

FORESTHILL PUBLIC UTILITY DISTRICT

REVISED AGENDA

Regular Business Meeting of the
FORESTHILL PUBLIC UTILITY DISTRICT BOARD OF DIRECTORS
Foresthill Elementary School, 24750 Main Street, Foresthill, CA 95631
www.foresthillpud.com

Thursday	July 13, 2023	3:00 P.M.
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A. CALL TO ORDER: 3:00 PM

B. OPEN SESSION - ROLL CALL:

_____ President Jane Stahler
_____ Vice President Mark Bell
_____ Director Roger Pruett
_____ Director Ron Thompson
_____ Director Peter Kappelhof

C. PLEDGE OF ALLEGIANCE

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.

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
2. Public employee performance evaluation, Government Code Section 54957(b), Title: General Manager

F. OPEN SESSION - ROLL CALL (Starting at 6:00 PM):

_____ President Jane Stahler
_____ Vice President Mark Bell
_____ Director Roger Pruett
_____ Director Ron Thompson
_____ Director Peter Kappelhof

G. ANNOUNCEMENT FROM 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.

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 June 8, 2023 Regular Board Meeting Minutes

J. ACTION ITEMS:

1. Consider Resolution 2022-05 requesting collection of charges on Placer County tax roll for tax year 2022/2023 for Assessment District #2
Recommended Action: Adopt Resolution 2022-05
Public comment:
2. Consider Resolution 2022-06 requesting collection of delinquent charges on Placer County tax roll for tax year 2022/2023
Recommended Action: Adopt Resolution 2022-06
Public comment:
3. The need to calendar a “special Meeting” to discuss policy changes
Recommended Action: Discuss topic and advise staff
Public comment:
4. State agency reports
Recommended Action: Discuss topic and advise staff
Public comment:
5. Budget report update
Recommended Action: Discuss topic and advise staff
Public comment:

K. DISCUSSION ITEMS:

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

L. ADJOURNMENT

In accordance with Government Code Section 54954.2(a) this notice and agenda were posted in the District’s front window at the Foresthill Public Utility District office, 24540 Main Street, Foresthill, CA 95631 on or before 4:10 PM., July 10, 2023.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the General Manager at (530)367-2511. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting.

Henry N. White, Board Clerk & Ex-Officio Secretary

FORESTHILL PUBLIC UTILITY DISTRICT

MINUTES

Regular Business Meeting of the
FORESTHILL PUBLIC UTILITY DISTRICT BOARD OF DIRECTORS
Foresthill Elementary School, 24750 Main Street, Foresthill, CA 95631
www.foresthillpud.com

Thursday	June 8, 2023	3:00 P.M.
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A. CALL TO ORDER: 3:00 PM *President Stahler cancelled the closed session meeting.*

B. OPEN SESSION - ROLL CALL:

- _____ President Jane Stahler
- _____ Vice President Mark Bell
- _____ Director Roger Pruett
- _____ Director Ron Thompson
- _____ Director Peter Kappelhof

*No roll call was taken
The closed session was cancelled*

C. PLEDGE OF ALLEGIANCE *The pledge was not recited*

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.

The closed session was cancelled so there was no public comment period.

E. CLOSED SESSION: *Cancelled*

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): *President Stahler called the meeting to order at 6:00 PM.*

Board Action: *Vice President Bell notified the Board of Directors of his need to participate in the Board meeting remotely due to a medical situation and that there was not enough time to put the item on the agenda. Director Thompson made a motion to approve Vice President Bell’s request to attend the meeting virtually. The motion was seconded by Director Pruett and after a roll call vote the motion passed unanimously (5-0).*

_____ President Jane Stahler	<i>Present</i>
_____ Vice President Mark Bell	<i>Present via teleconference</i>
_____ Director Roger Pruett	<i>Present</i>
_____ Director Ron Thompson	<i>Present</i>
_____ Director Peter Kappelhof	<i>Present</i>

President Stahler led the Pledge of Allegiance.

G. ANNOUNCEMENT FROM CLOSED SESSION: *The closed session was cancelled. There was no announcement from 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.

The Board received public comments and those comments will be taken into consideration.

