

**HEBER PUBLIC UTILITY DISTRICT
AND THE
THE HEBER MEADOWS CFD 2005-1
BOARD OF DIRECTORS**

**1078 Dogwood Rd., Suite 104
Heber, CA, 92249**

Thursday, November 18, 2021, at 6:00 p.m.

MINUTES

Members of the public may attend this meeting in person or via the application Zoom.

THIS MEETING WILL BE HELD IN PERSON, AND 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 Code Section 5485950, et Seq.), and the Federal Americans with Disabilities Act.

THE HEBER PUBLIC UTILITY DISTRICT ADOPTED RESOLUTION 2021-12 PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY PROCLAMATION DATED MARCH 4, 2021 AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE HEBER PUBLIC UTILITY DISTRICT BOARD OF DIRECTORS FOR THE PERIOD OF THIRTY DAYS PURSUANT TO BROWN ACT PROVISIONS

THIS MEETING WILL BE PHYSICALLY OPEN TO THE PUBLIC. ALL MEMBERS OF THE PUBLIC MAY ATTEND THE BOARD MEETING IN PERSON OR VIA THE APPLICATION, ZOOM UNTIL FURTHER NOTICE. YOU MAY ALSO CALL INTO THE MEETING, FOR AUDIO ONLY PARTICIPATION, BY CALLING 1 (669) 900-6833 OR 1 (760) 336-1572.

ZOOM MEETING INFORMATION:

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

MEETING ID: 796-978-5637

CALL IN PHONE NUMBER: 1 (669) 900-6833 or 1 (760) 336-1572

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

CALL TO ORDER:

1. The meeting of the Heber Public Utility District was called to order at 6:04pm.

2. **ROLL CALL:**

Those attending the meeting included: President Tabarez, Director Cardenas, Director Diaz-Molina, and Director Sandoval. Director Garcia arrived at 6:07pm.

3. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was let by President Tabarez

4. APPROVAL OF AGENDA:

Motion to approve was made by Director Sandoval with the following changes. Pull Item 8.F. and place on the next agenda. The motion was seconded by Director Cardenas. Motion passed as follows:

AYES: Sandoval, Cardenas, Tabarez

Absent: Garcia

Abstain: Diaz-Molina

Noes: None

The motion passed 3-2.

5. PUBLIC COMMENTS: 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. CONSENT AGENDA: Any item on the Consent Agenda may be removed and placed under New Business at the request of any Board Member or member of the Public.

- A. Approve Minutes for the Special Meeting of October 13, 2021 and the Regular Meeting of October 21, 2021.
- B. Approve Current Demands for October 2021.
- C. Ratify Resolution 2021-12 Adopted by Heber Public Utility District on October 21, 2021, proclaiming a local emergency, ratifying the proclamation of a State of Emergency by Proclamation Dated March 4, 2021 and authorizing remote teleconference meetings of the Heber Public Utility District Board of Directors for the period of thirty days pursuant to Brown Act Provisions.
- D. Authorize the General Manager to execute the Agreement between the County of Imperial and Heber Public Utility District and Nobel Systems, Inc. to perform web hosting services in connection with the Imperial County Geographic Information System and the Members.

- E. Authorize the General Manager to execute the Funding Agreement between the District and Imperial Irrigation District Local Entity for the Amount of \$5,000.00 – General Manager.

A motion was made to approve the Consent Agenda was made by Director Sandoval, seconded by Director Cardenas. Motion passed with a vote of 5-0.

AYES: Sandoval, Garcia, Cardenas, Diaz-Molina, Tabarez
Noes: None

7. REPORTS:

- A. President and Director’s Comments
Directors Cardenas, Garcia, and Tabarez thanked staff for the Fall Fiesta.
- B. Operations Report for October 2021
- C. General Manager’s Report
- D. Fall Fiesta Update
Director Sandoval commented that the Fall Fiesta has a large budget and requested that staff work to increase sponsorship and reduce expenditures for the Fiesta in 2022.
- E. Children’s Park Report
Director Sandoval requested an update on the schedule. Staff will provide in December.

8. NEW BUSINESS: Discussion and Possible Action

- A. Consider Taking Action as the Heber Meadows CFD 2005-1 Board to Authorize the Completion of a Nexus Study Related to the Cost to Provide Services for Zone 2 of the Heber Meadows CFD 2005-1 – General Manager
A motion to approve was made by Director Cardenas, seconded by Director Diaz-Molina. Motion passed with a vote of 5-0.
AYES: Sandoval, Garcia, Cardenas, Diaz-Molina, Tabarez
Noes: None
- B. Authorize a Cost of Service Study for New Development and Service Fees to be Completed by The Holt Group and HPUD Staff – General Manager

A motion to approve was made by Director Cardenas, seconded by Director Diaz-Molina. Motion passed with a vote of 5-0.

