num	Name	Amount
Replaced Wheel on Pick-up	10/07/2022	25626	Les Schwab	-81.77
WTP Chemicals	10/07/2022	25627	NTU Technologies Inc.	-2,328.48
Yuba County Parcel Online Service	10/07/2022	25628	Parcel Quest	-1,799.00
Public Outreach	10/07/2022	25629	Smart Marketing & Printing	-10,206.80
Legal	10/12/2022	25630	BoutinJones Inc	-25,960.01
Pest Control Services	10/12/2022	25631	CAL KING PEST CONTROL	-74.00
Phone Services	10/12/2022	25632	CALNET3	-633.38
Trash Pick-up	10/12/2022	25633	Recology - Yuba Sutter	-68.33
Cellphone Service	10/12/2022	25634	VERIZON WIRELESS	-70.75
Copier Lease	10/14/2022	25635	Wells Fargo Vendor Financial Services, LL	-129.90
Wash Rack Building Roof	10/14/2022	25636	All American Welding	-3,316.88
WTP Filters	10/17/2022	25637	ERS Industrial Services, Inc	-64,722.14
Saddle for PVC	10/17/2022	25638	Ferguson Enterprises Inc	-110.67
Vision Insurance	10/17/2022	25639	MesVision	-153.00
Poly Tube	10/17/2022	25640	Pace Supply Corp.	-199.49
Air freshner, Soft Soap, Databsticks, Copy Paper, Toner, USB Disk	10/17/2022	25641	Quill Corporation	-339.94
D2 Certification	10/17/2022	25642	SWRCB-DWOC	-160.00
Direct Deposit Fees	10/19/2022	DirD	QuickBooks Payroll Service	-21.00
State Payroll Taxes	10/21/2022	E-pay	EDD	-1,059.03
Federal Payroll Taxes	10/21/2022	E-pay	United States Treasury	-6,239.36
Employee Paid Union Dues	10/24/2022	25657	UPEC	-339.50
Employee Retirement Fund	10/24/2022	25658	ICMA-457	-814.37
Annual Dues	10/24/2022	25659	ACWA-Assoc. of CA Water Agen.	-10,325.00
Copier Maintenance Contract	10/24/2022	25660	Caltronics	-75.10
Water Testing	10/24/2022	25661	Crammer Engineering Inc	-545.00
Oregon Peak Rent	10/24/2022	25662	EIP Holdings II, LLC	-477.00
Minutes	10/24/2022	25663	Fonseca, Catherine L.	-600.00
Digital Path, Adobe, Siriusxm, Meals, Pesticide Applicator Seminar, Postage, Bottlet Water, AVG Antivirus, Paper Towels, Trash Bags, Coffee Cups, Parcelquest, Diesel, Fuel, Towing, Tires	10/24/2022	25664	Mechanics Bank	-2,605.63

North Yuba Water District Monthly Check Listing October 2022

	Type	Date	Num	Name	Amount
Dental Insurance	Bill Pmt -Check	10/24/2022	25665	Premier Access Insurance Co.	-1,045.46
Fuel, Diesel	Bill Pmt -Check	10/24/2022	25666	Ramos Oil Company Inc.	-3,024.56
Safety Vests, Tee's, Jackets	Bill Pmt -Check	10/24/2022	25667	Sierra Embroidery Works	-1,825.82
Legal	Bill Pmt -Check	10/24/2022	25668	Somach Simmons & Dunn	-104,850.69
Water Meters	Bill Pmt -Check	10/24/2022	25669	Specialized Utility Services Program	-3,345.00
State Payroll Taxes	Liability Check	10/27/2022	E-pay	EDD	-12.44
Federal Payroll Taxes	Liability Check	10/27/2022	E-pay	United States Treasury	-187.06
Total 11007 · River Valley Bank Checking					-343,054.70
Total 1000A · Cash - GC Separate Accounts					-343,199.75
TOTAL					-343,199.75

North Yuba Water District Monthly Check Listing November 2022

	Type	Date	Num	Name	Amount
1000A - Cash - GC Separate Accounts					
Paypal					
	Check	11/30/2022	FEES	Pay Pal	-103.24
	Total Paypal				-103.24
11007 - River Valley Bank Checking					
Phone Service	Bill Pmt -Check	11/01/2022	25671	CALNET3	-254.77
Alarm Service	Bill Pmt -Check	11/01/2022	25672	Golden Bear Alarms	-152.00
Employee Retirement Fund	Bill Pmt -Check	11/01/2022	25673	LIU of NA Nat'l Pension Fund	-3,539.01
Electricity	Bill Pmt -Check	11/01/2022	25674	Pacific Gas & Electric	-4,246.95
Direct Deposit Fees	Liability Check	11/01/2022	DirD	QuickBooks Payroll Service	-21.00
Credit Card Fees	Check	11/02/2022	GLOBEX	Merchant Services	-187.47
Employee Retirement Fund	Liability Check	11/03/2022	25690	ICMA-457	-814.37
State Payroll Taxes	Liability Check	11/04/2022	E-pay	EDD	-1,051.32
Federal Payroll Taxes	Liability Check	11/04/2022	E-pay	United States Treasury	-6,683.96
Domestic Customer Deposit Refund	Check	11/04/2022	25691	Halterman, James	-111.00
Employee Paid Insurance	Liability Check	11/04/2022	25692	AFLAC	-263.84
Health Insurance	Bill Pmt -Check	11/07/2022	25693	ACWA/JT Powers Ins Authority	-14,847.86
Pest Control	Bill Pmt -Check	11/07/2022	25694	CAL KING PEST CONTROL	-156.00
Window Screens Repairs, Cement Anchor, Cooler Can	Bill Pmt -Check	11/07/2022	25695	Foothill Hardware	-256.34
Computer Office 2021 install	Bill Pmt -Check	11/07/2022	25696	Gilmore Computer Services LLC	-270.00
UBPro Annual Support	Bill Pmt -Check	11/07/2022	25697	Harris Computer Systems	-1,198.59
Water Right Support	Bill Pmt -Check	11/07/2022	25698	MBK Engineers	-1,680.00
Glass Wipes, Car Wash Shampoo, Oil for Steam Cleaner, Pine Wood, Wedge Anchor, Bolts, Bracket, Pipe, Hose, Pipe Strap, Bushing, Ell 90, Nipple GLV, Connector, Tee, Wedge, Rubber, Wedge Anchor, Screws, Nipple, Elbow 90, Hose Connector, Epoxy, Rope, Redimix Concrete, Bolts, Proof Coils, Trashbags, Shovel, Blade, Wheel Cut, Grind Wheel, Flap Disc's, Rockite, Booster Cable, Empty Sand Bags, Round Stake, Rebar, Bushing, PVC Coupling, Cement, Primer, Cutoff Blade, Pipe Hinge, Tape Reel, Primer, PVC Cement	Bill Pmt -Check	11/07/2022	25699	Ray's General Hardware	-823.17

