

AGENDA
OLIVEHURST PUBLIC UTILITY DISTRICT (OPUD)
BOARD OF DIRECTORS REGULAR MEETING
7:00 p.m., Thursday, October 21, 2021
LOCATION: Virtual Board Meeting

CORONAVIRUS (COVID-19) ADVISORY NOTICE

PUBLIC ADVISORY: THE OPUD BOARD ROOM WILL NOT BE OPEN TO THE PUBLIC

To ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Board chambers will not be open for the meeting. To maintain transparency and public access, Board members and the public will be participating virtually or telephonically and will not be physically present in the Board Room.

If you would like to speak on an agenda item, you can access the meeting remotely:

Join from a PC, MAC, iPad, iPhone, or Android device. Although your image will not be shown on the video conference, you will be able to listen and view the meeting on Zoom.

Link and password for Virtual Board Meeting will be available on our website at www.opud.org or contact the OPUD Business Office at (530) 743-4657

Note: Your phone number will appear on the screen unless you first dial *67 before dialing the numbers provided on our website.

If you want to comment during the public comment portion of the Agenda, you can use the "Raise Hand" function in Zoom or you can Press *9 if you are calling in. The acting Board Clerk will select you from the meeting cue. Please be patient while waiting in the cue.

If you do not want to speak during the public comment portion of the Agenda, you are also encouraged to submit email correspondence to britchie@opud.org.

Email comments will be accepted up until 6:00 PM the day of the meeting and forwarded to the Board of Directors, posted to the OPUD website, and placed in OPUD's permanent records.

Email messages should be sent to britchie@opud.org. If you choose to submit an email, please note in the Subject Line the part of the Agenda your email pertains to.

For example, you can type in the Subject Line,
"Agenda Item 6 – District Business" or "Agenda Item 8 – Business Office".

In compliance with AB 361:

1. Consistent with all OPUD meetings, this meeting will be conducted in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative party.
2. If there is a disruption to the meeting broadcast or in the ability to take call-in or internet-based public comment, no further action can be taken on agenda items until the issue is resolved.
3. OPUD will not require comments to be submitted before the start of the meeting. Each member of the public will be allowed to make "real time" public comment.

4. As is its practice, OPUD will provide a reasonable time for public comment. As is its customary practice for public comment, OPUD's public comment period will be left open until the time expires.
5. All votes in OPUD meetings will be taken by roll call.

Our Mission is to provide superior, environmentally sensitive services to responsibly enhance our community.

We will do this by focusing on:

- *District growth,*
- *Maintaining a positive public image*
- *Recreation and parks*
- *Sustainable long-term fire protection*
- *Fully depreciating our facilities*
- *Ensuring organizational stability*

Materials related to an item on this agenda submitted to the Olivehurst Public Utility District Board of Directors after distribution of the agenda packet are available for public inspection in the Olivehurst Public Utility District Office, 1970 9th Avenue in Olivehurst during normal business hours or online at <http://www.opud.net>. These proceedings may be recorded by a person or persons other than the District Clerk and as such, are not controlled by Olivehurst Public Utility District. Effort will be made to address the agenda items in the order shown. However, the Board President has the discretion to address items out of sequence for the convenience of the public and/or the Board Members. In compliance with the American with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available. If you have a disability and need disability-related modifications or accommodations to participate in this meeting, please contact the Clerk of the Board at (530) 743-0317 or (530) 743-3023 (fax). Requests must be made one full business day before the start of the meeting. To place an item on the agenda, contact the contact the Clerk of the Board at (530) 743-0317.

1. Call to Order – Meeting was called to order at 7:00 p.m. by Director Floe.
2. Pledge of Allegiance
3. Roll Call

Directors Present: Director Burbank and Director Griego, Director Nelson, Director Perrault, and Director Floe
Directors Absent: None

Also Present: John Tillotson, General Manager; Karin Helvey, Financial Manager; Deirdre Joan Cox, Legal Counsel; Cindy Van Meter, Office Manager; Randy York, Fire Chief; Bri Anne Ritchie, District Clerk; and other interested parties.

4. Public Participation

Items appearing on this agenda: When your item(s) is called, the Board Clerk will announce your opportunity to address the Board. Comments should be limited to 3 minutes per speaker.

Items not appearing on this agenda: members of the public may address the Board on any matter within the Board's jurisdiction that does not appear on posted agenda. No action may be taken on any matter that is not on the posted agenda. Members of the public wishing to address the OPUD Board at this time are requested use the raise hand feature, state your

name and residency for the record, and begin your address to the Board. Comments should be limited to 3 minutes per speaker.

