

AGENDA
OLIVEHURST PUBLIC UTILITY DISTRICT (OPUD)
BOARD OF DIRECTORS REGULAR MEETING
7:00 p.m., Thursday, June 16, 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 Nelson, Director Perrault, and Director Griego
Directors Absent: Director Floe

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.

No members of the public were present.

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 May 19, 2022 Regular Meeting.](#)
 - 5.2. [Approve May 2022 Claims for Payment.](#)
 - 5.3. [Approve May 2022 Overtime Report.](#)
 - 5.4. [Review Revenue and Expenditure Summary May 27, 2022 FY 2021 \(Strategic Plan 5.3 & 5.4\).](#)
 - 5.5. [Review Water Sales May 2016 to May 2022 \(Strategic Plan 5.1, 5.3\).](#)
 - 5.6. [Review Service Water Account Analysis May 2022 \(Strategic Plan 5.1, 5.3\).](#)
 - 5.7. [Review Invoice Cloud Activity through June 2022 \(Strategic Plan 5.1, 5.3\).](#)
 - 5.8. [Approve Tax Proceeds \(Appropriation Limit\) for 2022-23.](#)
 - 5.9. Entertain motions for approval of consent agenda and take roll as appropriate.

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

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

Bri Anne Ritchie, Board Clerk, stated that there was an error on item 10.1 that needed to be corrected. Instead of Step 1 to Step 3, it needs to say Step 3 to Step 5.

6. District Business
 - 6.1. [Receive an update on water shutoffs – D/A](#)
 - 6.1.1. Public comment
 - 6.1.2. Questions/comments from Directors
 - 6.1.3. Entertain motions and take roll as appropriate

Directors received an update. No motion was made.

- 6.2. [Consider authorizing proposed Preliminary Budget for FY 2022-23 – D/A](#)
 - 6.2.1. Public comment
 - 6.2.2. Questions/comments from Directors
 - 6.2.3. Entertain motions and take roll as appropriate

A motion was made by Director Burbank and seconded by Director Perrault authorizing proposed Preliminary Budget for FY 2022-23. The motion passed as follows:

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

- 6.3. Receive an update on returning to in person meetings – D/A
 - 6.3.1. Public comment
 - 6.3.2. Questions/comments from Directors
 - 6.3.3. Entertain motions and take roll as appropriate

Directors received an update. No motion was made.

- 6.4. [Consider approving OPUD Resolution No. 2394 – A Resolution Authorizing Teleconference Meetings in Compliance with AB361 – D/A](#)

- 6.4.1. Public comment
- 6.4.2. Questions/comments from Directors
- 6.4.3. Entertain motions and take roll as appropriate

A motion was made by Director Burbank and seconded by Director Nelson approving OPUD Resolution No. 2394 – A Resolution Authorizing Teleconference Meetings in Compliance with AB361. The motion passed as follows:

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

7. Public Works

Parks

- 7.1. [Consider approving a 3-year contract with Yuba County Health and Human Services 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

A motion was made by Director Perrault and seconded by Director Burbank approving a 3-year contract with Yuba County Health and Human Services for pool operations grant funding. The motion passed as follows:

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

- 7.2. [Consider approving a 1-year contract with First 5 Yuba 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

A motion was made by Director Burbank and seconded by Director Perrault approving a 1-year contract with First 5 Yuba for pool operations grant funding pending legal counsel's revisions. The motion passed as follows:

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

Absent: Director Perrault

Water/Wastewater

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

- 7.3.1. Public comment
- 7.3.2. Questions/comments from Directors
- 7.3.3. Entertain motions and take roll as appropriate

Directors received an update. No motion was made.

7.4. Receive update on the Prop 218 progress – D/A

- 7.4.1. Public comment
- 7.4.2. Questions/comments from Directors
- 7.4.3. Entertain motions and take roll as appropriate

Directors received an update. No motion was made.

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

Directors received an update. No motion was made.

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

Directors received an update. No motion was made.

7.7. [Consider approving RFB for Plumas Lake Water Treatment Plant \(WTP\) Filter Pre-Purchase Project – D/A](#)

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

A motion was made by Director Perrault and seconded by Director Nelson approving RFB for Plumas Lake Water Treatment Plant (WTP) Filter Pre-Purchase Project. The motion passed as follows:

Ayes: Directors Burbank, Nelson, Perrault, and Griego

Noes: None

Absent: Director Floe

8. Fire Department

8.1. [Consider approving the 2022 Non-Compliant Weed Abatement List in accordance with Resolution No. 2208 – 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 Perrault approving the 2022 Non-Compliance Weed Abatement List in accordance with Resolution No. 2208. The motion passed as follows:

Ayes: Directors Burbank, Nelson, Perrault, and Griego

Noes: None

Absent: Director Floe

8.2. Receive an update on the Hard Rock MOU proposal – 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. [Consider approving purchase of new type six wildland fire engine from Cascade Fire Equipment Company not to exceed \\$240,000.00 using Measure K monies – 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 Nelson and seconded by Director Burbank approving the purchase of a new type six wildland fire engine from Cascade Fire Equipment Company not to exceed \$240,000.00 using Measure K monies. The motion passed as follows:

Ayes: Directors Burbank, Nelson, Perrault, and Griego

Noes: None

Absent: Director Floe

8.4. [Consider approving RFB for OPUD Fire Department Extension Design Build Project – 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 correction was made by John Tillotson, General Manager to the title of this item. It should say Consider approving RFB for OPUD Fire Department Extension Design Assist Project.

