

FORESTHILL PUBLIC UTILITY DISTRICT

MINUTES

Regular Business Meeting of the FORESTHILL PUBLIC UTILITY DISTRICT BOARD OF DIRECTORS

Wednesday	December 14, 2022	3:00 P.M.
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This meeting is being held via teleconference pursuant to Government Code section 54953(e)(1)(B) and Resolution 2022-02 and in compliance with the Brown Act. On October 12, 2022, the Foresthill Public Utility District Board of Directors determined pursuant to Government Code section 54953(e)(1)(B) that emergency conditions caused by the COVID-19 virus pose a threat to meeting attendees' health and safety and elected to meet via teleconference. The District is required (1) to post notice and agendas as otherwise provided by the Brown Act and applicable law, (2) allow members of the public to access the meeting via call-in line or internet-based service line, (3) provide details on the agenda on how to access the meeting and give public comment, (4) provide an opportunity to comment pursuant to Government Code section 54954.3 and allow a reasonable amount of time during public comment for a person to register, login, and comment, and (5) monitor the call-in line and/or internet-based service line to ensure no disruption hinders access or ability to comment, if there is, take no action until public access is restored. The District is not required to provide a location to attend in-person.

The Governor proclaimed a state of emergency due to the COVID-19 virus pandemic on March 4, 2020. The proclamation remains active and applies statewide. The District is complying with other public access and participation obligations, as required and to ensure that any member of the public may attend, participate, and watch the District's Board of Directors conduct its business.

Any person may access and comment during the meeting by doing the following:

Join Zoom Meeting: <https://us06web.zoom.us/j/82837681166> Meeting ID: 828 3768 1166

Dial by your location: 669 900 6833 or 408 638 0968

Find your local number: <https://us06web.zoom.us/u/kcy3Vjg2hB>

A. CALL TO ORDER: 3:00 PM *President Palmeri called the meeting to order at 3:07 PM*

B. OPEN SESSION - ROLL CALL:

_____ President Robert Palmeri	<i>Present</i>
_____ Treasurer Jane Stahler	<i>Present</i>
_____ Director Mark Bell	<i>Present</i>
_____ Director Patty Wade	<i>Present</i>
_____ Director Tyler Hunter	<i>Present (Logged in at 3:09 PM)</i>

C. PUBLIC COMMENT:

- Members of the public may provide comments to the Board on items not on the agenda. We welcome and encourage your comments as the Board takes them into consideration in our deliberations.

- Speakers are limited to a maximum of three minutes.
- The Board may not respond to, discuss, or engage in any type of dialog regarding any public comment, however the President may direct questions to staff for a later response or future consideration by the Board.
- Appropriate and respectful language and behavior is vital to the functioning of a public meeting. We ask Board, staff, and members of the public to speak courteously and respectfully. Therefore, the Board prohibits disruptive behavior.

Public comments were received

D. ANNOUNCEMENT OF CERTIFIED ELECTION RESULTS AND ADMINISTRATION OF OATH FOR INCOMING DIRECTORS

At 3:11 PM, the oath of office was administered to incoming directors Ronald R. Thompson, Mark C. Bell and Roger Pruett by General Manager Henry N. White.

E. ROLL CALL:

_____	President Robert Palmeri	<i>Present</i>
_____	Treasurer Jane Stahler	<i>Present</i>
_____	<i>Director Mark Bell</i>	<i>Present</i>
_____	<i>Director Roger Pruett</i>	<i>Present</i>
_____	<i>Director Ronald Thompson</i>	<i>Present</i>

E. ACTION ITEM:

1. Make findings pursuant to Government Code section 54953(e) that a state of emergency remains active and continues to directly impact the ability of attendees to meet safely in person, such that the Board hereby renews its findings contained in Resolution No. 2022-07 - A resolution of the Board of Directors of the Foresthill Public Utility District ratifying the proclamation of a state of emergency by Governor Gavin Newsom (March 4, 2020) as applicable in the District’s jurisdiction and authorizing teleconference meetings of legislative bodies of the District pursuant to the Ralph M. Brown Act and will continue utilizing teleconference meetings pursuant to Government Code section 54953 (e).

