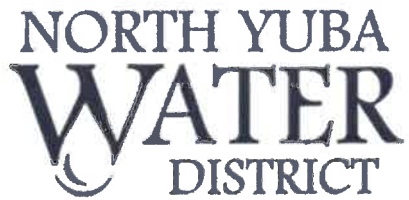


Alton Wright
Director
Division 1

Steve Ronneberg
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 ♦ FEBRUARY 23, 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

<https://us02web.zoom.us/j/83773260518?pwd=Y2dFNitrM1FSL1NZNm5JakVFN3Z3UT09>

Meeting ID: 837 7326 0518

Passcode: 531677

One tap mobile

+16694449171,,83773260518#,,,,*531677# US

+16699009128,,83773260518#,,,,*531677# US (San Jose)

Dial by your location

+1 669 444 9171 US

+1 669 900 9128 US (San Jose)

+1 346 248 7799 US (Houston)

Meeting ID: 837 7326 0518

Passcode: 531677

Find your local number: <https://us02web.zoom.us/j/kzPxozG51>

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 January 26, 2023
2. Approval of Minutes for Special Board Meeting of February 2, 2023
3. Approval of Payroll for the Month of January 2023: \$ 34,405.16
4. Approval of Bills for the Month of January 2023: \$ 263,546.61

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.

H. The Board will discuss and possibly act upon a plan to review existing board resolutions and policies.

I. The Board will discuss and possibly act to clarify which District irrigation policy is in effect.

J. DIRECTORS REPORTS

ADJOURNMENT

**REGULAR MEETING MINUTES OF THE BOARD OF DIRECTORS OF THE
NORTH YUBA WATER DISTRICT
Held at the District Office and Zoom
8691 LaPorte Road, Brownsville
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. 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

<https://us02web.zoom.us/j/83914715328?pwd=ck9PejVLS2xWWEZwMEZ5V2hgROUwZz09>

Meeting ID: 839 1471 5328

Passcode: 481636

One tap mobile

+166994449171,,83914715328# US

+16699009128,,83914715328,,,, US (San Jose)*

Dial by your location

+1 669 444 9471 US

+1 669 900 9128 US (San Jose)

+1 253 205 0468 US

Meeting ID: 839 1471 5328

Passcode: 481636

Find your local number <https://us02web.zoom.us/j/83914715328?pwd=ck9PejVLS2xWWEZwMEZ5V2hgROUwZz09>

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 the meeting, please contact North Yuba Water district office staff at 530-675-9462 or fax 530-675-0462. Requests must be made as early as possible and at least one-full day before the start of the meeting.

A. CALL TO ORDER/ROLL CALL

The meeting was called to order at 5:33 PM, at the District Office in Brownsville, CA.

<i>NAME</i>	<i>PRESENT</i>	<i>ABSENT</i>	<i>VISITORS INCLUDING:</i>
<i>PRESIDENT</i>	Marieke Furnee		Dr. Flohr, Charles Sharp,
<i>VICE PRESIDENT</i>	Ann Plumb		Karen Legit, Albert
<i>DIRECTORS:</i>	Steve Ronneberg	Gary Hawthorne	Moulder, Donna Corson, Jesse Gilmore, John Messick
<i>INTERIM GENERAL MANAGER</i>	Alton Wright Leona Harris		
<i>ATTORNEY</i>	Paul Boylan		

B. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Director Wright.

C. OPPORTUNITY FOR PUBLIC COMMENT ON NON AGENDIZED ITEMS:

The public has the opportunity to address the District Board of Directors about matters not on the agenda. Public comment is limited to no more than four (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:

Charles Sharp complimented the Board, asked them to explore questing water for Winter, poor lighting in the parking lot, looking forward to an irrigation season, taking an ethics course and the previous meeting minutes. A

member of the public spoke on the 2005 agreement from South Feather and using money by previous boards that was meant for ditch maintenance. Members of the public commented on, illegal pot grows, board corruption, concerns about approving the minutes, and thanked the Board for their dedication.

DISCUSSION/OPEN SESSION ACTION CALENDAR

OPPRTUNITY FOR PUBLIC COMMENT – Topics on the Agenda:

Members 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 thanked the board for their dedication and asked them not to validate the past minutes, there were concerns on the previous minutes because it would validate the actions of the previous board.