A motion was made by Director Perrault and seconded by Director Burbank approving RFB for OPUD Fire Department Extension Design Build Assist Project. The motion passed as follows:

Ayes: Directors Burbank, Nelson, Perrault, and Griego

Noes: None

Absent: Director Floe

8.5. [Consider approving the proposed retention bonus program starting in December 2022 using fiscal analysis based off annual operating budget surplus – D/A](#)

- 8.5.1. Public comment
- 8.5.2. Questions/comments from Directors
- 8.5.3. Entertain motions and take roll as appropriate

A motion was made by Director Burbank and seconded by Director Perrault approving the idea of a retention bonus program starting December 2022 using fiscal analysis based off annual operating budget surplus. The motion passed as follows:

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

8.6. [Consider approving Resolution No. 2395, authorizing collection of California Heartlands fire suppression assessment for Fiscal Year 2022-23 \(Strategic Plan 5.3 &5.4\) – D/A](#)

- 8.6.1. Public comment
- 8.6.2. Questions/comments from Directors
- 8.6.3. Entertain motions and take roll as appropriate

A motion was made by Director Burbank and seconded by Director Perrault approving Resolution No. 2395, authorizing collection of California Heartlands fire suppression assessment for Fiscal Year 2022-23. The motion passed as follows:

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

9. [Business Office](#)

9.1. [Consider Resolution No. 2397 approving the Plumas Lake CFD No. 2002-1 Tax Report for Fiscal Year 2022-23 and levying and apportioning the Special Tax for Fiscal Year 2022-23 as provided therein. \(Strategic Plan 5.3 & 5.4\) – 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 Burbank and seconded by Director Perrault approving Resolution No. 2397 approving the Plumas Lake CFD No. 2002-1 Tax Report for Fiscal Year 2022-23 and levying and apportioning the Special Tax for Fiscal Year 2022-23 as provided therein. The motion passed as follows:

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

9.2. [Consider approving Resolution No. 2398 approving CFD No. 2005-2 Tax Report for Fiscal Year 2022-23 and levying and apportioning the Special Tax for Fiscal Year 2022-23 as provided therein. \(Strategic Plan 5.3 & 5.4\) – 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 Perrault and seconded by Director Burbank approving Resolution No. 2398 approving CFD No. 2005-2 Tax Report for Fiscal Year 2022-23 and levying and apportioning the Special Tax for Fiscal Year 2002-23 and provided therein. The motion passed as follows:

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

10. Human Resources

10.1. Consider approving a two-step merit increase for Jesse Joseph, Wastewater Collection System Operator I, Step 4 3 to Step 3 5, retroactive to May 12, 2022 - D/A

10.1.1. Public comment

10.1.2. Questions/comments from Directors

10.1.3. Entertain motions and take roll as appropriate

A motion was made by Director Perrault and seconded by Director Burbank approving a two-step merit increase for Jesse Joseph, Wastewater Collection System Operator Step 3 to Step 5, retroactive to May 12, 2002. The motion passed as follows:

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

11. Board Committee Schedule

11.1. July 2022 Committee Meeting Schedule.

11.1.1. Fire & Safety Committee – Tuesday, July 5, 2022 at 4:00 p.m.

11.1.2. Parks & Recreation Committee – Tuesday, July 5, 2022 at 5:00 p.m.

11.1.3. Water & Wastewater Committee – Wednesday, July 6, 2022 at 5:45 p.m.

12. Reports (non-action items)

12.1. [June Fire Department Committee Report.](#)

12.2. [June Parks Department Committee Report.](#)

12.3. [June 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 convened at 9:11 p.m.

14.1. 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.

14.2. CONFERENCE WITH LEGAL COUNSEL – Significant Exposure to Litigation pursuant to Government Code Section 54956.9(d)(2): Number of potential cases: two.

15. Meeting Reconvened – Closed session adjourned at 9:20 p.m.

15.1. Announcement of reportable actions taken in closed session.

16. Adjourn

16.1. Entertain motion to adjourn.

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

Ayes: Directors Burbank, Nelson, Perrault, and Griego

Noes: None

Absent: Director Floe

The meeting adjourned at 9:20 p.m.