

FORESTHILL PUBLIC UTILITY DISTRICT

MINUTES

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

Thursday	January 19, 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/u/kcy3Vjg2hB>

A. CALL TO ORDER: 3:00 PM *A very large water main break near Smoke Tree Lane north of Foresthill Road prevented the Board from convening the meeting at 3 PM. Staff took steps to inform the public of the delay. President Palmeri called the meeting to order at 4:04 PM*

B. OPEN SESSION - ROLL CALL:

_____ President Robert Palmeri	<i>Present</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: Treasurer Stahler 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 (5-0).

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:

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 4:00 PM): *President Palmeri called the meeting to order at 5:52 PM*

_____ President Robert Palmeri	<i>Present</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: *General Manager Henry White announced in open session that no reportable action was taken during closed session. Counsel Eric Robinson informed the public in attendance that the Board would be returning to closed session after the open session.*

H. 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 Treasurer Stahler and carried unanimously (5-0).

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: The action taken in number 1. Above postponed the appointment of committee members until the next regular Board of Directors meeting.

I. DISCUSSION ITEMS:

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

- J. ADJOURNMENT:** At 6:05 PM, Director Thompson made a motion to adjourn the open session and return to a closed session for 15 minutes. The motion was seconded by President Palmeri and carried unanimously (5-0).

Announcement from Closed Session: At 6:22 PM the Board of Directors re-opened the meeting to the public and announced that no reportable action had been taken during the extended closed session.

Submitted by:

Attest:



Jane Stahler, Treasurer



Henry N. White, Clerk and Ex-Officio Secretary