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

President Furnee made a motion to approve consent times 1-12. Director Ronneberg seconded the motion.

The Board had a full discussion regarding approving consent items. Concerns were expressed regarding approving items when you were not at that particular meeting, validating a violation of the Brown Act during a meeting and does that mean you are in agreement. Mr. Boylan, District Counsel, explained that approving consent items acknowledges the items and what was accomplished. You are agreeing that the meeting took place. Anything can be separated from the group and approved separately if there are questions or concerns. Questions regarding if it is ethical were raised by Director Wright. Mr. Boylan explained that there is nothing unethical. You are saying is that these events occurred. The impact of those events and the legal consequences is separate. The minutes are a historical record. Separating the financials and approving them after the Finance Managers report was also discussed.

President Furnee modified the current motion to approve consent items 1-9 and table consent items 10-12. Director Ronneberg seconded the motion. The motion passed with a unanimous vote.

F. FINANCIAL MANAGERS REPORT

1. Review of Cash on Hand and Income Statements for the period ending

Financial Manager Heidi Naether reviewed Cash on Hand and Income Statements for the period ending December 31, 2022. Total cash on hand in all accounts including reserves was \$5,307,449.20. Total income for the fiscal year to date (July 01, 2021 – December 31, 2022) was \$4,212,702.70. Total expenses were \$1,503,509.67, leaving a net revenue over expenses of \$2,709,193.03. Expenses out of Reserves/Savings year to date totaled \$1,058,920.09

Director Wright commented that he would like to see P&L for each month instead of a lump sum and a quarterly projection of revenue. Also, better descriptions of check items and listings would be helpful. Also discussed was NorthStar and payments made regarding the Forbestown ditch. Interim General Manager Harris will check into the payment and report back to the Board. Vice President Plumb asked about expenses for radios, rental cars, meals and also about public outreach which will be tabled for now.

Director Wright made a motion to revisit and approved consent items 10, 11 and 12. President Furnee seconded the motion. The motion passed with a unanimous vote.

G. STAFF REPORTS AND RECOMMENDATIONS

The Board will possibly hear reports by District staff and receive their recommendations for future Board action. Actions may include authority to spend the funds necessary to upgrade the District Information Technology and improve the districts webpage.

Memorandum. Leona reported that the website has been cleaned up and made more user friendly. Director Wright has helped on the website along with meeting with Jesse Gilmore of Gilmore Computer Services to see if the district's needs are being met, outbound communications, launch of social media and setting up secure email were also discussed. Jesse explained to the board about the use of Office 365 and Outlook which is an industry standard and also the upgrade of the server. An estimate was included in the board packet.

1. Information Technology Upgrade
2. Improvements to the District Website

Director Wright made a motion to continue to employ Gilmore Computer Services based on the current contract in place, as well as accept the estimate for the server services. Director Ronneberg seconded the motion. The motion passed with a unanimous vote.

Interim General Manager Leona Harris gave an update on the meter replacement project. SUSP will finish the draft sometime in March. The water storage improvement project, which is out to bid, and the parking lot light is ordered. Director Wright suggested that pictures be take of the redwood tanks and be repurposed in the community. Leona also reported that the insurance certificate has been provided to South Feather and the same is needed from them. President Furnee asked if there were meetings scheduled on the books with South Feather and Interim General Manager replied yes. The Interim General Manager also asked the board to return the regular board meeting to Thursdays due to getting board packets out in a timely manner if there is a Monday holiday. This matter will be brought back to the board in the form of a resolution.

H. DIRECTORS REPORTS

President Furnee reported to the board that she has been reviewing contracts and if any of the directors would like further information to contact her and she will guide them to the information. There were no other comments.

CLOSED SESSION

The Board entered closed session at 6:40 P.M

I. APPOINTMNET/EMPLOYMENT OF A PUBLIC OFFICAL/EMPLOYEE: 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 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).

The Board returned from closed session at 8:34 P.M.

M. PUBLIC REPORT OF ACTIONS TAKEN IN CLOSED SESSION.

President Furnee reported that Patty Galloway was hired as temporary office assistant. In all other closed session items, the board gave legal counsel instructions.

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) total per person, ten (10) minutes total for all speakers.

John Messick commented on the need for the board to have a more secure room for closed session.

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.

