

MINUTES
OLIVEHURST PUBLIC UTILITY DISTRICT (OPUD)
BOARD OF DIRECTORS REGULAR MEETING
7:00 p.m., Thursday, June 20, 2019
Board Room, 1970 9th Avenue, Olivehurst

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 – Meeting was called to order at 7:00 p.m. by Director Burbank.

2. Pledge of Allegiance

3. Roll Call

Directors present: Director White, Director Carpenter, Director Burbank, and Director Floe
Directors absent: Director Griego

Also Present: John Tillotson, General Manager; Christopher Oliver, Public Works Engineer; Karin Helvey, Financial Manager; Randy York, Battalion Chief; Greg Axline, Wastewater Chief Plant Operator; Deirdre Joan Cox, Legal Counsel; Elizabeth Mallen, District Clerk/Executive Assistant; Larry Teal, Utility Operator III and Family; Nick Pomeroy, Utility Operator III and Family; Dennis Christie, Olivehurst Fire Department Videographer; Steven Fordice, RD784 General Manager; Kimberley Floyd, RD 784 Administrative Assistant; Anthony Altemoor.

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 May 16, 2019 Regular Meeting](#)
- 5.2. [Approve Minutes of the June 5, 2019 Special Meeting](#)
- 5.3. [Approve May 2019 Claims for Payment.](#)
- 5.4. [Approve May 2019 Overtime Report](#)
- 5.5. [Approve of Resolution No. 2340, a Resolution to determine the appropriations of tax proceeds for 2019-2020](#)

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

Ayes: Directors White, Carpenter, Burbank, Floe

Noes: None

Absent: Director Griego

6. District Business

- 6.1. Employee Achievement Recognition. – D/A

Employees Larry Teal and Nick Pomeroy were recognized for the achievement of their Wastewater Treatment Grade 4 licenses. No motion was made.

- 6.2. [Consider adopting a resolution regarding the vote of the Olivehurst Public Utility District in the RD 784 Assessment Special Election. – D/A](#)

A motion was made by Director Carpenter and seconded by Director Floe to adopt a resolution regarding the vote of the Olivehurst Public Utility District in the RD 784

Assessment Special Election. The motion passed as follows:

Ayes: Directors White, Carpenter, Burbank, Floe

Noes: None

Absent: Director Griego

Item 7.10 was discussed at this time. See item 7.10 for outcome.

- 6.3. [Consider sending a Letter of Opposition regarding SB 13 - Development Impact Fee Prohibitions. – D/A](#)

A motion was made by Director Floe and seconded by Director White to approve District Clerk and Legal Counsel to send a Letter of Opposition regarding SB 13 - Development Impact Fee Prohibitions. The motion passed as follows:

Ayes: Directors White, Carpenter, Burbank, Floe

Noes: None

Absent: Director Griego

6.4. [Authorize scheduling the Public Hearing for the Direct Assessment of Delinquent Water/Sewer Charges. – D/A](#)

A motion was made by Director White and seconded by Director Carpenter to schedule the Public Hearing for the Direct Assessment of Delinquent Water/Sewer Charges on July 18, 2019. The motion passed as follows:

Ayes: Directors White, Carpenter, Burbank, Floe

Noes: None

Absent: Director Griego

6.5. [Consider updating existing policy to make the property owner ultimately responsible for his/her tenants final bill. – D/A](#)

A motion was made by Director Floe and seconded by Director Carpenter to update existing policy to make the property owner ultimately responsible for his/her tenants final bill. The motion passed as follows:

Ayes: Directors White, Carpenter, Burbank, Floe

Noes: None

Absent: Director Griego

6.6. [Consider request by a commercial/Industrial customer to have wastewater treatment facility and collections system capacity fees reduced if actual flow/strength is less than proposed. – D/A](#)

A motion was made by Director Carpenter and seconded by Director White to approve the request by a commercial/Industrial customer to have wastewater treatment facility and collections system capacity fees reduced if actual flow/strength is less than proposed. The motion passed as follows:

Ayes: Directors White, Carpenter, Burbank, Floe

Noes: None

Absent: Director Griego

6.7. [Consider allowing the Public Works Engineer to be an editor on the OPUD Facebook Page. – D/A](#)

A motion was made by Director White and seconded by Director Carpenter to allow the Public Works Engineer to be an editor on the OPUD Facebook Page. The motion passed as follows:

Ayes: Directors White, Carpenter, Burbank, Floe

Noes: None

Absent: Director Griego

6.8. [Discuss possible Board Member attendance to Salmon Run Community Outreach event. – D/A](#)

Directors discussed this item. No motion was made.