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 May 11, 2023 Special Board Meeting Minutes

Board Action: *Director Thompson made a motion to approve the consent agenda. The motion was seconded by Director Pruett and after a roll call vote, the motion carried unanimously (4 - 0) with Director Kappelhof abstaining.*

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 Pruett nominated Director Thompson for the office of Treasurer. The nomination was seconded by Director Kappelhof. Vice President Bell nominated Vice President Bell for the office of Treasurer. A roll call vote for the nomination of Director Thompson for Treasurer resulted in a 4-1 vote with Vice President Bell voting no. A roll call vote for the nomination for Vice President Bell for Treasurer resulted in 3-2 vote with Directors Pruett and Thompson voting no. It was determined that both nominations received a majority vote and a tie was declared.*

Board Action : A second roll call vote was taken for the nomination of Director Thompson for the office of Treasurer that resulted in a 3-2 vote with Vice President Bell and Director Kappelhof voting no. A second roll vote was taken for the nomination of Vice President Bell for the office of Treasurer that resulted in a 2-3 vote with President Stahler, Director Pruett and Director Thompson voting no. The nomination of Director Thompson for the office of Treasurer was affirmed by a 3-2 roll call vote.

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 : President Stahler confirmed the standing committee appointments made on March 16, 2023 of President Stahler (chair) and Director Pruett to the Planning Committee and Vice President Bell (Chair) and Director Thompson to the Finance Committee.

Board Action : Director Thompson resigned his position on the Finance Committee. President Stahler appointed Director Kappelhof as a member of the Finance Committee.

K. DISCUSSION ITEMS:

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

L. ADJOURNMENT At 7:15 PM, Director Kappelhof made a motion to adjourn the meeting. The motion was seconded by President Stahler and passed after a roll call vote unanimously.

Submitted by:

Attest:

Jane Stahler, Board President
Secretary

Henry N. White, Clerk and Ex-Officio

Item J 1

To: Board of Directors
From: Henry N. White
Date: July 6, 2023
Subject: Submittal of Assessments to Placer County for Collection on the 2023/24 Tax Rolls - Assessment District No. 2

Recommendation: Approve resolution and authorize the General Manager to submit documentation to Placer County.

Background: In 1996, Assessment District No. 2 was formed by the voters with the intention of financing the acquisition of water system improvements throughout major portions of the Foresthill Public Utility District. Bonds were issued and the planned improvements were made. The bond principal and interest were to be paid over thirty years by assessing the related properties each year through Placer County tax rolls.

There are currently 1,795 parcels that are assessed, with the average annual assessment of \$46.05, totaling \$82,656. The documentation must be submitted to the County by July 24, 2023 to be on the next tax roll.

Financial Implications: Failure to approve the resolution would cause the \$82,702 burden to be borne by the general fund of the District and property owners who do not benefit from the improvements in the assessment district.

Attachments:

List of Assessed Properties
Resolution Requesting Collection of Charges
Direct Charge Transmittal Form

RESOLUTION NO. 2023-04

RESOLUTION OF THE BOARD OF DIRECTORS OF
THE FORESTHILL PUBLIC UTILITY DISTRICT
REQUESTING COLLECTION OF CHARGES ON TAX ROLL
FOR TAX YEAR 2023-2024

TAX CODE NUMBER 70800

DIRECT CHARGE NAME Assessment District No. 2

Whereas, the Foresthill Public Utility District (hereinafter “District”) requests the County of Placer collect on the County tax rolls certain charges which have been imposed pursuant to section 16469 of the California Public Utilities Code by the District, attached hereto, and

Whereas, the County has required as a condition of the collection of said charges that the District warrant the legality of said charges and defend and indemnify the County from any challenge to the legality thereof,

Now, Therefore, Be It Hereby Resolved by the Board of the District that:

1. The Auditor-Controller of Placer County is requested to attach for collection on the County tax rolls those taxes, assessments, fees and/or charges, attached hereto.
2. The District warrants and represents that the taxes, assessments, fees and/or charges imposed by the District and being requested to be collected by Placer County comply with all requirements of state law, including but not limited to Articles XIIC and XIID of the California Constitution (Proposition 218).
3. The District releases and discharges County, and its officers, agents and employees from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out of the collection by County on the property tax roll of any taxes, assessments, fees and/or charges on behalf of District.
4. In consideration for the County’s collection of the charge through the County’s property tax roll, the District agrees to and shall defend, indemnify and hold harmless the County, its officers, agents and employees (the “Indemnified Parties”) from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out of the collection by County of any of District’s said taxes, assessments, fees and/or charges requested to be collected by County for District, or in any manner arising out of District’s establishment and imposition of said taxes, assessments, fees and/or charges. District agrees that, in the event a judgment is entered in a court of law

against any of the Indemnified Parties as a result of the collection of one of District's taxes, assessments, fees and/or charges, the County may offset the amount of the judgment from any other monies collected by County on behalf of District, including property taxes.

5. The District agrees that its officers, agents and employees will cooperate with the County by responding to all inquiries referred to District by County from any person concerning the District's taxes, assessments, fees and/or charges, and that District will not refer such persons to County officers and employees for response.
6. The District agrees to pay the County for the reasonable and ordinary charges to recoup its costs of placement and collection on the tax rolls at the agreed upon rate of 1% of the taxes, assessments, fees and/or charges, as provided by Government Code sections 29304 and 51800.

APPROVED, PASSED AND ADOPTED by the Foresthill Public Utility District Board of Directors on July 13, 2023 by the following vote:

AYES: 5

NOES: 0

ABSENT: 0

Signed and approved by me after its passage this 13th day of July, 2023:

Jane Stahler, President of the Board of Directors

ATTEST: _____
Henry N. White, Clerk and Ex-Officio Secretary of the Board

2023/24 DIRECT CHARGE TRANSMITTAL

District Name Foresthill Public Utility District

District Address P.O. Box 266, Foresthill CA 95631

Direct Charge Name Assessment District No. 2

Tax Code No. 70800 Resolution No. 2023-04

Parcel Count 1794 Total Amount 82609.98

Type of Direct Charge and Proposition 218 Compliance: (Check type and check method of compliance)

- Assessment for Special Benefit:
 - Approved by weighted majority of ballots returned
 - Exempt by Proposition 218

 - Special Tax: Approved by electorate vote

 - Fee/Charge:
 - Approved by majority vote of property owners
 - Approved by electorate vote
 - Exempt by Proposition 218

 - 1915 Act Bond: Exempt by Proposition 218
-

Authorized Signature: _____ Date: July 13, 2023

Contact Person Henry N. White

Contact Email Address gm@foresthillpud.com

Contact Telephone No. (530) 367-2511 Contact Fax No. N/A

Telephone Number to Appear on Tax Bill: (530) 367-2511

Provide a brief explanation of significant (10%+) increases or decreases from last year:

Parcel count % change N/A Total dollar amount % change N/A

Explanation N/A

Item J 2

To: Board of Directors
From: Henry N. White
Date: July 6, 2023
Subject: Submittal of Assessments to Placer County for Collection on the 2023/24 Tax Rolls - Delinquent Accounts

Recommendation: Approve resolution and authorize the General Manager to submit documentation to Placer County.

Background: Placer County allows the District to submit delinquent utility bills to the County for placement on the annual tax rolls and collected with property taxes. This places the burden of payment for water usage on the property owner who used the water, rather than forcing all other rate payers to carry their share of the cost.

The current balance of delinquent accounts is \$106,840.56. The documentation must be submitted to the County by July 24, 2023 to be on the next tax roll.

Financial Implications: Failure to approve the resolution would cause the \$106,840.56 burden to be borne by the property owners who are currently paying their own fair share of the costs. Delinquent property owners have been informed of this process and provided payment options. Those owners selecting a payment option have been removed from the delinquent list.