Recommended Action: Make findings contained in Resolution No. 2022-07 and authorize teleconference meetings of legislative bodies of the District

Public comment:

Board Action: *Director Bell made a motion to confirm findings contained in Resolution 2022-07 and authorize teleconference meetings of the legislative bodies of the District. The motion was seconded by Treasurer Stahler and carried unanimously (5-0).*

G. CLOSED SESSION:

1. Conference with Legal Counsel – Existing Litigation Subdivision (a) of Government Code Section 54956.9. Name of Case: Miner’s Camp vs. Foresthill Public Utility District

H. OPEN SESSION - ROLL CALL (Starting at 6:00 PM): *President Palmeri called the meeting to order at 6:01 PM*

_____	President Robert Palmeri	<i>Present</i>
_____	Treasurer Jane Stahler	<i>Present</i>
_____	Director	<i>Present</i>
_____	Director	<i>Present</i>
_____	Director	<i>Present</i>

I. ANNOUNCEMENT FROM CLOSED SESSION: *At 6:03 PM, General Manager Henry N. White announced that during closed session the Board of Directors agreed to release the following statement: "To help bring the Miner's Camp litigation to resolution, the Foresthill Public Utility District agreed to make a court awarded payment of \$98,247.58 to resolve pre-appeal attorney's fees, costs awarded and interest."*

J. PUBLIC COMMENT:

- Members of the public may provide comments to the Board on items not on the agenda. We welcome and encourage your comments as the Board takes them into consideration in our deliberations.
- Speakers are limited to a maximum of three minutes.
- The Board may not respond to, discuss, or engage in any type of dialog regarding any public comment, however the President may direct questions to staff for a later response or future consideration by the Board.
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Public comments were received

K. CONSENT AGENDA: All items listed under the Consent Agenda are considered to be routine in nature and may be approved by one motion

1. Minutes for the November 9, 2022 Regular Board Meeting and November 18, 2022 Special Board Meeting
2. Combined Financial Report for September and October 2022

Board Action: *Director Bell made a motion to approve the consent agenda. The motion was seconded by Director Pruett and carried unanimously (5-0).*

L. ACTION ITEMS:

1. Receive approval of request for California Office of Emergency Services Fire Management Assistance Subgrant FEMA-5453-FM-CA Mosquito Fire
Recommended Action: Receive and file grant application approval
Public comment:

Board Action: *Treasurer Stahler made a motion to receive and file the notification of approval of request for California Office of Emergency Services Fire Management Assistance Subgrant FEMA-5453-FM-CA Mosquito Fire. The motion was seconded by Director Thompson and carried unanimously (5-0).*

2. Consider adoption of Resolution 2022-09 – A resolution designating California Office of Emergency Services Fire Management Assistance Subgrant District Agent

Recommended Action: By motion, adopt Resolution 2022-09

Public comment:

Board Action: Director Pruett made a motion to adopt Resolution 2022-09 designating Henry N. White as Foresthill's agent in regards to the California Office of Emergency Services Fire Management Assistance Subgrant. The motion was seconded by Director Thompson and carried unanimously (5-0).

M. DISCUSSION ITEMS:

1. General Manager Report
2. Remarks/reports by Directors

Board Action: None

N. ADJOURNMENT

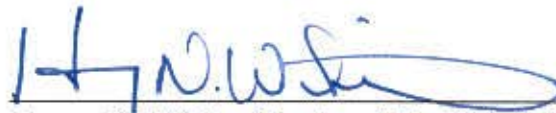
Board Action: At 6:35 PM, Director Thompson made a motion to adjourn the meeting. The motion was seconded by Director Pruett and carried unanimously (5-0).

Submitted by:



Robert Palmeri, Board President

Attest:



Henry N. White, Clerk and Ex-Officio Secretary