North Yuba Water District Monthly Check Listing November 2022

	Type	Date	Num	Name	Amount
Cellphone Service	Bill Pmt -Check	11/07/2022	25700	VERIZON WIRELESS	-209.31
General Liability Insurance	Bill Pmt -Check	11/14/2022	25718	ACWA/Jt Powers Ins Authority	-24,854.00
Vision Insurance	Bill Pmt -Check	11/14/2022	25719	MesVision	-153.00
Direct Deposit Fees	Liability Check	11/16/2022	DirD	QuickBooks Payroll Service	-21.00
Employee Retirement Fund	Liability Check	11/17/2022	25710	ICMA-457	-814.37
Employee Paid Union Dues	Liability Check	11/17/2022	25711	UPEC	-339.50
Phone Service	Bill Pmt -Check	11/17/2022	25712	CALNET3	-560.17
Clamps	Bill Pmt -Check	11/17/2022	25713	Ferguson Enterprises Inc	-2,322.64
Trash Pick-up	Bill Pmt -Check	11/17/2022	25714	Recology - Yuba Sutter	-68.33
Public Outreach	Bill Pmt -Check	11/17/2022	25715	Smart Marketing & Printing	-15,054.02
Cellphone Service	Bill Pmt -Check	11/17/2022	25716	VERIZON WIRELESS	-70.75
Copier Lease	Bill Pmt -Check	11/17/2022	25717	Wells Fargo Vendor Financial Services, LL	-129.90
State Payroll Taxes	Liability Check	11/18/2022	E-pay	EDD	-947.16
Federal Payroll Taxes	Liability Check	11/18/2022	E-pay	United States Treasury	-5,809.96
Quarterly Instrument Maintenance and Calibrations	Bill Pmt -Check	11/18/2022	25720	Aqua Sierra Controls Inc.	-1,999.47
Oregon Peak Rent	Bill Pmt -Check	11/18/2022	25721	EIP Holdings II, LLC	-477.00
500 Billing Envelopes	Bill Pmt -Check	11/18/2022	25722	Harris Computer Systems	-362.08
Digital Path, Adobe, Siriusxm, Meals, Postage, Bottlet Water, Diesel, Carwash, Tank Batteries, Vehicle Repair, Safety Cloth, Microsoft Program, Fredpryor Seminar, Hose Reel, Car Rental, Vacuum, (Insurance reimbursed \$7,515.08 of Vehicle Repair and Car Rental)	Bill Pmt -Check	11/18/2022	25723	Mechanics Bank	-11,190.37
T2 Certification	Bill Pmt -Check	11/18/2022	25724	SWRCB-DWOCP	-60.00
Legal	Bill Pmt -Check	11/21/2022	25725	Somach Simmons & Dunn	-130,541.82
Public Outreach	Bill Pmt -Check	11/28/2022	25727	Smart Marketing & Printing	-10,000.00
8 Tires, Oilchange	Bill Pmt -Check	11/28/2022	25728	Andys Auto Repair & Tires Inc.	-2,870.84
Legal	Bill Pmt -Check	11/28/2022	25729	BoutinJones Inc	-31,339.00
Shop Generator	Bill Pmt -Check	11/28/2022	25730	Chico Electric	-15,000.00
Water Testing	Bill Pmt -Check	11/28/2022	25731	Cranmer Engineering Inc	-635.00
Computer, Cellphone maintenance, Install Flash Drive, Backup	Bill Pmt -Check	11/28/2022	25732	Gilmore Computer Services LLC	-604.99
FT Ditch	Bill Pmt -Check	11/28/2022	25733	NORTHSTAR	-3,242.00

