

Revision 1

AGENDA
OLIVEHURST PUBLIC UTILITY DISTRICT (OPUD)
BOARD OF DIRECTORS REGULAR MEETING
7:00 p.m., Thursday, February 16, 2023
LOCATION: Hybrid Board Meeting

OPUD Board meetings will be conducted at its regular in-person meeting location in the Board Chambers, 1970 9th Avenue, Olivehurst, for the public to attend. Attendance will be limited to 50 percent of room capacity (no more than 20 persons), and it is strongly recommended that all in-person attendees wear face coverings and social distance as recommended by public health authorities.

All attendees are encouraged to be fully vaccinated.

Meetings will also continue to be streamed live and members of the public may participate remotely as described below.

Accordingly, on the day of the meeting you will have the option to:

- Attend via Zoom, using the procedure outlined below.
- Participate in person, as noted above.

If you anticipate wanting to speak during the meeting, please join in advance of public comment time.

To submit public comment during the meeting, please join us in person or on Zoom.

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 Hybrid 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 Board Clerk will select you from the meeting cue. Please be patient while waiting in the cue.

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 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 Nelson

2. Pledge of Allegiance

3. Roll Call

Directors Present: Director Burbank, Director Floe, Director Griego, Director Perrault, and Director Nelson

Directors Absent: None

Also Present: John Tillotson, General Manager; Karin Helvey, Financial Manager; Cindy Van Meter, Office Manager/HR Coordinator; Deirdre Joan Cox, Legal Counsel; 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 the 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 to 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

Moved to item 9.1

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 January 19, 2023, Regular Meeting.](#)

5.2. [Approve Minutes of the February 1, 2023, Special Meeting.](#)

**D/A - Discussion/Action

- 5.3. [Approve January 2023 Claims for Payment.](#)
- 5.4. [Approve January 2023 Overtime Report.](#)
- 5.5. [Review Revenue and Expenditure Summary January 26, 2023, FY 2022-2023 \(Strategic Plan 5.3 & 5.4\).](#)
- 5.6. [Review Water Sales January 2016 to January 2023 \(Strategic Plan 5.1, 5.3\).](#)
- 5.7. [Review Service Water Account Analysis January 2023 \(Strategic Plan 5.1, 5.3\).](#)
- 5.8. [Review Invoice Cloud Activity through February 9, 2023 \(Strategic Plan 5.1, 5.3\).](#)
- 5.9. [Approve OPUD Resolution No. 2416 - A Resolution Authorizing Teleconference Meetings in Compliance with AB 361.](#)
- 5.10. Approve merit increase for Bri Anne Ritchie, District Clerk/Executive Assistant, Step 4 to Step 5, retroactive to February 3, 2023.
- 5.11. Entertain motions for approval of consent agenda and take roll as appropriate.

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

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

6. District Business

- 6.1. [Authorize annual Construction Cost Index Water, Wastewater Treatment Facility \(WWTF\), and Wastewater Collection Capacity Fee adjustment for all areas under Exhibit A for the following Resolutions: Resolution No. 2065 Exhibit A & subsequent Resolution No. 2110 Exhibit A; Resolution No. 2067 Exhibit A & subsequent Resolution No. 2112 Exhibit A; Resolution No. 2119 Exhibit A; Resolution No. 2115 Exhibit A & subsequent Resolution No. 2215 Exhibit A; and Resolution No. 2216 Exhibit A – 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 authorizing the annual Construction Cost Index Water. Wastewater Treatment Facility (WWTF), and Wastewater Collection Capacity Fee adjustment for all areas under Exhibit A for the following Resolutions: Resolution No. 2065 Exhibit A & subsequent Resolution No. 2110 Exhibit A; Resolution No. 2067 Exhibit A & subsequent Resolution No. 2112 Exhibit A; Resolution No. 2119 Exhibit A; Resolution No. 2115 Exhibit A & subsequent Resolution No. 2215 Exhibit A; and Resolution No. 2216 Exhibit A. The motion passed as follows:

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

- 6.2. Receive an update on water shutoffs – D/A
 - 6.2.1. Public comment
 - 6.2.2. Questions/comments from Directors
 - 6.2.3. Entertain motions and take roll as appropriate

Directors received an update. No motion was made.

7. Public Works

Parks

7.1. [Consider approving the reimbursement to Legacy Homes per the Parks Development Agreement for Riverside Meadows Park – 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 Griego and seconded by Director Burbank approving the reimbursement to Legacy Homes per the Parks Development Agreement for Riverside Meadows Park. The motion passed as follows:

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

Noes: None

Absent: None

Water/Wastewater

7.2. Receive update on South County infrastructure – 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. Receive an update on the lift station at River Oaks and Zanes in Plumas Lake – 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 accepting River Oaks North Lift Station and transfer of ownership from Lennar Homes to OPUD – 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 Griego and seconded by Director Floe accepting River Oaks North Lift Station and transfer ownership from Lennar Homes to OPUD. The motion passed as follows:

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

Noes: None

Absent: None

8. Fire Department

8.1. [Consider approving staff to sign new purchase order with BME to stay under contract #1-17-23-21B for the purchase of the new Type 3 engine – 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 Griego approving staff to sign new purchase order with BME to stay under contract #1-17-23-21B for the purchase of the new Type 3 engine. The motion passed as follows:

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

Noes: None

Absent: None

9. Business Office

9.1. Consider approving customer request for consideration of billing issues to reduce monthly bill – 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 Floe and seconded by Director Burbank approving the first customer's request for consideration only after the grant has been applied for. If they do not receive the grant, charges that are above the average January charge will be waived. The motion passed as follows:

Ayes: Directors Burbank, Floe, Perrault, and Nelson

Noes: None

Absent: None

Abstain: Director Griego

A motion was made by Director Perrault and seconded by Director Griego approving the second customer's request for consideration by dismissing the \$4.49 penalty and splitting the \$75 fee with the customer. Meaning the customer will be responsible for \$37.50. The motion passed as follows:

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

Noes: None

Absent: None

The Directors took a field trip to look at the upgrades to the fire station. Upon return, moved to item 5.

10. Human Resources

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

10.1.1. Public comment

10.1.2. Questions/comments from Directors

10.1.3. Entertain motions and take roll as appropriate

Directors received an update. No motion was made.

10.2. Consider authorizing the General Manager to fill the vacant Firefighter position in accordance with District policies – D/A

10.2.1. Public comment

- 10.2.2. Questions/comments from Directors
- 10.2.3. Entertain motions and take roll as appropriate

A motion was made by Director Floe and seconded by Director Griego authorizing the General Manager to fill the vacant Firefighter position in accordance with District policies. The motion passed as follows:

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

10.3. [Consider authorizing the General Manager to establish a new Operator in Training \(OIT\) position and fill in accordance with District policies – D/A](#)

- 10.3.1. Public comment
- 10.3.2. Questions/comments from Directors
- 10.3.3. Entertain motions and take roll as appropriate

A motion was made by Director Floe and seconded by Director Griego authorizing the General Manager to establish a new Operator in Training (OIT) position and fill in accordance with District policies. The motion passed as follows:

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

10.4. Consider approving a merit increase for Erik Rodriguez, Collections Operator I, Step 4 to Step 5 retroactive to February 6, 2023 – D/A

- 10.4.1. Public comment
- 10.4.2. Questions/comments from Directors
- 10.4.3. Entertain motions and take roll as appropriate

A motion was made by Director Griego and seconded by Director Burbank approving a merit increase for Erik Rodriguez, Collections Operator I, Step 4 to Step 5, retroactive to February 6, 2023. The motion passed as follows:

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

10.5. [Consider ratify revised Side Letter Amendment to OE3 Utility Unit MOU \(Strategic Plan Goal 6.1: Recruit and Retain High Performing Workforce\) – D/A](#)

- 10.5.1. Public comment
- 10.5.2. Questions/comments from Directors
- 10.5.3. Entertain motions and take roll as appropriate

A motion was made by Director Burbank and seconded by Director Floe approving the ratify revised Side Letter Amendment and to OE3 Utility MOU (Strategic Plan Goal 6.1: Recruit and Retain High Performing Workforce). The motion passed as follows:

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

Noes: None
Absent: None

10.6. [Consider approving the attached amendments to the OPUD Policies & Procedures Manual for the Board of Directors to update Section B-70 and related attachments – Appointment in Event of Board Vacancy – D/A](#)

- 10.6.1. Public comment
- 10.6.2. Questions/comments from Directors
- 10.6.3. Entertain motions and take roll as appropriate

A motion was made by Director Perrault and seconded by Director Burbank approving the attached amendment to the OPUD Policies & Procedures Manual for the Board of Directors to update Section B-70 and related attachments – Appointment in Event of Board Vacancy. The motion passed as follows:

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

11. [Board Committee Schedule](#)

- 11.1. March 2023 Committee Meeting Schedule.
 - 11.1.1. Fire & Safety Committee – Tuesday, February 28, 2023, at 4:00 p.m.
 - 11.1.2. Parks & Recreation Committee – Tuesday, February 28, 2023, at 5:00 p.m.
 - 11.1.3. Water & Wastewater Committee – Wednesday, March 1, 2023, at 5:45 p.m.

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

- 12.1. [February Fire Department Committee Report.](#)
- 12.2. [February Parks Department Committee Report.](#)
- 12.3. [February 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 was convened at 8:18 p.m.

- 14.1. CONFERENCE WITH LEGAL COUNSEL – Significant Exposure to Litigation pursuant to Government Code Section 54956.9(d)(2): Number of potential cases: two.
- 14.2. 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
- 14.3. 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

14.4. 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: To be Determined

Name of Employee Organization: Management Professional Employees Association (MPEA)

15. Meeting Reconvened – Closed session was adjourned at 8:59 p.m.

15.1. Announcement of reportable actions taken in closed session.

Reportable action on item 14.4 – 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: To be Determined

Name of Employee Organization: Management Professional Employees Association (MPEA)

Per Director Nelson, Agency Designated Representative is assigned to the General Manager, John Tillotson. The motion passed as follows:

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

Noes: None

Absent: None

16. Adjourn

16.1. Entertain motion to adjourn.

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

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

Noes: None

Absent: None

The meeting adjourned at 9:00 p.m.