

FORESTHILL PUBLIC UTILITY DISTRICT

MINUTES

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

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| Tuesday | March 22, 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 February 9, 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/84885605147> Meeting ID: 848 8560 5147

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

Find your local number: <https://us06web.zoom.us/u/kb5xr5lo6g>

A. CALL TO ORDER (3:00 PM) *President Palmeri called the meeting to order at 3:04 PM*

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

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|---|----------------|
| _____ President Robert Palmeri | <i>Present</i> |
| _____ Treasurer Jane Stahler | <i>Present</i> |
| _____ Director Mark Bell | <i>Present</i> |
| _____ Director Patty Wade (<i>logged in at 3:05 PM</i>) | <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. ACTION ITEM: (5 minutes)

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. 2022-01 - 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).

Recommended Action: Make findings contained in Resolution No. 2022-01 and authorize teleconference meetings of legislative bodies of the District

Public comment:

Board Action: Director Bell made a motion to make the findings contained in Resolution No. 2022-01 and authorize teleconference meetings of legislative bodies of the District. The motion was seconded by Director Wade and carried unanimously (5-0).

E. CLOSED SESSION: (2 hours) President Palmeri announced the Board was going into closed session at 3:15 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 – Anticipated litigation – pursuant to subdivision (b) of Section 54956.9 of the Government Code. Potential cases: One
3. 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: Robert Palmeri and Hank 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

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

G. OPEN SESSION - ROLL CALL (3 minutes):

_____ President Robert Palmeri

Present

____ Treasurer Jane Stahler
____ Director Mark Bell
____ Director Patty Wade
____ Director Tyler Hunter

Present
Present
Present
Present

H. ANNOUNCEMENT FROM CLOSED SESSION (5 minutes): *At 6:02 PM, President Palmeri announced that no reportable action was taken during closed session.*

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.
- 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*

J. ACTION ITEMS: (1 hour)

1. The Board to hear public comments on surplus water transfers
Recommended Action: Hear public comments and provide direction to staff
Public comment: *Public comments were received*

The Board discussed the item but no action was taken.

2. The Board to discuss recording open session meetings
Recommended Action: Discuss and provide direction to staff
Public comment:

The Board discussed the item but no action was taken.

K. ADJOURNMENT

Board Action: *At 6:30 PM, Director Hunter made a motion to adjourn the meeting. The motion was seconded by Treasurer Stahler and carried unanimously (5-0).*

Submitted by:



Robert Palmeri, Board President

Attest:



Henry N. White, Clerk and Ex-Officio Secretary