

AGENDA
OLIVEHURST PUBLIC UTILITY DISTRICT (OPUD)
BOARD OF DIRECTORS REGULAR MEETING
7:00 p.m., Thursday, November 18, 2021
LOCATION: Virtual Board Meeting

Revision 1

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.

**D/A - Discussion/Action

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, and Director Floe
Directors Absent: Director Perrault

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

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 September 16, 2021 Regular Meeting.](#)
 - 5.2. [Approve Minutes of the October 21, 2021 Regular Meeting.](#)
 - 5.3. [Approve October 2021 Claims for Payment.](#)
 - 5.4. [Approve October 2021 Overtime Report.](#)
 - 5.5. [Review Revenue and Expenditure Summary October 28, 2021 FY 2021 \(Strategic Plan 5.3 & 5.4\).](#)
 - 5.6. [Review Water Sales October 2015 to October 2021 \(Strategic Plan 5.1, 5.3\).](#)
 - 5.7. [Review Service Water Account Analysis August 2021 to October 2021 \(Strategic Plan 5.1, 5.3\).](#)
 - 5.8. [Review Invoice Cloud Activity through November 8, 2021 \(Strategic Plan 5.1, 5.3\).](#)
 - 5.9. [Approve OPUD Resolution No. 2381 – A Resolution Authorizing Teleconference Meetings in Compliance with AB 361.](#)
 - 5.10. Approve merit increase for Jim McClure, Utility Worker, Step 1 to Step 2, retroactive to November 3, 2021
 - 5.11. Approve merit increase for Jesus Velazquez, Park Maintenance Coordinator, Step 1 to Step 2, retroactive to October 10, 2021
 - 5.12. Entertain motions for approval of consent agenda and take roll as appropriate.

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

Ayes: Directors Burbank, Griego, Nelson, and Floe

Noes: None

Absent: Director Perrault

A second motion was made by Director Burbank and seconded by Director Nelson approving an amendment to the date in section 4 of item 5.09, OPUD Resolution No. 2381, a Resolution Authorizing Teleconference Meetings in Compliance with AB 361. The date is to be changed from November 20, 2022 to December 18, 2021. 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.

Director Perrault entered the meeting at 7:12 p.m.

6.2. [Receive update on Park Irrigation Expenses from 2011-Current – D/A](#)

- 6.2.1. Public comment
- 6.2.2. Questions/comments from Directors
- 6.2.3. Entertain motions from Directors

Directors received an update. No motion was made.

6.3. [Receive update on Unpaid Water Bills from March 2020 – October 2021 – D/A](#)

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

Directors received an update. No motion was made.

7. [Public Works](#)

[Water/Wastewater](#)

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

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

Directors received an update. No motion was made.

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

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

A motion was made by Director Griego and seconded by Director Perrault approving and implementing the proposed modifications to the Construction Hydrant/Load Count Meter Agreement. The motion passed as follows:

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

7.3. [Consider approving Resolution No. 2272 Exhibit A updating water and wastewater permit application, inspection, and plan review fees – 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 Griego and seconded by Director Burbank approving Resolution No. 2272 Exhibit A updating water and wastewater permit application, inspection, and plan review fees. The motion passed as follows:

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

Absent: None

7.4. [Consider approving the purchase of two tablet devices for construction administration and inspection purposes – 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 Griego approving the purchase of two tablet devices for construction administration and inspection purposes. The motion passed as follows:

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

7.5. [Consider approving bid specification for the Wastewater Treatment Facility Security Camera Equipment, Start-up, and Installation project – 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 Perrault and seconded by Director Burbank approving bid specification for the Wastewater Treatment Facility Security Camera Equipment, Start-up, and Installation project. The motion passed as follows:

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

8. Fire Department

8.1. [Consider approving the Measure K Transactions and Use Tax Funding Agreement between OPUD and Yuba County – D/A](#)

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

A motion was made by Director Burbank and seconded by Director Griego approving the Measure K Transactions and Use Tax Funding Agreement between OPUD and Yuba County pending revisions made by OPUD’s legal counsel. The motion passed as follows:

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

→ 8.2. [Consider approving the Second Amendment to the MOU between OPUD and the Estom Yumeka Maidu Tribe of the Enterprise Rancheria for fire and EMT services at the Hard Rock at Fire Mountain facilities – D/A](#)

- 8.2.1. Public comment
- 8.2.2. Questions/comments from Directors

8.2.3. Entertain motions and take roll as appropriate

A motion was made by Director Perrault and seconded by Director Griego approving the Second Amendment to the MOU between OPUD and the Estom Yumeka Maidu Tribe of the Enterprise Rancheria for fire and EMT services at the Hard Rock at Fire Mountain facilities. The motion passed as follows:

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

Noes: None

Absent: None

→ 9. Human Resources

9.1. Consider authorizing the General Manager to fill the vacant Firefighter position in accordance with District policies – D/A

9.1.1. Public comment

9.1.2. Questions/comments from Directors

9.1.3. Entertain motions and take roll as appropriate

A motion was made by Director Griego and seconded by Director Burbank authorizing the General Manager to fill the vacant Firefighter position in accordance with District policies. The motion passed as follows:

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

Noes: None

Absent: None

10. Board Committee Schedule

10.1. December 2021 Committee Meeting Schedule.

10.1.1. Fire & Safety Committee – Tuesday, November 30, 2021 at 4:00 p.m.

10.1.2. Parks & Recreation Committee – Tuesday, November 30, 2021 at 5:00 p.m.

10.1.3. Water & Wastewater Committee – Wednesday, December 01, 2021 at 5:45 p.m.

11. Reports (non-action items)

11.1. October Fire Department Committee Report.

11.2. October Parks Department Committee Report.

11.3. October 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.

12. Correspondence

13. Closed Session – Closed session was convened at 8:27 p.m.

13.1. 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

13.2. 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)

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

14. Meeting Reconvened – Closed session was adjourned at 8:50 p.m.

14.1. Announcement of reportable actions taken in closed session.

No reportable actions to report.

15. Adjourn

15.1. Entertain motion to adjourn.

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

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

Noes: None

Absent: None

The meeting was adjourned at 8:51 p.m.