Vice President Plumb made a motion to have Mr. Boylan, District Counsel issue a Waiver of Conflict-of-Interest waiver to John Bailey for employment with Boutin Jones. Director Wright seconded the motion. The motion passed with a unanimous vote.

- 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 if the Fellowship wins the lawsuit in court.

Mr. Boylan, District Counsel reported that Fellowship of Friends has made an offer to settle for \$39,000 in attorney’s fees and recommends the Board to allow him to settle on this term.

President Furnee made a motion to allow Mr. Boylan to go forward with this settlement agreement. Director Ronneberg seconded the motion. The motion passed with a unanimous vote.

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

Mr. Boylan, District Counsel, reported that the Brown Act requires that actions to effect executive officers' compensation and their terms of employment only take place in open session. These actions were taken during a closed and special meeting. Actions taken during these board meetings were unlawful and a violation of the Brown Act. Mr. Boylan explained that the only way to avoid a lawsuit with Mr. Sharp and South Feather is to resend all actions taken during the meetings on November 18th and November 29th.

Vice President Plumb made a motion to rescind all actions taken during the meeting held on November 18th and November 29th, 2022. President Furnee seconded the motion. The motion passed with a unanimous vote.

Q. TERMINATION OF FORMER GENERAL MANAGER: If the District Board of Directors rescind the actions the former Board took on Nov. 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.

Mr. Boylan reported that the only action taken on November 29, 2022, was the termination of then General Manager Jeff Maupin. Mr. Boylan recommended the Board to terminate Mr. Maupin retroactive November 29, 2022.

Vice President Plumb made a motion to terminate General Manager Jeff Maupin effective today, January 26, 2023, retroactive to November 29, 2022. Director Wright seconded the motion. The motion passed with a unanimous vote.

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 Ss 54960. 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 Ss 54960.2

Mr. Boylan requested the Board give him the authority to send South Feather a letter that is in the form within the government code Ss 54960.2, on behalf of the Board to provide South Feather with assurance regarding the brown act Cease and Desist assurance.

Vice President Plumb made a motion for Mr. Boylan to provide South Feather with a letter of action of cease-and-desist action assurance by not violating the 'Brown Act by making unlawful decisions of an executive officer in closed session and special meetings. Director Ronneberg seconded the motion. The motion passed with a unanimous vote.

PUBLIC COMMENT:

John Messick asked the district when they are checking the Oregon House/Dobbins ditch to secure the weir just above the Prince Albert Siphon.

ADJOURNMENT

The meeting was adjourned at 8:42 PM.

Respectfully Submitted,

Catherine L. Fonseca, Recording Secretary

**SPECIAL MEETING MINUTES OF THE BOARD OF DIRECTORS OF THE
NORTH YUBA WATER DISTRICT
Held at the District Office and Zoom
8691 LaPorte Road, Brownsville
Thursday, February 02, 2023**

NOTICE: This meeting will be physically open to the public at the District OFFICE located at 8691 La Porte Rd, Brownsville, Ca 95919. 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

<https://us02web.zoom.us/j/81503576933?pwd=MV14OWJvZlh1dGdzWHZZOFhnT05G09>

Meeting ID: 815 0357 6933

Passcode: 764449

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+1 669 444 9171 US

Meeting ID: 815 0357 6933

Passcode: 764449

Find your local number <https://us02web.zoom.us/j/81503576933?pwd=MV14OWJvZlh1dGdzWHZZOFhnT05G09>

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 the meeting, please contact North Yuba Water district office staff at 530-675-9462 or fax 530-675-0462. Requests must be made as early as possible and at least one-full day before the start of the meeting.

A. CALL TO ORDER/ROLL CALL

The meeting was called to order at 5:32 PM, at the District Office in Brownsville, CA.

<i>NAME</i>	<i>PRESENT</i>	<i>ABSENT</i>	<i>VISITORS INCLUDING:</i>
<i>PRESIDENT</i>	Marieke Furnee		Dr. Flohr, Charles Sharp,
<i>VICE PRESIDENT</i>	Ann Plumb		
<i>DIRECTORS:</i>	Steve Ronneberg		
	Gary Hawthorne		
	Alton Wright		
<i>INTERIM GENERAL MANAGER</i>	Leona Harris		
<i>ATTORNEY</i>	Paul Boylan		

B. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Director Ronneberg.

