

AGENDA
OLIVEHURST PUBLIC UTILITY DISTRICT (OPUD)
BOARD OF DIRECTORS REGULAR MEETING
7:00 p.m., Thursday, October 15, 2020
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 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 cvanmeter@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 cvanmeter@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 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 Floe, Director Burbank
Directors Absent: Director Griego

Also Present: John Tillotson, General Manager; Christopher Oliver, Public Works Engineer; 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: Mark Perrault; Chris Robles; 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.

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.

A motion was made by Director Carpenter and seconded by Director White to add an item authorizing the advertising, interviewing, and establishing of an eligibility list in accordance with District policies for the position of Fire Captain 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. The motion passed as follows:

**D/A - Discussion/Action

Ayes: Directors White, Carpenter, Floe, Burbank.

Noes: None.

Absent: Director Griego.

The item was added to the agenda after Item 7.3. 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 September 17, 2020 Regular Meeting](#)

5.2. [Approve September 2020 Claims for Payment.](#)

5.3. [Approve September 2020 Overtime Report.](#)

5.4. [Review Revenue and Expenditure Summary Aug 25, 2020 FY 2021 \(Strategic Plan 5.3 & 5.4\).](#)

5.5. [Review Water Sales September 2015 to September 2020 \(Strategic Plan 5.1, 5.3\).](#)

5.6. [Review Invoice Cloud Activity through October 6, 2020 \(Strategic Plan 5.1, 5.3\).](#)

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

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, Floe, and Burbank.

Noes: None.

Absent: Director Griego.

New agendized Item was discussed at this time. See new Item after Item 7.3.

6. District Business

6.1. Public Hearing for the annexation of River Oaks South to CFD 2005-2 for Parks Maintenance – D/A

6.1.1. Open the Public Hearing. – The Public Hearing was opened at 7:06 p.m.

6.1.2. Confirmation of required notice by law.

6.1.3. Confirmation of written comments/protests.

6.1.4. Staff Presentation.

6.1.5. Public Comment

There were no written comments or protests received and no public comment. The Public Hearing closed at 7:09 p.m.

6.1.6. [Consider approving OPUD Resolution 2361, a resolution calling an election to vote on the annexation of River Oaks South into OPUD CFD 2005-2 for parks maintenance \(annexation 8\) – D/A](#)

6.1.6.1. Public comment

6.1.6.2. Questions/comments from Directors

6.1.6.3. Entertain motions and take roll as appropriate

A motion was made by Director Carpenter and seconded by Director White to approve OPUD Resolution 2361, a resolution calling an election to vote on the

annexation of River Oaks South into OPUD CFD 2005-2 for parks maintenance (annexation 8). The motion passed as follows:
Ayes: Directors White, Carpenter, Flow, and Burbank.
Noes: None.
Absent: Director Griego.

6.1.7. [Consider approving OPUD Resolution 2362, a resolution declaring election results for vote on the annexation of River Oaks South into OPUD CFD 2005-2 for parks maintenance \(annexation 8\) – D/A](#)

- 6.1.7.1. Public comment
- 6.1.7.2. Questions/comments from Directors
- 6.1.7.3. Entertain motions and take roll as appropriate

A motion was made by Director White and seconded by Director Carpenter to approve OPUD Resolution 2362, a resolution declaring election results for vote on the annexation of River Oaks South into OPUD CFD 2005-2 for parks maintenance (annexation 8). The motion passed as follows:
Ayes: Directors White, Carpenter, Flow, Burbank.
Noes: None.
Absent: Director Griego.

6.1.8. [Consider waiving the first and second reading and the adoption of OPUD Ordinance 213, levying the tax on River Oaks South for OPUD CFD 2005-2 for parks maintenance \(annexation 8\) – D/A](#)

- 6.1.8.1. Public comment
- 6.1.8.2. Questions/comments from Directors
- 6.1.8.3. Entertain motions and take roll as appropriate

A motion was made by Director Carpenter and seconded by Director Floe to waive the first and second reading of Ordinance 213, levying the tax on River Oaks South for OPUD CFD 2005-2 for parks maintenance (annexation 8) in its entirety and only read the title. A motion was made by Director Carpenter and seconded by Director Floe to approve the aforementioned Ordinance. The motion passed as follows:
Ayes: Directors White, Carpenter, Floe, Burbank.
Noes: None.
Absent: Director Griego.

6.2. Public Works

Parks

6.3. [Consider approving OPUD specifications for park irrigation controller cellular connectivity \(Strategic Plan 3.0\) – 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 Flow and seconded by Director White to approve the specifications for park irrigation controller cellular connectivity. The motion passed as follows:
Ayes: Directors White, Carpenter, Floe, Burbank.
Noes: None.

Absent: Director Griego.

