

MINUTES
OLIVEHURST PUBLIC UTILITY DISTRICT (OPUD)
BOARD OF DIRECTORS SPECIAL MEETING
6:00 p.m., Thursday, March 21, 2019
Board Room, 1970 9th Avenue, Olivehurst, CA, 95961

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. 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.

1. Call to Order – Meeting was called to order at 6:00 p.m. by Director Griego.

2. Roll Call
Directors present: Director White, Director Burbank, Director Floe, Director Carpenter, and Director Griego.
Directors absent: None

Also Present: Deirdre Joan Cox, Legal Counsel

3. Public Participation - Members of the public may address the Board on any matter which has been described in the notice (agenda) for the meeting before or during consideration of that item. Comments should be limited to 3 minutes per speaker. Prior to this time, speakers are requested to fill out a "Request to Speak" card and submit it to the Clerk of the Board.

4. Workshop
4.1. Sexual Harassment Prevention Training

Legal Counsel gave a presentation. Directors discussed this item. No motion was made.

5. Adjourn

A motion was made by Director Floe and seconded by Director White to adjourn the meeting. The motion passed as follows:
Ayes: Directors White, Carpenter, Burbank, Floe, Griego
Noes: None
Absent: None

The meeting was adjourned at 6:50 p.m.

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.

MINUTES
OLIVEHURST PUBLIC UTILITY DISTRICT (OPUD)
BOARD OF DIRECTORS REGULAR MEETING
7:00 p.m., Thursday, March 21, 2019
Board Room, 1970 9th Avenue, Olivehurst

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.

1. Call to Order – Meeting was called to order at 7:00 p.m. by Director Griego.

2. Pledge of Allegiance

3. Roll Call
Directors present: Director White, Director Carpenter, Director Burbank, Director Floe, and Director Griego.
Directors absent: None

Also Present: John Tillotson, General Manager; Christopher Oliver, Public Works Engineer; Randy York; Olivehurst Fire Department Battalion Chief; Karin Helvey, Financial Manager; Deirdre Joan Cox, Legal Counsel; Elizabeth Mallen, District Clerk/Executive Assistant; Gary Bradford, Yuba County Board of Supervisor; Capital Public Finance Group; Shawna Aust, Plumas Lake Little League, Nicole Motto, Plumas Lake Little League

4. Public Participation – No Members of the Public participated at this time.

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 February 21, 2019 Regular Meeting](#)
 - 5.2. [Approve February 2019 Claims for Payment.](#)
 - 5.3. [Approve February 2019 Overtime Report](#)
 - 5.4. Entertain motions for approval of consent agenda and take roll as appropriate.

A motion was made by Director Burbank and seconded by Director Floe to approve the consent agenda. The motion passed as follows:

Ayes: Directors White, Carpenter, Burbank, Floe, Griego

Noes: None

Absent: None

6. District Business

- 6.1. [Consider approval of: \(1\) Amendment to Memorandum of Understanding between the Enterprise Rancheria and OPUD for fire and emergency medical services calls; \(2\) Mutual Aid Agreement between OPUD and Wheatland Fire Authority and Plumas-Brophy Fire Protection District; and \(3\) Related Actions \(Strategic Plan 4.1\).](#) – D/A

Gary Bradford spoke to Directors regarding this item.

A motion was made by Director Floe and seconded by Director White to approve the Amendment to the Memorandum of Understanding between the Enterprise Rancheria and OPUD for fire and emergency medical services calls and the Mutual Aid Agreement between OPUD and Wheatland Fire Authority and Plumas-Brophy Fire Protection District. The motion passed as follows:

Ayes: Directors White, Carpenter, Burbank, Floe, Griego

Noes: None

Absent: None

Directors instructed Staff to file a CEQA Notice of Exemption, notify Yuba County of the Amendment to the MOU, and notify Yuba County LAFCO of Resolution of Issues between OPUD and WFA.

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

- 6.2. [Discuss InvoiceCloud Implementation Status March 2019 \(Strategic Plan 5.2, 5.4\).](#) – D/A

Directors discussed this item. No motion was made.

- 6.3. [Discuss update on OPUD Website project \(Strategic Plan 2018-2023, 2.4\).](#) – D/A

Directors discussed this item. No motion was made.

- 6.4. Review Fee Waivers Granted March 2018. – D/A

Directors discussed this item. No motion was made.

7. Public Works

Water

- 7.1. [Consider awarding the contract for infrastructure relocation on 7th Ave in conjunction with Yuba County's Safe Routes to School project to All American Construction for the price of \\$26,000.](#) – D/A

A motion was made by Director Burbank and seconded by Director White to award the contract for infrastructure relocation on 7th Ave in conjunction with Yuba County's Safe Routes to School project to All American Construction for the price of \$26,000. The motion passed as follows:

Ayes: Directors White, Carpenter, Burbank, Floe, Griego

Noes: None

Absent: None

Parks

7.2. Discuss further phasing of the OPUD Community Park in Plumas Lake (Strategic Plan 3.0). – D/A

Directors discussed this item. No motion was made.

