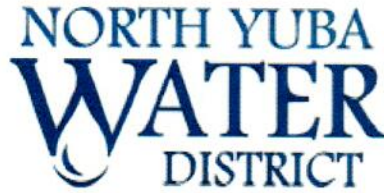


GARY HAWTHORNE
President
Division 3

DOUG NEILSON
Vice President
Division 1

JOHN BRUEGGEMAN
Director
Division 2



DONALD FORGUSON
Director
Division 4

GINGER HUGHES
Director
Division 5

JEFF MAUPIN
General Manager

AGENDA

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

3:30 PM ♦ FRIDAY ♦ FEBRUARY 4, 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 Meeting

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AND WILL BE GIVEN THE OPPORTUNITY TO PROVIDE PUBLIC COMMENT.

-
- A. CALL TO ORDER/ROLL CALL
 - B. PLEDGE OF ALLEGIANCE
 - C. OPPORTUNITY FOR PUBLIC COMMENT ON AGENDIZED ITEMS

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 three minutes per person.

ACTION ITEMS

D. APPOINTMENT OF NEGOTIATORS FOR POTENTIAL WATER SALE (Government Code Section 54956.8)

Property: Portion of NYWD's water supply.

Negotiators: Jeff Maupin, Dan Flory (Provost & Pritchard) and General Counsel Michael Vergara.

Negotiating Parties: North Yuba Water District and Byron Bethany Irrigation District.

E. RESOLUTION 22-765

Authorizing remote teleconference meetings in accordance with government code section 54953(e).

F. CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (five (5) cases) (pursuant to Government Code section 54956.9, subsection (d)(1)).
2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS TO DISCUSS POTENTIAL WATER SALE (Government Code section 54956.8).

G. 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.

RESOLUTION NO. 22-765

A RESOLUTION OF THE BOARD OF DIRECTORS OF NORTH YUBA WATER DISTRICT AUTHORIZING REMOTE TELECONFERENCE MEETINGS IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54953(e)

WHEREAS, North Yuba Water District (District) recognizes the importance of transparency and clear communication in government, and is committed to full compliance with the letter and spirit of the Ralph M. Brown Act (Gov. Code, §§ 54950 – 54963) (hereinafter “Brown Act”); and

WHEREAS, all meetings of the District’s Board of Directors are open and public, as required by the Brown Act, so that any member of the public may attend and participate; and

WHEREAS, the Brown Act (Gov. Code, § 54953, subd. (e)) allows members of a legislative body to participate in meetings remotely, without compliance with the requirements of Government Code section 54953, subdivision (b)(3), if a state of emergency is proclaimed pursuant to Government Code section 8625 and state or local officials have imposed or recommended measures to promote social distancing, or meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, on March 4, 2020 Governor Gavin Newsom proclaimed a State of Emergency to exist in the State of California as a result of the threat of COVID-19; and

WHEREAS, COVID-19 cases and hospitalizations continue to increase in Yuba County due primarily to the Delta variant of the virus that causes COVID-19, which is more transmissible than prior variants, may cause more severe illness, and that even fully vaccinated individuals can spread to others; and

WHEREAS, the District wishes to authorize remote teleconference meetings pursuant to Government Code section 54953(e).

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of North Yuba Water District as follows:

1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
2. The Board of Directors does hereby find that a State of Emergency was proclaimed by Governor Gavin Newsom pursuant to Government Code section 8625 on March 4, 2020 and remains active.
3. The Board of Directors does hereby find that given the continued increase of COVID-19 cases and hospitalizations in Yuba County, due to variants of the COVID-19 virus, conditions exist which pose imminent risks to the health and safety those attending meetings of the District’s Board of Directors.

4. The General Manager and staff are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953, subdivision (e), and other applicable provisions of the Brown Act.

5. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (a) February 25, 2022, or (b) such time as the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953, subdivision (e)(3), to extend the time during which the North Yuba Water District Board of Directors may continue to meet remotely without compliance with the requirements of Government Code section 54953, subdivision (b)(3).

PASSED, APPROVED, AND ADOPTED at a special meeting of the Board of Directors of North Yuba Water District on February 4, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gary Hawthorne
President, Board of Directors
North Yuba Water District

ATTEST:

Jeff Maupin
Secretary, Board of Directors
North Yuba Water District

**CLOSED
SESSION**