

AGENDA
OLIVEHURST PUBLIC UTILITY DISTRICT (OPUD)
BOARD OF DIRECTORS REGULAR MEETING
7:00 p.m., Thursday, July 21, 2022
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.

**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 – The meeting was called to order at 7:00 p.m. by Director Griego
2. Pledge of Allegiance
3. Roll Call

Directors Present: Director Burbank, Director Floe, Director Nelson, and Director Griego
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, 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: One

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 16, 2022 Regular Meeting.](#)
- 5.2. [Approve Minutes of the July 6, 2022 Special Board Meeting.](#)
- 5.3. [Approve June 2022 Claims for Payment.](#)
- 5.4. [Approve June 2022 Overtime Report.](#)
- 5.5. [Review Revenue and Expenditure Summary July 8, 2022 FY 2021 \(Strategic Plan 5.3 & 5.4\).](#)
- 5.6. [Review Water Sales June 2016 to June 2022 \(Strategic Plan 5.1, 5.3\).](#)
- 5.7. [Review Service Water Account Analysis June 2022 \(Strategic Plan 5.1, 5.3\).](#)
- 5.8. [Review Invoice Cloud Activity through July 2022 \(Strategic Plan 5.1, 5.3\).](#)
- 5.9. [Approve OPUD Resolution No. 2401 - 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 Floe and seconded by Director Burbank to approve the consent agenda. The motion passed as follows:

Ayes: Directors Burbank, Floe, Nelson, and Griego

Noes: None

Absent: Director Perrault

6. District Business

- 6.1. Proposition 218 – Public Hearing for the implementation of water and sewer rate increases – D/A
 - 6.1.1. Open the Public Hearing – Public hearing opened at 7:04 p.m.
 - 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. Close the Public Hearing – Public hearing closed at 7:12 p.m.
 - 6.1.7. Tabulate responses received from residents
 - 6.1.8. [Consider adopting Resolution No. 2400 - A Resolution of the Board of Directors of OPUD, following Public Hearing, providing for an increase in water and sewer service charges – D/A](#)
 - 6.1.8.1. Public comment
 - 6.1.8.2. Questions/comments from Directors
 - 6.1.8.3. Entertain motions and take roll as appropriate

A motion was made by Director Burbank and seconded by Director Floe to adopt Resolution No. 2400 – A Resolution of the Board of Directors of OPUD, following Public Hearing, providing for an increase in water and sewer service charges. The motion passed as follows:

Ayes: Directors Burbank, Floe, and Griego

Noes: None

Absent: Directors Nelson and Perrault

Director Nelson was having technical difficulties and dropped her connection at 7:08 p.m. but came back on at 7:10 p.m. Connection dropped again at 7:10 p.m. and she was able to regain connection at 7:12 p.m. She dropped connection again at 7:13 p.m. and was able to regain connection again at 7:17 p.m. Her connection permanently dropped at 7:17 p.m.

Director Perrault was having technical difficulties and dropped his connection at 6:58 p.m. but came back online at 7:20 p.m.

Item 7.3 and 7.7 was discussed at this time. See Item 7.3 and 7.7 for outcome.

6.2. [Consider approving Budget Amendments and approve 2021-22 Budget Amendment 2 - D/A](#)

6.2.1. Public comment

6.2.2. Questions/comments from Directors

6.2.3. Entertain motions and take roll as appropriate

6.3. [Receive an update on water shutoffs – D/A](#)

6.3.1. Public comment

6.3.2. Questions/comments from Directors

6.3.3. Entertain motions and take roll as appropriate

6.4. [Receive an update on water conservation analysis - D/A](#)

6.4.1. Public comment

6.4.2. Questions/comments from Directors

6.4.3. Entertain motions and take roll as appropriate

7. [Public Works](#)

[Parks](#)

7.1. Receive update on 1-year contract with First 5 Yuba for pool operations grant funding (Strategic Plan 3.0) – D/A

7.1.1. Public comment

7.1.2. Questions/comments from Directors

7.1.3. Entertain motions and take roll as appropriate

7.2. [Consider approving the agreement with Yuba Water Agency for pool operations grant funding \(Strategic Plan 3.0\) – D/A](#)

7.2.1. Public comment

7.2.2. Questions/comments from Directors

7.2.3. Entertain motions and take roll as appropriate

7.3. [Consider approving the Special Events Application from Cobblestone Crocs PTO for the Plumas Lake Block Party Beer Garden – 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 Floe approving the Special Events Application from Cobblestone Crocs PTO for the Plumas Lake Block Party Beer Garden subject to receiving all required documents and deposit. The motion passed as follows:

Ayes: Directors Burbank, Floe, Perrault, and Griego

Noes: None

Absent: Director Nelson

Director Griego had to leave the meeting at 7:21 p.m. and Director Floe took over as chair.

