

MINUTES
OLIVEHURST PUBLIC UTILITY DISTRICT (OPUD)
BOARD OF DIRECTORS REGULAR MEETING
7:00 p.m., Thursday, July 18, 2019
Board Room, 1970 9th Avenue, Olivehurst

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 Griego.
2. Pledge of Allegiance
3. Roll Call
Directors present: Director White, Director Carpenter, Director Burbank, and Director Floe
Directors absent: Director Griego

Also Present: John Tillotson, General Manager; Christopher Oliver, Public Works Engineer; Karin Helvey, Financial Manager; Randy York, Battalion Chief; Deirdre Joan Cox, Legal Counsel; Elizabeth Mallen, District Clerk/Executive Assistant; Steve DeCou, Jacobs Engineering; Andria Kytan; Samantha Rouse; Michael Mead; Brian Diehl, and Members of the Public.
4. Public Participation – No Members of the Public participated at this time.
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 June 20, 2019 Regular Meeting](#)
 - 5.2. [Approve Minutes of the July 2, 2019 Special Meeting](#)

- 5.3. [Approve June 2019 Claims for Payment.](#)
- 5.4. [Approve June 2019 Overtime Report.](#)
- 5.5. [Consider the amendment of Sewer Ordinance 209, known as the "Olivehurst Public Utility District Sewer Use Ordinance".](#)
- 5.6. Approve merit increase for Jon Phillips, Utility Worker, Step 4 to Step 5, retroactive to June 30, 2019
- 5.7. Approve merit increase for Nicholas Pomeroy, Utility Operator 3, Step 3 to Step 4, retroactive to July 9, 2019

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

Ayes: Directors Carpenter, Burbank, Floe, Griego

Noes: None

Absent: Director White

6. District Business

- 6.1. [Public Hearing regarding the collection of delinquent water/sewer charges by means of Direct Assessment.](#)
 - 6.1.1. Open the Public Hearing.
 - 6.1.2. Confirmation of required notice by law.
 - 6.1.3. Confirmation of written comments/protests.
 - 6.1.4. Staff Presentation.
 - 6.1.5. Public Comment.
 - 6.1.6. Consider Resolution No. 2344 adopting report of delinquent utility charges and authorizing collection on County Tax Roll. –D/A

A motion was made by Director Floe and seconded by Director Burbank to authorize Resolution No. 2344 adopting report of delinquent utility charges and authorizing collection on County Tax Roll. The motion passed as follows:

Ayes: Directors Carpenter, Burbank, Floe, Griego

Noes: None

Absent: Director White

6.1.7. Close the Public Hearing.

- 6.2. [Consider Resolution No. 2345 approving the Plumas Lake CFD No. 2002-1 Tax Report for Fiscal Year 2019-20 and levying and apportioning the Special Tax for Fiscal Year 2019-20 as provided therein \(Strategic Plan 5.3 & 5.4\). – D/A](#)

A motion was made by Director Burbank and seconded by Director Floe to adopt Resolution No. 2345 approving the Plumas Lake CFD No. 2002-1 Tax Report for Fiscal Year 2019-20 and levying and apportioning the Special Tax for Fiscal Year 2019-20 as provided therein. The motion passed as follows:

Ayes: Directors Carpenter, Burbank, Floe, Griego

Noes: None

Absent: Director White

6.3. [Consider approving Resolution No. 2346 approving CFD No. 2005-2 Tax Report for Fiscal Year 2019-20 and levying and apportioning the Special Tax for Fiscal Year 2019-20 as provided therein \(Strategic Plan 5.3 & 5.4\). – D/A](#)

A motion was made by Director Floe and seconded by Director Burbank to approve Resolution No. 2346 approving CFD No. 2005-2 Tax Report for Fiscal Year 2019-20 and levying and apportioning the Special Tax for Fiscal Year 2019-20 as provided therein. The motion passed as follows:

Ayes: Directors Carpenter, Burbank, Floe, Griego

Noes: None

Absent: Director White

6.4. [Consider authorizing Staff to respond to the Yuba County 2018-2019 Grand Jury Final Report. – D/A](#)

A motion was made by Director Burbank and seconded by Director Floe to authorize Staff to respond to the Yuba County 2018-2019 Grand Jury Final Report. The motion passed as follows:

Ayes: Directors Carpenter, Burbank, Floe, Griego

Noes: None

Absent: Director White

6.5. Review Fee Waivers Granted July 2019. – D/A

Directors discussed this item. No motion was made.

7. Public Works

Wastewater

7.1. [Consider approving Supplementary Tasks 4.4, 4.5 and 4.6 of the Wastewater Route to South Yuba County Study \(Strategic Plan 1.0\). – D/A](#)

Steve DeCou spoke to Directors regarding this item.

A motion was made by Director Burbank and seconded by Director Floe to approve Supplementary Tasks 4.4, 4.5 and 4.6 of the Wastewater Route to South Yuba County Study. The motion passed as follows:

Ayes: Directors Carpenter, Burbank, Floe, Griego

Noes: None

Absent: Director White

Parks

7.2. [Consider outsourcing park maintenance for District parks \(Strategic Plan 3.0, 3.3\). – D/A](#)

Michael Mead spoke to Directors regarding this item.