6.9. Review Fee Waivers Granted June 2019. – D/A

Directors discussed this item. No motion was made.

7. Public Works

Water

7.1. [Consider approving change order from All-American Construction, Inc. for the 7th Avenue Fire Hydrant Relocation project. – D/A](#)

A motion was made by Director Carpenter and seconded by Director Floe to approve the change order from All-American Construction, Inc. for the 7th Avenue Fire Hydrant Relocation project. The motion passed as follows:

Ayes: Directors White, Carpenter, Burbank, Floe

Noes: None

Absent: Director Griego

7.2. [Consider adopting resolution allowing OPUD's representatives to apply for grant funding for Steel Main Replacement Project. – D/A](#)

A motion was made by Director Floe and seconded by Director White to adopt a resolution allowing OPUD's representatives to apply for grant funding for Steel Main Replacement Project. The motion passed as follows:

Ayes: Directors White, Carpenter, Burbank, Floe

Noes: None

Absent: Director Griego

Wastewater

7.3. [Consider the amendment of Sewer Ordinance 209, known as the "Olivehurst Public Utility District Sewer Use Ordinance". – D/A](#)

A motion was made by Director White and seconded by Director Floe to introduce, read by title only, and waive further reading of Revised Sewer Ordinance 209 known as the "Olivehurst Public Utility District Sewer Use Ordinance". The motion passed as follows:

Ayes: Directors White, Carpenter, Burbank, Floe

Noes: None

Absent: Director Griego

7.4. [Consider awarding contract to MHM/Jacobs for Wastewater Study in South Yuba County for Task Order 01 and Consider supplemental Services in Task Order 02. – D/A](#)

A motion was made by Director Carpenter and seconded by Director Floe to award the contract to MHM/Jacobs for Wastewater Study in South Yuba County for Task Order 01 and approve the supplemental Services in Task Order 02. The motion passed as follows:

Ayes: Directors White, Carpenter, Burbank, Floe

Noes: None

Absent: Director Griego

7.5. [Consider the purchase of a Case skid steer model 340 through NJPA Sourcewell. – D/A](#)

A motion was made by Director Floe and seconded by Director Carpenter to approve the purchase of a Case skid steer model 340 through NJPA Sourcewell. The motion passed as follows:

Ayes: Directors White, Carpenter, Burbank, Floe

Noes: None

Absent: Director Griego

7.6. [Consider awarding contract to Brown Bear for purchase of XPR24-8' Compost Aerator. – D/A](#)

A motion was made by Director Floe and seconded by Director White to award the contract to Brown Bear for purchase of XPR24-8' Compost Aerator. The motion passed as follows:

Ayes: Directors White, Carpenter, Burbank, Floe

Noes: None

Absent: Director Griego

7.7. [Consider changing language in Standard 5 and Details 5-15, 5-16, 5-19, 5-20, and 7-01 of OPUD's Specifications and Details to better suit the current needs and operations of the District. – D/A](#)

A motion was made by Director Floe and seconded by Director Carpenter to approve changing language in Standard 5 and Details 5-15, 5-16, 5-19, 5-20, and 7-01 of OPUD's Specifications and Details to better suit the current needs and operations of the District. The motion passed as follows:

Ayes: Directors White, Carpenter, Burbank, Floe

Noes: None

Absent: Director Griego

Parks

7.8. [Consider awarding contract to JetMulch for OPUD Parks Fall Material in the amount of \\$29,515.20. – D/A](#)

A motion was made by Director Carpenter and seconded by Director White to award the contract to JetMulch for OPUD Parks Fall Material in the amount of \$29,515.20. The motion passed as follows:

Ayes: Directors White, Carpenter, Burbank, Floe

Noes: None

Absent: Director Griego

7.9. [Discuss adding shade cover and picnic tables to courtyard adjacent to OPUD office for all-season employee break area \(Strategic Plan 6.0\). – D/A](#)

Directors discussed this item. No motion was made.