Members of the Public Present: David Wilson, Appeal Democrat; Desiree Haste

5. Consent Agenda – The Consent Agenda groups together those items which are considered routine and noncontroversial, or for which prior policy direction has been given to staff. Items in this category are typically adopted in total by one motion, though the Board may, upon the request of Directors, Staff, or any member of the public, consider any matter separately–D/A
 - 5.1. [Approve Minutes of the August 19, 2021 Regular Meeting.](#)
 - 5.2. [Approve Minutes of the August 29, 2021 Special Meeting.](#)
 - 5.3. [Approve September 2021 Claims for Payment.](#)
 - 5.4. [Approve September 2021 Overtime Report.](#)
 - 5.5. [Review Revenue and Expenditure Summary September 30, 2021 FY 2021 \(Strategic Plan 5.3 & 5.4\).](#)
 - 5.6. [Review Water Sales September 2015 to September 2021 \(Strategic Plan 5.1, 5.3\).](#)
 - 5.7. [Review Service Water Account Analysis July 2021 to September 2021 \(Strategic Plan 5.1, 5.3\).](#)
 - 5.8. [Review Invoice Cloud Activity through October 14, 2021 \(Strategic Plan 5.1, 5.3\).](#)
 - 5.9. [Approve OPUD Resolution No. 2380 – A Resolution Authorizing Teleconference Meetings in Compliance with AB 361.](#)
 - 5.10. Entertain motions for approval of consent agenda and take roll as appropriate.

A motion was made by Director Perrault and seconded by Director Burbank to approve the consent agenda. The motion passed as follows:

Ayes: Directors Burbank, Griego, Nelson, Perrault, and Floe
Noes: None
Absent: None

6. District Business
 - 6.1. [Discuss Voting Rights Act Ward Based OPUD Board Elections – D/A](#)
 - 6.1.1. Public comment
 - 6.1.2. Questions/comments from Directors
 - 6.1.3. Entertain motions from Directors

Directors received an update. No motion was made.

- 6.2. [Consider approving a convenience fee waiver for customers consenting to pay large amounts towards past-due balances – D/A](#)
 - 6.2.1. Public comment
 - 6.2.2. Questions/comments from Directors
 - 6.2.3. Entertain motions from Directors

A motion was made by Director Griego and seconded by Director Burbank approving a convenience fee waiver for customers consenting to pay large amounts towards past-due balances in multiple transactions. The motion passed as follows:

Ayes: Directors Burbank, Griego, Nelson, Perrault, and Floe

Noes: None
Absent: None

6.3. [Consider approving amortization agreement changes for past-due accounts – D/A](#)

- 6.3.1. Public comment
- 6.3.2. Questions/comments from Directors
- 6.3.3. Entertain motions from Directors

A motion was made by Director Nelson and seconded by Director Burbank approving amortization agreement changes for past-due accounts. Accounts with balances \$500 or less can be amortized for no more than 6 months, \$1,000 or less for no more than 12 months, and \$1,000 or more no more than 18 months. Installment payment amounts will be in even amounts rounded to the nearest \$10 or \$100, whichever is closest. The motion passed as follows:

Ayes: Directors Burbank, Griego, Nelson, Perrault, and Floe
Noes: None
Absent: None

6.4. [Receive update on Yuba Sutter Utility Relief Program – D/A](#)

- 6.4.1. Public comment
- 6.4.2. Questions/comments from Directors
- 6.4.3. Entertain motions from Directors

Directors received an update. No motion was made.

7. Public Works

Parks

7.1. [Discuss installing vandalism deterrent signs in parks – D/A](#)

- 7.1.1. Public comment
- 7.1.2. Questions/comments from Directors
- 7.1.3. Entertain motions and take roll as appropriate

A motion was made by Director Burbank and seconded by Director Nelson to install vandalism deterrent signs in parks. The motion passed as follows:

Ayes: Directors Burbank, Griego, Nelson, Perrault, and Floe
Noes: None
Absent: None

7.2. [Receive update on OPUD Pool Repairs – D/A](#)

- 7.2.1. Public comment
- 7.2.2. Questions/comments from Directors
- 7.2.3. Entertain motions and take roll as appropriate

Directors received an update. No motion was made.

7.3. [Consider approving the use of the Prop 68 Per Capita Grant funds to install a splash pad at the Olivehurst Community Park – D/A](#)

- 7.3.1. Public comment

7.3.2. Questions/comments from Directors

7.3.3. Entertain motions and take roll as appropriate

A motion was made by Director Burbank and seconded by Director Perrault approving the use of the Prop 68 Per Capita Grant funds to install a splash pad at the Olivehurst Community Park. The motion passed as follows:

Ayes: Directors Burbank, Griego, Nelson, Perrault, and Floe

Noes: None

Absent: None

7.4. [Consider approving the Special Event request for Trunk-or-Treat/Movie Night in the Park at Eufay Woods, Sr. Park – D/A](#)

7.4.1. Public comment

7.4.2. Questions/comments from Directors

7.4.3. Entertain motions and take roll as appropriate

A motion was made by Director Burbank and seconded by Director Perrault approving the Special Event request for Trunk-or-Treat/Movie Night in the Park at Eufay Woods, Sr. Park. The motion passed as follows:

