

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

Wednesday	August 14, 2024	4:00 P.M.
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A. CALL TO ORDER: 4:00 PM *President Thompson called the meeting to order at 4:00 PM.*

B. OPEN SESSION - ROLL CALL:

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

Henry N. White, General Manager, Eric Robinson, District Counsel and Vance Piggott, District Counsel were in attendance.

C. 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 the Board, staff, and members of the public to speak courteously and respectfully. Therefore, the Board prohibits disruptive behavior.

Public comment period was made available. No comments were offered. No public in attendance.

D. CLOSED SESSION: *The Board went into closed session at 4:01 PM.*

1. Conference with real property negotiators (Gov't Code Section 54956.8). Property: Up to 2,000 acre feet of stored Sugar Pine Reservoir water; District Negotiators: Jane Stahler and Henry N. White; Negotiating Parties: Prospective water users in the American River Basin, Central Valley or elsewhere in the federal Central Valley Project or State Water Project service areas, including but not limited to; U.S. Bureau of Reclamation, City of Folsom, City of Sacramento, Carmichael Water District, San Juan Water District, Sacramento Suburban Water District, San Luis and Delta-Mendota Water Authority and member agencies (e.g. Westlands Water District), State Water Contractors and member

- agencies (e.g. Santa Clara Valley Water District); Under Negotiation: Price and terms of payment for the sale of surplus stored water from Sugar Pine Reservoir.
2. Conference with legal counsel - significant exposure to litigation - (Government Code section 54956.9(d)(2) and (e)(2)) (2 cases)
 3. Public employee performance evaluation and appointment - General Manager - (Government Code section 54957)

E. OPEN SESSION - ROLL CALL (Starting at 6:00 PM): *President Thompson called the meeting to order at 6:11 PM.*

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

Henry N. White, General Manager, Eric Robinson, District Counsel, Vance Piggott, District Counsel and 26 members of the public were in attendance.

F. PLEDGE OF ALLEGIANCE *Director Pruett led the Pledge of Allegiance.*

G. ANNOUNCEMENT FROM CLOSED SESSION: *Eric Robinson reported that during closed session the board discussed the potential to participate in a class action suit against Pacific Gas and Electric Company to recover damages due to the 2022 Mosquito Fire. The Board decided that due to the limited possible recovery that the district will not participate in a class action suit.*

Eric Robinson reported that the district is conducting an internal investigation into the behavior of two directors in regard to allegations submitted by employees of the district.

II. 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 the 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 routine in nature and may be approved by one motion.

1. Approval of June 13, 2024, Regular Board Meeting minutes.
2. Receive and file combined preliminary financial reports for June 2024.

Board Action: Director Kappelhof made a motion to approve the Consent Agenda. The motion was seconded by Director Pruett and carried unanimously (5-0).

J. ACTION ITEMS: President Thompson announced that he would hear Action Item 13 first, Action Item 12 second and then items 1 through 11 consecutively.

1. Approve Resolution 2024-04 – Adopting Fiscal Year 2024/2025 Operating Budget.

Recommended action: Approve Resolution 2024-04

Public comment:

This item was heard after item #12 at 7:39 PM

Board Action: Director Kappelhof made a motion to approve Resolution 2024-04 adopting the Fiscal Year 2024/2025 Operating Budget. The motion was seconded by Director Pruett and carried unanimously (5-0).

2. Approve the 2024-2029 Capital Improvement Plan dated 5/23/2024.

Recommended action: Approve the 2024-2029 Capital Improvement Plan.

Public comment:

This item was heard after item #1 at 7:54 PM.

Board Action: Treasurer Bell made a motion to approve the 2023-2029 Capital Improvement Plan dated May 23, 2024, subject to the condition that any CIP project be brought back to the board for approval prior to a decision to construct it and that the board at that time will complete any review or determination required under the California Environmental Quality Act before project construction may begin. The motion was seconded by Director Kappelhof and carried unanimously (5-0).

3. Authorize and direct the General Manager to post a California Environmental Quality Act Notice of Exemption for the temporary transfer of up to 2,000 acre-feet of stored water from Sugar Pine Reservoir.

