

**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, August 31, 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 2:31 PM at the District Office in Brownsville, CA.

NAME	PRESENT	ABSENT	VISITORS INCLUDING:
<i>PRESIDENT</i>	Gary Hawthorne		Charles, Marieke Furner, Dr. Rulik Perla, Terry
<i>VICE PRESIDENT</i>	Doug Neilson		Brown, William Sebrams, John Brueggeman Alton Wright, Heloisa Botelho, Victor Gamolsky, Marlyss, Rebeca Nolan, Josh Bailey, Robert Steelman, Donna Corson, Robert S. Greg,
<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:**

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 selling of the district water, water users have not agreed to the sell of District water, who is going to profit from selling of the water, disappointment in the Board,, selling District water is a disastrous mistake, endangering the public by selling water, betrayal by selling the water, and we have no water, yet we have a water surplus.

**ACTION ITEMS**

**D. RESOLUTION NO. 22-773:**

Adopt resolution declaring the district has a water surplus, and authorizing execution of purchase and sale agreements with Westlands Water District, Mercy Springs Water District, and Byron-Bethany Irrigation District under Water Code section 31023

**Director Forguson made a motion to accept Resolution No. 22-773. Vice President Neilson seconded the motion.**

Mr. Vergara, District Council, addressed public questions regarding Resolution No. 220-773 on how the district can provide surplus water when they are not providing water to the irrigating community. This is described in detail in Resolution No. 220-773.

**The motion passed with a unanimous vote.**

**E. CLOSED SESSION**

**The Board entered closed session.**

Conference with Legal Counsel – existing litigation (6 cases) – pursuant to Government Code section 54956.9, subdivision (d) paragraph (1).

Gideon Beinstock, et al. v. North Yuba Water Agency [sic], Yuba County Superior Court Case No. CVPT21- 00515; Fellowship of Friends v. North Yuba Water District, et al., Yuba County Superior Court Case No. CVPT22- 00246; Marieka Furnee, et al. v. North Yuba Water District, Yuba County Superior Court Case No. CVPT21-00436; Charles Sharp, et al. v. North Yuba Water District, et al., Yuba County Superior Court Case No. CVPT20- 00386; North Yuba Water District v. South Feather Water and Power Agency, Sutter County Superior Court Case No. CVCS21-0001857; and South Feather Water and Power Agency v. North Yuba Water Agency, Sutter County Superior Court Case No. CVCS21-0002073.

F. CLOSED SESSION REPORT (IF ANY REPORTABLE ACTION TAKEN)

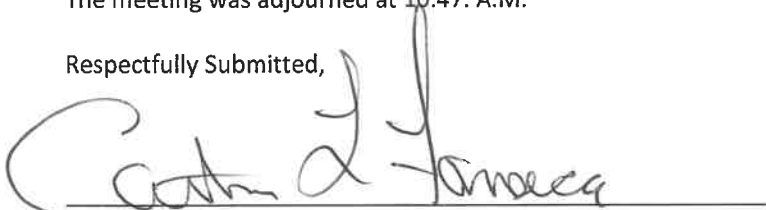
President Hawthorn reported that there was no action taken during the closed session.

G. 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 10:47. A.M.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Catherine L. Fonseca", written over a horizontal line.

Catherine L. Fonseca, Recording Secretary