North Yuba Water District Monthly Check Listing November 2022

	Type	Date	Num	Name	Amount
Dental Insurance	Bill Pmt -Check	11/28/2022	25734	Premier Access Insurance Co.	-989.09
Oil, Fuel	Bill Pmt -Check	11/28/2022	25735	Ramos Oil Company Inc.	-1,196.61
Postage	Bill Pmt -Check	11/28/2022	25736	Reserve Account	-500.00
Legal	Bill Pmt -Check	11/28/2022	25737	Somach Simmons & Dunn	-83,963.25
Water Treatment Plant Filters	Bill Pmt -Check	11/29/2022	25751	ERS Industrial Services, Inc	-257,515.27
Federal Payroll Taxes	Liability Check	11/29/2022	E-pay	United States Treasury	-160,811.68
State Payroll Taxes	Liability Check	11/29/2022	E-pay	EDD	-42,572.32
Direct Deposit Fees	Liability Check	11/30/2022	DirD	QuickBooks Payroll Service	-15.75
Total 11007 - River Valley Bank Checking					-843,698.30
Total 1000A - Cash - GC Seperate Accounts					-843,801.54
TOTAL					-843,801.54

North Yuba Water District Monthly Check Listing December 2022

	Type	Date	Num	Name	Amount
1000A - Cash - GC Seperate Accounts					
Paypal					
PayPal Fees	Check	12/31/2022	FEES	PayPal	-135.45
Total Paypal					-135.45
11007 - River Valley Bank Checking					
State Payroll Taxes	Liability Check	12/02/2022	E-pay	EDD	-1,035.45
Federal Payroll Taxes	Liability Check	12/02/2022	E-pay	United States Treasury	-6,058.82
Electricity	Bill Pmt -Check	12/02/2022	25760	Pacific Gas & Electric	-3,907.51
Employee Retirement Fund	Liability Check	12/02/2022	25766	ICMA-457	-1,086.37
Credit Card Fees	Check	12/02/2022	GLOBAL	Merchant Services	-149.13
Direct Deposit Fees	Liability Check	12/05/2022	DirD	QuickBooks Payroll Service	-5.25
State Payroll Taxes	Liability Check	12/05/2022	E-pay	EDD	-5.50
Federal Payroll Taxes	Liability Check	12/05/2022	E-pay	United States Treasury	-76.50
Propane Gas	Bill Pmt -Check	12/06/2022	25767	Brown's Gas Co.	-2,472.92
Phone Service	Bill Pmt -Check	12/06/2022	25768	CALNET3	-253.07
Tractor Fluid	Bill Pmt -Check	12/06/2022	25769	Foothill Hardware	-102.82
Alarm Service	Bill Pmt -Check	12/06/2022	25770	Golden Bear Alarms	-87.00
Employee Retirement Fund	Bill Pmt -Check	12/06/2022	25771	LIU of NA Nat'l Pension Fund	-3,539.01
Diesel, Fuel	Bill Pmt -Check	12/06/2022	25772	Ramos Oil Company Inc.	-1,008.48
Poly Tube, Pipe Wrap, Pipe Insulation, Wood, Screws, Battery, Plywood, Roofing, Screws, Wash Rag	Bill Pmt -Check	12/06/2022	25773	Ray's General Hardware	-253.39
WTP Chemicals	Bill Pmt -Check	12/06/2022	25774	SCP DISTRIBUTORS LLC	-2,674.70
Cellphone Service	Bill Pmt -Check	12/06/2022	25775	VERIZON WIRELESS	-214.31
Employee Paid Insurance	Liability Check	12/08/2022	25776	AFLAC	-263.84
Direct Deposit Fees	Liability Check	12/14/2022	DirD	QuickBooks Payroll Service	-14.00
Health Insurance	Bill Pmt -Check	12/15/2022	25789	ACWA/Jt Powers Ins Authority	-11,663.72
Pest Control Service	Bill Pmt -Check	12/15/2022	25790	CAL KING PEST CONTROL	-74.00
2023 Membership Dues	Bill Pmt -Check	12/15/2022	25791	California Special District Association	-8,186.00
Phone Service	Bill Pmt -Check	12/15/2022	25792	CALNET3	-560.39
Clamps, Tubes, Couplings, Meter Boxes	Bill Pmt -Check	12/15/2022	25793	Ferguson Enterprises Inc	-2,478.80
Minutes	Bill Pmt -Check	12/15/2022	25794	Fonseca, Catherine L.	-600.00
Parts/Service GPS for Excavator and Backhoe	Bill Pmt -Check	12/15/2022	25795	Holt of California (CAT)	-1,293.99
Postage Meter Lease	Bill Pmt -Check	12/15/2022	25796	Pitney Bowes	-428.78