6.4. [Consider approving agreement with River Oaks Plumas Development LLC for park development in Villages 1, 2 and 3 \(Strategic Plan 3.0\)](#)

- 6.4.1. Public comment
- 6.4.2. Questions/comments from Directors
- 6.4.3. Entertain motions and take roll as appropriate

A motion was made by Director Floe and seconded by Director Carpenter to approve the agreement with River Oaks Plumas Development LLC for park development in Villages 1, 2, and 3. The motion passed as follows:

Ayes: Directors White, Carpenter, Floe, Burbank.

Noes: None.

Absent: Director Griego.

Water/Wastewater

6.5. [Receive update on South County infrastructure and consider approving amendment to design funding agreement with Yuba Water Agency \(Strategic Plan 1.0\) – D/A](#)

- 6.5.1. Public comment
- 6.5.2. Questions/comments from Directors
- 6.5.3. Entertain motions and take roll as appropriate

A motion was made by Director White and seconded by Director Floe approving the amendment to design funding agreement with the Yuba Water Agency. The motion passed as follows:

Ayes: Directors White, Carpenter, Floe, Burbank.

Noes: None.

Absent: Director Griego.

6.6. [Consider approving OPUD Resolution 2360, a resolution adopting the 2018 Interregional Water Management Plan for grant funding – D/A](#)

- 6.6.1. Public comment
- 6.6.2. Questions/comments from Directors
- 6.6.3. Entertain motions and take roll as appropriate

A motion was made by Director Carpenter and seconded by Director Floe to approve OPUD Resolution 2360, adopting the 2018 Interregional Water Management Plan for grant funding. The motion passed as follows:

Ayes: Directors White, Carpenter, Floe, Burbank.

Noes: None.

Absent: Director Griego.

7. Human Resources

7.1. [Consider approving the proposed Wastewater Collection Operator II/Construction Inspector II position and Utility Worker/Construction Inspector I position descriptions with proposed salaries and authorizing filling positions via District policies – 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 Floe and seconded by Director White approving the proposed Wastewater Collection Operator II/Construction Inspector II position and Utility Worker/Construction Inspector I position descriptions with proposed salaries and authorizing filling positions via District policies subject to a meet and confer with the Union. The motion passed as follows:

Ayes: Directors White, Carpenter, Floe, Burbank.

Noes: None.

Absent: Director Griego.

7.2. [Consider deactivation of unused positions, as presented – 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 Carpenter and seconded by Director White approving the deactivation of unused positions as presented. The motion passed as follows:

Ayes: Directors White, Carpenter, Floe, Burbank.

Noes: None

Absent: Director Griego.

7.3. [Consider approving the succession plan and retirement for Karl Cozad, Operations Manager \(Strategic Plan 6.0\) – 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 Floe and seconded by Director Carpenter approving the succession plan and retirement for Karl Cozad, Operations Manager. The motion passed as follows:

Ayes: Directors White, Carpenter, Floe, Burbank.

Noes: None.

Absent: Director Griego.

Consider authorizing the advertising, interviewing, and establishing of an eligibility list in accordance with district policies for the position of Fire Captain. – D/A

A motion was made by Director Carpenter and seconded by Director White to authorize advertising, interviewing, and establishing an eligibility list for a Fire Captain position. The motion passed as follows:

Ayes: Directors White, Carpenter, Floe, Burbank.

Noes: None.

Absent: Director Griego.

8. Board Committee Schedule

8.1. November 2020 Committee Meeting Schedule.

8.1.1. Fire & Safety Committee – Tuesday, November 3, 2020 at 5:00 p.m.

8.1.2. Parks & Recreation Committee – Tuesday, November 3, 2020 at 4:00 p.m.

8.1.3. Water & Wastewater Committee – Wednesday, November 4, 2020 at 5:45 p.m.

9. Reports (non-action items)

- 9.1. [October Fire Department Committee Report](#)
- 9.2. [October Parks Department Committee Report](#)
- 9.3. [October Water & Wastewater Department Committee Report](#)
- 9.4. Report from the General Manager.
- 9.5. Report from Legal Counsel.
- 9.6. Reports from Directors.
- 9.7. Public comment.

10. Correspondence

- 10.1. [Brown Act Update – AB-922 Open meetings: local agencies: social media](#)

11. Closed Session – Closed session was convened at 7:42 p.m.

- 11.1. 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

- 11.2. Conference with Legal Counsel – Significant Exposure to Litigation pursuant to Government Code Section 54956.9(d)(2): Number of potential cases: one.

12. Meeting Reconvened – Board meeting was reconvened at 8:02 p.m.

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

No reportable actions.

13. Adjourn

- 13.1. Entertain motion to adjourn.

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

Ayes: Director White, Carpenter, Floe, Burbank.

Noes: None.

Absent: Director Griego.