

**AGENDA**  
**OLIVEHURST PUBLIC UTILITY DISTRICT (OPUD)**  
**BOARD OF DIRECTORS REGULAR MEETING**  
**7:00 p.m., Thursday, May 20, 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](http://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](mailto: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](mailto: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 9<sup>th</sup> 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, Director Griego, Director Nelson, Director Perrault, and Director Floe

Also Present: John Tillotson, General Manager; 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: Jim Carpenter, Previous OPUD Board Director; 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. 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 April 15, 2021 Regular Meeting.](#)

5.2. [Approve Minutes of the April 23, 2021 Special Meeting.](#)

5.3. [Approve April 2021 Claims for Payment.](#)

5.4. [Approve April 2021 Overtime Report.](#)

- 5.5. [Review Revenue and Expenditure Summary April 29, 2021 FY 2021 \(Strategic Plan 5.3 & 5.4\).](#)
- 5.6. [Review Water Sales April 2016 to April 2021 \(Strategic Plan 5.1, 5.3\).](#)
- 5.7. [Review Invoice Cloud Activity through April 30, 2021 \(Strategic Plan 5.1, 5.3\).](#)
- 5.8. [Review March 2021 Treasurer Report \(Strategic Plan 5.1, 5.3\).](#)
- 5.9. [Review Delinquent Accounts update \(Strategic Plan 5.1, 5.3\).](#)
- 5.10. [Review approved Review for Consideration of Resolution 2081 Waiver for 4888 Western Avenue.](#)
- 5.11. [Review approved Review for Consideration of Resolution 2081 Waiver for 4673 Pacific Avenue.](#)
- 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 Perrault to approve the consent agenda. The motion passed as follows:

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

Noes: None

Absent: None

6. District Business

6.1. [Receive an update on Yuba County Municipal Water/Wastewater Utility Bill Payment Program – 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. [Discuss Voting Rights Act Ward Based OPUD Board Elections – D/A](#)

6.2.1. Public comment

6.2.2. Questions/comments from Directors

6.2.3. Entertain motions from Directors

Directors reviewed this item. No motion was made.

6.3. [Consider approving the 2021-22 Capital Outlay budget and adding it to the 2021-22 Preliminary Budget – D/A](#)

6.3.1. Public comment

6.3.2. Questions/comments from Directors

6.3.3. Entertain motions from Directors

A motion was made by Director Burbank and seconded by Director Perrault approving the 2021-22 Capital Outlay budget and adding it to the 2021-22 Preliminary Budget. The motion passed as follows:

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

Noes: None

Absent: None

7. Public Works

Parks

7.1. Receive an update on pool repairs and consider authorizing a bid specification for the replacement of the pool liner – 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 Burbank and seconded by Director Perrault authorizing a bid specification for the replacement of the pool liner and amending the bid specification due date to July 7<sup>th</sup>, 2021. The motion passed as follows:

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

Noes: None

Absent: None

7.2. Consider accepting proposals from Economic and Planning Systems (EPS) for support in administrating Community Facility Districts (CFDs) 2002-1 and 2005-2 – 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 Nelson to accept the proposals from Economic and Planning Systems (EPS) for support in administrating Community Facility Districts (CFDs) 2002-1 and 2005-2. The motion passed as follows:

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

Noes: None

Absent: None

7.3. Consider approving the Olivehurst Park cost allocation from 8% to 6% and CSA66 Park cost allocation from 92% to 94% for the fiscal year 2020-21 – 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 Griego approving the Olivehurst Park cost allocation from 8% to 6% and CSA66 Park cost allocation from 92% to 94% for the fiscal year 2020-21. The motion passed as follows:

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

Noes: None

Absent: None

7.4. Discuss naming 2 parks located in River Oaks South – 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 reviewed this item. No motion was made.

Water/Wastewater

7.5. Receive update on South County infrastructure – 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. Discuss approving the reimbursement agreement between OPUD and the City of Wheatland for the South County Infrastructure Project (Strategic Plan 1.0) – 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. Discuss fees for ADUs within the District – D/A

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

Directors reviewed this item. No motion was made.

8. Fire

8.1. Receive an update on the 2021 Weed Abatement Program – D/A

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

Directors received an update. No motion was made.

9. Human Resources

9.1. Consider approving updates to the Wastewater Collection System Operator I position description and authorize advertisement and filling of vacant position via 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 Perrault and seconded by Director Burbank approving updates to the Wastewater Collection System Operator I position description and authorize advertisement and filling of vacant position via 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. April 2021 Committee Meeting Schedule.

10.1.1. Fire & Safety Committee – Tuesday, June 1, 2021 at 5:00 p.m.

10.1.2. Parks & Recreation Committee – Tuesday, June 1, 2021 at 4:00 p.m.

10.1.3. Water & Wastewater Committee – Wednesday, June 2, 2021 at 5:45 p.m.

11. Reports (non-action items)

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

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

11.3. [May 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 8:35 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: ~~Olivehurst Public Utility District Fire Department Association~~ 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 – 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.

13.4. 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 9:43 p.m. with Director Griego unable to attend.

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 Nelson to adjourn the meeting. The motion passed as follows:

Ayes: Directors Burbank, Nelson, Perrault, and Floe

Noes: None

Absent: Director Griego

The meeting was adjourned at 9:46 p.m.