

FORESTHILL PUBLIC UTILITY DISTRICT

MINUTES

Regular Business Meeting of FORESTHILL PUBLIC UTILITY DISTRICT BOARD OF DIRECTORS

Wednesday	November 10, 2021	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 2021-08 and in compliance with the Brown Act. On October 13, 2021, 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/83252803666> Meeting ID: 832 5280 3666

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

Find your local number: <https://us06web.zoom.us/u/kcQ9ajsqSz>

A. CALL TO ORDER: *President Bell called the meeting to order at 3:04 PM*

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

_____ President Mark Bell	<i>Present</i>
_____ Vice President Patty Wade	<i>Present</i>
_____ Treasurer Jane Stahler	<i>Present</i>
_____ Director Robert Palmeri	<i>Absent</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. *An opportunity for the public to provide comments was provided. No public comments were offered.*

D. CLOSED SESSION: (1 hour) *President Bell announced the Board was going into closed session at 3:05 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: Hillcrest Mobile Home Park vs. Foresthill Public Utility District
3. Conference with legal counsel – Anticipated litigation – pursuant to subdivision (b) of Section 54956.9 of the Government Code. Potential cases: two

E. OPEN SESSION - (Starting at 6:00 PM): *President Bell called the meeting to order at 6:08 PM. Board members Bell, Wade, Stahler and Hunter present. Director Palmeri absent.*

F. ANNOUNCEMENT FROM CLOSED SESSION (5 minutes): *At 6:08 PM, President Bell announced that no reportable action was taken during closed session.*

G. 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 comment was received.*

H. 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 September 1, 2021 Special Meeting
2. Minutes of the October 13, 2021 Special Meeting
3. Cash Disbursements Register, September 2021
4. Statement of Net Position, September 2021
5. Statement of Activity Budget vs. Actual, September 2021
6. Investment Policy Compliance, September t 2021
7. Quality Analysis Report, September 2021
8. Activity Detail September 2021

9. Portfolio Graphically Presented, September 2021
10. 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. 2021-08 - 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: *Treasurer Stahler made a motion to approve the consent agenda. The motion was seconded by Vice President Wade and carried unanimously. (4-0)*

Director Palmeri arrived at 6:33 PM

I. ACTION ITEMS: (30 minutes)

1. Board to consider amending Policy 5010 - Board Meetings: set time and place for regular Board meetings
Recommended Action: Discuss policy and direct staff accordingly
Public comment: *No public comments were offered*

Board Action: *Treasurer Stahler made a motion to approve Policy 5010 as revised during the public discussion. The motion was seconded by Director Hunter and carried unanimously. (5-0)*

J. DISCUSSION ITEMS: (20 minutes)

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

K. ADJOURNMENT: *President Bell adjourned the meeting at 7:06 PM*

Submitted by:



Mark Bell, Board President

Attest:



Henry N. White, Clerk and Ex-Officio Secretary