

AGENDA
OLIVEHURST PUBLIC UTILITY DISTRICT (OPUD)
BOARD OF DIRECTORS REGULAR MEETING
7:00 p.m., Thursday, December 17, 2020
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".

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*

**D/A - Discussion/Action

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 Burbank

2. Pledge of Allegiance

3. Roll Call

Directors Present: Director Floe, Director Griego, Director Nelson, Director Perrault, Director Burbank.

Directors Absent: None

Also Present: John Tillotson, General Manager; Christopher Oliver, Public Works Engineer; Karin Helvey, Financial Manager; Deirdre Joan Cox, Legal Counsel; Cindy Van Meter, Office Manager; Bri Anne Ritchie, District Clerk; and other interested parties.

4. Public Participation

Members of the Public Present: Gary Bradford, Yuba County Supervisor.

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.

5. Comments from Outgoing President

Director Burbank made a brief comment about the District's accomplishments over the past year and thanked the staff for their hard work.

6. Election of Officers of the Board

6.1. President of the Board – D/A

A motion was made by Director Griego and seconded by Director Perrault nominating Director Floe and as Board President. The motion passed as follows:

**D/A - Discussion/Action

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

Noes: None

Absent: None

6.2. Vice President of the Board – D/A

A motion was made by Director Burbank and seconded by Director Nelson to nominate Director Griego as Board Vice President. The motion passed as follows:

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

Noes: None

Absent: None

6.3. Discuss process for Committee Assignments – D/A

Directors discussed committee assignments and decided on the following assignments. No motion was made.

Fire Department/District Safety:	Director Burbank and Director Perrault
Parks & Public Facilities:	Director Burbank and Director Nelson
Water & Sewer:	Director Griego and Director Floe
Yuba County Liaison:	Director Burbank and Director Perrault

Ad-Hoc Committee assignments were assigned through the end of 2021 as follows. No motion was made.

Audit Ad-Hoc:	Director Floe and Director Perrault
Fire Collaboration Ad-Hoc:	Director Burbank and Director Griego
South County Infrastructure Ad-Hoc:	Director Burbank and Director Griego

7. 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

7.1. Approve Minutes of the November 19, 2020 Regular Meeting.

7.2. Approve November 2020 Claims for Payment.

7.3. Approve November 2020 Overtime Report.

7.4. Review Revenue and Expenditure Summary December 8, 2020 FY 2021 (Strategic Plan 5.3 & 5.4).

7.5. Review Treasurer Report September 30, 2020 (Strategic Plan 5.3 & 5.4).

7.6. Review Water Sales November 2015 to November 2020 (Strategic Plan 5.1, 5.3).

7.7. Review Invoice Cloud Activity through December 7, 2020 (Strategic Plan 5.1, 5.3).

→ 7.8. Approve merit increase for Dan Nielsen, Wastewater Collection System Operator II, Step 2 3 to Step 4, retroactive to November 28, 2020 - D/A

→ 7.9. Approve merit increase for David Duncan, Wastewater Collection System Operator II, Step 2 3 to Step 4, retroactive to November 28, 2020 - D/A

7.10. Entertain motions for approval of consent agenda and take roll as appropriate.

A motion was made by Director Griego and was 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

8. District Business

8.1. Consider approving Resolution No. 2368, updating authorized signers on U.S. Bank National Association Depository Accounts – D/A

- 8.1.1. Public comment
- 8.1.2. Questions/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 OPUD Resolution No. 2368, updating authorized signers on U.S. Bank National Association Depository Account. The motion passed as follows:

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

8.2. Consider authorizing payment of outstanding attorney's fees in the amount of \$980, for an invoice previously sent to Enterprise Rancheria – 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 Burbank and seconded by Director Griego authorizing payment of outstanding attorney's fees in the amount of \$980, for an invoice previously sent to Enterprise Rancheria. The motion passed as follows:

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

8.3. Consider approving the request for waiver of capacity fees for 1870 11th Avenue– D/A

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

A motion was made by Director Burbank and seconded by Director Perrault approving the request for waiver of capacity fees for 1870 11th Avenue. The motion passed as follows:

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

8.4. Consider authorizing streamlining the waiver of OPUD Resolution 2081 – D/A

- 8.4.1. Public comment
- 8.4.2. Questions/comments from Directors
- 8.4.3. Entertain motions and take roll as appropriate

A motion was made by Director Burbank and seconded by Director Griego authorizing streamlining the waiver of OPUD Resolution 2081 and placing all approved waivers on the consent agenda. The motion passed as follows:

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

9. Public Works

Water/Wastewater

9.1. Receive update on South County infrastructure – D/A

- 9.1.1. Public comment
- 9.1.2. Questions/comments from Directors
- 9.1.3. Entertain motions and take roll as appropriate

Directors reviewed this item. No motion was made.