C. OPPORTUNITY FOR PUBLIC COMMENT ON TOPICS ON THE AGENDIZED ITEMS:

The public has the opportunity to address the District Board of Directors about matters not on the agenda. Public comment is limited to no more than four (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 Resolution 19-732. Resolution 23-776 is similar and targets individuals. Comments were made regarding lawsuit #1, 2023 irrigation season and the Code of Conduct resolution which

would limit document access for directors. A member of the public commented on lawsuits that almost bankrupted the district and irrigation which does not pay the day-to-day operations.

CLOSED SESSION

The Board entered closed session at 5:43 P.M

- D. PUBLIC EMPLOYMENT:** The Board will be meeting in closed session to discuss the proposed contract for Leona Harris pertaining to her employment as District Interim General Manager.
- E. PUBLIC EMPLOYMENT:** The Board will be meeting in closed session to consider and possibly act upon the proposed contract for Patty Galloway pertaining to her employment as Temporary Office Assistant.
- F. CONFERENCE WITH LEGAL COUNSEL – existing litigation (3 Cases) – pursuant to Government Code section 54956.9, subdivision (d), paragraph (1):**

The Board will meet in closed session to discuss the following existing legal actions:

1. Charles Sharp v. North Yuba Water District, et al., Yuba County Superior Court Case No. CVPT20-00386.
2. South Feather Water & Power Agency v. North Yuba Water District, Sutter County Superior Court Case No. CVCS21-0002073
3. North Yuba Water District v. South Feather Water and Power District, Yuba County Superior Court Case No. Case No. CVCS21-0001857

- G. CONFERENCE WITH LEGAL COUNSEL – Anticipated litigation – pursuant to Government Code Section 54956.9, subdivision (d) paragraph (2).**

The Board will meet in closed session with legal counsel to discuss anticipated litigation (1 potential case).

- H. CONFERENCE WITH LEGAL COUNSEL – Anticipated litigation – pursuant to Government Code Section 54956.9, subdivision (d) paragraph (3).**

The Board will meet in closed session to discuss if facts and circumstances rise to the level of anticipated litigation (2 potential cases).

The Board returned from closed session at 6:37 P.M.

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

President Furnee reported that the temporary employment agreement with Patty Galloway was approved as Temporary Office Assistant by a unanimous vote. President Furnee also reported that the Board took advise and also gave direction to legal counsel. No further actions taken.

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) total per person, ten (10) minutes total for all speakers.

OPEN SESSION ACTION CALENDAR

- J. The Board will discuss and possibly act to enter into the proposed contract for Leona Harris pertaining to her employment as District Interim General Manager.**

Director Hawthorne made a motion to enter into the proposed contract with Leona Harris as District Interim General Manager. Director Wright seconded the motion. The motion passed with a unanimous vote.

PUBLIC COMMENT: Members of the public asked how long this will be in place.

- K. The Board will discuss and possibly take action to adopt Resolution No. 23-777, allowing the Board to hold regular meetings on Thursdays, and adjusting public comment during regular meetings.**

President Furnee made a motion to approve Resolution No. 23-777. Director Ronneberg seconded the motion.

Vice President Plumb asked for clarification of adjusting public comment. Director Hawthorne notified the Board that he works on the first and third Thursday of the month.

The motion passed with a unanimous vote.

- L. The Board will discuss and possibly take action to adopt Resolution No. 23-776, enacting a Director Code of Conduct.**

President Furnee made a motion to approve Resolution No. 23-776. Director Wright seconded the motion.

PUBLIC COMMENT: Members of the public commented on the restrictions that the resolution puts on the Board and recommended that it be tabled. Director Wright asked if a concrete date be set for review and a committee be formed for review.

Vice President Plumb amended the motion to approve Resolution No. 23-776 tonight and fine tune it accordingly at the next meeting;. add to the next agenda discussion and possible election of a Resolutions Committee. President Furnee seconded the motion.

After discussion Resolution No. 23-776 as stated above was passed with a unanimous vote.

- M. The District Interim General Manager may provide a report to the Board.**

Interim General Manager Leona Harris reported that there have been some productive meetings and some forward progress made. She will have more to report at the next meeting.

ADJOURNMENT

The meeting was adjourned at 6:59 PM.