North Yuba Water District Monthly Check Listing December 2022

Type	Date	Num	Name	Amount
Trash Pick-up	12/15/2022	25797	Recolegy - Yuba Sutter	-68.33
Water Meters	12/15/2022	25798	Specialized Utility Services Program	-2,995.00
Cellphone Service	12/15/2022	25799	VERIZON WIRELESS	-77.21
Copier Lease	12/15/2022	25800	Wells Fargo Vendor Financial Services, LL	-129.90
Employee Retirement Fund	12/15/2022	25801	ICMA-457	-1,086.37
Employee Paid Union Dues	12/15/2022	25802	UPEC	-339.50
Domestic Customer Deposit Refund	12/15/2022	25803	Torkelson, Arlene	-88.58
State Payroll Taxes	12/16/2022	E-pay	EDD	-920.43
Federal Payroll Taxes	12/16/2022	E-pay	United States Treasury	-5,480.24
Domestic Customer Deposit Refund	12/19/2022	25804	Dilling, Jason	-88.50
WTP Annual Permit Fee	12/19/2022	25805	SWRCB Accounting Office	-3,274.00
Yearly Fee-HMBP Business Plan	12/19/2022	25806	Yuba County Community Dev	-335.99
Bank Fee for NSF Check	12/19/2022	NSFCK	River Valley Community Bank	-10.00
Domestic Customer Deposit Refund	12/20/2022	25808	Grunt, Gregory	-103.17
50% Yuba City Water Sales	12/22/2022	25809	South Feather Water & Power	-207,652.50
Digital Path, Adobe, Meals, Christmas Dinner, Postage, Box and Crate, Vehicle Repair which was reimbursed was charged in error, Safety Cloth, Safety Boots, Parcelquest, Annual Consortium Fee, Annual Go Daddy Email subscription				
Water Testing	12/27/2022	25807	Mechanics Bank	-5,199.43
Oregon Peak Rent	12/27/2022	25825	Cranmer Engineering Inc	-395.00
Dental Insurance	12/27/2022	25826	EIP Holdings II, LLC	-477.00
Direct Deposit Fees	12/27/2022	25827	Premier Access Insurance Co.	-1,030.52
Employee Retirement Fund	12/28/2022	DirD	QuickBooks Payroll Service	-17.50
State Payroll Taxes	12/29/2022	25824	ICMA-457	-1,287.90
Federal Payroll Taxes	12/29/2022	E-pay	EDD	-1,022.06
State Payroll Taxes	12/29/2022	E-pay	United States Treasury	-6,140.88
Federal Payroll Taxes	12/30/2022	E-pay	EDD	-62.40
Legal	12/30/2022	E-pay	United States Treasury	-23.40
Total 11007 · River Valley Bank Checking			Somach Simmons & Dunn	-15,770.00
Total 1000A · Cash - GC Separate Accounts				-302,569.56
TOTAL				-302,705.01

North Yuba Water District Profit & Loss Budget Performance July through December 2022

Accrual Basis

	Jul - Dec 22	YTD Budget	\$ Over Budget	% of Budget	Annual Budget
Ordinary Income/Expense					
Income					
4000A · Irrigation	0.00	0.00	0.00	0.0%	18,961.49
4050A · Domestic	151,908.41	160,630.71	-8,722.30	94.57%	282,567.68
4100.10 · Power Revenue SFPP	354,500.00	354,500.00	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	415,305.00	398,430.00	16,875.00	104.24%	398,430.00
4215.13 · Other Revenue	9,772.24	250.02	9,522.22	3,908.58%	500.00
4250.10 · Taxes - General	791.28	628.20	163.08	125.96%	265,278.40
4250D · Taxes - Domestic	1,153.12	925.04	228.08	124.66%	70,155.85
4250I · Taxes - Irrigation	0.00	0.00	0.00	0.0%	102,664.20
4300A · Interest	9,372.65	7,050.30	2,322.35	132.94%	40,000.00
Total Income	4,212,702.70	922,414.27	3,290,288.43	456.7%	1,889,718.62
Gross Profit	4,212,702.70	922,414.27	3,290,288.43	456.7%	1,889,718.62
Expense					
5050.69 · 2005 Agreement SFPW/NYWD	248,910.69	245,800.74	3,109.95	101.27%	351,215.00
5100.00 · Water Treatment Plant (WTP)	183,031.75	167,615.88	15,415.87	109.2%	297,804.85
5200.00 · T&D Irrigation	2,010.26	47,452.53	-45,442.27	4.24%	129,097.53
5251 · T&D Domestic	121,674.65	99,117.63	22,557.02	122.76%	206,082.99
5400 · Board of Dir	10,756.50	9,189.31	1,567.19	117.05%	24,639.31
5500 · Admin	274,025.37	304,878.13	-30,852.76	89.88%	573,797.06
5500U · Admin-Utilities	17,800.48	20,364.18	-2,563.70	87.41%	35,000.00
5600R · Regulator Driven	22,808.40	115,074.45	-92,266.05	19.82%	148,531.49
5700 · General	93,008.46	79,386.47	13,621.99	117.16%	142,790.64
5700F · Fuel	13,786.91	19,099.93	-5,313.02	72.18%	35,000.00
5800 · OSHA/Safety	3,202.93	4,780.35	-1,577.42	67.0%	14,469.81
5900A · General Manager Severance Package	512,493.27	0.00	512,493.27	100.0%	0.00
Total Expense	1,503,509.67	1,112,759.60	390,750.07	135.12%	1,958,428.68
Net Ordinary Income	2,709,193.03	-190,345.33	2,899,538.36	-1,423.3%	-68,710.06
Net Income	2,709,193.03	-190,345.33	2,899,538.36	-1,423.3%	-68,710.06

North Yuba Water District

2022-23 EXPENSES OUT OF RESERVES/SAVINGS (July-December 2022)

MEMO		DATE	AMOUNT BILLED/PAID UP TO DATE	ANNUAL BUDGET
Public Outreach				
Public Outreach		July - December 2022	\$60,260.82	\$70,000.00
Additional Legal				
Additional Legal		July - December 2022	\$580,267.96	\$1,000,000.00
Special Projects/Emergency Repairs				
Water Rights Review	\$9,647.00	July - December 2022		
Water Transfer	\$10,345.00	July - December 2022		
Tanks (waiting for Grant reimbursement)	\$35,592.50	July - December 2022		
Total Special Projects/Emergency Repairs to date			\$55,584.50	\$200,000.00
Office Maintenance/Shop				
Wash Rack at Shop	\$9,926.88	July - December 2022		
Window Film	\$3,873.87	July - December 2022		
Generator Shop/Office	\$15,000.00	July - December 2022		
Total Maintenance/Shop to date			\$28,800.75	\$200,000.00
Radio Read Meters				
Meter		July - December 2022	\$8,580.00	\$250,000.00
Water Treatment Plant Improvements/Repairs				
Water Treatment Plant Filters		July - December 2022	\$324,504.16	\$200,000.00
Grant Pursuits		July - December 2022	\$0.00	\$50,000.00
L.U.I Union Retirement Stabilization Payment		July - December 2022	\$0.00	\$20,500.00
FT Ditch				
FT Ditch		July - December 2022	\$921.90	\$2,000,000.00
		TOTAL	\$1,058,920.09	\$3,990,500.00