Attachments:

List of Assessed Properties
Resolution Requesting Collection of Charges
Direct Charge Transmittal Form

RESOLUTION NO. 2023-05

RESOLUTION OF THE BOARD OF DIRECTORS OF
THE FORESTHILL PUBLIC UTILITY DISTRICT
REQUESTING COLLECTION OF CHARGES ON TAX ROLL
FOR TAX YEAR 2023-2024

TAX CODE NUMBER 72700

DIRECT CHARGE NAME Foresthill PUD Delinquent Charges

Whereas, the Foresthill Public Utility District (hereinafter “District”) requests the County of Placer collect on the County tax rolls certain charges which have been imposed pursuant to section 16469 of the California Public Utilities Code by the District, attached hereto, and

Whereas, the County has required as a condition of the collection of said charges that the District warrant the legality of said charges and defend and indemnify the County from any challenge to the legality thereof,

Now, Therefore, Be It Hereby Resolved by the Board of the District that:

1. The Auditor-Controller of Placer County is requested to attach for collection on the County tax rolls those taxes, assessments, fees and/or charges, attached hereto.
2. The District warrants and represents that the taxes, assessments, fees and/or charges imposed by the District and being requested to be collected by Placer County comply with all requirements of state law, including but not limited to Articles XIIC and XIID of the California Constitution (Proposition 218).
3. The District releases and discharges County, and its officers, agents and employees from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out of the collection by County on the property tax roll of any taxes, assessments, fees and/or charges on behalf of District.
4. In consideration for the County’s collection of the charge through the County’s property tax roll, the District agrees to and shall defend, indemnify and hold harmless the County, its officers, agents and employees (the “Indemnified Parties”) from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out of the collection by County of any of District’s said taxes, assessments, fees and/or charges requested to be collected by County for District, or in any manner arising out of District’s establishment and imposition of said taxes, assessments, fees and/or charges. District agrees that, in the event a judgment is entered in a court of law

against any of the Indemnified Parties as a result of the collection of one of District's taxes, assessments, fees and/or charges, the County may offset the amount of the judgment from any other monies collected by County on behalf of District, including property taxes.

5. The District agrees that its officers, agents and employees will cooperate with the County by responding to all inquiries referred to District by County from any person concerning the District's taxes, assessments, fees and/or charges, and that District will not refer such persons to County officers and employees for response.
6. The District agrees to pay the County for the reasonable and ordinary charges to recoup its costs of placement and collection on the tax rolls at the agreed upon rate of 1% of the taxes, assessments, fees and/or charges, as provided by Government Code sections 29304 and 51800.

APPROVED AND ADOPTED by the Foresthill Public Utility District Board of Directors on July 13, 2023, by the following vote:

AYES: 5

NOES: 0

ABSENT: 0

Signed and approved by me after its passage this 13th day of July, 2023:

Jane Stahler, President of the Board of Directors

ATTEST: _____
Henry N. White, Clerk and Ex-Officio Secretary of the Board

2023/24 DIRECT CHARGE TRANSMITTAL

District Name Foresthill Public Utility District

District Address P.O. Box 266, Foresthill CA 95631

Direct Charge Name Assessment District No. 2

Tax Code No. 72700 Resolution No. 2023-05

Parcel Count 119 Total Amount \$106,840.56

Type of Direct Charge and Proposition 218 Compliance: (Check type and check method of compliance)

- () Assessment for Special Benefit:
 - () Approved by weighted majority of ballots returned
 - () Exempt by Proposition 218
 - () Special Tax: Approved by electorate vote
 - () Fee/Charge:
 - () Approved by majority vote of property owners
 - (X) Approved by electorate vote
 - () Exempt by Proposition 218
 - () 1915 Act Bond: Exempt by Proposition 218
-

Authorized Signature: _____ Date: July 13, 2023

Contact Person Henry N. White

Contact Email Address gm@foresthillpud.com

Contact Telephone No. (530) 367-2511 Contact Fax No. N/A

Telephone Number to Appear on Tax Bill: (530) 367-2511

Provide a brief explanation of significant (10%+) increases or decreases from last year:

Parcel count % change 18% Total dollar amount % change 13%

Explanation Undetermined differences in payment habits of customers. Probably due to Gubernatorial restrictions on terminating water service during COVID – 19.

