

**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=MV14OWJvZlh1dGdzWHZZOFhntT05G09>  
**Meeting ID: 815 0357 6933**  
**Passcode: 764449**  
*One tap mobile*  
**+166994449171,,83914715328# US**  
**+16699009128,,815 0357 6933,,,,\* US (San Jose)**

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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=MV14OWJvZlh1dGdzWHZZOFhntT05G09>*

**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.

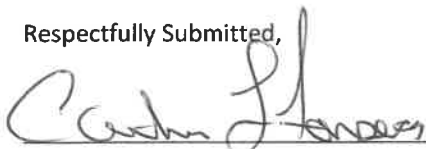
- M. The District Interim General Manager may provide a report to the Board.

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,



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Catherine L. Fonseca, Recording Secretary