Recommended action: Authorize and direct the posting of a Notice of Exemption.

Public Comment:

This item was heard after item #2 at 7:59 PM.

Board Action: Treasurer Bell made a motion to direct the General Manager to post a California Environmental Quality Act Notice of Exemption for the temporary transfer of up to 2,000 acre-feet of stored water from Sugar Pine Reservoir. The motion was seconded by Director Pruett and carried unanimously (5-0).

4. Approve the purchase of Itron Mobile Collection Equipment, related equipment, and an annual subscription for mobile radio and walk by meter reading equipment for an amount not to exceed \$60,000.

Recommended action: Approve the purchase of meter reading equipment.

Public comment:

This item was heard after item #3 at 8:05 PM.

Board Action: Director Kappelhof made a motion to authorize the purchase of Itron Mobile Collection Equipment, related equipment, and an annual subscription for mobile radio and walk by meter reading equipment for an amount not to exceed \$60,000. The motion was seconded by Director Pruett and carried unanimously (5-0).

5. Approve an extension to the General Manager's employment contract - Amendment #6 extending the agreement through December 31, 2029 and confirming compensation approved by the Board of Directors on May 9, 2024.

Recommended action: Approve Amendment #6 extending the employment agreement through December 31, 2029 and confirming compensation.

Public comment:

This item was heard after item #4 at 8:11 PM.

Board Action: *The Board announced that Treasurer Bell, Director Kappelhof and Vance Piggott, District Counsel will negotiate an extension of the employment contract with the General Manager.*

6. President Thompson's request to revise Board Policy #5020.

Recommended action: Agree on a revision and direct staff accordingly.

Public comment:

This item was heard after item #5 at 8:12 PM.

Board Action: *Treasurer Bell made a motion to approve a revision to Policy #5020 that was developed during the board meeting. The motion was seconded by Director Pruett and carried unanimously (5-0).*

7. Vice President Stahler's request for multiple reports on staff details including such items like job tenure, job titles, wages and benefits received for 10 years including most recent COLA, wage rates by employee, retroactive pay based on recent COLA and list of all current and active employees with job titles, CalPERS percentage and age of retirement for benefit collection.

Recommended action: Discuss and direct staff accordingly.

Public comment:

This item was heard after item #6 at 8:27 PM.

Board Action: *None*

8. Vice President Stahler's request to address board meeting minutes.

Recommended action: Discuss and direct staff accordingly.

Public comment:

This item was heard after item #7 at 8:30 PM.

Board Action: *None*

9. Vice President Stahler's request to discuss Policy 5040.

Recommended action: Discuss and direct staff accordingly.

Public comment:

This item was heard after item #8 at 8:31 PM.

Board Action: *None*

10. Vice President Stahler's request to discuss the Capital Improvement Plan.

Recommended action: Discuss and direct staff accordingly.

Public comment:

This item was heard after item #9 at 8:35 PM.

Board Action: None

11. Vice President Stahler's request for an audit update.

Recommended action: Discuss and direct staff accordingly.

Public comment:

This item was heard after item #10 at 8:36 PM.

Board Action: None

12. President Thompson's request to discuss district bank accounts and consider adding board members as authorizing agents.

Recommended action: Discuss and direct staff accordingly.

Public comment:

This item was heard after item #13 at 7:24 PM.

Board Action: None

13. President Thompson's request to discuss progress of water rights permit extension and the impact of radial gates.

Recommended action: Discuss and direct staff accordingly.

Public comment:

This item was heard first on the agenda at 6:26 PM.

Board Action: None

K. DISCUSSION ITEMS:

1. General Manager Report A *written report was circulated to the board and public.*

2. Remarks/reports by Directors - *A verbal report was made by Treasurer Bell.*

L. ADJOURNMENT *Direct Director Kappelhof or Pruett made a motion to adjourn the meeting at 8:46 PM. The motion was seconded by Director Kappelhof and carried unanimously (5-0).*

Submitted by:

Attest:



Ron Thompson, Board President

Mark Bell, Clerk and Ex-Officio Secretary