

**THE BOARD OF COMMISSIONERS
OF
PUBLIC UTILITY DISTRICT NO. 1 OF FRANKLIN COUNTY, WASHINGTON**

MINUTES OF THE SEPTEMBER 4, 2024
SPECIAL COMMISSION MEETING

The Board of Commissioners of Public Utility District No. 1 of Franklin County, Washington held a special meeting at 1411 W. Clark St., Pasco, WA, on September 4, 2024, at 3:00 p.m. Remote technology options were provided for the public to participate.

Those who participated from the District via remote technology or in person for all or part of the meeting were Commissioner Stu Nelson, President; Commissioner Roger Wright, Vice President; Scott Rhees, General Manager/CEO; Rosario Viera, Public Information Officer and Tyler Whitney, General Counsel.

There was no additional staff that participated in person or via remote technology for all or part of the meeting.

Public participating in person or via remote technology for all or part of the meeting was Ms. Wendy Culverwell, Tri-City Herald reporter.

OPENING

Commissioner Nelson participated virtually and requested that Commissioner Wright preside over the special meeting.

Commissioner Wright called the special meeting to order at 3:00 p.m.

Commissioner Wright reported that the purpose of the special meeting was to hold an executive session as permitted by RCW 42.30.110(1)(a)(i); and considering and taking potential action on a settlement agreement regarding the District's voting system and commissioner district boundaries.

PUBLIC COMMENT

Commissioner Wright called for public comment. Ms. Culverwell reported she did not intend to join the meeting and would contact staff outside of the special meeting.

EXECUTIVE SESSION

Mr. Whitney requested an executive session as permitted by RCW 42.30.110(i) for the purpose of discussing with legal counsel current or potential litigation as allowed by RCW 42.30.110(i).

At 3:02 p.m., Commissioner Wright called for an executive session that would end at 3:30 p.m. for the purpose of discussing with legal counsel current or potential litigation as allowed by RCW 42.30.110(i).

At 3:30 p.m., Commissioner Wright extended the executive session for additional 15 minutes to end at 3:45 p.m.

At 3:45 p.m., Commissioner Wright extended the executive session for an additional 5 minutes to end at 3:50 p.m.

At 3:50 p.m., Commissioner Wright ended the executive session and reconvened the special meeting.

CONSIDERING POTENTIAL ACTION ON A SETTLEMENT AGREEMENT REGARDING THE DISTRICT'S VOTING SYSTEM AND COMISSIONER DISTRICT BOUNDARIES.

Mr. Whitney provided the background information regarding the matter, and noted that on or around June 6, the District was served with notice (pursuant to RCW 29A.92.060) of an alleged violation of the Washington State Voting Rights Act, chapter 29A.92 RCW.

He reviewed the proposed remedies that were provided in the notice and reported that the District has been working in good faith to implement a remedy for a potential violation of RCW 29A.92.020. He presented Resolution 1415 and reviewed the recitals within the resolution.


Discussion ensued on the recitals within the resolution and Commissioner Wright noted he did not agree to the proposed change of the commissioner district boundaries without going through a public process that would include public notice and hearings around Franklin County. Discussion ensued and Commissioners Gordon and Nelson concurred. The Commissioners requested modifications to the presented resolution.

Commissioner Wright moved and Commissioner Gordon seconded to adopt Resolution 1415 with the requested changes as discussed at the meeting. The motion passed unanimously.


Mr. Whitney reported the changes will be made and the resolution will be routed for electronic signature.

CLOSING OF MEETING – ADJOURNMENT

With no further business to come before the Commission, Commissioner Wright adjourned the special meeting at 3:53 p.m. The next regular meeting will be September 24, 2024, and begin at 8:30 a.m. at the District’s Auditorium located at 1411 W. Clark Street, Pasco, WA. Remote technology options will be provided for members of the public to participate.



Stuart Nelson, President



Roger Wright, Vice President

William Gordon, Secretary