

# FORESTHILL PUBLIC UTILITY DISTRICT

## AGENDA

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

Wednesday	October 13, 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 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/82841914353>

Meeting ID: 828 4191 4353

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

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

#### **A. CALL TO ORDER: 3:00 PM**

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

- \_\_\_\_\_ President Mark Bell
- \_\_\_\_\_ Vice President Patty Wade
- \_\_\_\_\_ Director Jane Stahler
- \_\_\_\_\_ Director Robert Palmeri
- \_\_\_\_\_ Director Tyler Hunter

#### **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.

**D. CLOSED SESSION: (1 hour)**

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 – Anticipated litigation – pursuant to subdivision (b) of Section 54956.9 of the Government Code. Potential cases: one

**E. OPEN SESSION - (Starting at 6:00 PM):**

**F. ANNOUNCEMENT FROM CLOSED SESSION (5 minutes)**

**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.

**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 8, 2021 Special Meeting
2. Minutes of the September 22, 2021 Special Meeting
3. Minutes of the September 29, 2021 Planning Committee Meeting
4. Cash Disbursements Register, August 2021
5. Statement of Net Position, August 2021
6. Statement of Activity Budget vs. Actual, August 2021
7. Investment Policy Compliance, August 2021
8. Quality Analysis Report, August 2021
9. Activity Detail August 2021
10. Portfolio Graphically Presented, August 2021

**I. ACTION ITEMS: (30 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 2021-08, 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 2021-08  
Public comment:
2. 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:
3. Board to consider appointing a Treasurer pursuant to Policy 5010  
Recommended Action: Discuss policy and direct staff accordingly  
Public comment:
4. Board President to appoint standing committee members (Policy 4060)  
Recommended Action: Board President to make appointment  
Public comment:

**J. DISCUSSION ITEMS: (20 minutes)**

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

**K. 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 4:30 PM., October 6, 2021.

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.

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