AYES: Sandoval, Garcia, Cardenas, Diaz-Molina, Tabarez

Noes: None

- C. Authorize the Reinstatement of Delinquent and Service Disconnection Charges for Non-Payment Starting January 1, 2022 – General Manager

A motion to approve was made by Director Cardenas, seconded by Director Diaz-Molina. Motion passed with a vote of 3-2.

AYES: Garcia, Cardenas, Diaz-Molina

Noes: Sandoval, Tabarez

- D. Authorize the Purchase of a New Diesel Truck From El Centro Motors for the Amount of \$54,241.48 for the Parks Department – General Manager

A motion to approve was made by Director Cardenas, seconded by Director Sandoval. Motion passed with a vote of 5-0.

AYES: Sandoval, Garcia, Cardenas, Diaz-Molina, Tabarez

Noes: None

- E. Authorize the Purchase of a New Backhoe from Empire Machinery and Caterpillar for the Amount of \$110,798.00 – General Manager

A motion to approve was made by Director Cardenas, seconded by Director Garcia. Motion passed with a vote of 5-0.

AYES: Sandoval, Garcia, Cardenas, Diaz-Molina, Tabarez

Noes: None

- F. Consider Waiving Ordinance 222 for the Tamale Festival on Saturday, January 29, 2022 – General Manager **THIS ITEM WAS TABLED.**

9. OLD BUSINESS: Discussion and Possible Action

- A. Adopt Resolution 2021-15 to Modify the Memorandum of Understanding Between the Heber Public Utility District and the Natural Resources Technical Association – General Manager

A motion to approve was made by Director Cardenas, seconded by Director Garcia. Motion passed with a vote of 5-0.

AYES: Sandoval, Garcia, Cardenas, Diaz-Molina, Tabarez

Noes: None

- B. Adopt Resolution 2021-16 to Adopt the Modified Salary Schedule for Fiscal Year 2021-22 – General Manager

A motion to approve was made by Director Cardenas, seconded by Director Garcia. Motion passed with a vote of 5-0.

AYES: Sandoval, Garcia, Cardenas, Diaz-Molina, Tabarez

Noes: None

- C. Consider Adoption of Resolution Number 2021-14 Requesting Independent Special District Membership on the Imperial County Local Agency Formation Commission and Approving the Memorandum of Understanding Regarding Membership and Funding – General Manager

A Motion to TABLE this item was made by Director Cardenas, seconded by Director Garcia.

Motion passed with a vote of 5-0.

AYES: Sandoval, Garcia, Cardenas, Diaz-Molina, Tabarez

Noes: None

10. ANNOUNCEMENTS:

- A. Board of Supervisors meets every Tuesday. You can listen and watch the proceedings <https://imperialcounty.org/bosagendas>.
- B. CSDA newsletter www.csda.net

11. CLOSED SESSION:

A motion to move into Closed Session was made at 6:44pm by Director Cardenas, seconded by Director Diaz-Molina. Motion passed with a vote of 5-0.

AYES: Sandoval, Garcia, Cardenas, Diaz-Molina, Tabarez

Noes: None

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, participants joining Closed Session will exit the public meeting and join the private Closed Session meeting.
- Once Closed Session is complete, participants will leave the private zoom meeting and re-join the public and adjournment.

- A. Potential Litigation – (Government Code Section §54956.9(d)(2)) 1 matter
- B. Public Employee Evaluation of Performance – (Government Code Section §54957) General Manager.

The Board came out of Closed Session at 8:27pm.

Attorney Steve Walker, stated that there was no reportable action taken.

12. ADJOURNMENT:

A motion to adjourn was made at 8:27pm by Director Sandoval, seconded by Director Diaz-Molina. Motion passed with a vote of 4-0-1 with 1 absent.

AYES: Sandoval, Garcia, Diaz-Molina, Tabarez

Noes: None

Absent: Cardenas

I, Laura Fischer, hereby certify that the agenda for the Regular Board Meeting of November 18, 2021 at 6:00 p.m. was posted on November 12, 2021 @ 5:30: p.m. at the Heber Public Utility District Office and online at www.heber.ca.gov.

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