Ayes: Directors Burbank, Griego, Nelson, Perrault, and Floe

Noes: None

Absent: None

7.5. [Consider approving the request to waive Yuba County Ordinance 8.76.030 restrictions for Plumas Lake Properties to hold Movie Night Events from October 2021 to December 2023 – D/A](#)

7.5.1. Public comment

7.5.2. Questions/comments from Directors

7.5.3. Entertain motions and take roll as appropriate

A motion was made by Director Griego and seconded by Director Burbank approving the request to waive Yuba County Ordinance 8.76.030 restrictions for Plumas Lake Properties to hold Movie Night Events from October 2021 to December 2023. The motion passed as follows:

Ayes: Directors Burbank, Griego, Nelson, Perrault, and Floe

Noes: None

Absent: None

Water/Wastewater

7.6. [Receive update on South County infrastructure – D/A](#)

7.6.1. Public comment

7.6.2. Questions/comments from Directors

7.6.3. Entertain motions and take roll as appropriate

Directors received an update. No motion was made.

7.7. [Discuss Urban Water Management Plan update – D/A](#)

- 7.7.1. Public comment
- 7.7.2. Questions/comments from Directors
- 7.7.3. Entertain motions and take roll as appropriate

A motion was made by Director Burbank and seconded by Director Griego to approve the proposal by West Yost for the update of the OPUD Urban Water Management Plan. The motion passed as follows:

Ayes: Directors Burbank, Griego, Nelson, Perrault, and Floe
Noes: None
Absent: None

7.8. [Consider approving and implementing the proposed modifications to the Construction Hydrant/Load Count Meter Agreement – D/A](#)

- 7.8.1. Public comment
- 7.8.2. Questions/comments from Directors
- 7.8.3. Entertain motions and take roll as appropriate

This item was sent back to Committee for further discussion. No motion was made.

7.9. [Consider approving the purchase of two tablet devices for construction administration and inspection purposes – D/A](#)

- 7.9.1. Public comment
- 7.9.2. Questions/comments from Directors
- 7.9.3. Entertain motions and take roll as appropriate

This item was sent back to Committee for further discussion. No motion was made.

8. [Fire Department](#)

8.1. [Receive update on Hard Rock MOU Proposal – D/A](#)

- 8.1.1. Public comment
- 8.1.2. Question/comments from Directors
- 8.1.3. Entertain motions and take roll as appropriate

Directors received an update. No motion was made.

8.2. [Receive update on Measure K and allocation split – D/A](#)

- 8.2.1. Public comment
- 8.2.2. Questions/comments from Directors
- 8.2.3. Entertain motions and take roll as appropriate

Directors received an update. No motion was made.

8.3. [Discuss using Measure K funds for weed abatement on non-compliant lots – D/A](#)

- 8.3.1. Public comment
- 8.3.2. Questions/comments from Directors
- 8.3.3. Entertain motions and take roll as appropriate

This item was sent back to Committee for further discussion. No motion was made.

9. Board Committee Schedule

9.1. November 2021 Committee Meeting Schedule.

9.1.1. Fire & Safety Committee – Tuesday, November 2, 2021 at 4:00 p.m.

9.1.2. Parks & Recreation Committee – Tuesday, November 2, 2021 at 5:00 p.m.

9.1.3. Water & Wastewater Committee – Wednesday, November 3, 2021 at 5:45 p.m.

10. Reports (non-action items)

10.1. [October Fire Department Committee Report.](#)

10.2. [October Parks Department Committee Report.](#)

10.3. [October Water & Wastewater Department Committee Report.](#)

10.4. Report from the General Manager.

10.5. Report from Legal Counsel.

10.6. Reports from Directors.

10.7. Public comment.

11. Correspondence

12. Closed Session – Closed session was convened at 8:00 p.m.

12.1. Conference with Labor Negotiator (Gov. Code § 54957.6) – It is the intention of the Board to meet in closed session to review its position and to instruct its designated representatives:

Agency Designated Representative: John Tillotson, General Manager

Name of Employee Organization: Operating Engineers Local Union No. 3 Public Employees Division, on Behalf of the Business and Utility Unit

12.2. Conference with Labor Negotiator (Gov. Code § 54957.6) – It is the intention of the Board to meet in closed session to review its position and to instruct its designated representatives:

Agency Designated Representative: John Tillotson, General Manager

Name of Employee Organization: Management Professional Employees Association (MPEA)

12.3. Conference with Legal Counsel – Significant Exposure to Litigation pursuant to Government Code Section 54956.9(d)(2): Number of potential cases: Two

13. Meeting Reconvened – Closed session was adjourned at 8:41 p.m.

13.1. Announcement of reportable actions taken in closed session.

14. Adjourn

14.1. Entertain motion to adjourn.

A motion was made by Director Burbank and seconded by Director Perrault to adjourn the meeting. The motion passed as follows:

Ayes: Directors Burbank, Griego, Nelson, Perrault, and Floe

Noes: None

Absent: None

The meeting was adjourned at 8:42 p.m.