Respectfully Submitted,

Catherine L. Fonseca, Recording Secretary

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

TOTAL MONTHLY NET PAYROLL FOR THE MONTH OF JANUARY, 2023

TOTAL JANUARY, 2023 \$ 34,405.16

North Yuba Water District Monthly Check Listing January 2023

	Type	Date	Num	Name	Amount
1000A · Cash - GC Seperate Accounts					
Paypal					
Pay Pal Fees	Check	01/31/2023	FEES	Pay Pal	-91.52
Total Paypal					-91.52
11007 · River Valley Bank Checking					
Alarm Service	Bill Pmt -Check	01/03/2023	25829	Golden Bear Alarms	-96.00
Electricity	Bill Pmt -Check	01/03/2023	25830	Pacific Gas & Electric	-3,850.63
W-2 Forms, 1099 Forms, Bath tissue, Soft Soap, Scotch Brite Sponges, Copy Paper, USB Zip Drives	Bill Pmt -Check	01/03/2023	25831	Quill Corporation	-314.62
Water System Annual Fees Invoice	Bill Pmt -Check	01/03/2023	25832	SWRCB Accounting Office	-2,456.45
Domestic Customer Deposit Refund	Check	01/03/2023	25833	Horton, Michael	-91.33
Employee Retirement Fund	Bill Pmt -Check	01/03/2023	25834	LIU of NA Nat'l Pension Fund	-3,575.01
Propane Gas	Bill Pmt -Check	01/03/2023	25835	Brown's Gas Co.	-3,322.05
Credit Card Fee	Check	01/03/2023	GLOBPAY	Merchant Services	-184.87
Phone Service	Bill Pmt -Check	01/05/2023	25836	CALNET3	-256.09
Troubleshoot dry/broken Pipe at Water Treatment Plant	Bill Pmt -Check	01/05/2023	25837	Chico Electric	-472.50
Vision Insurance	Bill Pmt -Check	01/05/2023	25838	Eye Med	-153.00
Lightbulbs, Padlocks, Batteries, De-Icer, Board Room Key, Brass Gas Valve, Nipple, Brush, ULTR CVR PNT GLS BK, Trash Bags, Tape, Wood, Cable Tie, Paint, Roller Frame, Rockite, Flap Disc, Cutoff Blade, Grind Whl, Multimtr, Glove, Sawblade, Mop Handle, Mop Frame, WCP Outlet, Duplx Cover, Outlet Box	Bill Pmt -Check	01/05/2023	25839	Ray's General Hardware	-321.17
Cellphone Insurance	Bill Pmt -Check	01/05/2023	25840	VERIZON WIRELESS	-149.24
Health Insurance	Bill Pmt -Check	01/06/2023	25841	ACWA/JT Powers Ins Authority	-5,921.32
Turbidity Meter Replacement at Water Treatment Plant	Bill Pmt -Check	01/06/2023	25842	Aqua Sierra Controls Inc.	-11,198.56
Forbestown Ditch Bio Support	Bill Pmt -Check	01/06/2023	25843	Ascent Environmental, Inc	-921.90
Employee Paid Insurance	Liability Check	01/09/2023	25844	AFLAC	-395.76
Federal Payroll Taxes	Liability Check	01/09/2023	E-pay	United States Treasury	-202.50
Direct Deposit Fees	Liability Check	01/11/2023	DirD	QuickBooks Payroll Service	-10.50