North Yuba Water District

Cash In Accounts prior Month Comparison

December 2022 compared to September 2022

	12/31/2022	09/30/2022	
	Amount	Amount	Increase/Decrease
River Valley Bank Checking	\$1,637,881.92	\$3,275,207.13	(\$1,637,325.21)
Savings Money Market Account (River Valley Bank)	\$111,844.74	\$111,542.44	\$302.30
PayPal Account	\$2,143.09	\$3,042.85	(\$899.76)
Petty & Register Cash	\$830.00	\$830.00	\$0.00
YC Treas Fund #637 (Gen Dist)	\$419,487.83	\$418,719.44	\$768.39
YC Treas Fund #641 (ID #1)	\$358,576.86	\$357,960.52	\$616.34
YC Treas Fund #642 (ID #2)	\$140,535.23	\$139,941.47	\$593.76
YC Treas Fund #639 (Fac Fee Domestic)	\$7,487.52	\$7,474.15	\$13.37
YC Treas Fund #640 (Savings)	\$804,464.78	\$802,621.27	\$1,843.51
YC Treas Fund #644 (Equip Res)	\$3,048.79	\$3,043.36	\$5.43
YC Treas Fund #646 (ID #6)	\$11,578.81	\$11,558.14	\$20.67
YC Treas Fund #647 (Annex Irr)	\$11.47	\$11.46	\$0.01
YC Treas Fund #648 (Annex Dom)	\$89.67	\$89.53	\$0.14
YC Treas Fund #649 (Off Equip Res)	\$5,568.95	\$5,559.01	\$9.94
YC Treas Fund #650 (Reserve)	\$884,322.75	\$882,742.96	\$1,579.79
YC Treas Fund #393 (Trmt Plnt)	\$2,783.04	\$2,778.08	\$4.96
Total Cash on Hand	\$4,390,655.45	\$6,023,121.81	(\$1,632,466.36)
Reserve Accounts			
Reserve Savings Money Market (River Valley Bank)	\$96,619.94	\$96,358.06	\$261.88
CIP Money Market Account (River Valley Bank)	\$184,838.57	\$184,338.97	\$499.60
Total in Reserve	\$281,458.51	\$280,697.03	\$761.48
Total in All Accounts not including FT Tank and YC Water Sale Account	\$4,672,113.96	\$6,303,818.84	(\$1,631,704.88)
FT Tank Money Market Account (River Valley Bank)	\$109,482.51	\$109,186.60	\$295.91
YC Water sale Account (River Valley Bank)	\$525,852.73	\$254,267.80	\$271,584.93
Total in All Accounts	\$5,307,449.20	\$6,667,273.24	(\$1,359,824.04)

North Yuba Water District
Statement of Cash Flows
 October through December 2022

	Oct - Dec 22
OPERATING ACTIVITIES	
Net Income	-546,846.25
Adjustments to reconcile Net Income to net cash provided by operations:	
1200A · Accounts Receivable:1200.50 · Accounts Receivable Module	280.00
A/R:A/R Domestic Water	2,988.12
1300.00 · Inventory-001	-3,662.22
1400.03 · Prepaid Worker's Comp Insurance	5,870.49
2000.00 · Accounts Payable	-199,015.40
Payroll Liabilities	-2.50
2150.30 · PR Tax WH-SUTA	150.00
2150.50 · PR WH-Aflac Ins	143.04
2250.10 · Deposits-Customers	512.00
Net cash provided by Operating Activities	-739,582.72
Expenses/Income from Reserves	
Public Outreach	-35,260.82
Additional Legal	-251,092.69
Water Rights Review	-2,666.00
Tanks	9,932.50
Meters	-2,995.00
WTP Filters	-322,237.41
Generator Shop/Office	-15,000.00
FT Ditch	-921.90
Net Expenses/Income from Reserves	-620,241.32
Net cash increase for period	-1,359,824.04
Cash at beginning of period	6,667,273.24
Cash at end of period	5,307,449.20



Memorandum

Date: January 23rd, 2023

To: Leona Harris

From: Operations

Subject: Monthly work production/ Schedule of Maintenance review

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

Storm Damage update:

1. With the most recent storms occurring, the only storm related issues were approximately 20 trees falling on the upper Forbestown ditch, and approximately 15 trees falling on the DOHC. As of today's date, these trees have been cleaned up and removed.

Transmission:

1. Forbestown ditch is now in its winter cycle. The treatment plant is 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 Forbestown and challenge were completed on time.
2. There were 2 service line leaks for the last 3 months. Job # 676. Job # 677.
3. There were 2 main line leaks for the last 3 months. Job # 675. Job # 678.
4. All blow offs were inspected, no problems were found.
5. All air releases were inspected, no problems were found.

Water Treatment Plant:

1. As of today's date, both filter beds in the water treatment plant have been rehabilitated, to new condition. Both filter beds were sand blasted and recoated with epoxy, new rubber booties, gaskets, and pipes. Both filters have all new media. All chlorine and coagulant lines have been replaced. A new finished water turbidimeter was installed. All coagulant pumps have been rebuilt.

