

FORESTHILL PUBLIC UTILITY DISTRICT

MINUTES

Regular Business Meeting of the
FORESTHILL PUBLIC UTILITY DISTRICT BOARD OF DIRECTORS
Foresthill Elementary School, 24750 Main Street, Foresthill, CA 95631
www.foresthillpud.com

Wednesday	July 10, 2024	3:00 P.M.
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A. CALL TO ORDER: 3:00 PM *President Thompson called the meeting to order at 3:08 PM.*

B. OPEN SESSION - ROLL CALL:

_____ President Ron Thompson	<i>Present</i>
_____ Vice President Jane Stahler	<i>Present</i>
_____ Treasurer Mark Bell	<i>Present</i>
_____ Director Roger Pruet	<i>Present</i>
_____ Director Peter Kappelhof	<i>Present</i>

Henry N. White, General Manager and Vance Piggott, District Counsel were in attendance.

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 the Board, staff, and members of the public to speak courteously and respectfully. Therefore, the Board prohibits disruptive behavior.

The Board received public comments and those comments will be taken into consideration.

D. CLOSED SESSION: *The Board went into closed session at 3:10 PM.*

1. Conference with real property negotiators (Gov't Code Section 54956.8). Property: Up to 2,000 acre feet of stored Sugar Pine Reservoir water; District Negotiators: Jane Stahler and Henry N. White; Negotiating Parties: Prospective water users in the American River Basin, Central Valley or elsewhere in the federal Central Valley Project or State Water Project service areas, including but not limited to; U.S. Bureau of Reclamation, City of Folsom, City of Sacramento, Carmichael Water District, San Juan Water District, Sacramento Suburban Water District, San Luis and Delta-Mendota Water Authority and member agencies (e.g. Westlands Water District), State Water Contractors and member agencies (e.g. Santa Clara Valley Water District); Under Negotiation: Price and terms of payment for the sale of surplus stored water from Sugar Pine Reservoir.

2. Conference with legal counsel - significant exposure to litigation - (Government Code section 54956.9(d)(2) and (e)(2)) (1 case)
3. Public employee performance evaluation and appointment - General Manager - (Government Code section 54957)

E. OPEN SESSION - ROLL CALL (Starting at 6:00 PM): *President Thompson called the meeting to order at 6:04 PM.*

_____ President Ron Thompson	<i>Present</i>
_____ Vice President Jane Stahler	<i>Absent</i>
_____ Treasurer Mark Bell	<i>Present</i>
_____ Director Roger Pruett	<i>Present</i>
_____ Director Peter Kappelhof	<i>Present</i>

Henry N. White, General Manager and Vance Piggott, District Counsel were in attendance.

F. PLEDGE OF ALLEGIANCE *Treasurer Bell led the Pledge of Allegiance.*

G. ANNOUNCEMENT FROM CLOSED SESSION: *The announcement from closed session was made by Vance Piggott after Item K of the agenda.*

H. 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 the Board, staff, and members of the public to speak courteously and respectfully. Therefore, the Board prohibits disruptive behavior.

The Board received public comments and those comments will be taken into consideration.

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

1. Approval of June 13, 2024, Regular Board Meeting minutes.
2. Receive and file combined financial reports for May 2024.

Board Action: *Treasurer Bell made a motion to approve the Consent Agenda item 2. The motion was seconded by Director Kappelhof and passed unanimously (4-0).*

Board Action: *President Thompson asked Treasurer Bell to read the minutes. The minutes were read by Treasurer Bell. Treasurer Bell made a motion to approve the June 13, 2024 regular board minutes. The motion was seconded by Director Pruett and carried unanimously (4-0).*

J. ACTION ITEMS:

1. Staff received an email request from President Thompon for an agenda item on July 2, 2024. The request is unedited and included here [sic]:

- *I wih to discuss some finance items. List as " Finances "*

example: " Financial Discussion " (unquote)

Ron Thompson (President)

Board Action: None. *President Thompson handed out a current authorized signers sheet from Wells Fargo Bank. President Thompson made a motion to place the President, Vice President and Treasurer on the Wells Fargo Bank Checking Account. Counsel Piggott advised the Board that the agenda item was not worded to take action on the item and action would not comply with the Brown Act. The motion died for lack of a second.*

2. Staff received an email request from Vice President Stahler for an agenda item on July 2, 2024. The request is unedited and included here [sic]:

Agenda Item 1: Request that the GM provide a spreadsheet to all Directors by July 15, 2024. The that includes the following from 2014 to 2024 on all past and current employees, including the general manager.

