

FORESTHILL PUBLIC UTILITY DISTRICT

MINUTES

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

Wednesday	February 8, 2023	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/j/82837681166>

A. CALL TO ORDER: 3:00 PM *Treasurer Stahler called the meeting to order at 3:10 PM.*

B. OPEN SESSION - ROLL CALL:

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

C. 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 Director Thompson and carried unanimously (4-0).

D. 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.

E. CLOSED SESSION: At 3:19 PM, Treasurer Stahler announced that the Board was going into 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

F. OPEN SESSION - ROLL CALL (Starting at 6:00 PM): Treasurer Stahler called the meeting to order at 6:02 PM.

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

G. ANNOUNCEMENT FROM CLOSED SESSION: At 6:03 PM, Treasurer Stahler announced that no reportable action was taken during closed session.

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

Public comments were received.

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

1. Approval of January 11, 2023 Regular Board Meeting Minutes and January 19, 2023 Special Board Meeting Minutes

Board Action: Director Bell made a motion to approve consent agenda item 1. The motion was seconded by Director Pruett and carried unanimously (4-0).

2. Receive combined financial report for December 2022

Board Action: Director Bell made a motion to remove the profit/loss statement (page 17) for correction and approve the balance of the financial report. The motion was seconded by Director Thompson and carried unanimously (4-0).

J. ACTION ITEMS:

1. Annual Organizational Meeting - Pursuant to Policy #5010.50, the Board will elect a President, Vice President and Treasurer from among its members
Recommended Action: Elect a President, Vice President, Treasurer and appoint the Board Clerk and Ex-Officio Secretary
Public comment:

Board Action: Director Bell made a motion to temporarily amend Policy #5010 to appoint officers and committee members at the next regular Board of Directors meeting. The motion was seconded by Director Thompson and carried unanimously (4-0).

2. Appointment of standing committee members - Pursuant to Policy #4060.30, the Board President shall appoint members of the Planning Committee and Finance Committee
Recommended Action: Board President to appoint committee members and chair
Public comment:

Board Action: See action for Item 1 above.

3. Discuss expiration of Governor's emergency proclamation authorizing virtual meetings pursuant to AB 361 and provide direction to staff to amend Board Policy 5010 regarding format of District Board meetings
Recommended Action: Discuss issue and direct staff accordingly
Public comment:

Board Action: None. The Board discussed the item.

4. Consider revision to Policy #5010 to set the 2023 meeting schedule for the Board of Directors

Recommended Action: Revise Policy #5010 and set 2023 Board of Directors' meeting schedule

Public comment:

Board Action: The Board discussed the item and given the expiration of conditions allowing virtual meetings under AB 361, Director Bell made a motion to revise Policy 5010 to set the Regular Board of Director's meetings on the second Tuesday of the month at the Foresthill Veteran's Memorial Hall with a closed session at 3:00 PM and an open session at 6:00 PM. The motion was seconded by Director Thompson and carried unanimously (4-0).

5. Consider approval of Resolution 2023-01 A resolution accepting easement from Placer Union High School District to maintain public water system improvements

Recommended Action: Approve Resolution 2023-01

Public comment:

Board Action: Director Bell made a motion to approve Resolution 2023-01 and direct staff to record the appropriate documents with Placer County. The motion was seconded by Director Pruett and carried unanimously (4-0).

K. DISCUSSION ITEMS:

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

L. ADJOURNMENT

Board Action: At 6:48 PM, Director Bell made a motion to adjourn the meeting. The motion was seconded by Treasurer Stahler and carried unanimously (4-0).

Submitted by:

Attest:



Jane Stahler, Treasurer



Henry N. White, Clerk and Ex-Officio Secretary