

**HEBER PUBLIC UTILITY DISTRICT  
BOARD OF DIRECTORS  
1078 Dogwood Rd., Suite 104  
Heber, CA, 92249**

**SPECIAL MEETING**

**Thursday, August 27, 2020 at 3:00 p.m.**

**MINUTES**

**THIS MEETING WILL BE HELD IN ACCORDANCE WITH EXECUTIVE ORDER N-29-20 ISSUED BY CALIFORNIA GOVERNOR GAVIN NEWSOM ON MARCH 17,2020, THE RALPH M. BROWN ACT (*California Government Coe Section 5485950, et Seq.*), and the Federal Americans with Disabilities Act.**

**THIS MEETING WILL NOT BE PHYSICALLY OPEN TO THE PUBLIC. ALL MEMBERS OF THE PUBLIC MAY ATTEND THE BOARD MEETING VIA THE APPLICATION, ZOOM UNTIL FURTHER NOTICE. YOU MAY ALSO CALL INTO THE MEETING, FOR AUDIO ONLY PARTICIPATION, BY CALLING (760) 482-2447.**

**ZOOM MEETING INFORMATION:**

**WEBSITE: <https://zoom.us/join>**

**MEETING ID: 796-978-5637**

**CALL IN PHONE NUMBER: (760) 482-2447**

The District recognizes its obligation to provide equal access to those individuals with disabilities. Please contact the District (760-482-2440) two working days prior to the meeting with any special requests for reasonable accommodation.

- 1. CALL TO ORDER:**  
The meeting was called to order by President Cardenas at 3:10pm
- 2. ROLL CALL:**  
Present at the zoom meeting were: President M. Cardenas, Vice President K. Garcia, Directors P. Tabarez, T. Sandoval, and M. Nolasco. Also present was General Manager Laura Fischer and District Counsel Steve Walker.
- 3. PLEDGE OF ALLEGIANCE:**  
The Pledge of Allegiance was let by President Cardenas
- 4. APPROVAL OF AGENDA:**  
A motion to approve the agenda was made by Director P. Tabarez and seconded by Director K. Garcia. Motion carried 5/0.

Ayes: Cardenas, Tabarez, Garcia, Sandoval, Nolasco  
Nay: NONE

**5. PUBLIC PRESENTATIONS/COMMENT: NONE**

The Board may set time limits on the amount of time any speaker can use to address the Board. Members of the public are allowed to make comments about anything not listed on the agenda. If the comments concern an agenda item, they must wait until that item is up for discussion. If you wish to address the Board, please fill out a "Request to Speak Form" and hand it to the Clerk of the Board and when recognized by the President of the Board, go to the podium and address the Board. The Board can't take action on any item not on the agenda.

**6. CLOSED SESSION:**

**A motion was made to move into Closed Session by Director P. Tabarez, seconded by Director K. Garcia. Motion carried 5/0. Motion was made at 3:14pm.**

Ayes: Cardenas, Tabarez, Garcia, Sandoval, Nolasco  
Nay: NONE

**ZOOM MEETING INSTRUCTIONS**

To ensure privacy during Closed Session, we will observe the following procedures:

- A separate, private Zoom meeting for Closed Session will be created.
- Once a motion to move to Closed Session is approved in the public Zoom meeting, participants in Closed Session will exit the public meeting.
- Staying in the Zoom app, participants in Closed Session will then join the private meeting created for Closed Session.
- Closed Session is done securely in private.
- Once Closed Session is complete, participants will leave the private Zoom meeting and re-join the public meeting using their panelist join-link for any potential report from Closed Session and adjournment in front of the public.

- A. Government Code Section § 54956.9(c)
  - a) Initiation of litigation – One Matter

A motion was made to go back into Open Session at 3:50 by Director P. Tabarez and seconded by Director T. Sandoval. Motion passed 5/0.

Ayes: Cardenas, Tabarez, Garcia, Sandoval, Nolasco  
Nay: NONE

**OPEN SESSION:**

District Counsel, Steve Walker, reported that in Closed Session a motion was made by Director T. Sandoval and seconded by Director K. Garcia. Motion passed 5/0.

Ayes: Cardenas, Tabarez, Garcia, Sandoval, Nolasco  
Nay: NONE

The motion directed District Counsel to initiate CEQA litigation with respect to the El Toro Expansion Project.

**7. ADJOURNMENT:**

A motion to adjourn was made by Director T. Sandoval and seconded by Director P. Tabarez. Motion was made at 3:56pm and passed with a vote of 5/0.

Ayes: Cardenas, Tabarez, Sandoval, Nolasco and Garcia  
Nay: NONE

Minutes were prepared by General Manager, Laura Fischer.

Heber Public Utility District is an equal opportunity provider and employer.