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. At this time field staff is doing an assessment of the canals in preparation for an irrigation season. 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 Safe chemical delivery.
3. #2 Arc flash safety.
4. #3 Safe fuel handling.
5. #4 Cutting pipe safely with power saws.



CONSULTING AGREEMENT

Parties and Exclusivity

In consideration of the covenants contained herein, North Yuba Water District, (client) and Gilmore Computer Services, (consultant) agree as follows:

1. The client engages the consultant exclusively to provide the services described below for the entity known as North Yuba Water District. (the entity).

Duration

2. This agreement will cover the period from September 1, 2022, to August 31, 2023, or until the assigned duties are completed, whichever occurs sooner. This agreement may be extended by mutual written consent of both parties.

Services and Duties of Consultant

3. The consultant will have the following authorities and duties:

a. To obtain information regarding the entity from any and all sources which would be available to the client, and which would relate to the entity's technology infrastructure.

b. To participate with the client and/or those designated by the client to conduct research, communicate with and others and to represent the client at meetings to advance the client's interests regarding this consulting assignment.

c. To assist the Client:

Primary Services

- Perform a thorough assessment of the client's current Technology status.
- Evaluate the current and anticipated needs of the client
- Provide a technology plan encompassing hardware, software, cabling, and outside services for the client

Additional Services

- Assist the client in purchasing necessary system components
- Install system and work with vendors to obtain outside services (i.e. internet, specialized software, etc.)
- Perform upgrades, installations, and troubleshooting of client systems.

d. The above services will not include operations support (i.e. Data entry).

e. To document the services provided to the client.

- f. To perform other specific tasks, as directed by the client, to advance the client's interests. The consultant will have no on-going responsibilities relating to the entity, beyond the tasks outlined in this agreement, those assigned in the future by written modification of this agreement or those for which the consultant and the client have entered into separate written agreements.
- g. The consultant's services will not include making business decisions for the client or providing professional services or advice in fields not related to the client's technology infrastructure.

Payment and Costs

4. The client and consultant further agree:

a. For these consulting services of the consultant, the client will pay to the consultant fees, and will reimburse costs calculated as follows: (Check the preferred option)

AS NEEDED

For Services of Consultant (8am-5pm, m-f):	\$ 145.00 per hr.
For Services of Consultant (after hours)	\$ 165.00 per hr.
(On Site Visit = 90min minimum, Phone support billed in 15min increments)	
For Mileage:	\$ 1.00 per mile
For Authorized Commercial Travel:	Actual Costs
For Incidental Lodging and Meals:	Actual Costs
For Service Related Expenditures :	Actual Costs

The client will deposit a retainer of \$ 0 upon signing this agreement. Total fees will not exceed \$ without client' written approval.

b. The consultant will maintain a log of time consumed, miles driven and expenses incurred in conducting the authorized services and will prepare and present a statement of the resulting fees and expenses to the client, monthly. Payment is to be made to the consultant within 15 days of the client receiving the statement. Payments received more than 15 days after the invoice date will accrue interest at the rate of 2.5 percent per month, beginning on the invoice date.

c. The consultant will not be obligated to pay or advance any costs or expenses for the benefit of the client.

Obligations of Client

1. The client agrees to assist the consultant in consultant's good faith efforts to perform the contracted services. Assistance will include, but not be limited to, attending meetings or conferences, obtaining or providing documents or information. All assistance is to be given in a timely and effective manner.

2. The client agrees to indemnify, defend and save the consultant harmless from all third party actions that may arise in connection with performing the authorized services. The consultant will have no responsibility for the operation of the entity, under this agreement, and will incur no liability suffered or alleged as a result of the consultant's involvement.

Nondiscrimination

The client and consultant shall not discriminate against any person because of their race, creed, sex, color, national origin or handicapped status, or other protected class provided by law in relation to this agreement.

Status of Consultant

The consultant shall be an independent contractor with respect to the consulting services to be provided under this agreement and neither consultant nor anyone employed by the consultant shall be deemed for any purpose to be an employee, agent, servant or representative of the client.

Termination and Assignment

Client or consultant may each unilaterally terminate this agreement upon giving fifteen days written notice to the other, providing that notice from the client to consultant is accompanied by payment for all services through the date of termination, including any minimum fees established in this agreement. This agreement may not be assigned by the client nor the consultant.

Entire Agreement

This agreement supersedes any and all prior agreements, written or oral, between the client and consultant. This is the full agreement and no agreement, statement or promise not contained in this agreement will be binding on the consultant or client.

Governing Law and Legal Costs

The terms and provisions of this agreement and the duties of the parties are to be construed pursuant to and in accordance with the law of the state of California. If any party to this agreement becomes involved in any dispute arising out of or connected to this agreement, whether or not such dispute proceeds to litigation, the court or tribunal with jurisdiction over such dispute shall award reasonable costs and expenses, including expert's and attorney's fees, to the prevailing party in such actions. The client and consultant agree that any such recovery of costs and expenses shall be for the full amount incurred in good faith.

Severability

It is hereby agreed and understood between the parties that if any provision of this agreement shall become or is declared invalid or unenforceable, only those


provisions found to be invalid or unenforceable shall be stricken from this agreement and all remaining provisions and agreements shall remain valid and enforceable.