- a. Column to include -Employee Name and District title (Operator I, etc.) and wage when hired with hire date.**
- b. Column with changes to employee title, and wages.**
- c. Column to include benefit totals for each of the 10 years.**
- d. Column to include hourly wage, yearly amount for overtime, and yearly amount for "other" totals. The GM provides all of this information yearly to the State Controller's Office.**
- e. Column to include current individual employees with names and titles and the amount of their wages and benefits with a 10% wage increase.**
- f. Column to include current individual employees with names and titles (including the GM) and the total amount of the retroactive wages (back to January 2024) based on their 10% raise.**
- g. List all current and past employee names (including the GM), job titles, the CalPERS percentage provided by this district, and age for retirement to collect benefits. (example- 3% at 60).**

This list of information will provide a starting point for a discussion of subsequent employee compensation. All this information is available in various CA state documents or in the District's files. We need a single document. Information provided at our May 9, 2024 meeting did not provide enough information to make the best decision for our District and therefore for our Ratepayers. This is a Director request and as such in accordance with District Policy is required.

Agenda Item 2 - Minutes, according to the Brown Act and Policy 4050(60) should include information to comply with the following – "underlying factors necessary to ensure an adequate record for subsequent review." The minutes should include the relevance that the motion(s) will have on the District.

Recommended Action: Discuss and Direct the Clerk accordingly.

Agenda Item 3 - In items 5040 - 14, 15, and 16 - The policies states that "Actions and Decisions by the Board of Directors include but are not limited to the following:

5040.14 – Approval or rejection of any contract or expenditure. (Example – I.S.I. – The Board did not receive the proposal by I.S.I.)

Recommended Action: Discuss and direct staff accordingly.

5040.15 – Approval or rejection of any proposal which commits District funds or facilities including employment and dismissal of personnel, (Employees were hired without the Board's knowledge.

Recommended Action: Discuss and direct staff accordingly.

5040.16 – "Approval or disapproval of matters that require or may require the District or its employee to take action and/or provide services." (How does the GM provide the Board with this information? When is the GM required to bring these matters to the Board?)

Recommended Action: Discuss and direct staff accordingly.

Agenda item 4: Dates provided to the Board for the completion of the Capital Implementation Plan. The document needs to include the following:

Each CIP "project" needs to be defined in detail, not just a title.

Each CIP "project" needs estimated cost(s).

Each CIP "project" needs personnel listed that will be required.

Each CIP "project" needs a listing of outside contractor services.

Each CIP "project" needs an estimated cost of contractor(s) services.

Each CIP "project" needs a list of any & all materials needed & their estimated cost.

Each CIP project needs to have an approximate start and end date for completion.

The District CIP needs to include all proposed projects for the last 10 years with beginning and completion dates or justification for incompleteness.

Each CIP "project" that was not completed needs an accounting of funds allocated, but not utilized.

Recommended Action: Discuss and direct staff accordingly.

Board Action: President Thompson read the items requested by Vice President Stahler. Treasurer Bell made a motion to delay the items until the next regular board meeting where Vice President Stahler can attend. The motion was seconded by President Thompson and carried unanimously (4-0).

K. DISCUSSION ITEMS:

1. General Manager Report - Written report was submitted via the Board Packet.
2. Remarks/reports by Directors – A verbal report was made by Treasurer Bell.

At 7:04 PM, Counsel Vance Piggott reported that no reportable action was taken during closed session (See item G above)

L. ADJOURNMENT

Board Action: Treasurer Bell made a motion to adjourn the meeting at 7:05 PM. The motion was seconded by Director Pruett and carried unanimously (4-0).

Submitted by:

Attest:



Ron Thompson, Board President



Mark Bell, Clerk and Ex-Officio Secretary