

FORESTHILL PUBLIC UTILITY DISTRICT

MINUTES

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

Wednesday	May 11, 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 in compliance with the Brown Act. Section 54953(e)(1)(B) permits the District Board of Directors to hold a meeting during a proclaimed state of emergency via teleconference in order to determine whether as a result of the emergency, meeting in person would present an imminent risk to attendees' health or safety. To do so, 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 meeting pursuant to Section 54953(e)(1)(B) to determine if the emergency conditions pose a threat to attendees' health and safety, warranting teleconference meetings. 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/j/82837681166>

A. CALL TO ORDER: (3:00 PM) *President Palmeri called the meeting to order at 3:02 PM*

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

_____ 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</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. *No public comments were offered.*

D. ACTION ITEMS: (10 minutes)

1. Consider making findings pursuant to Government Code Section 54953(e), as amended by Assembly Bill 361, authorizing the continued use of virtual meetings – Adopt Resolution 2022-02, finding a proclamation of state of emergency to apply within the District, conditions of which pose an imminent threat to the health and safety to attendees of in-person public meetings, and authorizing teleconference meetings of District legislative bodies pursuant to Government Code section 54953(e)
Recommended Action: Discuss issue and consider adopting Resolution 2022-02
Public comment:

Board Action: Director Bell made a motion to adopt Resolution 2022-02. 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 3:10 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

F. OPEN SESSION - (Starting at 6:00 PM): President Palmeri called the meeting to order at 6:08 PM.

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

_____ 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</i>

H. ANNOUNCEMENT FROM CLOSED SESSION (5 minutes) President Palmeri announced that during a closed session at the March 22, 2022 special meeting, the Board decided not to transfer water in 2022. No other 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. 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 March 2, 2022 Special Meeting, March 9, 2022 Regular Meeting, and March 22, 2022 Special Meeting
2. Cash Disbursements Register, February and March 2022
3. Statement of Net Position, February and March 2022
4. Statement of Activity Budget vs. Actual, February and March 2022
5. Investment Policy Compliance, February and March 2022
6. Quality Analysis Report, February and March 2022
7. Activity Detail, February and March 2022
8. Portfolio Graphically Presented, February and March 2022

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. Resolution 2022-03 – Declaring an election be held in its jurisdiction, requesting the Board of Supervisors to consolidate this election with any other election conducted on said date, and requesting election services by the County Clerk
Recommended Action: Approve Resolution 2022-03
Public comment:

Board Action: Treasurer Stahler made a motion to adopt Resolution 2022-03. The motion was seconded by Director Hunter and carried unanimously (5-0).

2. Declare the Sierra View Lane Pipeline Replacement Project exempt from the California Environmental Quality Act and direct the General Manager to file a Notice of Exemption with Placer County
Recommended Action: Declare the project exempt from CEQA and direct the General Manager to file a Notice of Exemption
Public comment:

Board Action: Treasurer Stahler made a motion to declare the Foresthill Road Pipeline Replacement Project exempt from CEQA and directed the General Manager to file a Notice of Exemption with Placer County. The motion was seconded by Director Hunter and carried unanimously (5-0).

3. Consider adopting Resolution 2022-04 - Approving the Placer County Local Hazard Mitigation Plan Update
Recommended Action: Adopt Resolution 2022-04
Public comment:

Board Action: Director Bell made a motion to adopt Resolution 2022-04. The motion was seconded by Director Hunter and carried unanimously (5-0).

4. Consider an amendment to Policy #5010, section 5010.10 and return to in-person meetings
Recommended Action: Discuss and provide direction to staff
Public comment:

Board Action: The item was discussed and no action was taken.

5. Board discussion of recording open session meetings
Recommended Action: Discuss and provide direction to staff
Public comment:

Board Action: The item was discussed and no action was taken.

L. DISCUSSION ITEMS: (20 minutes)

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

M. ADJOURNMENT:

Board Action: At 6:44 PM, Director Bell made a motion to adjourn the meeting. 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