Disclosure and Restrictions

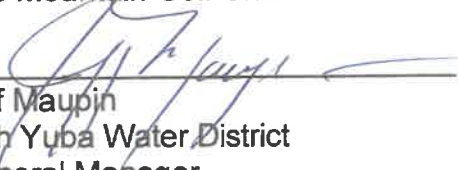
Consultant shall not release any client information to third parties, other than is provided for by the authorizations above, without the client's written permission or as may otherwise be required by law.

Agreed this 1 day of September , 2022.

Gilmore Computer Services LLC. CLIENT: Table Mountain Golf Club

By: 

Jesse D. Gilmore,
Jesse Gilmore Computer Services
Owner

By: 

Jeff Maupin
North Yuba Water District
General Manager

Gilmore Computer Services

PO Box 6198
Oroville, CA 95966

Estimate

Date	Estimate #
1/4/2023	306

Name / Address
North Yuba Water District PO Box 299 Brownsville, CA 95919

Project

Description	Qty	Rate	Total
Parts & Supplies Synology 2 Bay NAS DiskStation DS720+	1	629.00	629.00
Parts & Supplies Seagate Ironwolf 8TB Internal Hard drive HDD 3.5in SATA 7200rpm	2	199.99	399.98
Hourly Charge Setup NAS, Configure access on all computers. Setup Idrive online backup. (Will require Idrive subscription of \$375.00 per year.	5	140.00	700.00
Parts & Supplies Estimated Shipping & Tax	1	172.50	172.50
Mileage California State Sales Tax 7.25%	25	1.00 7.25%	25.00 0.00
		Total	\$1,926.48



Memorandum

NYWD Meter Replacement Project Update Proposition 1 State Revolving Fund Program

January 19, 2023

To: Leona Harris
North Yuba Water District
8961 La Porte Road
PO BOX 299
Brownsville, Ca 95919

SUSP has been retained by The North Yuba Water District (District) to prepare final plans, specifications, and bid documents for the replacement of District's existing water meters in accordance with the Preliminary Plans and Preliminary Engineering Report, prepared by California Rural Water Association, dated November 2020, and in accordance with the terms of the Proposition 1 / State Revolving Fund Planning Application filed with the State Water Resources Control Board (SWRCB). SUSP will complete the plans, specifications, and bid documents to satisfy the requirements of the Planning Application and subsequent funding by SWRCB. The final plans will be certified, stamped, and signed by a California Registered Civil Engineer and provided to the District for submittal to the SWRCB Department of Financial Assistance (DFA).

Project Status and Next Steps

SUSP is in the process of finalizing the plans and specifications for the project to go out to bid. The new AMR system, remote shutoff valves, and billing software will be integrated into the existing system. Replacement meters will be kept synonymous with current District meters, while service laterals and angle valves will be replaced on an as-needed basis.

SUSP obtained quotes from suppliers to aid in the preparation of the specifications and cost estimate of the project. The first draft of the plans and specifications are approximately 75 percent complete. Once the plans and specifications have reached 90 percent a draft will be sent to the District for final review. The estimated bid date is early March 2023.

From: Marysville AdLegals <adlegals@appealdemocrat.com>
Sent: Friday, January 13, 2023 11:25 AM
To: lharris nywd.org
Subject: Re: Legal Posting

Thanks Leona.

Nancy

On Jan 13, 2023, at 11:23 AM, lharris [nywd.org](mailto:lharris@nywd.org) <lharris@nywd.org> wrote:

Hi Nancy,
I have reviewed the notice. You have my approval to run the notice for the dates that are indicated below.
Per our conversation, we will be billed for the publication.
Thank you,

Leona Harris
Office Manager
North Yuba Water District
8961 La Porte Rd
PO BOX 299
Brownsville, Ca. 95919
Phone (530) 675-2567
Fax (530) 675-0462
www.nywd.org

From: Marysville AdLegals <adlegals@appealdemocrat.com>
Sent: Friday, January 13, 2023 10:54 AM
To: lharris [nywd.org](mailto:lharris@nywd.org) <lharris@nywd.org>
Subject: Re: Legal Posting

Hello Leona,

Attached is a proof of the notice for your review.

Approval required by 1:00 p.m. Monday or it will not run.

Publication: Appeal-Democrat
Runs: January 19, 20, 21, 24 & 25, 2023
Cost: \$2,003.50
Ad #287287

North Yuba Water District will be billed.

--

REQUEST FOR BIDS

Owner: North Yuba Water District

Address: 8691 La Porte Road, Brownsville, CA 95919

Sealed Bids for the construction of: North Yuba Water District Water Storage Improvements Project.

Improvements will include construction of the following:

- * Demolition of existing 100,000 gallon wooden Challenge Tank, including foundation and valve vault.

- * Construction of new 100,000 gallon bolted steel Challenge Tank, including foundation, new valve vault and tank appurtenances.

- * Install one fire hydrant at each site (Challenge, Forbestown, and Rackerby) and provide temporary water storage systems for each tank during construction.

- * Install geotextile underlayment and geomembrane liner system in two 100,000 gallon water storage tanks (Forbestown and Rackerby tanks).

Bids will be received by: **SUSP Engineering** office at 1234 North Market Blvd., Sacramento, CA 95834 until **2:00 p.m.** (local time), February 16, 2023, and then at said office publicly opened and read aloud.

The Contract Documents may be examined at the following location(s):

- * **Sacramento Regional Builders Exchange:** 5370 Elvas Avenue, Sacramento, CA 95819

- * **Valley Contractors Exchange:** 951 E. 8th Street, Chico, CA 95928

Copies of the Contract Documents and Plans may be obtained in electronic version (PDF form) from: **SUSP Engineering** via e-mail to: Nicole Cook, ncook@calruralwater.org.

