

MINUTES

BOARD MEETING OF THE BOARD OF DIRECTORS OF THE

NORTH YUBA WATER DISTRICT

Held at the District Office – Through Zoom

8691 LaPorte Road, Brownsville

Friday, October 22, 2021

NOTICE: THIS MEETING WILL BE HELD IN ACCORDANCE WITH EXECUTIVE ORDER N-29-20, ISSUED BY CALIFORNIA GOVERNOR GAVIN NEWSOM ON MARCH 17, 2020, THE RALPH M. BROWN ACT (CALIFORNIA GOVERNMENT CODE SECTION 54950, ET SEQ.), AND THE FEDERAL AMERICANS WITH DISABILITIES ACT. THIS MEETING WILL NOT BE PHYSICALLY OPEN TO THE PUBLIC. ALL MEMBERS OF THE PUBLIC MAY PARTICIPATE IN THE MEETING VIA VIDEO CONFERENCE AT Join Zoom

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AND WILL BE GIVEN THE OPPORTUNITY TO PROVIDE PUBLIC COMMENT.

A. ROLL CALL

President Gary Hawthorne called the meeting to order at 3:31 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		Gretchen Flohr, Tara, Aron, Nancy, Terry
<i>VICE PRESIDENT</i>	Doug Neilson		
<i>DIRECTORS</i>	Ginger Hughes Donald Ferguson	Fred Mitchell	
<i>GENERAL MANAGER</i>	Jeff Maupin		
<i>ATTORNEY</i>	Michael Vergara. Penny		

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

ACTION ITEMS

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

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

PUBLIC COMMENT: Members of the public commented on in person meetings in the future, less tribal and more neighborly communication.

D. CONSENT ITEMS:

October 22, 2021, Board Meeting Minutes

1. **Minutes for Regular Board Meeting of September 24, 2021**
2. Approval of **Minutes for the Special Board Meeting of September 15,2021**
3. Approval of **Payroll for the Month of August 2021: \$ 37,212.83**
4. Approval of **Bills for the Month of August 2021: \$ 174,936.88**
5. **Warrant #52-37252, fund #640, payable to North Yuba Water District, in the amount of \$200,000.00 for services/supplies.**
6. **Warrant #52-37253, fund #641, payable to North Yuba Water District, in the amount of \$100,000.00 for bills and payroll.**

Director Hughes made a motion to approve consent items 1 – 6. Director Forguson seconded the motion. Director Forguson discussed separating the Warrant from the general consent items for approval.

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 September 30, 2021.

Financial Manager Heidi Naether reviewed Cash on Hand and Income Statements for the period ending September 30, 2021. Total cash in all accounts including reserves was \$4,398,301.94. Total Income for the fiscal year to date (July 01, 2020 – September 30, 2021) was \$385,964.07. Total expenses were \$401,123.09 leaving a net review over expenses of minus \$15,159.02. Expenses out of Reserves not included in the Forbestown Ditch billing was \$342,992.94.

Director Forguson made a motion for the Board to accept the Financial Manager’s report as presented. Vice President Neilson seconded the motion.

The motion passed with a unanimous vote.

F. RESOLUTION 21-760: Authorizing remote teleconference meetings in accordance with government code section 54953(e)

President Hawthorne read the highlight of Resolution 21-760.

Vice President Neilson made a motion to accept Resolution 21-760. Director Forguson seconded the motion.

Director Forguson commented that due to the unknown factors surrounding vaccine status and exposure it is best to continue the remote teleconference meetings. Mr. Vergara, District Counsel, explained that AB361 requires that a resolution be done monthly to allow for the virtual meetings in view of the circumstances. Vice President Nielson asked if a resolution was required every 30 days. Mr. Vergara replied that a special meeting is needed if time is over 30 days.

The motion passed with a unanimous vote.

DISCUSSION/REPORTS

G. GENERAL MANAGERS REPORT

1. Operations Memorandum

President Hawthorne asked the General Manager to discuss the upcoming meetings of November and December. Mr. Maupin explained that in past years the Board has elected to forgo the meetings due to the holidays. President Hawthorne and Director Forguson agreed. Vice President Neilson asked about special meetings needed to October 22, 2021, Board Meeting Minutes

continue the resolution regarding remote teleconference meetings and the ability of expanding the agenda if needed. Director Hughes was also in agreement. President Hawthorne asked that the General Manager go forward with canceling the November and December Meetings. Mr. Maupin will contact Mr. Vergara regarding the special meetings.

General Manager Maupin discussed with the Board the Sierra Muzzle Loaders request to use the property on New York Flat Rd for their organization. Mr. Maupin will set up a meeting with District Counsel to go over the request. In regard to the irrigation request by Director Mitchell to look into income and the cost to service irrigation customers, Mr. Maupin was unable at this time to comment due to his workload and staff availability to meet with District Counsel at this time.

H. DIRECTORS INPUT:

Directors may make brief announcements or reports for the purpose of providing information to the public or staff, or to schedule a matter for a future meeting. The Board cannot take action on any matter not on the agenda and will refrain from entering into discussion that would constitute action, direction, or policy, until the matter is placed on the agenda of a properly publicized and convened Board meeting. 1. Consideration of agenda items for the next meeting. Items must be requested in accordance with the District's POLICY FOR AGENDIZING ITEMS FOR BOARD MEETINGS.

Vice President Neilson continued his discussion from the last meeting regarding the creation of the Yuba County Water District as a water district, not an irrigation district which was based on reading the board of supervisor's minutes from the past.

I. CLOSED SESSION:

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION: General Manager—Govt. Code §54957(b)

BACK IN SESSION:

REPORT OUT OF CLOSED SESSION:

Mr. Vergara, District Counsel, reported that during closed session the Board agreed to increase the General Managers salary by the amount equal to the last two Cola increases received by staff, excluding retroactive pay.

J. ADJOURNMENT:

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, then please contact North Yuba Water District office staff at 530-675-2567 or fax 530-675- 0462. Requests must be made as early as possible and at least one-full business day before the start of the meeting.

The meeting was adjourned.

Respectfully Submitted,



Catherine L. Fonseca, Recording Secretary