Water/Wastewater

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

7.4.1. Public comment

7.4.2. Questions/comments from Directors

7.4.3. Entertain motions and take roll as appropriate

7.5. Receive an update on the lift station at River Oaks and Zanes in Plumas Lake – D/A

7.5.1. Public comment

7.5.2. Questions/comments from Directors

7.5.3. Entertain motions and take roll as appropriate

7.6. Receive Update on Emergency Water Conservation Measures – D/A

7.6.1. Public comment

7.6.2. Questions/comments from Directors

7.6.3. Entertain motions and take roll as appropriate

7.7. [Consider approving the agreement between OPUD and Enterprise Development Authority to provide operation and maintenance services for potable water and wastewater systems – 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 Perrault and seconded by Director Burbank approving the agreement between OPUD and Enterprise Development Authority to provide operation and maintenance services for potable water wastewater systems pending Legal and General Manager's revisions to Provision 8 – Suspension Events of the agreement. The motion passed as follows:

Ayes: Directors Burbank, Perrault, and Floe

Noes: None

Absent: Directors Nelson and Griego

7.8. [Consider approving the Plumas Lake Water Treatment Plant \(WTP\) Filter Pre-Purchase Project to Loprest, a Division of WRT – D/A](#)

7.8.1. Public comment

7.8.2. Questions/comments from Directors

7.8.3. Entertain motions and take roll as appropriate

7.9. [Consider authorizing staff to surplus three Ford Rangers and one GMC pickup for the water department – D/A](#)

7.9.1. Public comment

7.9.2. Questions/comments from Directors

7.9.3. Entertain motions and take roll as appropriate

8. [Fire Department](#)

8.1. Consider approving the OPUD Fire Department Extension Design Assist Project to the lowest bidder meeting all requirements – D/A

8.1.1. Public comment

8.1.2. Questions/comments from Directors

8.1.3. Entertain motions and take roll as appropriate

9. [Human Resources](#)

9.1. [Consider hiring third firefighter based off MOU Proposal – D/A](#)

9.1.1. Public comment

9.1.2. Questions/comments from Directors

9.1.3. Entertain motions and take roll as appropriate

9.2. [Consider establishing and hiring for intermittent/seasonal firefighter position and fill in accordance with OPUD policies – D/A](#)

9.2.1. Public comment

9.2.2. Questions/comments from Directors

9.2.3. Entertain motions and take roll as appropriate

10. [Board Committee Schedule](#)

10.1. August 2022 Committee Meeting Schedule.

10.1.1. Fire & Safety Committee – Tuesday, August 2, 2022 at 4:00 p.m.

10.1.2. Parks & Recreation Committee – Tuesday, August 2, 2022 at 5:00 p.m.

10.1.3. Water & Wastewater Committee – Wednesday, August 3, 2022 at 5:45 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.

12. [Correspondence](#)

13. [Closed Session](#)

13.1. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation pursuant to Government Code Section 54956.9(d)

Name of Case: Olivehurst Public Utility District v. The Dow Chemical Company; Shell Oil Company; Occidental Chemical Corporation; FMC Corporation; Wilbur-Ellis Company LLC, et al.

- 13.2. CONFERENCE WITH LEGAL COUNSEL – Significant Exposure to Litigation pursuant to Government Code Section 54956.9(d)(2): Number of potential cases: two.
- 13.3. Personnel (Government Code Section 54957) – It is the intention of the Board to meet in closed session to consider Public Employee Performance Evaluation for the Position of General Manager.
- 13.4. 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: To be determined
Name of Employee Organization: Operating Engineers Local Union No. 3 Public Employees Division, on Behalf of the Business and Utility Unit
- 13.5. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation pursuant to Government Code Section 54956.9(d)
Name of Case: Operating Engineers Local Union No. 3 v. Olivehurst Public Utility District

14. Meeting Reconvened

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

15. Adjourn

- 15.1. Entertain motion to adjourn.

Due to a lack of a quorum, Board Members concurred that the meeting should be adjourned to a future day prior to the next regular meeting date.

A motion was made by Director Burbank and seconded by Director Perrault to continue the meeting to a date unset. The motion passed as follows:

Ayes: Directors Burbank, Perrault, and Floe

Noes: None

Absent: Directors Nelson and Griego

Meeting was adjourned at 7:40 p.m.