7.3. [Discuss requests from Plumas Lake Little League for modifications at Eufay Wood Sr. Memorial Park. – D/A](#)

A motion was made by Director Floe and seconded by Director Burbank to approve the requests from Plumas Lake Little League for modifications at Eufay Wood Sr. Memorial Park. The motion passed as follows:

Ayes: Directors White, Carpenter, Burbank, Floe, Griego

Noes: None

Absent: None

8. Fire Department

8.1. [Consider adopting Resolution 2337 approving the Development Impact Fee Nexus Study and approving the Study be forwarded to the County of Yuba for approval by the Board of Supervisors. – D/A](#)

Members of Capital Public Finance Group spoke to Directors regarding this item.

A motion was made by Director Floe and seconded by Director Burbank to adopt Resolution 2337 approving the Development Impact Fee Nexus Study and approving the Study be forwarded to the County of Yuba for approval by the Board of Supervisors. The motion passed as follows:

Ayes: Directors White, Carpenter, Burbank, Floe, Griego

Noes: None

Absent: None

8.2. [Discuss anticipated steps towards preparation for the Operation Phase of the Enterprise Rancheria Casino. – D/A](#)

A motion was made by Director Burbank and seconded by Director White to allow staff to start the hiring process in June per OPUD hiring policies and to have new staff in place by the end of July. The motion passed as follows:

Ayes: Directors White, Carpenter, Burbank, Floe, Griego

Noes: None

Absent: None

8.3. [Receive a report on the Hard Rock Casino Fire Department operations training opportunity.– D/A](#)

Directors discussed this item. No motion was made.

8.4. [Receive an update on the status of the SAFER Grant application process – D/A](#)

8.4.1. Documents: [Overview](#), [Additional](#)

A motion was made by Director Floe and seconded by Director Burbank to authorize Staff to submit an application for the FY 2018 SAFER Grant. The motion passed as follows:

Ayes: Directors White, Carpenter, Burbank, Floe, Griego

Noes: None

Absent: None

9. [Business Office](#)

9.1. [Review Revenues and Expenditures - Budget to Actual for March 12, 2019 \(Strategic Plan 5.3, 5.4\). – D/A](#)

Directors discussed this item. No motion was made.

9.2. [Review Water Sales Comparison for February 2015-19 \(Strategic Plan 5.1, 5.3\). – D/A](#)

Directors discussed this item. No motion was made.

10. [Human Resources](#)

10.1. [Consider approving the revised position description for Intermittent Seasonal Firefighter, and further authorize filling the position via existing OPUD policies. – D/A](#)

A motion was made by Director Burbank and seconded by Director Carpenter to approve the revised position description for Intermittent Seasonal Firefighter, and further authorize filling the position via existing OPUD policies. The motion passed as follows:

Ayes: Directors White, Carpenter, Burbank, Floe, Griego

Noes: None

Absent: None

11. [Board Committee Schedule](#)

11.1. April 2019 Committee Meeting Schedule.

11.1.1. Fire & Safety Committee – Tuesday, April 2, 2019 at 5:00 p.m. at the Olivehurst Fire Department.

11.1.2. Parks & Recreation Committee – Tuesday, April 2, 2019 at 4:00 p.m.

11.1.3. Water & Wastewater Committee – Wednesday, April 3, 2019 at 5:45 p.m. at the Wastewater Treatment Facility.

12. [Reports \(non-action items\)](#)

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

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

12.3. [March Water & Wastewater Department Committee Report](#)

12.4. [February 2019 Budget Transfers](#)

12.5. Report from the General Manager.

12.6. Report from Legal Counsel.

12.7. Reports from Directors.

12.8. Public comment.

General Manager gave a report.
Legal Counsel gave a report.
Director Griego gave a report.

13. Closed Session – Closed Session was convened at 7:49 p.m.

- 13.1. Conference with Legal Counsel - Existing Litigation – (Paragraph (1) of subdivision (d) of Section 54956.9: Plumas Brophy Fire Protection District; Wheatland Fire Authority v. Olivehurst Public Utility District; Olivehurst Public Utility District Board of Directors.
- 13.2. Conference with Legal Counsel – Anticipated Litigation pursuant to Government Code § 54956.9(d)(3)
- 13.3. Conference with Legal Counsel – Significant exposure to litigation pursuant to Government Code § 54956.9(d)(2): one case
- 13.4. Closed Session: Government Code § 54957 – It is the intention of the Board to meet regarding Public Employee Performance Evaluation: General Manager

14. Meeting Reconvened – Closed Session was adjourned at 8:51 p.m.

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

Directors instructed Staff to hire outside counsel regarding Item 13.3.

15. Adjourn

- 15.1. 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: Directors White, Carpenter, Burbank, Floe, Griego

Noes: None

Absent: None

The meeting was adjourned at 8:52 p.m.

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