7.10. [Discuss OPUD's Parks Grant status and gather feedback from the Community on Park Design. – D/A](#)

Anthony Altemoor spoke to Directors regarding this item. No motion was made.

8. [Fire Department](#)

8.1. [Consider approval of the memorandum of understanding \(MOU\) between Olivehurst Public Utility District and Olivehurst Fire Local 4976 \(Strategic Plan 4.0, 6.0\). – D/A](#)

A motion was made by Director Floe and seconded by Director White to approve the memorandum of understanding (MOU) between Olivehurst Public Utility District and Olivehurst Fire Local 4976. The motion passed as follows:

Ayes: Directors White, Carpenter, Burbank, Floe

Noes: None

Absent: Director Griego

8.2. [Consider authorizing staff to surplus a 1997 HME fire truck and the 2004 Chevy Tahoe using OPUD policy and procedures. – D/A](#)

A motion was made by Director Carpenter and seconded by Director Floe to authorize staff to surplus a 1997 HME fire truck and the 2004 Chevy Tahoe using OPUD policy and procedures. The motion passed as follows:

Ayes: Directors White, Carpenter, Burbank, Floe

Noes: None

Absent: Director Griego

8.3. [Consider Resolution No. 2343, authorizing collection of California Heartlands fire suppression assessment \(Strategic Plan 5.3 & 5.4\). – D/A](#)

A motion was made by Director White and seconded by Director Floe to approve Resolution No. 2343, authorizing collection of California Heartlands fire suppression assessment. The motion passed as follows:

Ayes: Directors White, Carpenter, Burbank, Floe

Noes: None

Absent: Director Griego

9. [Business Office](#)

9.1. [Consider adopting the FY 2019-2020 Preliminary Budget \(Strategic Plan 5.3 & 5.4\). – D/A](#)

A motion was made by Director Floe and seconded by Director Carpenter to adopt the FY 2019-2020 Preliminary Budget. The motion passed as follows:

Ayes: Directors White, Carpenter, Burbank, Floe

Noes: None

Absent: Director Griego

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

Directors discussed this item. No motion was made.

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

Directors discussed this item. No motion was made.

10. [Board Committee Schedule](#)

10.1. July 2019 Committee Meeting Schedule.

10.1.1. Fire & Safety Committee – Tuesday, July 2, 2019 at 4:00 p.m.

10.1.2. Parks & Recreation Committee – Tuesday, July 2, 2019 at 5:00 p.m.

10.1.3. Water & Wastewater Committee – Wednesday, July 3, 2019 at 5:45 p.m.

10.1.4. Special Meeting – Tuesday, July 2, 2019 at 4:45 p.m.

10.1.5. [Parks Workshop Schedule](#)

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

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

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

11.3. [June Water & Wastewater Department Committee Report](#)

11.4. [District Safety Officer Report](#)

11.5. Report from the General Manager.

11.6. Report from Legal Counsel.

11.7. Reports from Directors.

11.8. Public comment.

General Manager gave a report.

Legal Counsel gave a report.

Director Burbank gave a report.

12. [Closed Session](#) – Closed Session was convened at 8:37 p.m.

12.1. 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.

12.2. Conference with Legal Counsel – Anticipated Litigation pursuant to Government Code § 54956.9(d)(3)

12.3. Conference with Legal Counsel – Significant exposure to litigation pursuant to Government Code § 54956.9(d)(2): one case

~~12.4. Closed Session: Government Code § 54957 – It is the intention of the Board to meet regarding Public Employee Performance Evaluation: General Manager~~

~~12.5. Closed Session: Government Code § 54957 – It is the intention of the Board to meet regarding Public Employee Performance Evaluation: Legal Counsel~~

13. [Meeting Reconvened](#) – Closed Session was adjourned at 8:46 p.m.

13.1. Announcement of reportable actions taken in closed session.

No reportable actions.

14. Adjourn

14.1. Entertain motion to adjourn.

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

Ayes: Directors White, Carpenter, Burbank, Floe

Noes: None

Absent: Director Griego

The meeting was adjourned at 8:46 p.m.