North Yuba Water District Monthly Check Listing January 2023

	Type	Date	Num	Name	Amount
Election Cost Reimbursement Butte County	Bill Pmt -Check	01/11/2023	25852	Butte Co. Clerk-Recorder (Elections)	-1,086.70
Pest Control	Bill Pmt -Check	01/11/2023	25853	CAL KING PEST CONTROL	-74.00
Phone Service	Bill Pmt -Check	01/11/2023	25854	CALNET3	-560.08
Generator Pad	Bill Pmt -Check	01/11/2023	25855	Metal Works	-15.95
Planner Calendar's, Wall Calendar's, Marker, Binder	Bill Pmt -Check	01/11/2023	25857	Quill Corporation	-289.55
Trash Pick-up	Bill Pmt -Check	01/11/2023	25858	Recology - Yuba Sutter	-68.33
Domestic Customer Deposit Refund	Check	01/11/2023	25861	Byrd, Ameerah	-64.75
State Payroll Taxes	Liability Check	01/12/2023	E-pay	EDD	-919.36
Federal Payroll Taxes	Liability Check	01/12/2023	E-pay	United States Treasury	-5,663.48
Employee Retirement Fund	Liability Check	01/12/2023	25860	ICMA-457	-1,156.37
Water Rights Fees	Bill Pmt -Check	01/13/2023	25862	State Board of Equalization	-83,071.06
Copier Lease Agreement	Bill Pmt -Check	01/16/2023	25859	Wells Fargo Vendor Financial Services, LL	-129.90
Propane Gas	Bill Pmt -Check	01/23/2023	25863	Brown's Gas Co.	-1,385.13
Troubleshoot power outlet in Chlorine room and replace, Office/Shop Generator partial payment	Bill Pmt -Check	01/23/2023	25864	Chico Electric	-16,133.51
Oregon Peak Rent (Radio Tower use for Radio's)	Bill Pmt -Check	01/23/2023	25865	EIP Holdings II, LLC	-477.00
Water Right Reporting Tool Update	Bill Pmt -Check	01/23/2023	25866	MBK Engineers	-695.50
Fuel, Diesel	Bill Pmt -Check	01/23/2023	25867	Ramos Oil Company Inc.	-2,179.68
Meters	Bill Pmt -Check	01/23/2023	25868	Specialized Utility Services Program	-11,705.00
Cellphone Service	Bill Pmt -Check	01/23/2023	25869	VERIZON WIRELESS	-72.16
Copier Maintenance Contract	Bill Pmt -Check	01/23/2023	25870	Caltronics	-102.12
Legal	Bill Pmt -Check	01/23/2023	25871	Paul Nicolas Boylan, Esq.	-46,950.00
Direct Deposit Fees	Liability Check	01/25/2023	DirD	QuickBooks Payroll Service	-10.50
Employee Retirement Fund	Liability Check	01/26/2023	25879	ICMA-457	-1,136.38
Employee Paid Union Dues	Liability Check	01/26/2023	25880	UPEC	-346.50
State Payroll Taxes	Liability Check	01/27/2023	E-pay	EDD	-849.68
Federal Payroll Taxes	Liability Check	01/27/2023	E-pay	United States Treasury	-5,449.58
State Payroll Taxes	Liability Check	01/27/2023	E-pay	EDD	-695.87

North Yuba Water District Monthly Check Listing January 2023

Type	Date	Num	Name	Amount
Bill Pmt -Check	01/27/2023	25887	Mechanics Bank	-1,203.77
Bill Pmt -Check	01/31/2023	25881	BoutinJones Inc	-5,432.93
Bill Pmt -Check	01/31/2023	25882	Cranmer Engineering Inc	-670.00
Bill Pmt -Check	01/31/2023	25883	Fonseca, Catherine L.	-600.00
Bill Pmt -Check	01/31/2023	25884	Mooney, Donald	-39,375.00
Bill Pmt -Check	01/31/2023	25885	Premier Access Insurance Co.	-491.75
Bill Pmt -Check	01/31/2023	25886	Reserve Account	-500.00
Total 11007 · River Valley Bank Checking				-263,455.09
Total 1000A · Cash - GC Seperate Accounts				-263,546.61
TOTAL				-263,546.61

Digital Path, Toilet Tissue, Coffee, Paper Plates,
Shop Towels, Bottled Water, Adobe, Quick Books
Annual Payroll Renewal, Belts for Pick up Truck,
Headlight Bulbs for Pick up Trucks, Ca Dept Pest
Regulation License