9.2. Consider approving OPUD Resolution 2367, a resolution authorizing execution and delivery of a joint community facilities agreement with California Municipal Finance Authority (CMFA) for its BOLD program – D/A

- 9.2.1. Public comment
- 9.2.2. Questions/comments from Directors
- 9.2.3. Entertain motions and take roll as appropriate

A motion was made by Director Griego and seconded by Director Burbank approving OPUD Resolution 2367, a resolution authorizing execution and delivery of a joint community facilities agreement with California Municipal Finance Authority (CMFA) for its BOLD program. The motion passed as follows:

Ayes: Directors Burbank, Griego, Nelson, and Floe

Noes: Director Perrault

Absent: None

9.3. Consider authorizing staff to surplus a 1979 GMC dump truck using OPUD policy and procedure – D/A

- 9.3.1. Public comment
- 9.3.2. Questions/comments from Directors
- 9.3.3. Entertain motions and take roll as appropriate

A motion was made by Director Burbank and seconded by Director Perrault authorizing staff to surplus a 1979 GMC dump truck using OPUD policy and procedure. The motion passed as follows:

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

Noes: None

Absent: None

9.4. Consider awarding contract for design of the Steel Main Replacement Project – D/A

- 9.4.1. Public comment
- 9.4.2. Questions/comments from Directors
- 9.4.3. Entertain motions and take roll as appropriate

A motion was made by Director Griego and seconded by Director Perrault to award the contract for design of the Steel Main Replacement Project to Domenichelli Associates. The motion passed as follows:

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

Noes: None

Absent: None

10. Human Resources

10.1. [Vacant Account Clerk position – Discussion only](#)

- 10.1.1. Public comment
- 10.1.2. Questions/comments from Directors
- 10.1.3. Entertain motions and take roll as appropriate

Directors reviewed this item. No motion was made.

10.2. [Consider approving the revised Water/Parks Department Manager position description, as presented – D/A](#)

- 10.2.1. Public comment
- 10.2.2. Questions/comments from Directors
- 10.2.3. Entertain motions and take roll as appropriate

A motion was made by Director Burbank and seconded by Director Perrault approving the revised Water/Parks Department Manager position description, as presented. The motion passed as follows:

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

Noes: None

Absent: None

10.3. Consider authorizing the General Manager to fill the vacant Water/Parks Department Manager position in accordance with District policies – D/A

- 10.3.1. Public comment
- 10.3.2. Questions/comments from Directors
- 10.3.3. 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 Water/Parks Department Manager position in accordance with District policies. The motion passed as follows:

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

Noes: None

Absent: None

10.4. [Consider approved the proposed Wastewater Collection Operator II/Construction Inspector II position and Utility Worker/Construction Inspector I position descriptions with proposed salaries and authorizing filling positions via district policies – D/A](#)

- 10.4.1. Public comment
- 10.4.2. Questions/comments from Directors
- 10.4.3. Entertain motions and take roll as appropriate

A motion was made by Director Burbank and seconded by Director Nelson approving the proposed Wastewater Collection Operator II/Construction Inspector II position and Utility Worker/Construction Inspector I position descriptions with proposed salaries and authorizing filling positions via district policies. The motion passed as follows:

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

Noes: None

Absent: None

11. Board Committee Schedule

11.1. December 2020 Committee Meeting Schedule.

- 11.1.1. Fire & Safety Committee – Tuesday, January 5, 2021 at 5:00 p.m.
- 11.1.2. Parks & Recreation Committee – Tuesday, January 5, 2021 at 4:00 p.m.
- 11.1.3. Water & Wastewater Committee – Wednesday, January 6, 2021 at 5:45 p.m.

12. Reports (non-action items)

- 12.1. [December Fire Department Committee Report](#)
- 12.2. [December Parks Department Committee Report](#)
- 12.3. [December Water & Wastewater Department Committee Report](#)
- 12.4. Report from the General Manager.
- 12.5. Report from Legal Counsel.
- 12.6. Reports from Directors.
- 12.7. Public comment.

13. Correspondence

14. Closed Session – Closed session was convened at 8:33 p.m.

- 14.1. 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: Olivehurst Public Utility District Fire Department Association

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

- 14.3. Conference with Legal Counsel – Existing Litigation pursuant to Government Code Section 54956.9(d)(1). Name of Case: Damon Chavez & Michael Welch v. Olivehurst Public Utility District, Perry Jackson

15. Meeting Reconvened – Board meeting reconvened at 9:53 p.m.

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

No reportable actions.

16. Adjourn

- 16.1. Entertain motion to adjourn.

A motion was made by Director Perrault and seconded by Director Burbank 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 9:54 p.m.