Bidders are notified that a Pre-Bid Conference and Site Walk will be held at **1 p.m.** local time on **February 1, 2023**, as detailed in Section 00 11 16 - Notice Inviting Bids.

Questions concerning these documents should be sent via e-mail to: Nicole Cook, at ncook@calruralwater.org.

Bidders are notified that financing for this project is provided through Proposition 1 - Integrated Regional Water Management (IRWM) Implementation Grant. Pursuant to Labor Code Sections 1725.5 and 1771.1, all contractors and subcontractors that wish to bid on, be listed in a bid proposal, or enter into a contract to perform public work must be registered with the Department of Industrial Relations.

In bidding on this Project, it shall be the Bidder's sole responsibility to evaluate and include the cost of complying with all labor compliance requirements under this contract and applicable law in its Bid.

From: Hull, Joe <JE3M@pge.com>
Sent: Tuesday, January 17, 2023 10:58 AM
To: lharris nywd.org
Cc: Robert Sullivan
Subject: P000116659 - 125325440 - 8691 LA PORTE RD BROWNSVILLE
Attachments: Streetlight Temperature.png

Classification: Internal



Dear Leona & Robert,

Thank you for being a valued PG&E Customer.

Robert, great talking with you earlier. We have received and reviewed the specified application for your STREETLIGHT request. In order to move forward with the application, additional information is required for further review. Please reply to this email providing the following:

- Confirmation of who will be the responsible party for the streetlight installation costs & energy usage/monthly billing (Customer of Record); please provide PG&E account to connect with streetlight. The streetlight cost is typically between \$11-\$16 per month per streetlight.
- Specify direction of streetlight
- Confirmation letter of neighbor(s) impacted
- Specify type of streetlight
 - Lumens in K: (see attachment for guidance)
 - Watt size: (see **TABLE** below) - To determine the best wattage to fit your needs, it is recommended to find an existing streetlight with the wattage marked on the bottom and select your size relative to it.

Streetlight size/color	Installation Cost
4000K	4000K
26W LED @ 4000K	0
33W LED @ 4000K	20.57
53W LED @ 4000K	125.69
56W LED @ 4000K	117.28
65W LED @ 4000K	116.69

Association of California Water Agencies Joint Powers Insurance Authority

P.O. Box 619082, Roseville, CA 95661-9082

CERTIFICATE OF COVERAGE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER OTHER THAN THOSE PROVIDED IN THE COVERAGE DOCUMENT. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE COVERAGE DOCUMENTS LISTED HEREIN.

MEMBER

North Yuba Water District
P.O. Box 299
Brownsville, CA 95919-0299

COVERAGE INFORMATION					
This is to certify that coverage documents listed herein have been issued to the Member Agency herein for the Coverage period indicated. Notwithstanding any requirement, term or condition of any contract or other document with respect to which the certificate may be issued or may pertain, the coverage afforded by the coverage documents listed herein is subject to all the terms, conditions and exclusions of such coverage documents.					
Type of Coverage	Form #	Effective Date	Expiration Date	Limits	
General Liability Commercial General Liability Contractual Liability Products/Completed Operations Occurrence	MOLC-100122	10/01/2022	10/01/2023	Per Occurrence	\$2,000,000
				Aggregate	\$2,000,000
Auto Liability Owned Autos Hired Autos Non-Owned Autos	MOLC-100122	10/01/2022	10/01/2023	Per Occurrence	\$1,000,000
Property Buildings, Fixed Equipment Personal Property Auto Physical Damage Mobile Equipment Crime					
Workers' Compensation Part 1 - Workers' Compensation Part 2 - Employer's Liability					
Other					
DESCRIPTION Regarding: Mutual Aid, Cooperation and Water Supply Procurement Agreement. Additional Covered Party(ies), as required by written contract or permit: South Feather Water & Power Agency, its agents, officers, and employees, per attached Addendum. Request ID: 0000013739					

CERTIFICATE HOLDER

South Feather Water & Power Agency
2310 Oro-Quincy Highway
Oroville, CA 95965

CANCELLATION	
SHOULD ANY OF THE ABOVE DESCRIBED COVERAGES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE TERMS OF THE MEMORANDUMS OF COVERAGE.	
AUTHORIZED REPRESENTATIVE	DATE
<i>Walt A. Scott</i>	1/19/2023

ADDENDUM
to the
Memorandum of Liability Coverage

for the
Association of California Water Agencies
Joint Powers Insurance Authority

FORM NUMBER: MOLC-100122
MEMBER: North Yuba Water District
COVERAGE PERIOD: 10/01/2022 - 10/01/2023
ADDENDUM DATE: 10/01/2022
REQUEST ID: 0000013739

Change in the following Sections

Section IV. WHO IS COVERED is amended to include the following entity(ies) as an Additional Covered Party(ies):

South Feather Water & Power Agency, its agents, officers, and employees, as required by written contract or permit. Additional Covered Party(ies) is(are) covered only if the liability is caused in whole or in part by the acts or omissions of the **Member Agency** and excludes coverage for the sole negligence of the Additional Covered Party(ies), and subject to a \$2,000,000 per occurrence and \$2,000,000 annual aggregate limit of liability.

Regarding: Mutual Aid, Cooperation and Water Supply Procurement Agreement.

Signed By: Walt A. Sell Date: 1/19/2023
(Authorized Representative)