Legal
Water Testing
Minutes
Legal
Dental Insurance
Postage

VOIDED CHECK: 25856

North Yuba Water District

Profit & Loss Budget Performance

July 2022 - January 2023

Accrual Basis

	Jul '22 - Jan 23	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	169,785.58	179,018.13	-9,232.55	94.84%	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	0.00	0.0%	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	9,792.24	291.69	9,500.55	3,357.07%	500.00
4250.10 - Taxes - General	4,792.14	4,332.80	459.34	110.6%	265,278.40
4250D - Taxes - Domestic	6,904.38	6,314.06	590.32	109.35%	70,155.85
4250I - Taxes - Irrigation	0.00	0.00	0.00	0.0%	102,664.20
4300A - Interest	17,275.72	13,711.54	3,564.18	125.99%	40,000.00
Total Income	4,248,255.06	956,598.22	3,291,656.84	444.1%	1,889,718.62
Gross Profit	4,248,255.06	956,598.22	3,291,656.84	444.1%	1,889,718.62
Expense					
5050.69 - 2005 Agreement SFWP/NYWD	254,883.10	256,496.75	-1,613.65	99.37%	351,215.00
5100.00 - Water Treatment Plant (WTP)	205,929.01	196,215.45	9,713.56	104.95%	297,804.85
5200.00 - T&D Irrigation	5,767.88	52,491.96	-46,724.08	10.99%	129,097.53
5251 - T&D Domestic	131,911.65	116,371.42	15,540.23	113.35%	206,082.99
5400 - Board of Dir	11,412.50	16,314.31	-4,901.81	69.95%	24,639.31
5500 - Admin	301,410.35	348,758.55	-47,348.20	86.42%	573,797.06
5500U - Admin-Utilities	20,793.12	22,601.22	-1,808.10	92.0%	35,000.00
5600R - Regulator Driven	108,817.97	121,996.82	-13,178.85	89.2%	148,531.49
5700 - General	101,242.11	86,512.60	14,729.51	117.03%	142,790.64
5700F - Fuel	15,966.59	21,592.52	-5,625.93	73.95%	35,000.00
5800 - OSHA/Safety	3,202.93	4,875.30	-1,672.37	65.7%	14,469.81
5900A - General Manager Severance Package	513,634.77	0.00	513,634.77	100.0%	0.00
Total Expense	1,674,971.98	1,244,226.90	430,745.08	134.62%	1,958,428.68
Net Ordinary Income	2,573,283.08	-287,628.68	2,860,911.76	-894.66%	-68,710.06
Net Income	2,573,283.08	-287,628.68	2,860,911.76	-894.66%	-68,710.06

North Yuba Water District

2022-23 EXPENSES OUT OF RESERVES/SAVINGS (July 2022-January 2023)

MEMO	DATE	AMOUNT BILLED/PAID UP TO DATE	ANNUAL BUDGET
Public Outreach			
Public Outreach	July 2022 - January 2023	\$60,260.82	\$70,000.00
Additional Legal			
Additional Legal	July 2022 - January 2023	\$702,507.88	\$1,000,000.00
Special Projects/Emergency Repairs			
Water Rights Review	\$9,647.00 July 2022 - January 2023		
Water Transfer	\$10,345.00 July 2022 - January 2023		
Tanks (waiting for Grant reimbursement)	\$37,596.00 July 2022 - January 2023		
Total Special Projects/Emergency Repairs to date		\$57,588.00	\$200,000.00
Office Maintenance/Shop			
Wash Rack at Shop	\$9,926.88 July 2022 - January 2023		
Window Film	\$3,873.87 July 2022 - January 2023		
Generator Shop/Office	\$30,720.00 July 2022 - January 2023		
Total Maintenance/Shop to date		\$44,520.75	\$200,000.00
Radio Read Meters			
Meters	July 2022 - January 2023	\$20,285.00	\$250,000.00
Water Treatment Plant Improvements/Repairs			
Water Treatment Plant Filters	July 2022 - January 2023	\$324,504.16	\$200,000.00
Grant Pursuits	July 2022 - January 2023	\$0.00	\$50,000.00
L.U.I Union Retirement Stabilization Payment	July 2022 - January 2023	\$0.00	\$20,500.00
FT Ditch			
FT Ditch	July 2022 - January 2023	\$921.90	\$2,000,000.00
	TOTAL	\$1,210,588.51	\$3,990,500.00

