

# FORESTHILL PUBLIC UTILITY DISTRICT

## MINUTES

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

Wednesday	February 9, 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 2022-01 and in compliance with the Brown Act. On January 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: 408 638 0968 or 669 900 6833

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 3:03 PM*

**B. OPEN SESSION - ROLL CALL (3 minutes):**

_____ President Robert Palmeri	<i>Present</i>
_____ Vice President Patty Wade	<i>Present</i>
_____ Treasurer Jane Stahler	<i>Present</i>
_____ Director Mark Bell	<i>Present</i>
_____ Director Tyler Hunter	<i>Present</i>

**C. PUBLIC COMMENT: (20 minutes)**

- This is the time for the Board to hear from the public. 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. CLOSED SESSION: (2 hours) *President Palmeri announced the Board was going into closed session at 3:10 PM***

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
2. Conference with Legal Counsel – Existing Litigation Subdivision (a) of Government Code Section 54956.9. Name of Case: Foresthill Public Utility District Petition to State Water Resources Control Board for Extension of Water Right Permit No. 15375.
3. Conference with legal counsel - Anticipated litigation - pursuant to subdivision (b) of Section 54956.9 of the Government Code. Potential cases: One

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

**F. OPEN SESSION - ROLL CALL (3 minutes):**

_____ President Robert Palmeri	<i>Present</i>
_____ Vice President Patty Wade	<i>Present</i>
_____ Treasurer Jane Stahler	<i>Present</i>
_____ Director Mark Bell	<i>Present</i>
_____ Director Tyler Hunter	<i>Present</i>

**G. ANNOUNCEMENT FROM CLOSED SESSION (5 minutes) *At 6:05 PM, President Palmeri announced that no reportable action was taken during closed session***

**H. PRESENTATION: Dane Wadle from California Special Districts Association will present the District Transparency Certificate of Excellence. The district has received this prestigious award since 2014 and it recognizes the efforts the district has taken to be completely and utterly transparent and a true leader in the industry of providing spectacular public service. *The presentation and transparency award were received***

**I. PUBLIC COMMENT: (20 minutes)**

- This is the time for the Board to hear from the public. 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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*Vice President Wade resigned as Vice President of the Foresthill Public Utility District*

**J. CONSENT AGENDA: (5 minutes)** All items listed under the Consent Agenda are considered to be routine in nature and may be approved by one motion.

1. Minutes of the January 12, 2022 Regular Meeting
2. Cash Disbursements Register, December 2021
3. Statement of Net Position, December 2021
4. Statement of Activity Budget vs. Actual, December 2021
5. Investment Policy Compliance, December 2021
6. Quality Analysis Report, December 2021
7. Activity Detail December 2021
8. Portfolio Graphically Presented, December 2021
9. 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. 2022-01 – 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)

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

**K. ACTION ITEMS: (1 hour)**

1. Consider approval of proposal by Western Hydrologics to provide technical assistance for the State Water Resources Control Board annual water right reporting and support for required 2020 water transfer documentation in an amount not to exceed \$12,000  
Recommended Action: Approve proposal and authorize execution of task order  
Public comment:

***Board Action:*** Director Hunter made a motion to approve the proposal from Western Hydrologics to provide technical assistance for water right reporting and water transfer support in an amount not to exceed \$12,000. The motion was seconded by Director Wade and carried unanimously (5-0)

2. Presentation of the Annual Financial Report with the Independent Auditor’s Report for fiscal year ending June 30, 2021 by Finance Manager Roger Carroll  
Recommended Action: Receive and file the Annual Financial Report for fiscal year ending June 30, 2021  
Public comment:

***Board Action:*** Director Bell made a motion to receive and file the Annual Financial Report for fiscal year ending June 30, 2021. The motion was seconded by Treasurer Stahler carried unanimously (5-0)

3. Consider request for a remote service connection by Andrew Ramsey and Laura Truax for Assessor’s Parcel Number 007-060-005 (24150 Race Track Street)

Recommended Action: Authorize remote service connection

Public comment:

***Board Action:*** Director Hunter made a motion to approve the request for a remote service connection contingent on the applicant providing proof of an easement for the private water line and executing a participation agreement for future improvements. The motion was seconded by Director Wade and carried unanimously (5-0)

**L. DISCUSSION ITEMS: (20 minutes)**

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

**M. ADJOURNMENT:**

***Board Action:*** Treasure Stahler made a motion to adjourn the meeting at 7:04 PM. The motion was seconded by Director Hunter and carried unanimously (5-0)

Submitted by:



Robert Palmeri, Board President

Attest:



Henry N. White, Clerk and Ex-Officio Secretary