

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

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.

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 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 – 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, Director Perrault, and Director Griego  
Directors Absent: None

Also Present: John Tillotson, General Manager; Karin Helvey, Financial Manager; Swarnjit Boyal, Public Works Engineer; Deirdre Joan Cox, Legal Counsel; Cindy Van Meter, Office Manager; Bri Anne Ritchie, Board 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.

1 Member of the public was present.

Legal Counsel recommended that an item be added pursuant to Government Code §54954.2(b)(2) due to the need to take immediate action and the need for action came to the attention of the agency subsequent to the agenda being posted and the 72-hour agenda deadline.

A motion was made by Director Burbank and seconded by Director Nelson to add a closed session item: 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 Legal Counsel to the agenda pursuant to Government Code §54954.2(b)(2) due to the need to take immediate action and that the need for action came to the attention of the agency subsequent to the agenda being posted and the 72-hour agenda deadline. The motion passed as follows:

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

Noes: None

Absent: None

The item was added to the agenda after item 12.2. See the Emergency Item for outcome.

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 October 20, 2022, Regular Meeting.](#)

5.2. [Approve Minutes of the October 20, 2022, Special Meeting.](#)

5.3. [Approve October 2022 Claims for Payment.](#)

5.4. [Approve October 2022 Overtime Report.](#)

5.5. [Review Revenue and Expenditure Summary November 9, 2022, FY 2021 \(Strategic Plan 5.3 & 5.4\).](#)

5.6. [Review Water Sales October 2016 to October 2022 \(Strategic Plan 5.1, 5.3\).](#)

5.7. [Review Service Water Account Analysis October 2022 \(Strategic Plan 5.1, 5.3\).](#)

5.8. [Review Invoice Cloud Activity through November 9, 2022 \(Strategic Plan 5.1, 5.3\).](#)

5.9. [Review June 2022 Treasurer Report \(Strategic Plan 5.1, 5.3\).](#)

5.10. [Approve OPUD Resolution No. 2408 - A Resolution Authorizing Teleconference Meetings in Compliance with AB 361.](#)

5.11. Approve merit increase for Jim McClure, Utility Worker, Step 2 to Step 3, retroactive to November 3, 2022.

5.12. Approve merit increase for Allen Murray, Fire Captain, Step 4 to Step 5, retroactive to November 1, 2022.

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

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

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

Noes: None

Absent: None

6. District Business

6.1. Consider approving the change of the Parks Committee meeting from Tuesdays at 5:00 p.m. to Wednesdays at 4:45 p.m. - D/A

6.1.1. Public comment

6.1.2. Questions/comments from Directors

6.1.3. Entertain motions and take roll as appropriate

A motion was made by Director Burbank and seconded by Director Floe approving the change to the Parks Committee meeting from Tuesdays at 5:00 p.m. to Wednesdays at 4:45 p.m. The motion passed as follows:

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

Noes: None

Absent: None

6.2. Consider approving Reserve Funding for FYE 2021-22 – 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 Perrault and seconded by Director Nelson approving Reserve Funding for FYE 2021-22. The motion passed as follows:

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

Noes: None

Absent: None

6.3. Discuss approving the request from the Regional Housing Authority to defer capacity and development fees for low-income housing in Plumas Lake – D/A

6.3.1. Public comment

6.3.2. Questions/comments from Directors

6.3.3. Entertain motions and take roll as appropriate

A motion was made by Director Floe and seconded by Director Burbank approving the request from the Regional Housing Authority to defer capacity and development fees for low-income housing in Plumas Lake. The motion passed as follows:

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

Noes: None

Absent: None

6.4. Receive an update on water shutoffs – D/A

6.4.1. Public comment

6.4.2. Questions/comments from Directors

6.4.3. Entertain motions and take roll as appropriate

Directors received an update. No motion was made.

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

6.5.1. Public comment

6.5.2. Questions/comments from Directors

6.5.3. Entertain motions and take roll as appropriate

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

7.2.1. Public comment

7.2.2. Questions/comments from Directors

7.2.3. Entertain motions and take roll as appropriate

Directors received an update. No motion was made.

7.3. Discuss the River Oaks North Lift Station – 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. [Consider approving Amendment 3 to the Grant and Loan Agreement for Wastewater System Improvements with the Yuba Water Agency – 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 Perrault and seconded by Director Burbank approving Amendment 3 to the Grant and Loan Agreement for Wastewater System Improvements with the Yuba Water Agency. The motion passed as follows:

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

Noes: None

Absent: None

8. Human Resources

8.1. Consider hiring third firefighter based off MOU Proposal – D/A

8.1.1. Public comment

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.

8.2. Per the Leave without Pay Policy, consider approving the advancement of vacation time pay to Andrew Rodriguez due to a death in the family – 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 Nelson to use future accrual time for the days the two new employees were out. The motion passed as follows:

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

Noes: None

Absent: None

9. Board Committee Schedule

9.1. December 2022 Committee Meeting Schedule.

9.1.1. Fire & Safety Committee – Tuesday, November 29, 2022 at 4:00 p.m.

9.1.2. Parks & Recreation Committee – Tuesday, November 29, 2022 at 5:00 p.m.

9.1.3. Water & Wastewater Committee – Wednesday, November 30, 2022 at 5:45 p.m.

A change was made to item 9.1.2. due to the passing of item 6.1 of the agenda. The new meeting date will be Wednesday, November 30, 2022 at 4:45 p.m.

10. Reports (non-action items)

10.1. [November Fire Department Committee Report.](#)

10.2. [November Parks Department Committee Report.](#)

10.3. [November Water & Wastewater Department Committee Report.](#)

10.4. Report from the General Manager.

10.5. Report from Legal Counsel.

10.6. Reports from Directors.

10.7. Public comment.

11. Correspondence

12. Closed Session – Closed session was convened at 8:02 p.m.

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

12.2. 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: Operating Engineers Local Union No. 3 Public

Employees Division, on Behalf of the Business and Utility Unit

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 Legal Counsel

13. Meeting Reconvened – Closed session was adjourned at 8:54 p.m.

13.1. Announcement of reportable actions taken in closed session.

No reportable action to report.

14. Adjourn

14.1. Entertain motion to adjourn.

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

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

Noes: None

Absent: None

The meeting adjourned at 8:54 p.m.