North Yuba Water District

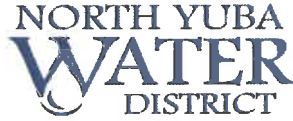
Cash In Accounts prior Month Comparison

January 2023 compared to December 2022

	01/31/2023	12/31/2022	
	Amount	Amount	Increase/Decrease
River Valley Bank Checking	\$1,370,396.07	\$1,637,881.92	(\$267,485.85)
Savings Money Market Account (River Valley Bank)	\$111,957.93	\$111,844.74	\$113.19
PayPal Account	\$1,642.57	\$2,143.09	(\$500.52)
Petty & Register Cash	\$830.00	\$830.00	\$0.00
YC Treas Fund #637 (Gen Dist)	\$420,521.95	\$419,487.83	\$1,034.12
YC Treas Fund #641 (ID #1)	\$359,460.82	\$358,576.86	\$883.96
YC Treas Fund #642 (ID #2)	\$141,026.37	\$140,535.23	\$491.14
YC Treas Fund #639 (Fac Fee Domestic)	\$7,505.96	\$7,487.52	\$18.44
YC Treas Fund #640 (Savings)	\$806,447.96	\$804,464.78	\$1,983.18
YC Treas Fund #644 (Equip Res)	\$3,056.29	\$3,048.79	\$7.50
YC Treas Fund #646 (ID #6)	\$11,607.35	\$11,578.81	\$28.54
YC Treas Fund #647 (Annex Irr)	\$11.48	\$11.47	\$0.01
YC Treas Fund #648 (Annex Dom)	\$89.89	\$89.67	\$0.22
YC Treas Fund #649 (Off Equip Res)	\$5,582.66	\$5,568.95	\$13.71
YC Treas Fund #650 (Reserve)	\$886,502.80	\$884,322.75	\$2,180.05
YC Treas Fund #393 (Trmt Plnt)	\$2,789.88	\$2,783.04	\$6.84
Total Cash on Hand	\$4,129,429.98	\$4,390,655.45	(\$261,225.47)
Reserve Accounts			
Reserve Savings Money Market (River Valley Bank)	\$96,717.72	\$96,619.94	\$97.78
CIP Money Market Account (River Valley Bank)	\$185,025.64	\$184,838.57	\$187.07
Total in Reserve	\$281,743.36	\$281,458.51	\$284.85
Total in All Accounts not including FT Tank and YC Water Sale Account	\$4,411,173.34	\$4,672,113.96	(\$260,940.62)
FT Tank Money Market Account (River Valley Bank)	\$109,593.31	\$109,482.51	\$110.80
YC Water sale Account (River Valley Bank)	\$526,384.92	\$525,852.73	\$532.19
Total in All Accounts	\$5,047,151.57	\$5,307,449.20	(\$260,297.63)

North Yuba Water District
Statement of Cash Flows
January 2023

	Jan 23
OPERATING ACTIVITIES	
Net Income	-135,909.95
Adjustments to reconcile Net Income	
to net cash provided by operations:	
A/R:A/R Domestic Water	1,945.70
1300.00 · Inventory-001	-478.85
1400.03 · Prepaid Worker's Comp Insurance	2,769.65
2000.00 · Accounts Payable	23,111.12
2150.30 · PR Tax WH-SUTA	65.04
2150.50 · PR WH-Aflac Ins	-131.92
Net cash provided by Operating Activities	-108,629.21
Expenses/Income from Reserves/Savings	
Additional Legal	-122,239.92
Tanks	-2,003.50
Meters	-11,705.00
Generator Shop/Office	-15,720.00
Net Expenses/Income from Reserves/Savings	-151,668.42
Net cash increase for period	-260,297.63
Cash at beginning of period	5,307,449.20
Cash at end of period	5,047,151.57



Memorandum

Date: February 17th, 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.

Canal Improvement Projects Underway!

Upper Forbestown Ditch Shotcrete Update:

1. On 2-13-2023 South Feather began preparing two sections of the upper ditch for shotcrete. The two sections will total 900' ft. and weather permitting are expected to be completed by 2-24-23.

Dobbins/Oregon house Canal Shotcrete Update:

1. On 2-15-2023 the district began preparing, a 1000' ft. section of O1 near Indiana Ranch Rd for shotcrete. The district is also improving the access Rd to this area which is 1000 feet long. This project, weather permitting is expected to be completed on 2-24-23.

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 groomed for ongoing repairs and upgrades.

Distribution:

1. Domestic meter reads for Brownsville and Rackerby were completed on time.
2. There were 0 service line leaks for the last month.
3. There was 1 main line leak for the last month. Job # 680
4. All blow offs were inspected, no problems were found.
5. All air releases were inspected, no problems were found.
6. All dead-end main lines were flushed.

Water Treatment Plant:

1. On 2-1-23 a new butterfly valve on the influent of filter number 2 had to be replaced do to failure. Both filters have also ben upgraded with new float controls, to regulate inflow and out flow of water.

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 the irrigation season. Maintenance and improvements to the canals are 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 Electrical Safety.
3. #2 Backflow Safety.
4. #3 Working at altitude.
5. #4 Avoiding slips and trips.



Before



After



Before



After

Lower Irrigation Ditch