Tax Year 2023/2024 Delinquent Parcel List

Assessor's Parcel #	Amount due	Assessor's Parcel #	Amount due	Assessor's Parcel #	Amount due
258-190-008-000	\$421.40	257-150-051-000	\$802.22	257-080-019-000	\$1,104.40
257-070-038-000	\$33.96	257-210-017-000	\$798.82	007-104-008-000	\$1,114.16
257-020-031-000	\$329.96	073-390-027-000	\$901.14	257-140-047-000	\$1,109.16
007-080-051-000	\$37.78	255-060-034-000	\$825.12	007-152-005-000	\$1,035.56
257-150-015-000	\$466.60	257-150-021-000	\$868.76	257-180-014-000	\$1,116.18
257-090-019-000	\$50.20	257-140-050-000	\$991.92	257-160-017-000	\$1,100.26
007-070-010-000	\$348.58	007-154-005-000	\$842.30	007-220-072-000	\$1,118.32
257-100-009-000	\$380.20	007-152-004-000	\$850.06	257-130-029-000	\$1,205.48
257-220-043-000	\$60.80	257-090-037-000	\$831.14	007-182-015-000	\$1,284.62
257-150-041-000	\$443.00	257-200-029-000	\$846.28	007-090-005-000	\$1,258.30
257-080-027-000	\$371.16	007-154-001-000	\$863.14	255-100-048-000	\$1,262.60
257-040-004-000	\$71.52	255-070-014-000	\$841.62	007-045-090-000	\$1,299.04
255-090-008-000	\$409.62	257-020-027-000	\$798.50	257-180-034-000	\$1,357.80
007-080-027-000	\$74.68	257-180-061-000	\$561.44	257-020-039-000	\$1,454.82
007-240-073-000	\$579.56	007-160-011-000	\$857.54	257-250-026-000	\$1,355.40
257-110-030-000	\$391.86	007-045-027-000	\$857.54	257-010-001-000	\$1,410.38
257-140-059-000	\$416.00	257-250-030-000	\$786.00	257-130-045-000	\$1,408.32
830-045-383-000	\$425.52	007-060-014-000	\$857.52	257-180-001-000	\$1,455.88
078-220-022-000	\$85.08	257-210-018-000	\$921.04	007-104-007-000	\$1,741.86
257-220-027-000	\$440.00	256-080-044-000	\$885.98	007-101-006-000	\$1,373.34
257-110-003-000	\$506.88	007-152-001-000	\$888.64	007-183-022-000	\$1,398.24
257-130-005-000	\$430.60	257-250-006-000	\$989.02	007-183-003-000	\$1,678.94
007-110-012-000	\$454.86	257-250-009-000	\$893.12	258-210-066-000	\$1,599.04
257-240-028-000	\$598.70	257-030-016-000	\$985.74	257-110-006-000	\$1,573.32
255-090-018-000	\$538.30	257-130-025-000	\$897.68	007-090-014-000	\$1,745.54
257-100-019-000	\$507.86	257-180-037-000	\$902.20	073-350-015-000	\$2,578.10
257-120-057-000	\$192.98	073-410-004-000	\$906.36	007-060-013-000	\$7,326.26
073-390-049-000	\$545.28	257-280-001-000	\$928.58		
257-120-030-000	\$200.00	007-240-062-000	\$960.90		
255-090-019-000	\$525.60	257-210-037-000	\$626.96		
257-050-009-000	\$557.28	257-280-039-000	\$962.06		
257-080-022-000	\$565.80	255-060-030-000	\$956.24		
257-150-017-000	\$620.44	257-090-050-000	\$957.48		
257-070-014-000	\$574.40	007-070-012-000	\$935.42		
007-045-025-000	\$625.98	257-040-035-000	\$969.66		
258-130-050-000	\$685.02	257-250-004-000	\$957.66		
255-060-044-000	\$285.36	257-140-033-000	\$975.04		
257-140-054-000	\$714.20	007-090-009-000	\$2,016.14		
257-070-032-000	\$643.04	257-170-065-000	\$971.70		
257-060-019-000	\$634.72	255-080-031-000	\$980.94		
255-100-027-000	\$777.42	007-151-010-000	\$990.26		
007-240-047-000	\$706.22	255-100-024-000	\$974.40		
257-210-039-000	\$708.68	007-104-012-000	\$1,039.34		
073-360-032-000	\$829.00	257-070-028-000	\$1,023.16		
007-043-060-000	\$687.54	257-030-021-000	\$1,008.66		
257-140-027-000	\$752.26	007-080-044-000	\$1,183.90		

Total: \$106,840.56