A motion was made by Director Burbank and seconded by Director Carpenter to implement outsourcing of the District parks maintenance per attached quote from New Creations Landscape. The motion passed as follows:

Ayes: Directors Carpenter, Burbank, Floe, Griego

Noes: None

Absent: Director White

7.3. [Consider the naming of the park in the Riverside Meadows subdivision. – D/A](#)

Samantha Rouse spoke to Directors regarding this item.

A motion was made by Director Floe and seconded by Director Burbank to name the park in the Riverside Meadows subdivision "Riverside Meadows Park". The motion passed as follows:

Ayes: Directors Carpenter, Burbank, Floe, Griego

Noes: None

Absent: Director White

7.4. Discuss the request from community members to place portable restrooms at Richard "Doug" Donahue Park. – D/A

A motion was made by Director Burbank and seconded by Director Carpenter to approve the request from community members to place portable restrooms at Richard "Doug" Donahue Park. The motion passed as follows:

Ayes: Directors Carpenter, Burbank, Floe, Griego

Noes: None

Absent: Director White

7.5. [Consider waiving the restrictions of Yuba County Ordinances 8.76.090 and 8.76.030, and further move to authorize Staff to execute any documents associated with the event.](#)

A motion was made by Director Floe and seconded by Director Carpenter to waive the restrictions of Yuba County Ordinances 8.76.090 and 8.76.030, further move to authorize Staff to execute any documents associated with the event, and establish a deposit of \$300 and a cleaning fee of \$100. The motion passed as follows:

Ayes: Directors Carpenter, Burbank, Floe, Griego

Noes: None

Absent: Director White

7.6. [Consider authorizing lease of the Youth Center Building requested by Metanoia Community Church of Olivehurst, Inc. – D/A](#)

Brian Diehl and Member of the Public spoke to Directors regarding this item.

This item was placed on the August Parks Committee agenda. No motion was made.

7.7. Discuss OPUD's Parks Grant status and gather feedback from the Community on Park Design. – D/A

Inger Price spoke to Directors regarding this item.

Directors discussed this item. No motion was made.

8. Fire Department

8.1. Receive an update from the Fire Consolidation Ad Hoc Committee. – D/A

Directors discussed this item. No motion was made.

9. Business Office

9.1. [Consider approval of Utility Accounts Receivable Uncollectible Accounts \(Strategic Plan 5.3, 5.4\).](#) – D/A

A motion was made by Director Floe and seconded by Director Burbank to approve Utility Accounts Receivable Uncollectible Accounts. The motion passed as follows:

Ayes: Directors Carpenter, Burbank, Floe, Griego

Noes: None

Absent: Director White

9.2. [Review Revenues and Expenditures - Budget to Actual for July 2019 \(Strategic Plan 5.3, 5.4\).](#) – D/A

Directors discussed this item. No motion was made.

9.3. [Review Water Sales Comparison for July 2015-19 \(Strategic Plan 5.1, 5.3\).](#) – D/A

Directors discussed this item. No motion was made.

10. Board Committee Schedule

10.1. August 2019 Committee Meeting Schedule.

10.1.1. Fire & Safety Committee – Tuesday, July 30, 2019 at 5:00 p.m.

10.1.2. Parks & Recreation Committee – Tuesday, July 30, 2019 at 4:00 p.m.

10.1.3. Water & Wastewater Committee – Wednesday, July 31, 2019 at 5:45 p.m.

10.1.4. Special Meeting – Friday, August 9, 2019 at 7:30 a.m.

10.1.5. Special Meeting – Tuesday, September 17, 2019 at 6:00 p.m.

11. Reports (non-action items)

11.1. [July Fire Department Committee Report](#)

11.2. [July Parks Department Committee Report](#)

11.3. [July Water & Wastewater Department Committee Report](#)

11.4. Report from the General Manager.

11.5. Report from Legal Counsel.

11.6. Reports from Directors.

11.7. Public comment.

General Manager, Legal Counsel, Director Burbank, and Director Griego gave reports.

12. Closed Session – Closed Session was convened at 8:35 p.m.

- 12.1. Conference with Legal Counsel – Anticipated Litigation pursuant to Government Code § 54956.9(d)(3)
- 12.2. Conference with Legal Counsel – Significant exposure to litigation pursuant to Government Code § 54956.9(d)(2): one case
- 12.3. Closed Session: Government Code § 54957 – It is the intention of the Board to meet regarding Public Employee Performance Evaluation: General Manager
- 12.4. Closed Session: Government Code § 54957 – It is the intention of the Board to meet regarding Public Employee Performance Evaluation: Legal Counsel

13. Meeting Reconvened – Closed Session was adjourned at 9:01 p.m.

- 13.1. Announcement of reportable actions taken in closed session.

Directors reported the satisfactory completion of the General Manager Performance Evaluation.

Directors reported the satisfactory completion of the Legal Counsel Performance Evaluation.

14. Adjourn

- 14.1. Entertain motion to adjourn.

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

Ayes: Directors Carpenter, Burbank, Floe, Griego

Noes: None

Absent: Director White

The meeting was adjourned at 9:02 p.m.